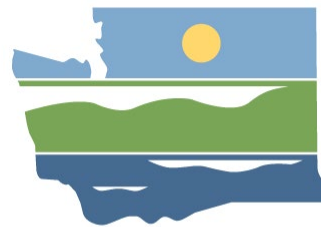


Sediment Management Annual Review Meeting

Department of Ecology Policy Updates

May 2024

Chance Asher
Sediment Policy Program Lead
Toxics Cleanup Program



DEPARTMENT OF
ECOLOGY
State of Washington

FOR TODAY



Sediment Cleanup User's Manual (SCUM)

Guidance for Implementing the Cleanup Provisions of the Sediment Management Standards, Chapter 173-204 WAC

Publication No. 12-09-057
Original publication March 2015
First Revision December 2017
Second Revision December 2019
Third Revision December 2021



- ❑ Legislative updates
- ❑ Toxics Cleanup Program updated 2023-2025 Budget
- ❑ Toxics Cleanup Program policy and guidance updates

Water & Sediment Quality Reporting HB 2235

- ❑ Annual Clean Water Act 303(d) list inventory
- ❑ Ecology's compliance with Clean Water Act
- ❑ Establish water quality baseline to define outstanding resource waterbody
- ❑ Ecology staffing and funding levels



Bill Status-at-a-Glance ⓘ
See [Bill History](#) for complete details on the bill

As of Friday, April 12, 2024 08:14 AM

Current Version:
HB 2235

Current Status:
HEnv & Energy

Where is it in the process?

	Introduced	On Floor Calendar	Passed Chamber
In the House:	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
In the Senate:	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
After Passage:	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
	Passed Legislature	On Governor's Desk	Governor Acted
			Session Law

Cumulative Risk Burden Act HB 2070

- ❑ State Environmental Policy Act (SEPA) expansion
- ❑ Integrate environmental justice impacts
- ❑ Authority to deny or require mitigation for projects
- ❑ Applicants reimburse Ecology for analysis



Bill Status-at-a-Glance ⓘ
See [Bill History](#) for complete details on the bill

As of Friday, April 12, 2024 08:55 AM

Current Version:
HB 2070

Current Status:
HApprops

Where is it in the process?

	Introduced	In Committee	In Floor	Passed Chamber
In the House:	●	○	○	○
In the Senate:	○	○	○	○
After Passage:	○	○	○	○
	Passed Legislature	On Governor's Desk	Governor Acted	Session Law

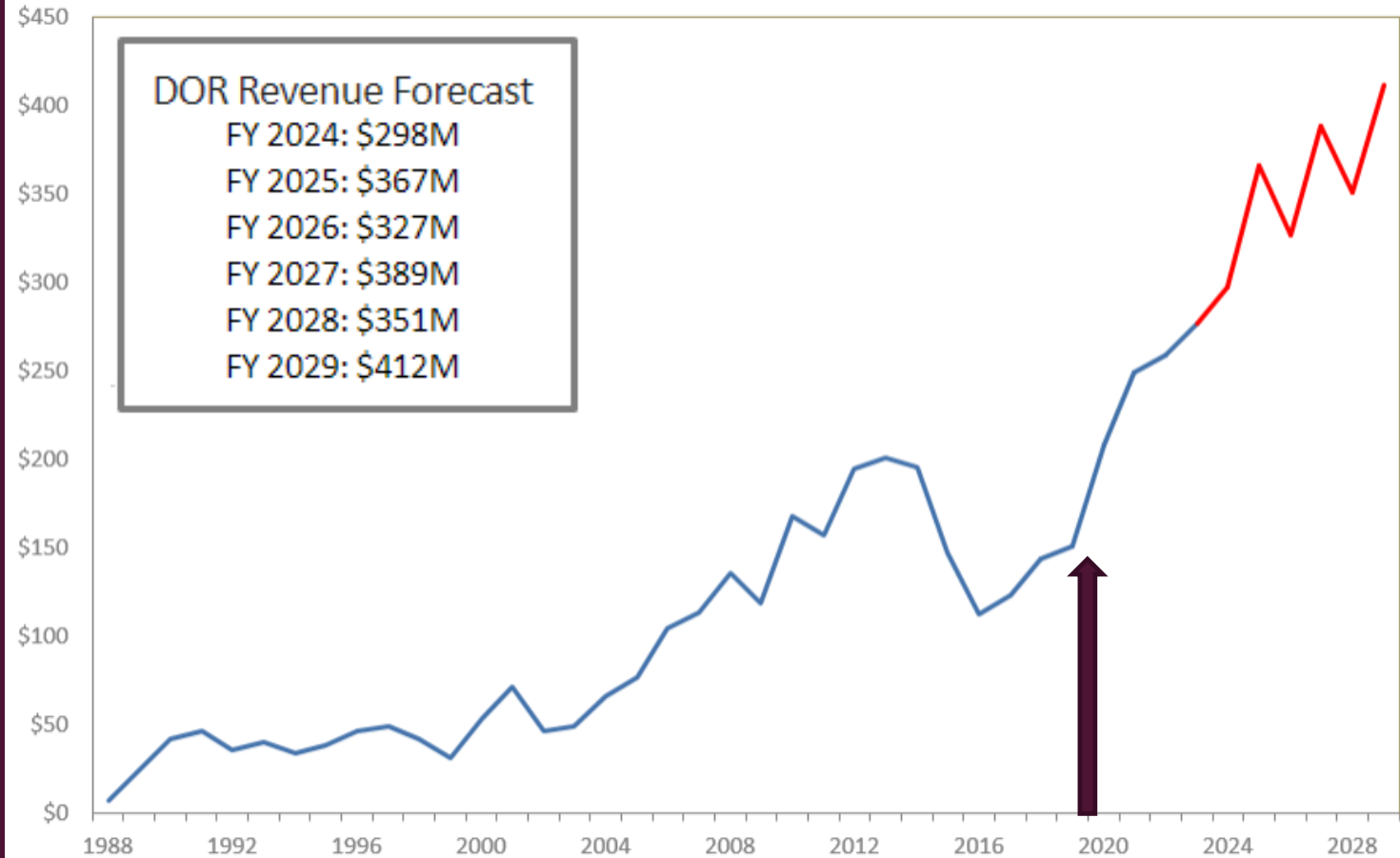
Hazardous Substances Tax Revenue Forecast

