



SNOHOMISH
HEALTH
DISTRICT

ENVIRONMENTAL HEALTH DIVISION
3020 Rucker Avenue, Suite 104
Everett, WA 98201-3900
425.339.5250 FAX: 425.339.5254
Deaf/Hard of Hearing: 425.339.5252 (TTY)

Healthy Lifestyles, Healthy Communities

HEALTH OFFICER'S ORDER NO. 06 - 011

February 3, 2006

280412 002 00100
Tax Account Number

Mr. Steve Lindjord and/or
Mr. Larry Baker
Rinker Materials
6300 Glenwood Avenue
Everett, Washington 98203

P. O. Box 2037
Everett, Washington 98213

Subject: Solid Waste at an Inert Waste Landfill Located at 6300 Glenwood Avenue,
Everett, Washington

Dear Mr. Lindjord and/or Mr. Baker :

It has come to my attention that Rinker Material's (Rinker) Inert Waste Landfill has accepted a solid waste material identified as the backwash solids from the Tolt Treatment Facility's water filters. The solid waste material has also been disposed of at the Rinker mining site near Maltby, currently not permitted to accept any type of solid waste.

This material contains heavy metals, arsenic and cadmium, in excess of the Model Toxics Control Act's (MTCA) Method A Soil Cleanup Standards for Unrestricted Land Uses. This same material was tested by the Synthetic Precipitation Leaching Procedure (SPLP) test and shown to have the potential for leaching into groundwater for the following metals: arsenic, cadmium, chromium and lead. At no time, prior to acceptance, was the Snohomish Health District (Health District) consulted on the merits of accepting this material.

Rinker has been notified by written correspondence (12/12/05), site inspections and telephone calls to isolate and to remove this material. A letter (12/30/05) from Rinker in response to the Health District's request for removal, stated that based on the results of the Synthetic Precipitation Leaching Procedure (SPLP) tests and results of the Total Organic Carbon testing, removal of the material in question is not necessary. The Health District has analyzed the same test results and does not agree with Rinker's analysis. The Health District has consulted with the Department of Ecology who agrees with the Health District interpretation.

In view of these circumstances, you are hereby ordered to submit a plan for removal and abate this violation from both sites, Rinker Inert Waste Landfill and Rinker Mining Site, within **sixty (60) days** of the date of this Order. A reinspection will be conducted on April 4, 2006, to determine compliance.

Subject: Solid Waste at an Inert Waste Landfill Located at 6300 Glenwood Avenue,
Everett, Washington

February 3, 2006

Page 2

Please be advised that failure to comply with this Order will submit you to legal action under the provisions of the Snohomish Health District Sanitary Code, Chapter 3.1, and the Solid Waste Handling Standards, Chapter 173-350 WAC.

If you have any questions, please contact Kathy Pierson at 425.339.5250.

Sincerely,



M. Ward Hinds, M.D., M.P.H.
Health Officer

MWH/KAP:sei

DELIVERY:

- 1) Certified mail to addressee
- 2) Regular mail to addressee

cc: Department of Ecology; Peter Christiansen
Department of Natural Resources; John Bromley, Geology and Earth Resources Division
CDM Constructors, Inc.; Gregory Lindstadt
American Water Works; Steve Jowell, Facility Manager
Seattle-King County Public Health; Gary Criscione
Seattle Public Utilities, Alex Chenn, Water Quality Lab