Resource Contact:	Policy and Technical Support Staff	*Effective:*	November 25, 1992
Replaces:	Policy 330A (11/25/92)	*Revised:*	October 27, 2004

Policy 330A Listing of Sites On The Hazardous Sites List

This policy outlines the steps and criteria that the Toxics Cleanup Program will use in determining which sites will be added to the Hazardous Sites List. Sites from this list will be chosen for the Biennial Program Plan. POL 330B covers the related topic of removing sites from the Hazardous Sites List. See also POL 600A regarding the publication of site information in the Site Register.

1. All Ranked State Sites Will Be Placed On The Hazardous Sites List

After a site has undergone a ranking using the Washington Ranking Method (WARM) system and received a ranking of 1-5, it will then be placed on the Hazardous Sites List with its ranking noted.

These are sites where Ecology has determined that further remedial action is required. Under Chapter 173-340 WAC, remedial action is defined broadly and may range from simple testing to actual site cleanup and monitoring activities.

2. The National Priorities List (NPL) Sites Will Also Go On The List

All NPL sites will also go on the Hazardous Sites List. Since they are ranked under the federal ranking system, they will not be put through the state scoring process. Instead, the sites will be assigned a score of "0". Sub-sites of NPL sites will be listed under the NPL site name and will not be separately ranked. Proposed NPL sites will be given a state ranking until they are on the final NPL list. Sites where the Environmental Protection Agency has the lead will be noted as such on the Hazardous Sites List.

3. Leaking Underground Storage Tanks (LUST) Sites That Are Placed On The TCP Program Plan Will Be Added To The Hazardous Sites List

Leaking underground storage tank (LUST) sites will be ranked and placed on the Hazardous Sites List before they are added to the Biennial Program Plan.

4. Site Status Will Be Identified On The Hazardous Sites List

The Hazardous Sites List will identify the current status of remedial action at each site. However, once a site has been removed from the list, the status and rank categories no longer apply. (See Policy 330B for additional information on handling of sites removed from the Hazardous Sites List.)

Site status shall be one of the following categories:

A. Awaiting further remedial action – only a Site Hazard Assessment has been done on the site;

B. Remedial action in progress – Ecology has oversight responsibility. This can include sites undergoing:

   i. Remedial Investigation/Feasibility Study;

   ii. Interim Action (as defined in WAC 173-340-360); and,

   iii. Cleanup Action (active construction).

C. Cleanup Action Conducted – This category includes sites where all cleanup construction has been completed, but some level of operation and maintenance and/or compliance monitoring activities continue to be performed at the site. It applies to sites where Ecology has oversight responsibility as well as sites with completed independent remedial actions that have been verified under Ecology's Voluntary Cleanup Program (VCP). Examples of sites included in this category are as follows:

   i. Sites where the cleanup action included active operation and maintenance activities, such as ground water pump and treat, active gas control, pumping of surface water around the site, and active erosion control/repairs. (These sites could take several years to meet cleanup standards, if ever, and thus could be in this category for a long time);

   ii. Sites without active operation and maintenance (or is no longer required), but the site is still under-going performance monitoring to determine if cleanup standards have been met. These are sites that are expected to meet cleanup standards. (Sites could be in this category for a few months to several years.); and,

   iii. Sites at which contamination has been left at the site above cleanup levels. These are sites that use containment and/or institutional controls as a means of restricting exposure to hazardous substances, and confirmation monitoring is on-going.

Some of these sites will eventually be able to come off the list, but only after meeting certain requirements (See POL 330B); and,

D. Independent Remedial Action – This category includes all sites with independent remedial actions currently underway or completed, but the work has not been verified by the department. Once the department is ready to proceed with action at a site (either using State funds or through an order or decree), this category no longer applies and the site should be moved to the appropriate category. Independent remedial actions under Ecology's VCP program should remain in this category until the cleanup action is conducted, upon which time the site can be moved to category C, above or, if appropriate, removed from the list.

5. The List Will Identify Each Site With Only One Status

Each site on the Hazardous Sites List will be identified with only one status. If a site has several activities, such as active operation and maintenance as well as containment, the site will be labeled with the first applicable category (A-D) listed in paragraph #4.

6. WARM Ranking Remains Unchanged When Site Is Undergoing Remedial Action

The rankings of sites in Category A – Awaiting Further Remedial Action (see paragraph 4 of this policy) may change through the normal process of re-establishment of new quintile groupings. This can occur when newly assessed site pathway scores are added to their respective databases each six months (see Procedure 320 Site Hazard Assessment and Ranking of Model Toxics Control Act Sites). However, the WARM ranking of a site placed on the Hazardous Sites List will remain unchanged once it moves into Categories B, C, and D.

7. Will Notify the Site Owner/Operator and Other Known PLPs Of Site Ranking

At least two weeks prior to publication in the Site Register, Ecology will provide written notification to owner/operators and other PLPs known to the department of the results of the hazard ranking/re-ranking. This notification will include a statement that placement on the list does not, by itself, imply liability.

8. Sites May Be Re-listed If Further Action Is Needed

Sites previously removed from the Hazardous Sites List may be re-listed if the department determines that further remedial action is needed at the site. The procedure for re-ranking a site will be the same as that used in ranking a site for the first time.

9. The Hazardous Sites List Shall Be Regularly Updated

Every six months, in February and August, the Hazardous Sites List will be updated and published in the Site Register.

Note: This policy is intended solely for the guidance of 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:

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