- Cleanup and prevent pollution
- 2019: Volumetric based
- Goal: Stabilize MTCA funding

Hazardous Substance Tax Revenue for MTCA Accounts

Reflects February 2024 Forecast

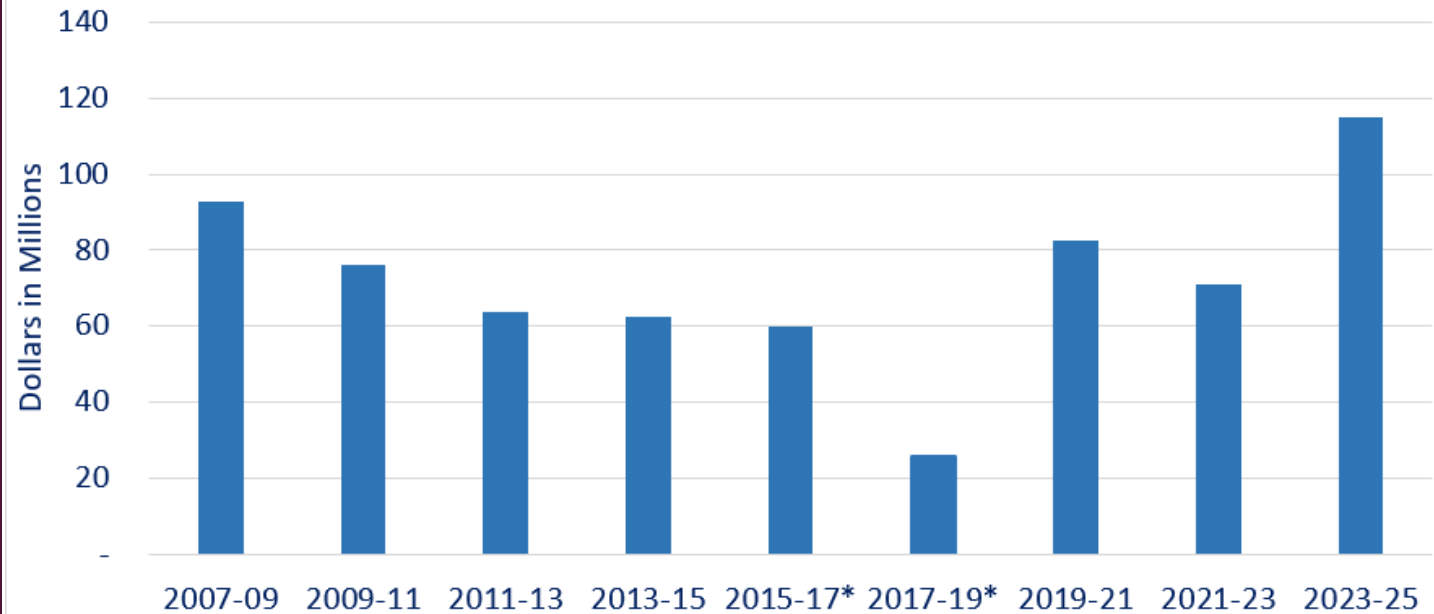
HST Revenue History 1988 - 2023, Department of Revenue HST Forecast 2024 - 2029



