

History of the Model Toxics Control Act

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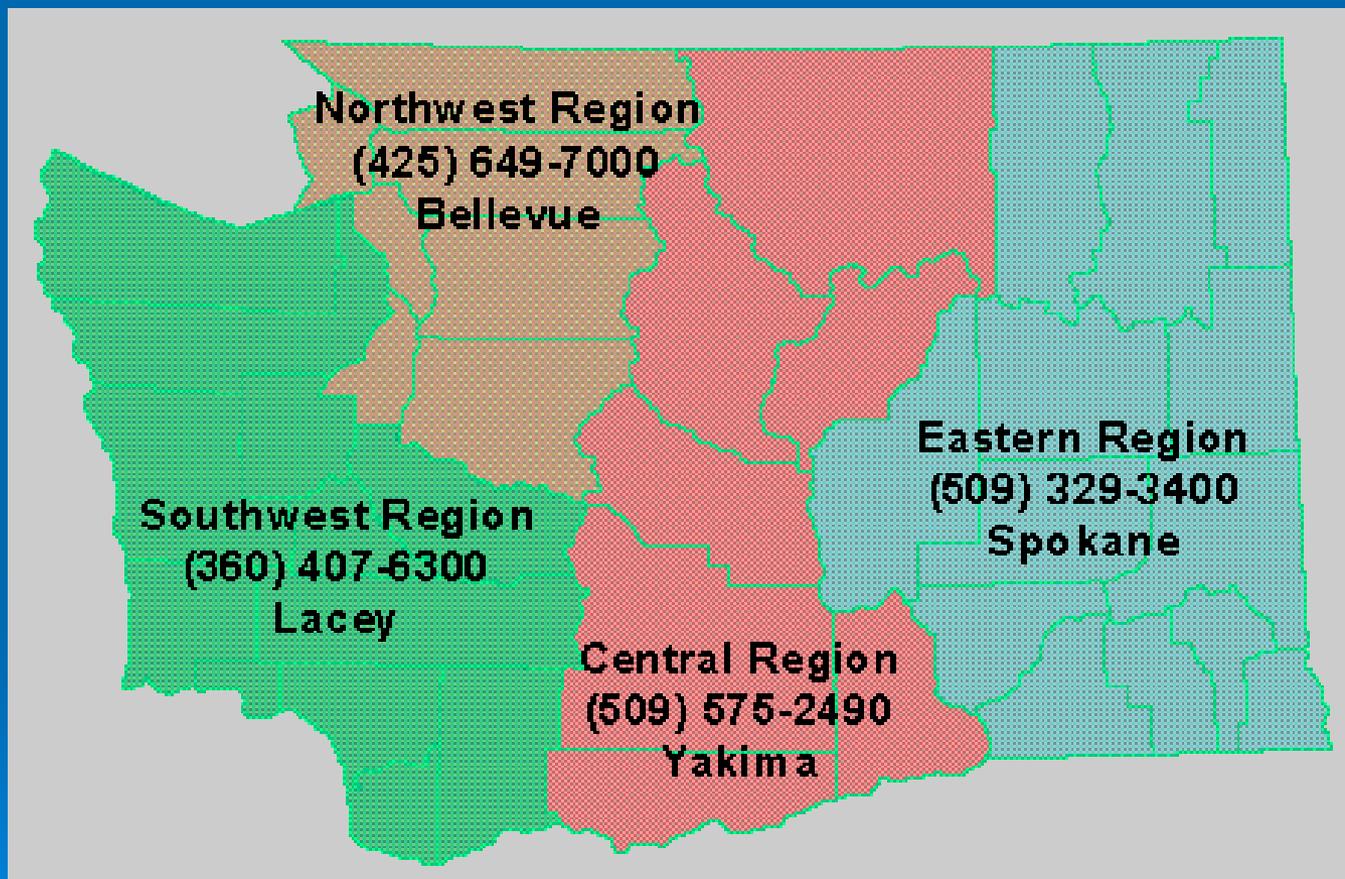
Department of Ecology
Toxics Cleanup Program

