

# Site Register

WASHINGTON STATE DEPARTMENT OF ECOLOGY TOXICS CLEANUP PROGRAM



DEPARTMENT OF  
**ECOLOGY**  
State of Washington

SEPTEMBER 19, 2013

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If you have questions, contact Seth Preston at 360/ 407-6848 or [Seth.Preston@ecy.wa.gov](mailto:Seth.Preston@ecy.wa.gov). Specific contacts are listed after each entry.

To ask about the availability of this document in a format for the visually impaired, call 360/ 407-7170. Persons with hearing loss may call 711 for Washington Relay Service. Persons with a speech disability may call 877-833-6341.

## FORMAL CLEANUPS

Ecology oversees complex cleanup sites to ensure that your health and that of the environment are protected.

### KING COUNTY

#### West of Fourth Site

#### Between 4th Avenue South and Duwamish Waterway, Seattle

##### *Negotiations in Progress for Agreed Order*

Ecology has started negotiations to create an agreed order to continue cleanup-related work at the West of Fourth site in south Seattle. The site area is located between 4th Avenue South and the Duwamish Waterway from South Lucile Street to the north to Slip 2 of the Waterway to the south. Releases of hazardous substances at the properties of four companies have resulted in soil and groundwater contamination within this area.

The companies are:

- Art Brass Plating Inc. – FSID 88531932
- Blaser Die Casting Co. – FSID 7118747
- Burlington Environmental LLC (PSC Environmental Services) – FSID 47779679
- Capital Industries Inc. – FSID 11598755

Under the agreed order, the four companies will jointly conduct a feasibility study (FS) and draft a cleanup action plan.

Groundwater contamination at the site includes the hazardous substance trichloroethene (TCE), and substances that form in the subsurface as TCE degrades, such as dichloroethenes and vinyl chloride. There are also, at certain locations and depths, elevated levels of 1,4-dioxane and certain toxic metals, such as nickel. Ecology has been overseeing the four potentially liable persons' (PLPs') efforts to address contamination in this area. Each of the PLPs has completed remedial investigations under separate Ecology orders.

Please direct questions to Ed Jones with Ecology's Hazardous Waste & Toxics Reduction Program.

Contact: **Ed Jones**  
Northwest Regional Office  
425/ 649-4449  
[ejon461@ecy.wa.gov](mailto:ejon461@ecy.wa.gov)

Terminal 30 Site

Facility Site ID# 2055

CSID# 4394

1901 East Marginal Way South, Seattle

**Public comment period: 9/20/13 – 10/21/13**

##### *Agreed Order Amendment Available for Public Review and Comment*

Ecology invites the public to review and comment on an amendment to an agreed order for the Terminal 30 site. The site is located at 1901 E. Marginal Way S. in Seattle.

In 1991, Ecology signed an agreed order with the Port of Seattle to complete a remedial investigation and feasibility study for the site. Ecology is now amending the order to require the Port of Seattle to develop a cleanup action plan (CAP).

Contamination at the site is due to its past operation as a bulk fuel terminal.

Contaminants in the soil include Total Petroleum Hydrocarbons.

Contaminants in the groundwater include:

- Total Petroleum Hydrocarbons, including gasoline, diesel, and motor oil range hydrocarbons.
- Volatile Organic Compounds including benzene.
- Polycyclic Aromatic Hydrocarbons.

Please direct questions and written comments to site manager Sunny Becker.

Site Manager: **Sunny Becker**  
Northwest Regional Office  
425/ 649-7187  
[sunny.becker@ecy.wa.gov](mailto:sunny.becker@ecy.wa.gov)

You may review the documents at the following locations:

- Terminal 30 site: <https://fortress.wa.gov/ecy/gsp/Sitepage.aspx?csid=4394>
- Beacon Hill Branch, Seattle Public Library – 2821 Beacon Ave., Seattle, WA. Call 206/ 684-4711.
- Ecology’s Northwest Regional Office Toxics Cleanup Program – 3190 160th Avenue SE, Bellevue, WA. (Please contact Sally Perkins for an appointment at 425/ 649-7190 or [Sally.Perkins@ecy.wa.gov](mailto:Sally.Perkins@ecy.wa.gov).)

For special accommodation needs, please call (425) 649-7219 (Voice), 711, or (800) 833-6341 (TTY).