New Appropriations

- ❑ \$115 million Remedial Action Grants
- ❑ \$30 million Ecology-TCP directed cleanup
- ❑ \$12 million Affordable Housing Cleanup Grant Program
- ❑ \$9 million PFAS

Remedial Action Grants



Voluntary Cleanup Program and Sediment Policy

Why?

- ❑ Multi-jurisdiction permitting
- ❑ Complex cleanup

What?

- ❑ Step-wise decision process
- ❑ Sediment sites in VCP
- ❑ Future sediment sites
- ❑ Separate upland unit
- ❑ Publication No. 24-09-057



Toxics Cleanup Program

Policy 940: Voluntary Cleanup Program and Sediment Sites

Established: December 2023

Contact: Policy Section, Headquarters

Purpose: This policy provides a policy and process to determine if a site that includes freshwater or marine sediment is suitable for the Voluntary Cleanup Program (VCP) or if the cleanup site should be elevated to the formal site process.

Disclaimer: This Policy is intended to provide guidance to Ecology staff. It is not intended, and cannot be relied on, to create rights, substantive or procedural, enforceable by any party in litigation with the state of Washington. Ecology may act at variance with this Policy depending on site-specific circumstances or modify or withdraw this Policy at any time.

Approved by: 
Barry Rogowski, Program Manager, Toxics Cleanup Program

Contact Information
Toxics Cleanup Program, Headquarters
P.O. Box 47600
Olympia, WA 98504-7600
Phone: 360-407-7170
Website: Washington State Department of Ecology

ADA Accessibility
The Department of Ecology is committed to providing people with disabilities access to information and services by meeting or exceeding the requirements of the Americans with Disabilities Act (ADA), Sections 504 and 508 of the Rehabilitation Act, and Washington State Policy #188.

To request an ADA accommodation, contact Ecology by phone at 360-407-6831 or email at ecyadacoordinator@ecy.wa.gov. For Washington Relay Service or TTY call 711 or 877-833-6341. Visit Ecology's website for more information.

