November 15, 2010

Mr. Mike Kain
Thurston County Development Services
Building #1, Administration
2000 Lakeridge Drive Southwest
Olympia, WA 98502-6045

Dear Mr. Kain:

Thank you for the opportunity to comment on the notice of application for the Maytown Sand & Gravel, LLC Five Year Review of Special Permit project (Project No. 2010102512) located at 13120 Tilley Road in Olympia. The Department of Ecology (Ecology) reviewed the information provided and has the following comment(s):

**AIR QUALITY: Qing Chen (360) 40-6809**

Air Quality program comments submitted October 7, 2010, still apply to the project described (see enclosure). There are no new comments submitted at this time.

**SAND & GRAVEL PERMIT: Chris Johnson (360) 407-7194**

The Maytown Aggregate facility is under General Sand & Gravel permit coverage (WAG501520), and is subject to all of the conditions of this permit.

**TOXICS CLEANLUP: Mohsen Kourehdar (360) 407-6254**

Toxics Cleanup program comments submitted May 10, 2010, still apply to the project described (see enclosure). There are no new comments submitted at this time.

Ecology's comments are based upon information provided by the lead agency. As such, they may not constitute an exhaustive list of the various authorizations that must be obtained or legal requirements that must be fulfilled in order to carry out the proposed action.

If you have any questions or would like to respond to these comments, please contact the appropriate reviewing staff listed above.

Department of Ecology
Southwest Regional Office

(SM: 10_08_05-8682B)
Enclosure

cc: Qing Chen, AQP
    Chris Johnson, S&G
    Mohsen Kourehdar, TCP
    John Hempelmann (Representative)
October 7, 2010

Mr. Mike Kain
Thurston County Development Services
Building #1, Administration
2000 Lakeridge Drive Southwest
Olympia, WA  98502-6045

Dear Mr. Kain:

Thank you for the opportunity to comment on the revised notice of application for the Maytown Sand & Gravel, LLC Special Use Permit Amendment (Project Case No. 2010101170) located at 13120 Tilley Road in Olympia as proposed by Steve Cortner, Maytown Sand and Gravel, LLC. The Department of Ecology (Ecology) reviewed the information provided and has the following comment(s):

**AIR QUALITY:** Qing Chen (360) 407-6809

A Notice of Construction approval may be required for this project from Olympic Region Clean Air Agency (ORCAA).

**TOXICS CLEANUP:** Mohsen Kourehdar (360) 407-6254

Toxics Cleanup program comments submitted May 10, 2010, still apply to the project described (see enclosure). There are no new comments submitted at this time.

**SAND & GRAVEL PERMIT:** Chris Johnson (360) 407-7194

The Maytown Aggregates Sand & Gravel Facility is currently under the General Sand & Gravel permit coverage (WAG-50-1520) and is subject to all of the conditions of this permit.

**SHORELANDS/WETLANDS & ENVIRONMENTAL ASSISTANCE:** Alex Callender (360) 407-6167

The changing of the deadlines for the water quality monitoring does not appear to have any impact on the results or the environment.

Ecology's comments are based upon information provided by the lead agency. As such, they may not constitute an exhaustive list of the various authorizations that must be obtained or legal requirements that must be fulfilled in order to carry out the proposed action.

If you have any questions or would like to respond to these comments, please contact the appropriate reviewing staff listed above.

Department of Ecology
Southwest Regional Office

(SM: 10_08_05-8682)
Enclosure

cc: Alex Callender, SEA
    Qing Chen, AQP
    Chris Johnson, S&G
    Mohsen Kourehdar, TCP
    Steve, Cortner, Maytown Sand and Gravel, LLC (Applicant)
    John Hempelmann (Contact)
September 27, 2010

Mr. Mike Kain
Thurston County Development Services
Building #1, Administration
2000 Lakeridge Drive Southwest
Olympia, WA  98502-6045

Dear Mr. Kain:

Thank you for the opportunity to comment on the notice of application for the Maytown Sand & Gravel, LLC Special Use Permit Amendment (Case Nos. 2010101170, 10 123769 & 10-123771) located at 13120 Tilley Road in Olympia as proposed by Matown Sand & Gravel, LLC. The Department of Ecology (Ecology) reviewed the information provided and has the following comment(s):

**TOXICS CLEANUP: Mohsen Kourehdar (360) 407-6256**

Toxics Cleanup program comments submitted May 10, 2010, still apply to the project described (see enclosure). There are no new comments submitted at this time.