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## KITSAP COUNTY

**Port Gamble Bay and Mill Site**  
**Port Gamble**

**Facility Site ID# 93937775**

**CSID# 3444**

### *Negotiations Continue for Consent Decree*

Ecology continues to negotiate a consent decree with Pope Resources and the Olympic Property Group to conduct a cleanup at Port Gamble Bay. Please direct questions to site manager Russ McMillan.

Site Manager: **Russ McMillan**  
Ecology Headquarters  
360/ 407-7536  
[Russ.McMillan@ecy.wa.gov](mailto:Russ.McMillan@ecy.wa.gov)

For more information:

- Port Gamble Bay and Mill site: <https://fortress.wa.gov/ecy/gsp/Sitepage.aspx?csid=3444>

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## KITTITAS COUNTY

**Kens Auto Wash II Site**  
**1013 University Way, Ellensburg**

**Facility Site ID# 3892**

**CSID# 5208**

### *Negotiations in Progress for Agreed Order*

Ecology and Ken Peterson are negotiating an agreed order to conduct an interim action at the Kens Auto Wash II site. Negotiations began on August 9, 2013, and will end on September 30, 2013, unless ended sooner by one or more parties.

Please direct questions to site manager Norm Peck.

Site Manager: **Norm Peck**  
Central Regional Office  
509/ 407-6999  
Norm.Peck@ecy.wa.gov

For more information:

- Kens Auto Wash II site: <https://fortress.wa.gov/ecy/gsp/Sitepage.aspx?csid=5208>

**Storey Gas Station Site**  
1310 East 1st Street, Cle Elum

Facility Site ID# 401

CSID# 4064

**Public comment period: 9/19/13 – 10/21/13**

*Site Proposed for Removal from Hazardous Sites List*

Ecology proposes to remove the Storey Gas Station Site from the Hazardous Sites List (HSL). The site was ranked a 1 on the HSL. A rank of “1” represents the highest level of risk compared to other sites; a rank of “5” represents the lowest. Ecology has determined that this site does not pose a threat to human health or the environment and recommends removing the site from the HSL.

Please direct questions and written comments to site manager John Mefford.

Site Manager: **John Mefford**  
Central Regional Office  
509-454-7836  
John.Mefford@ecy.wa.gov

More information may be found on Ecology’s Public Events Calendar: <http://www.ecy.wa.gov/>; click on calendar.

You may review the document at the following locations:

- Storey Gas Station site: <https://fortress.wa.gov/ecy/gsp/Sitepage.aspx?csid=4064>
- Carpenter Memorial Library – 302 Pennsylvania Ave., Cle Elum, WA. Call 509/ 674-2313.
- Ecology’s Central Regional Office Toxics Cleanup Program – 15 W. Yakima Ave., Suite 200, Yakima, WA. (Please call 509/ 454-7658 for an appointment.)

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## KLICKITAT COUNTY

**Columbia Gorge Aluminum Site**  
85 John Day Dam Road, Goldendale

Facility Site ID# 95415874

CSID# 11797

*Negotiations in Progress for Agreed Order*

Ecology is negotiating an agreed order with Lockheed Martin Corporation and NSC Smelter LLC, the potentially liable parties, to complete the remedial investigation and feasibility study for the Columbia Gorge Aluminum site.

The Columbia George Aluminum Smelter produced aluminum and aluminum products for nearly 30 years. The smelter is located in Goldendale on about 350 acres along the Columbia River. During the operation of the smelter, the various owners have managed hazardous and solid waste at several locations on the site.

Smelter operations contaminated soil and groundwater at the site with fluoride, PAHs, cyanide, and PCBs. The facility was added to the Hazardous Sites List in 1990.

Please direct questions to site manager James DeMay.

Site Manager: **James DeMay**  
Ecology Industrial Section  
360/ 407-6999  
[jade461@ecy.wa.gov](mailto:jade461@ecy.wa.gov)

For more information:

- Columbia Gorge Aluminum site: <https://fortress.wa.gov/ecy/gsp/Sitepage.aspx?csid=11797>

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## SKAGIT COUNTY

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**Skagit Farmers Supply Wolfkill Yard Site**  
205 West Fir Street, Mount Vernon

Facility Site ID# 4755451

CSID# 4567

**Public comment period: 9/27/13 – 10/28/13**

*Site Proposed for Removal from Hazardous Sites List*

Ecology proposes to remove the Skagit Farmers Supply Wolfkill Yard site from the Hazardous Sites List. The site is located at 205 W. Fir St. in Mount Vernon.