VCP and Sediment Sites Policy
December 2023

Publication No. 24-09-057
Page 1 of 11



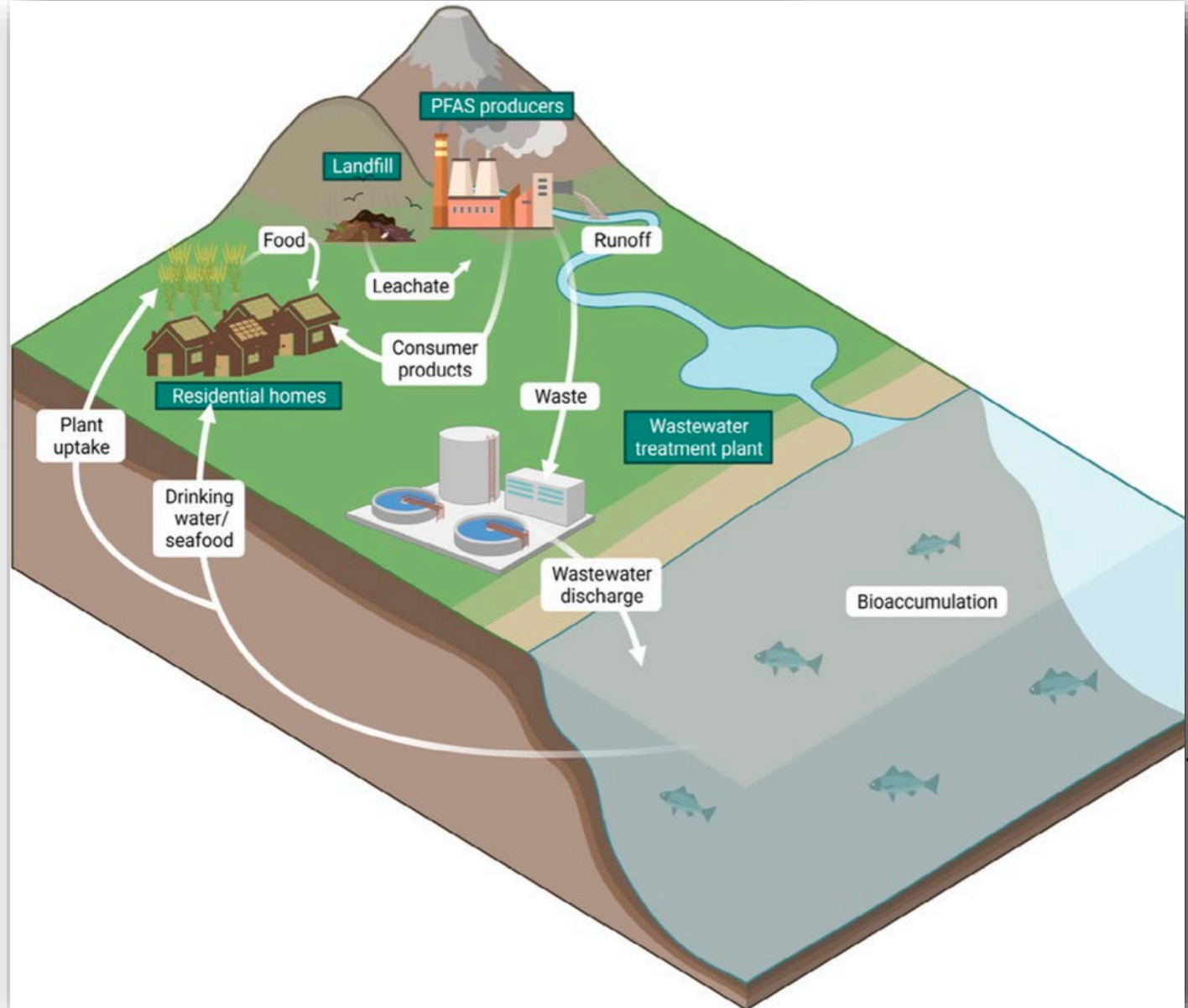
Per- and Polyfluoroalkyl Substances and Sediment

Why?

- Persistent
- Bioaccumulative
- Toxic
- MTCAs hazardous substance

What?

- Presence in sediment and aquatic tissue
- Benthic and human risks
- Sediment screening and/or cleanup levels



Sediment Background

Established:

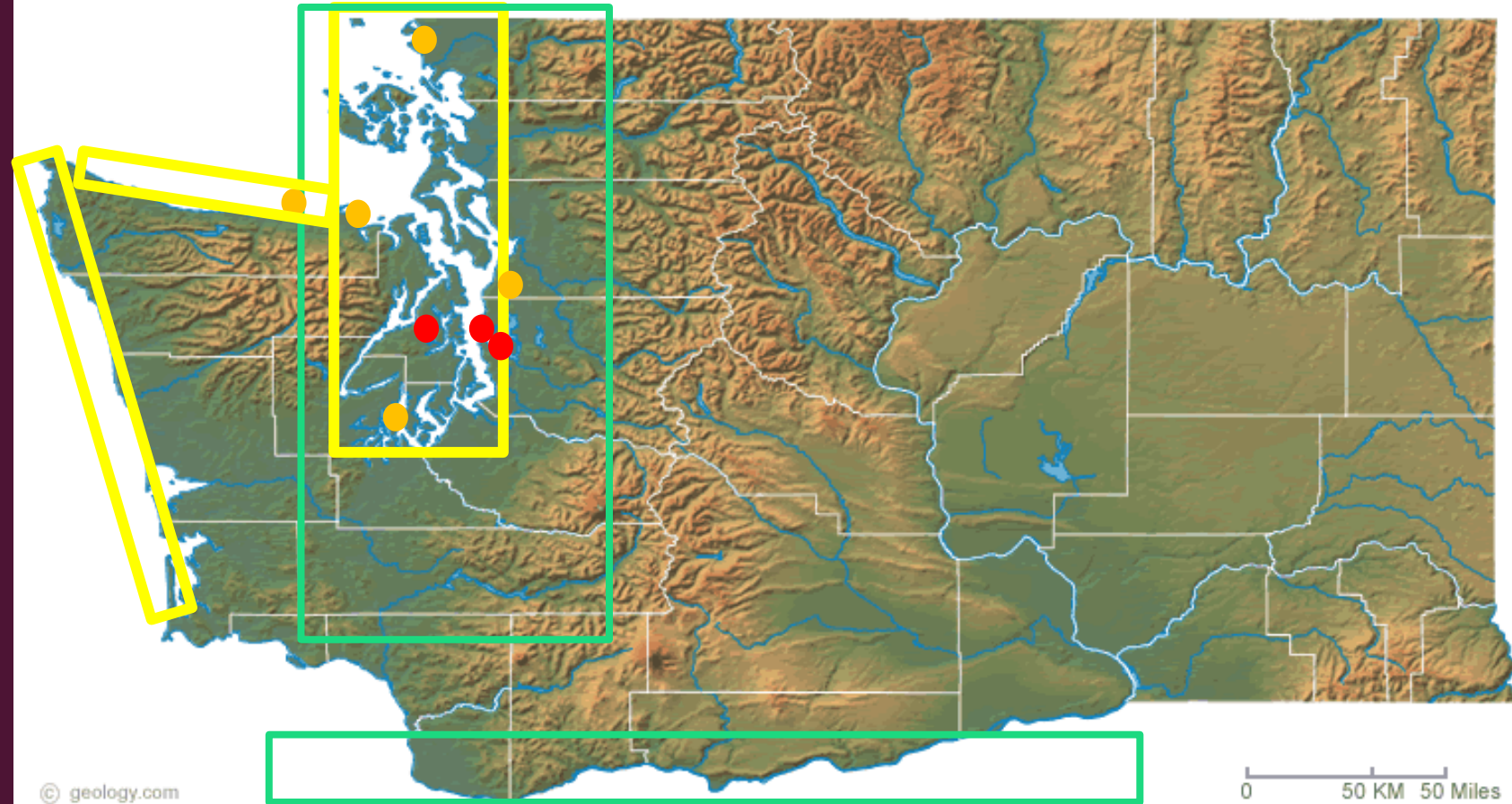
 Marine Natural Background

 Marine Regional Background

Future:

 Freshwater Natural Background

 Marine Regional Background



MTCA RULE – New Requirements

Adopted August 2023

Effective January 2024

- Environmental justice
- Disproportionate cost analysis
- Public involvement
- Tribal engagement
- Cultural resources
- Climate change resilience
- Analytical methods

MTCA RULE – Implementation

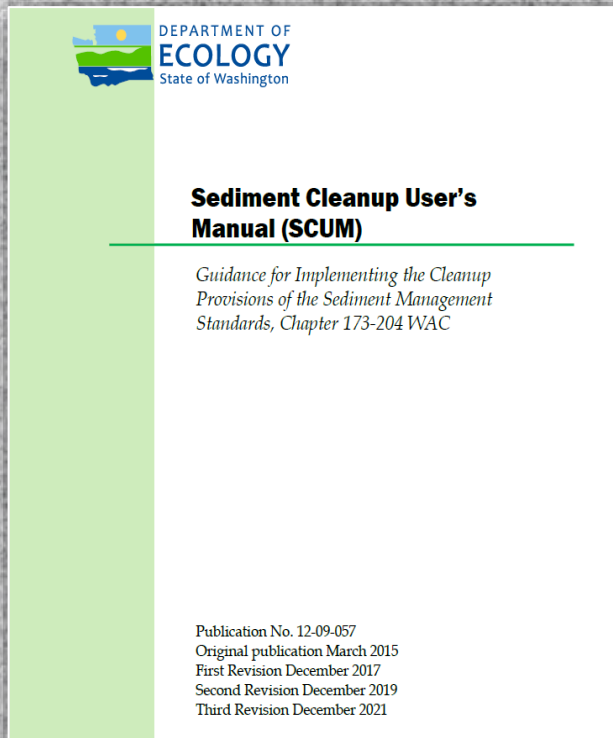
COMPLETE

- 1. Environmental justice**
 - MTCA Section 350, 351, -360
 - Implementation memos
- 2. Site hazard assessment ranking process**
 - MTCA Section -320
 - SHARP Tool and guidance
- 3. Analytical methods**
 - MTCA Section -830
 - Approved List
- 4. Climate Change resilience**
 - MTCA Section -350, 351, -360