**SHORELANDS/WETLANDS & ENVIRONMENTAL ASSISTANCE: Alex Callender (360) 407-6167**

It appears that the timing of the well monitoring has occurred after a specified time. Since no environmental impacts have occurred, the delay would not affect the outcome of the project.

I am concerned that the applicant may not be monitoring correctly.

The letter dated April 22, 2010, to Mike Kain of the Thurston County Development Services states: that the “MDNS 6C is requiring background testing for a suite of pollutants that has nothing to do with mining…” I think there is some confusion as to what is required by the state and the general permit. The general permit has water monitoring parameters set in statute (Construction Stormwater National Pollution Discharge Elimination System (NPDES) and Clean Water Act). The water monitoring required by the county health department is to satisfy the conditions of the Special Use Permit (SUP).

Previous contamination has been found on site. Further monitoring for these contaminants found in appendix 1, 2, and 3 would help to give reasonable assurance that the mining activities would not cause groundwater contamination. It is within the scope of the health department’s authority to require the applicant to monitor for those contaminants.

I would advise the applicant to work with the health department to assure that they are monitoring correctly and in compliance.
Ecology's comments are based upon information provided by the lead agency. As such, they may not constitute an exhaustive list of the various authorizations that must be obtained or legal requirements that must be fulfilled in order to carry out the proposed action.

If you have any questions or would like to respond to these comments, please contact the appropriate reviewing staff listed above.

Department of Ecology
Southwest Regional Office

(SM: 10_08_05-8682)
Enclosure

cc: Alex Callender, SEA
    Mohsen Kourehdar, TCP
    Matown Sand & Gravel, LLC (Applicant)
    John Hempelmann (Representative)
May 10, 2010

Mr. Mike Kain  
Thurston County Development Services  
Building #1, Administration  
2000 Lakeridge Drive Southwest  
Olympia, WA 98502-6045

Dear Mr. Kain:

Thank you for the opportunity to comment on the Maytown Sand & Gravel Amendment proposal located at 13120 Tilley Road in Olympia as proposed by Steve Cortner, Maytown Sand & Gravel, LLC.

The Department of Ecology (Ecology) reviewed the information provided and has the following comment(s):

**TOXICS CLEANUP: Mohsen Kourehdar (360) 407-6254**

If contamination is suspected or discovered during construction, testing of the potentially contaminated media must be conducted. If contamination of soil or groundwater is readily visible, or is revealed by testing, Ecology must be notified. Contact the Environmental Report Tracking System Coordinator at the Southwest Regional Office at (360) 407-6300. For assistance and information about subsequent cleanup and to identify the type of testing that will be required, contact Mohsen Kourehdar with the Toxic Cleanup Program at the Southwest Regional Office at the phone number given above.

Ecology’s comments are based upon information provided by the lead agency. As such, they may not constitute an exhaustive list of the various authorizations that must be obtained or legal requirements that must be fulfilled in order to carry out the proposed action.

If you have any questions or would like to respond to these comments, please contact the appropriate reviewing staff listed above.

Department of Ecology  
Southwest Regional Office

(SM: Maytown Sand & Gravel Amendment)

cc: Mohsen Kourehdar, TCP  
Steve Cortner, Maytown Sand & Gravel, LLC (Property Owner/Applicant)  
John Hempelmann, Cairncross & Hempelmann (Contact)