In 2010, this site was ranked a 5 and placed on the Hazardous Sites List (HSL). The HSL is a record of contaminated sites throughout the state that are ranked on a scale of 1 to 5. A ranking of 1 represents the greatest potential threat to human health and the environment relative to all sites ranked; 5 represents the least potential threat. Ecology's Voluntary Cleanup Program reviewed cleanup actions at the site and is recommending removal of this site from the HSL.

The site is located in a mixed industrial/commercial area. The site was owned by Wolfkill Feed and Fertilizer until the early 1990s, when it was acquired by Skagit Farmers Supply. Wolfkill had used the site for about 33 years for retail sales, primarily to farmers. The site comprises approximately 2 acres.

Four underground storage tanks (USTs) were removed from the site in 1989. The cleanup consisted of excavation and off-site disposal of 670 cubic yards of petroleum-contaminated soil immediately after removal of the USTs. Soil cleanup levels for unrestricted use protective of direct human contact and groundwater protection are required at this site.

Please direct questions and written comments to site manager Maureen Sanchez.

Site Manager: **Maureen Sanchez**  
Northwest Regional Office  
425/ 649-7257  
[maureen.sanchez@ecy.wa.gov](mailto:maureen.sanchez@ecy.wa.gov)

You may review the documents at the following locations:

- Skagit Farmers Supply Wolfkill Yard site: <https://fortress.wa.gov/ecy/gsp/Sitepage.aspx?csid=4567>
- Ecology's Northwest Regional Office Toxics Cleanup Program – 3190 160th Avenue SE, Bellevue, WA. (Please contact Sally Perkins for an appointment at 425/ 649-7190 or [Sally.Perkins@ecy.wa.gov](mailto:Sally.Perkins@ecy.wa.gov).)

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## SNOHOMISH COUNTY

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**Webb Property Auto Dismantlers Site**  
2402 Gibson Road, Everett

Facility Site ID# 7444412

CSID# 2722

**Public comment period: 9/27/13 – 10/28/13**

*Site Proposed for Removal from Hazardous Sites List*

Ecology proposes to remove the Webb Property Auto Dismantlers site at 2402 Gibson Road, Everett, from the Hazardous Sites List (HSL). The HSL is a record of contaminated sites throughout the state that are ranked on a scale of 1 to 5. A 1 represents the greatest potential threat to human health and the environment relative to all sites ranked; 5 represents the least potential threat. In 2001,

this site was ranked a 2 and placed on the HSL. Ecology's Voluntary Cleanup Program reviewed cleanup actions at the site and is recommending removal of this site from the HSL because of completion of the remediation.

The site is a commercial property. The former Gibson Auto Body facility operated from 1974 to 2005. This site also was used as an automotive repair service, automobile dismantling as well as a junk yard. Investigations showed that the soil contamination was within 2 feet of the surface. Groundwater was not encountered during soil drilling down to 18 feet below the ground surface.

The contaminated soils were excavated and taken to a permitted facility. Soil samples within 2 feet from the surface were taken to confirm soil remediation satisfies state cleanup standards. Also, all junk vehicles, containers, fuel tanks, drums, and solid wastes were removed from the property.

Please direct questions and written comments to site manager Grant Yang.

Site Manager: **Grant Yang**  
Northwest Regional Office  
425/ 649-7126  
[grant.yang@ecy.wa.gov](mailto:grant.yang@ecy.wa.gov)

You may review the documents at the following locations:

- Webb Property Auto Dismantlers site: <https://fortress.wa.gov/ecy/gsp/Sitepage.aspx?csid=2722>
- Ecology's Northwest Regional Office Toxics Cleanup Program – 3190 160th Avenue SE, Bellevue, WA. (Please contact Sally Perkins for an appointment at 425/ 649-7190 or [Sally.Perkins@ecy.wa.gov](mailto:Sally.Perkins@ecy.wa.gov).)