PENDING

- 4. Disproportionate cost analysis**
 - MTCA Section -360
- 5. Public participation**
 - MTCA Section -600
- 6. Tribal engagement**
 - MTCA Section -620
- 7. Cultural resources**
 - MTCA Section -815

SEDIMENT CLEANUP USER'S MANUAL



TARGETED REVISIONS

- New policy
- Best available science and technical information
- Errors and omissions
- Feedback from staff and external folks

2025 PUBLICATION

- Chapter 5 QA/QC updates
- ASTM updates – biological criteria
- Analytical methods
- Per- and polyfluoroalkyl substances
- VCP and Sediment sites
- Clarifications
- Harmonize with revised MTCA rule
 - Climate change
 - Disproportionate cost analysis
 - Environmental justice

SUSTAINABLE REMEDiation GUIDANCE

What is it?

- ❑ Identify climate change impacts and risks
- ❑ Implement resiliency measures
- ❑ Increase environmental benefits
- ❑ Reduce environmental impacts
- ❑ Reduce greenhouse gas emissions



Sustainable Remediation: Climate Change Resiliency and Green Remediation

A guide for Cleanup Project Managers to:

Increase resiliency of cleanup remedies to climate change impacts
-and-
Increase benefits and reduce impacts from the MTCA Cleanup Process

Toxics Cleanup Program
Washington State Department of Ecology
Olympia, Washington

Revised: January 2023
First published: November 2017

Publication 17-09-052



2025 UPDATES

Climate Science

MTCA Rule Revisions

- ✓ Remedial Investigation
- ✓ Remedy Selection
- ✓ Long Term Effectiveness

APPROVED ANALYTICAL METHODS

Why?

- ❑ Adopted methods inflexible
- ❑ Best available science
- ❑ Methods removed from MTCA

What?

- ❑ Approved methods
- ❑ Soil
- ❑ Groundwater
- ❑ Air
- ❑ Surface water
- ❑ Sediment – See SCUM

The screenshot shows the Washington Department of Ecology website. The header includes the department logo and navigation links for 'Regulations & Permits', 'Research & Data', 'Blog', and 'Contact Us'. A search bar is located in the top right. The main navigation bar contains links for 'Home', 'Air & Climate', 'Water & Shorelines', 'Waste & Toxics', and 'Spills & Cleanup'. The breadcrumb trail reads: 'Regulations & Permits > Guidance & technical assistance > Contamination clean up tools > Sampling and analysis procedures'. A left sidebar menu lists 'Guidance & technical assistance', 'Contamination clean up tools', 'CLARC', and 'Sampling and analysis procedures', with the last one selected. The main content area features the title 'Approved sampling and analysis procedures' and a paragraph explaining that sampling and analysis must use an Ecology-approved method or a standard method like ASTM International. A green-bordered box titled 'I want to...' contains two links: 'See common sampling and analysis methods Ecology has approved' and 'Find an accredited laboratory'. Below this, a section titled 'Sampling and analysis includes:' lists various steps: sample collection, handling, preservation, transportation, holding time, method detection limits, practical quantitation limits, quality assurance, quality control, and data reporting.

ENVIRONMENTAL JUSTICE POLICY

Why?


- ❑ Some people at higher risk
- ❑ Cleanup sites add to risk

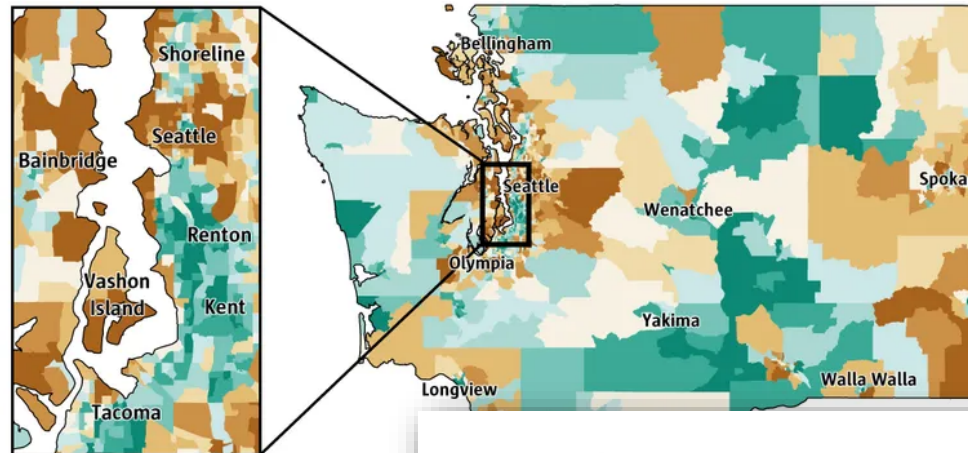
What?

