



STATE OF WASHINGTON

DEPARTMENT OF ECOLOGY

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September 15, 2004

Dear Task Force Member:

One year ago, the chartering agencies provided you with a response to the recommendations we had received from the Area-wide Soil Contamination Task Force, including our commitments to action on the major recommendations you delivered to us in June 2003. Today, I am writing you to provide an update on some of the actions that the Department of Ecology (Ecology) is taking to implement the Task Force recommendations.

The October 2003 plan for implementing the Task Force recommendations identified actions that the agencies intended to take, over a two year period, and was organized around five main objectives. Although resource constraints and competing agency priorities have caused us to adjust the timelines for some actions, significant progress has been made on a number of issues. The current status of ongoing efforts is briefly summarized below.

- Improve public awareness and understanding of area-wide soil contamination concerns and solutions: In the October 2003 response, Ecology and the Department of Health identified several steps to implement the Task Force recommendations related to improving public awareness and understanding. Over the last year, we have developed an information toolbox that will be posted on the Ecology website in late September. We have also begun to work with other organizations to prepare materials that are tailored to the information needs and concerns of particular groups. For example, we have made presentations at the Department of Social and Health Services (DSHS) conferences and the Department of Health. Additionally, Ecology assisted the Washington State Child Care Resource and Referral Network to adapt the educational materials prepared by the Public Health Seattle King County (PHSKC) for distribution to child care facilities throughout the State. We have also continued to provide financial and technical assistance to the Tacoma Pierce County Health Department (TPCHD) and PHSKC to support their ongoing outreach and education programs. The Wenatchee School District is also implementing outreach and education activities as they work with Ecology to cover or remove contaminated soils found at several elementary schools. As of September 2004, local health agencies in other priority areas identified by the Task Force have not elected to develop and implement such education programs. We are continuing to explore other ways of promoting increased awareness of this issue as part of broader health education efforts in these areas.



- Collect and evaluate information to support decisions on measures for reducing the potential exposure to arsenic and lead in soils: Over the last year, we have provided financial and technical assistance to TPCHD and PHSKC to complete the footprint studies and Tier II maps in the Tacoma Smelter Plume area. That work is scheduled to be completed by June 2005. We have also explored whether other health departments are interested in preparing Tier II maps for other priority areas. To date, the health departments in Chelan/Douglas and Yakima counties have shown limited interest. However, we have awarded a grant to the Spokane Regional Health District to perform a more detailed evaluation on the historic use of lead arsenate in the County. As you may recall, there were conflicting opinions on whether coddling moth was actually a problem in northeast Washington. The work by the health district will help to answer this question. Finally, we have provided funds to the Department of Health to support continued implementation of the state's blood lead screening program.
- Reduce the potential for exposure to arsenic and lead in soils at developed properties: Over the last year, we have continued to provide financial and technical assistance to local health departments in King, Okanogan and Pierce Counties, as they perform qualitative and quantitative (i.e.; soil sampling) assessments at child use areas. Significant progress has been made in assessing and responding to elevated levels of arsenic and lead. For example, the three health departments have identified 77 public elementary schools in the three counties with the potential for elevated levels of arsenic and lead. As of September 2004, soil sampling has been completed at 60 of these schools. Of these schools, 48 were found to have low levels of arsenic and lead (i.e.; below the MTCA cleanup standards), 11 were found to have moderate levels of arsenic and lead and one school was found to have high levels of arsenic. Ecology provided technical assistance to the latter school as they took action to reduce exposure to high levels of arsenic and lead. Ecology is currently providing financial and technical assistance to other school districts to develop plans to address contaminated soils. For example, Ecology has worked with the Brewster School District to prepare a cleanup plan to address contaminated soils at one of the schools and will be providing a grant to help pay for the soil cleanup. Ecology is also continuing to work with the Wenatchee School District to develop and implement cleanup plans at schools found to have high and moderate levels of arsenic and lead at child play areas. Ecology has awarded a grant to the Spokane Regional Health District to conduct qualitative and quantitative assessments at schools in Spokane County. That work is scheduled to be completed in June 2005.
- Finally, Ecology has worked with the TPCHD to develop and implement a residential soil sampling service in Pierce County. This represents a pilot project and will help the local and state agencies to design similar programs in interested communities in other parts of the state. For example, PHSKC is currently exploring options for implementing a similar program in King County.
- Reduce the potential for exposure to arsenic and lead in soils at properties under development: Over the last year, Community Trade and Economic Development (CTED) and Ecology have made a series of presentations to planner forums throughout the state to begin discussing possible approaches of systematically addressing soil contamination issues as part of local land use planning and permitting processes.

- Improve institutional capabilities for responding to area-wide soil contamination: In the October 2003 response, the agencies identified several steps for improving institutional capabilities. Most of Ecology's efforts over the last year have been placed on (1) amending the MTCA Cleanup Regulation to facilitate implementation of the Task Force recommendations and (2) building local agency partnerships and financial support. With respect to rulemaking, we said we would use a two-step process for modifying the rule, which included working with the MTCA Science Advisory Board (SAB) to review the scientific basis for defining low-to-moderate levels of arsenic and lead and then preparing amendments to the MTCA rule. Over the last year, Ecology has held four meetings with the Board to discuss this issue. As of September 2004, the Board has concluded that the Ecology working definition for lead-contaminated soils has a sound, scientific basis. We plan to complete the SAB review of the working definition for arsenic-contaminated soils by the end of the year. Concurrent with completing the SAB review, we intend to finalize a rule development plan and begin discussions with interested Task Force members on various rule provisions.

As many of you are aware, during the last Legislative session, Representatives Upthegrove and Schual-Berke introduced legislation designed to implement many of the Task Force recommendations. We anticipate that issues surrounding the Task Force recommendations will again receive attention by the Legislature. We are proposing to the Governor's Office the establishment of a capital account to help fund cleanup actions at schools and other child use areas.

Looking back over the last year, I believe we have made significant progress in implementing many of the Task Force recommendations. However, much remains to be done and we continue to grapple with how to implement the various recommendations in a sustainable and predictable manner. If you would like additional information, please contact me at 360-407-7177 or Dave Bradley at 360-407-6907.

Sincerely

A handwritten signature in black ink, appearing to read 'JJP', with a long horizontal line extending to the right.

James J. Pendowski, Program Manager
Toxics Cleanup Program

JJP:nh