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## SPOKANE COUNTY

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**Cummins Northwest Site**  
3904 East Trent Avenue, Spokane

**Facility Site ID# 682**

**CSID# 1151**

**Public comment period: 9/19/13 – 10/18/13**

### *Periodic Review Available for Public Comment*

Ecology invites you to review and comment on a document called a periodic review. Ecology conducts a periodic review at least every five years after the initiation of a cleanup action at a site, as required by the Model Toxics Control Act (MTCA). The purposes of the review are to evaluate site conditions, after cleanup is considered complete, and to ensure protection of human health and the environment.

The former Cummins Northwest facility was located at 3904 E. Trent Ave. in an industrialized portion of Spokane. The facility was used for heavy truck maintenance and repair. Now, General Fire Protection Systems Inc., a fire safety equipment and alarm-manufacturing facility, occupies the site.

Several actions were taken at the site to cleanup petroleum product in soil and groundwater. Groundwater at the site is no longer contaminated. Most contaminated soil was removed and an asphalt cover or cap placed where contamination had been. However, some contaminated soil remains under buildings because removal of that soil would cause damage to the structures. Because this contaminated soil remains on the site, a restrictive covenant was placed on the property limiting how it may be used.

Based upon the site visit conducted on March 22, 2013, the building and asphalt cover at the site continue to eliminate direct exposure pathways to the contaminated soils. The asphalt appears in satisfactory condition and no repair, maintenance or contingency actions have been required.

Soils containing total petroleum hydrocarbons (TPH) at levels that do not meet state standards remain on the site. However, the structures and asphalt cap prevent human exposure by possible ingestion and direct contact with the soils. The restrictive covenant for the property will ensure the integrity of the remedial actions through restricting how the property may be used.

Ecology concluded no additional actions are required by the property owner. It is the property owner's responsibility to continue to inspect the site to ensure the integrity of the cap is maintained.

Please direct questions and written comments to site manager Patti Carter.

Site Manager: **Patti Carter**  
Eastern Regional Office  
509/ 329-3522  
[paca461@ecy.wa.gov](mailto:paca461@ecy.wa.gov)

More information may be found on Ecology's Public Events Calendar: <http://www.ecy.wa.gov/>; click on calendar.

You may review the documents at the following locations:

- Cummins Northwest site: <https://fortress.wa.gov/ecy/gsp/Sitepage.aspx?csid=1151>
- Ecology's Eastern Regional Office Toxics Cleanup Program – 4601 N. Monroe, Spokane, WA. (Please call 509/ 329-3415 for an appointment.)

**Kaiser Trentwood Site**  
15000 East Euclid, Spokane

**Facility Site ID# 53481373**

**CSID# 7093**

**Public comment period: 9/4/13 – 10/4/13**

*Closure Plan, Other Documents Available for Public Review and Comment*

Ecology is seeking public comments on a proposed closure plan and supporting documents related to completion of cleanup work at the Kaiser Trentwood site at 15000 E. Euclid, Spokane Valley. This site was built in 1942 for production of aluminum for World War II. Kaiser, which has operated at the site since 1946, applied for a hazardous waste treatment, storage and disposal facility permit in 1980. These activities ceased by 1991. The site has been in the process of cleanup since the mid-1980s.

There is potential contamination of the concrete pads and walls, and the underlying soil, from storage of dangerous wastes in tanks and 55-gallon drums. In addition, wastewater containing chromium was stored in a lined pond. All of the potential contamination came from operations conducted at the site, which is an aluminum mill. Possible contamination sources include used oil, paint, chlorinated and non-chlorinated solvents, chromic acid solution, and chromium-containing wastewater.

Please direct questions to Lori Rodriguez of Ecology's Hazardous Waste & Toxics Reduction Program.

Contact: **Lori Rodriguez**  
Eastern Regional Office  
509/ 329-3449  
[lrod461@ecy.wa.gov](mailto:lrod461@ecy.wa.gov)

More information may be found on Ecology's Public Events Calendar: <http://www.ecy.wa.gov/>; click on calendar.

You may review the documents at the following locations:

- Kaiser Trentwood site: <https://fortress.wa.gov/ecy/gsp/Sitepage.aspx?csid=7093>
- Hazardous Waste & Toxics Reduction Program: [www.ecy.wa.gov/programs/hwtr/foia/index.html](http://www.ecy.wa.gov/programs/hwtr/foia/index.html)
- Spokane Valley Public Library – 12004 E. Main, Spokane Valley, WA. Call 509/ 893-8400.