- ❑ How to identify vulnerable population or overburdened community
- ❑ How to address risks in:
 - ❑ Remedial Investigation
 - ❑ Feasibility Study
 - ❑ Cleanup Action Plan
- ❑ Implementation Memos #25 and #26

New mapping tool reveals environmental-health disparities

Researchers compiled data on 19 environmental and socioeconomic factors into a health-impact score for each census tract in their interactive mapping tool.

Low impact  High impact



Toxics Cleanup Program

Implementation Memorandum No. 25: Identifying Likely Vulnerable Populations and Overburdened Communities under the Cleanup Regulations

Date: January 2024

To: Interested Persons

From: Kris Grinnell, Section Manager
Information and Policy Section
Toxics Cleanup Program

Contact: Policy and Technical Support Unit, Headquarters

Purpose: This Implementation Memorandum provides Ecology staff and persons conducting cleanups of contaminated sites guidance on what actions are needed to determine whether the population threatened by a contaminated site includes a likely vulnerable population or overburdened community during an initial investigation and during a remedial investigation for the limited purposes specified in the cleanup regulations.

SITE HAZARD ASSESSMENT AND RANKING PROCESS

Why?

- ❑ Replace Washington Ranking Method (WARM)
- ❑ Identify highest risk sites
- ❑ Efficient and flexible process

What?

- ❑ SHARP Tool
- ❑ Incorporates all media with separate scores
- ❑ Risk – exposure and severity
- ❑ Socioeconomic and climate change factors

Eagle Cap Foundry

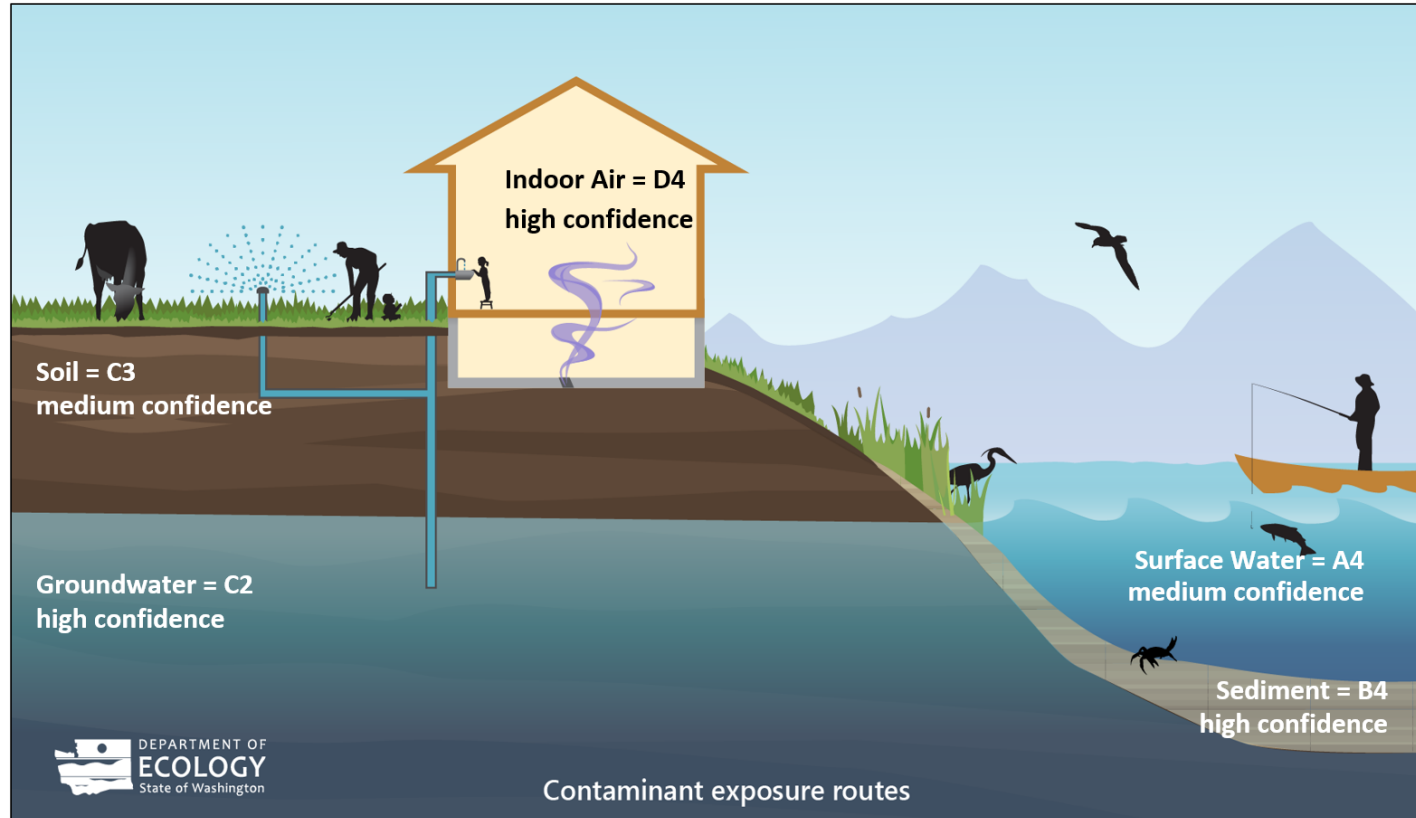
2409 W Bruneau, Kennewick, Benton County 99336
 responsible unit - Eastern
 land use - industrial
 parcel(s) - 123456789; 987654321
 Socioeconomic Indicators - yes
 • Multiple chemical types • Climate change impacts

