CENWS-OD-TS-DM

MEMORANDUM FOR RECORD 9 July 2009

SUBJECT: DMMP RECENCY EXTENSION FOR DELTA MARINE INDUSTRIES, DUWAMISH RIVER, SEATTLE, KING COUNTY, FOR UNCONFINED OPEN-WATER DISPOSAL AT THE ELLIOTT BAY NONDISPERSIVE SITE.

1. A DMMP suitability determination was issued on October 19, 2007, covering 11,905 cubic yards of proposed dredged material (DMMP, 2007). A portion of this material was maintenance dredging, with the remainder constituting new work (deepening of the berthing area and expansion of the boat basin). The entire volume was found suitable for open-water disposal. Being in a high-ranked area, a 2-year recency period was provided in the suitability determination, ending in July 2009.

2. The maintenance dredging portion of the project was completed in January 2008 under Army Corps of Engineers permit NWS-200200175.

3. Dioxin testing of the new-work portion of the project was subsequently conducted and a supplemental suitability determination memorandum (SSDM) issued by the DMMP agencies on September 9, 2008 (DMMP, 2008). The SSDM included 2,629 cubic yards of material for deepening of the existing berthing area (covered by Corps permit NWS-200200175) and 3,905 cubic yards for expansion of the boat basin (covered by Corps permit NWS-2008320-NO). All material was found suitable for open-water disposal under the interim dioxin guidelines for the Elliott Bay site.

4. On June 18, 2009 Layton & Sell requested an extension of the recency period on behalf of Delta Marine Industries due to delays in the permitting process for the basin expansion. The new-work dredging is now anticipated to be completed at the beginning of 2010. An extension to February 15, 2010 was requested.

5. There have been no known spill events or changed conditions in the project area since the original suitability determination was issued. The DMMP agencies were consulted and are in agreement that extension of the recency period to February 15, 2010 is acceptable.

6. This recency extension is contingent upon no significant perturbations occurring in the sediment quality at the project site between the date of this memorandum and the time of dredging.

7. A pre-dredge meeting with DNR and the Corps of Engineers is still required. A dredging quality control plan must be developed and submitted to the Seattle District Corps of Engineers Regulatory Branch project manager for this project at least 7 days prior to the pre-dredge meeting. A DNR site-use authorization must also be acquired.

8. References:

- DMMP, 2007. Determination Regarding the Suitability of Proposed Dredged Material from Delta Marine Industries, Duwamish River, Seattle, King County, for Beneficial Use or Unconfined Open-Water Disposal at the Elliott Bay Nondispersive Site. Prepared by the Army Corps of Engineers for the DMMP agencies, October 19, 2007.

- DMMP, 2008. Supplemental Determination Regarding the Suitability, With Respect to Dioxin, of Proposed Dredged Material from Delta Marine Industries, Duwamish River, Seattle, King County, for Unconfined Open-Water Disposal at the Elliott Bay Nondispersive Site. Prepared by the Army Corps of Engineers for the DMMP agencies, September 9, 2008.

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