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## WHATCOM COUNTY

**Cornwall Avenue Landfill Site**  
500 Cornwall Avenue, Bellingham

**Facility Site ID# 2913**

**CSID# 220**

**Public comment period: 8/22/13 – 9/20/13**

*Draft Remedial Investigation and Feasibility Study Available for Public Review*

The Port of Bellingham, with Ecology oversight, has investigated contamination, evaluated cleanup options, and identified a preferred option for the Cornwall Avenue Landfill cleanup site on the Bellingham waterfront. This information is available for review in a draft technical report known as a remedial investigation and feasibility study.

Extensive sampling across the site found potentially harmful levels of hazardous substances in groundwater, soil and sediment. The contaminants are associated with historic municipal and wood waste disposal practices. A cost-benefit analysis of the cleanup options identified a preferred option that includes a low-permeability cap with reinforced liner; a shoreline stabilization system with sand filter; storm drainage improvements; a thin-layer sediment cap; and monitored natural recovery.

A public meeting was held on August 28, 2013, in the Bellingham Public Library lecture room, 210 Central Ave.

Please direct questions and written comments to site manager Mark Adams.

Site Manager: **Mark Adams**  
Northwest Regional Office  
425/ 649-7107  
[Mark.Adams@ecy.wa.gov](mailto:Mark.Adams@ecy.wa.gov)

More information may be found on Ecology's Public Events Calendar: <http://www.ecy.wa.gov/>; click on calendar.

You may review the document at the following locations:

- Cornwall Avenue Landfill site: <https://fortress.wa.gov/ecy/gsp/Sitepage.aspx?csid=220>
- Bellingham Public Library – 210 Central Ave., Bellingham, WA. Call 360 / 778-7323.
- Ecology's Bellingham Field Office – 1440 10th St., Suite 102, Bellingham, WA 98225-7028. Please call 360/ 715-5200 for an appointment.
- Ecology's Northwest Regional Office Toxics Cleanup Program – 3190 160th Avenue SE, Bellevue, WA. (Please contact Sally Perkins for an appointment at 425/ 649-7190 or [Sally.Perkins@ecy.wa.gov](mailto:Sally.Perkins@ecy.wa.gov).)

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## YAKIMA COUNTY

### Bee Jay Scales Site

Facility Site ID# 504

CSID# 3641

116 North 1st Street, Sunnyside

#### *Engineering Design Report Available for Public Review*

Ecology received the Shallow Soil Excavation Engineering Design Report for the Bee Jay Scales site on August 27, 2013. The report is available for review. This work plan supports cleanup action design.

Please direct questions and written comments to site manager Jennifer Lind.

Site Manager: **Jennifer Lind**  
Central Regional Office  
509-454-7839  
[Jennifer.Lind@ecy.wa.gov](mailto:Jennifer.Lind@ecy.wa.gov)

You may review the document at the following locations:

- Bee Jay Scales site: <https://fortress.wa.gov/ecy/gsp/Sitepage.aspx?csid=3641>
- Ecology's Central Regional Office Toxics Cleanup Program – 15 W. Yakima Ave., Suite 200, Yakima, WA. (Please call 509/ 454-7658 for an appointment.)

### Cream Wine Site

Facility Site ID# 46552166

CSID# 4863

111 East Lincoln Avenue, Sunnyside

#### *Engineering Design Report Available for Public Review*

The remedial action plan and engineering design report for the Cream Wine site is available. This report describes how the cleanup action will be designed. Please direct questions and written comments to site manager John Mefford.

Site Manager: **John Mefford**  
Central Regional Office  
509-454-7836  
John.Mefford@ecy.wa.gov

For more information:

- Cream Wine site: <https://fortress.wa.gov/ecy/gsp/Sitepage.aspx?csid=4863> (Click on "view electronic documents.")

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## SITE HAZARD ASSESSMENTS

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### STEVENS COUNTY

Fruitland Service Facility Site ID# 27427285 CSID# 8542  
5369 Highway 25 South, Fruitland

Contact: **Bryan Hunt**  
Northeast Tri-County Health District  
509/ 684-2262  
bhunt@netchd.org

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### PEND OREILLE COUNTY

Ione Airport Facility Site ID# 2652739 CSID# 5291  
Greenhouse Road and SR 31, Ione

Contact: **Doug Ladwig**  
Eastern Regional Office  
509/ 329-3440  
doug.ladwig@ecy.wa.gov

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## INDEPENDENT CLEANUPS

A property owner may conduct an independent cleanup of contamination and submit reports to Ecology.