Ranked on - 22 Feb 2022
 Ranking by - Eileen Webb

CSIDs - 222222
 FSIDs - 111111
 VCP project nos. - EA033333
 LUST IDs - 444444
 UST IDs - 555555

Media Scoring

Exposure	Severity
A known	1 (high)
B possible	2
C potential	3
D unlikely	4 (low)



EIM DATA ANALYSIS TOOL (EDAT)

Why?

- ❑ Replace MyEIM
- ❑ Outdated

What?

- ❑ Integrate EIM database and search interface
- ❑ More user friendly
- ❑ Enhanced useability:
 - ❑ Bioassay analysis
 - ❑ MTCA statistics
 - ❑ Cleanup criteria



CONTACTS AND REFERENCES

SMS or SCUM Questions

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Chance.Asher@ecy.wa.gov
(360) 999-9420



SMS or SCUM or PFAS Questions

Pete Adolphson

Pete.Adolphson@ecy.wa.gov
(360) 480-9801



MTCA Rule Questions

Clint Stanovsky

Clint.Stanovsky@ecy.wa.gov
(360) 407-7193



Sediment Cleanup User's Manual

<https://fortress.wa.gov/ecy/publications/SummaryPages/1209057.html>

Sediment Management Standards Rule

<https://fortress.wa.gov/ecy/publications/SummaryPages/0909044.html>

Toxics Cleanup Program Sediment Webpage

<https://ecology.wa.gov/Spills-Cleanup/Contamination-cleanup/Sediment-cleanups>

Sustainable Remediation Guidance

<https://fortress.wa.gov/ecy/publications/SummaryPages/1709052.html>

MTCA Rulemaking

<https://ecology.wa.gov/Regulations-Permits/Laws-rules-rulemaking/Rulemaking/WAC-173-340>

CONTACTS AND REFERENCES

EIM Data Analysis Tool

Britta Voss

Britta.Voss@ecy.wa.gov



Environmental Justice Memos

Michael Feldcamp

Michael.Feldcamp@ecy.wa.gov

(360) 407-7193



SHARP Tool

Eileen Webb

Eileen.Webb@ecy.wa.gov

(360) 407-7193



EIM Data Analysis Tool – Bioassay Calculator

<https://appstest.ecology.wa.gov/edat/>

SHARP Tool

<https://fortress.wa.gov/ecy/ezshare/tcp/SHARP/SHARP-Tool-Manual.pdf>

Environmental Justice Memo #25 and #26

<https://fortress.wa.gov/ecy/publications/SummaryPages/0909044.html>

Approved Analytical Methods

<https://ecology.wa.gov/regulations-permits/guidance-technical-assistance/contamination-clean-up-tools/sampling-and-analysis-procedures>

PFAS – Watch a video

<https://www.youtube.com/watch?v=xPWLn6m-vd4>

Questions?



Teddy

Chance Asher
Sediment Policy Program Lead
Toxics Cleanup Program