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### INDEPENDENT CLEANUP CONTACTS

Central Regional Office Contact: e-mail Roger.Johnson@ecy.wa.gov or call 509/ 575-2490  
Eastern Regional Office Contact: Doug Ladwig, e-mail Doug.Ladwig@ecy.wa.gov or call 509/ 329-3440  
Northwest Regional Office Contact: Donna Musa, e-mail Donna.Musa@ecy.wa.gov or 425/ 649-7136  
Southwest Regional Office Contact: Kim Cross, e-mail Kim.Cross@ecy.wa.gov or call 360/ 407-6240

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## KITTITAS COUNTY

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Simpson Texaco  
207 West 1st Street, Cle Elum

Facility Site ID# 92387155

CSID# 6886

*Independent Cleanup Action Report Received*

Date Report Received: 9/11/13

Name of report: First Semiannual 2013 Groundwater Monitoring and Sampling Report

Date of report: 9/9/13

Type of report: Groundwater monitoring

Contaminants reported: Petroleum

Affected media: Groundwater

Contact:

**Roger Johnson**  
Central Regional Office  
509/ 454-7839  
Roger.Johnson@ecy.wa.gov

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## VOLUNTARY CLEANUP PROGRAM

A property owner cleaning up a contaminated site may enter Ecology's Voluntary Cleanup Program (VCP).

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## VCP CONTACTS

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Central Regional Office VCP Contact: Frosti Smith, e-mail Frosti.Smith@ecy.wa.gov or call 509/ 454-7841

Eastern Regional Office VCP Contact: Patti Carter, e-mail: Patti.Carter@ecy.wa.gov or call 509/ 329-3522

Northwest Regional Office VCP Contact: Donna Musa e-mail Donna.Musa@ecy.wa.gov or call 425/ 649-7136

Southwest Regional Office VCP Contact: Kim Cross, e-mail Kim.Cross@ecy.wa.gov or call 360/ 407-6240

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## YAKIMA COUNTY

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Birchfield Road USTs  
3102 West Birchfield Road, Yakima

Facility Site ID# 24043

CSID# 11891

*VCP/Independent Cleanup Action Report Received*

Date Report Received: 8/28/13

Name of report: Site Investigation, Characterization, and Closure Report

Date of report: 6/12/13

Type of report: Site investigation; groundwater monitoring

Contaminants reported: Petroleum

Affected media: Soil, groundwater

Contact:

**Roger Johnson**  
Central Regional Office  
509/ 454-7839  
Roger.Johnson@ecy.wa.gov

Noland Decoto Flying Service  
2810 West Washington Avenue, Yakima

Facility Site ID# 39563633

CSID# 6025

*VCP/Independent Cleanup Action Report Received*

Date Report Received: 9/4/13

Name of report: Report of Additional Groundwater Sampling and Analysis

Date of report: 9/3/13

Type of report: Groundwater monitoring

Contaminants reported: Petroleum

Affected media: Soil, groundwater

Contact: **Roger Johnson**  
Central Regional Office  
509/ 454-7839  
[Roger.Johnson@ecy.wa.gov](mailto:Roger.Johnson@ecy.wa.gov)

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## NEWS & NOTES

### MTCA cleanup sites and federally required air quality permits

This article addresses two important topics for MTCA cleanup sites you should be aware of:

- Clarification of the MTCA permitting exemption related to air quality permits.
- Current opportunity to comment on proposed changes to the federally approved state plan for meeting federal clean air act requirements.

#### Clarification of the MTCA permitting exemption for air quality permits required by the federal Clean Air Act

In 2010, Ecology's Air Quality Program modified its General Regulation to incorporate the exemption from meeting the procedural requirements of the permitting program for cleanup projects under RCWs 70.94 and 70.105D. Based on a review of the exemption, the agency has determined that the full implementation of the exemption would prevent federal approval of the state air quality regulations into the Washington State Implementation Plan (SIP).

The SIP is a federally required state plan to ensure Washington has the legal authority to assure the air quality in Washington meets the National Ambient Air Quality Standards (NAAQS) for lead, ozone, particles, carbon monoxide, nitrogen dioxide, and sulfur dioxide set by the Environmental Protection Agency (EPA). These pollutants are also referred to as criteria pollutants.

Ecology has now clarified the scope of the cleanup project exemption in RCWs 70.94 and 70.105D related to federal permits and the SIP. This determination applies solely to emissions into the air from remedial actions at MTCA cleanup sites, and is not intended to apply to any other circumstance.

The application of the permit exemption found in RCW 70.105D.090(1) to air emissions from remedial actions at MTCA cleanup sites that would otherwise require Prevention of Significant Deterioration (PSD) permits, federal Clean Air Act Title V Air Operating Permits (AOPs), or Nonattainment New Source Review (NSR) permits would result in the state's loss of federal authorization to implement these federal permitting requirements in Washington.

Experience has shown that cleanup projects rarely meet the requirements to obtain one of these permits.

In addition to clarifying the permitting requirements for cleanup projects that could be required to obtain federally required air quality permits, Ecology has clarified the air quality permitting requirements for other cleanup projects as they relate to the SIP. Until exemption language for the smaller sources of criteria pollutants and their precursors is approved by EPA into the Washington SIP, cleanup projects are required to obtain air quality permits known as Notice of Construction (NOC) approvals or Order of Approval to Construct (OAC). These permits are issued by the local air quality permitting agency. A map of their jurisdictions with contact information for those agencies can be found at <http://www.ecy.wa.gov/programs/air/local.html>.

The current exemption language in WAC 173-400-110 must be revised prior to submittal to EPA to clarify how exempt sources meet substantive and procedural requirements of the federal Clean Air Act even if a state permit is not required. This would be submitted to EPA as a revision to the SIP. A public comment period would be held prior to submitting this revision to EPA.

Once the revised exemption has been approved by EPA as part of the SIP, then the procedural requirements (primarily obtaining a NOC permit) would no longer need to be followed. But the substantive requirements that would have been contained in those permits will still have to be met.

For more information on the permitting of sources of air pollution, please contact Alan Newman with the Air Quality Program at [alan.newman@ecy.wa.gov](mailto:alan.newman@ecy.wa.gov) or see [http://www.ecy.wa.gov/programs/air/permit\\_register/NewPermitsPage.html](http://www.ecy.wa.gov/programs/air/permit_register/NewPermitsPage.html).

### **Comments sought on changes to statewide air quality plan**

At this time, Ecology is proposing to submit portions of the current Chapter 173-400 WAC, General Air Quality Regulations, to the Environmental Protection Agency (EPA) for approval in the Washington State Implementation Plan (SIP). Ecology proposes to include in the SIP only those portions of the rule that are required under the federal Clean Air Act. Those portions of the rule that are approved into the SIP by EPA become federally enforceable by EPA and citizens.

The proposed SIP update does not contain the RCW 70.105D exemption for cleanup projects from procedural permitting requirements contained in WAC 173-400-110. In order to include this exemption in the SIP, Ecology needs to revise the rule in regard to cleanup projects and it must be approved by EPA as explained above.

Ecology will accept public comments on the proposal during a public comment period that continues through Sept. 20, 2013. A public hearing will be held at 6 p.m. Wednesday, Sept. 11, at Ecology's headquarters at 300 Desmond Drive SE, Lacey.

The SIP submittal package will be available for public review on Ecology's website during the comment period:

[http://www.ecy.wa.gov/programs/air/sips/plans/400\\_rule.htm](http://www.ecy.wa.gov/programs/air/sips/plans/400_rule.htm)

You can subscribe to receive updates on this project at <http://listserv.wa.gov/cgi-bin/wa?A0=ECY-SIP-UPDATE-WAC-173-400>.

For answers to questions about this SIP update, contact Anya Caudill at [anya.caudill@ecy.wa.gov](mailto:anya.caudill@ecy.wa.gov).

## **New Sediment Management Standards took effect September 1**

The Department of Ecology has adopted changes to Chapter 173-204 WAC, Sediment Management Standards (SMS). Changes focus on requirements for cleanup of contaminated sediments.

The changes were published in the Washington State Register on March 20, 2013, and took effect September 1, 2013. You can see the rule adoption notice here: <https://fortress.wa.gov/ecy/publications/summarypages/1309043.html>

You can find more information about the revised rule, including the Concise Explanatory Statement and Response to Comments, at <http://www.ecy.wa.gov/programs/tcp/regs/2011-SMS/2011-SMS-hp.html>

Ecology is planning outreach activities to communicate information regarding the rule changes, including information about the draft sediment cleanup guidance currently being developed. A public comment period for the guidance is being planned and will be announced later.

For answers to questions about the SMS rule contact Chance Asher at [chance.asher@ecy.wa.gov](mailto:chance.asher@ecy.wa.gov).

Ecology encourages and welcomes your feedback on the work we're doing. Please continue to visit [www.ecy.wa.gov](http://www.ecy.wa.gov) for information on these and related issues.

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## GLOSSARY

**Agreed order** - A legal agreement with Ecology to make sure the cleanup meets the standards of Washington State's cleanup law, the Model Toxics Control Act (MTCA).

**Cleanup action plan (CAP)** - A document that describes the selected cleanup method(s) and specifies cleanup standards and other requirements. It is based on information and technical analyses generated during the RI/FS and consideration of public comments and community concerns. A draft of the CAP (DCAP) is made available for public review and comment before finalizing.

**Comment period** - A time period during which the public can review and comment on various documents and Ecology or EPA actions. For example, a comment period is provided to allow community members to review and comment on proposed cleanup action alternatives and proposed plans. Also, a comment period is held to allow community members to review and comment on draft feasibility studies.

**Consent decree** - A formal legal agreement that is filed with a court. It describes studies and/or cleanup work to be done at a site and the terms under which that work is to be done.

**Engineering design report** - Engineering design reports outline the specific details for implementation and operation of the first phase of the cleanup actions.

**ERTS** - Environmental Response Tracking System

**Five-year periodic review** - A periodic review is conducted at least every five years after the initiation of a cleanup action at a site, as required by the Model Toxics Control Act (MTCA). The purposes of the review are to evaluate site conditions, after cleanup is considered complete, and to ensure protection of human health and the environment.

**Hazardous Sites List** - A statewide list of contaminated properties. Ecology may remove a site from the list only after determining that all remedial actions except confirmational monitoring have been completed and compliance with the cleanup standards has been achieved at the site, or the listing was erroneous.

**Independent cleanup action** - Any remedial action without department oversight or approval and not under an order or decree

**LUST** - Leaking Underground Storage Tank

**NFA** - No Further Action

**Public participation plan** - Outlines and describes the tools Ecology will use to inform the public about site activities, and it identifies opportunities for the community to become involved in this process.

**PSI** - Puget Sound Initiative

**RCW** - Revised Code of Washington

**Remedial action** - Construction work done to clean up a contaminated site.

**Remedial investigation/feasibility study** - Two distinct but related studies. They are usually performed at the same time, and together referred to as the "RI/FS."

**Responsiveness summary** - A summary of oral and/or written public comments received by Ecology during a comment period on key documents, and Ecology's responses to those comments.

**RI/FS** - See Remedial Investigation/Feasibility Study

**SEPA** - State Environmental Policy Act

**Site Hazard Assessment (SHA)** - An assessment to gather information about a site to confirm whether a release of hazardous substances has occurred and to enable Ecology to evaluate the relative potential hazard posed by the release.

**UST** - Underground Storage Tank

**UXO** - Unexploded Ordnance

**Voluntary Cleanup Program (VCP)** - The VCP is one of several options for cleaning up a hazardous waste site under the state's cleanup law. Under this option, property owners may perform a cleanup independently and request services from Ecology for a fee.

**WAC** - Washington Administrative Code

**WARM, Washington Ranking Method** - The method used to rank sites placed on the Hazardous Sites List.

**Additional glossary terms may be found on the Ecology website at:**

[http://www.ecy.wa.gov/programs/tcp/tcp\\_acronym\\_list.htm](http://www.ecy.wa.gov/programs/tcp/tcp_acronym_list.htm)

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## SITE INFORMATION ONLINE

Visit this link to find info on all TCP sites: <https://fortress.wa.gov/ecy/gsp>.

To find out about Public Events related to the sites listed in this issue, go to <http://apps.ecy.wa.gov/pubcalendar/calendar.asp>

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