(360) 407-7199

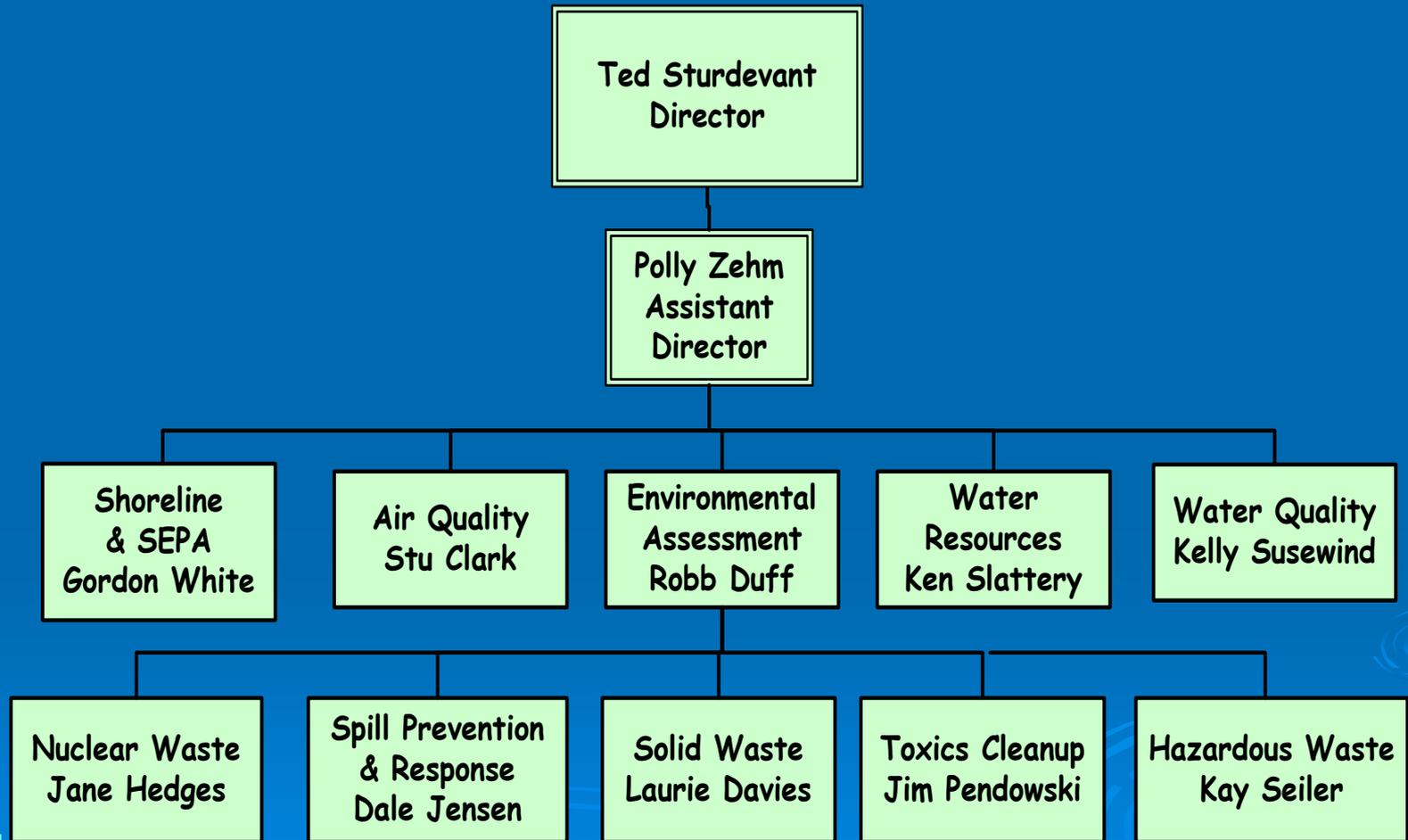
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For additional information, see our web page:
<http://www.ecy.wa.gov/programs/tcp/cleanup.html>

Department of Ecology Regional and Field Offices



Ecology Program Managers



Regulatory Authority

Statute

- Initiative 97, passed by the voters in November, 1988 general election
- Codified as Chapter 70.105D RCW
- Amended 20 times since 1991 (latest in 2009)



Regulatory Authority

Rules

- WAC 173-340 (Cleanup Regulation)
 - Amended 4 times since 1991
 - (1993, 1996, 2001, 2007)
- WAC 173-204 (Sediment Management Standards)
 - Amended 1 time since 1991 (in 1995)



Key Rule Revisions in 2001 (PAC)

- Use of Site-Specific Risk Assessment
- TPH Cleanup Levels
- Soil Leaching Evaluations
- Terrestrial Ecological Evaluations
- Remedy Selection
- Institutional Controls
- Sediment Integration



Key Principles

- Polluter pays
- Permanent remedies
- Public participation

Spokane Junk Yard – after fire

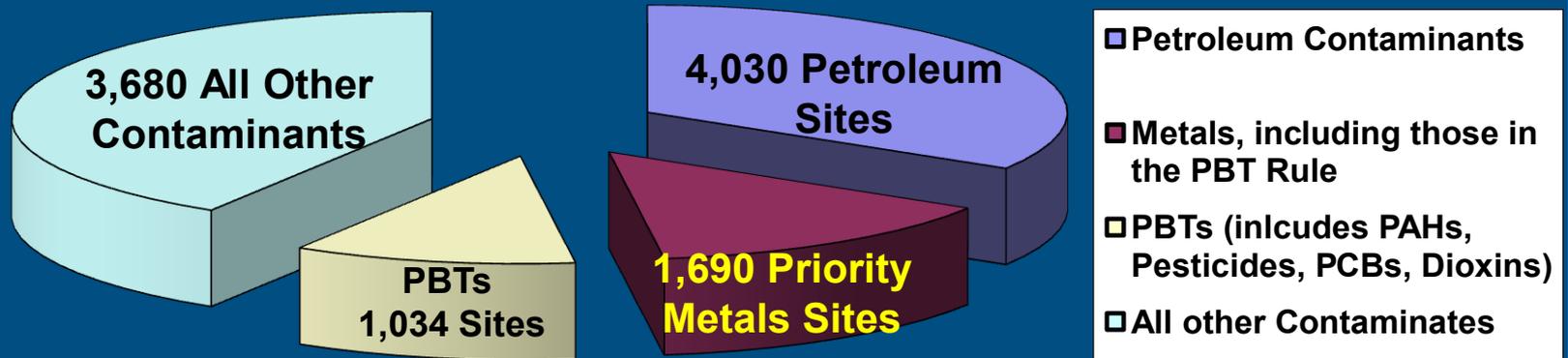


Today -- Andrew Rypien Field

- Bias towards action
- Innovation



Types of Contaminants



Example Facility: Landfills



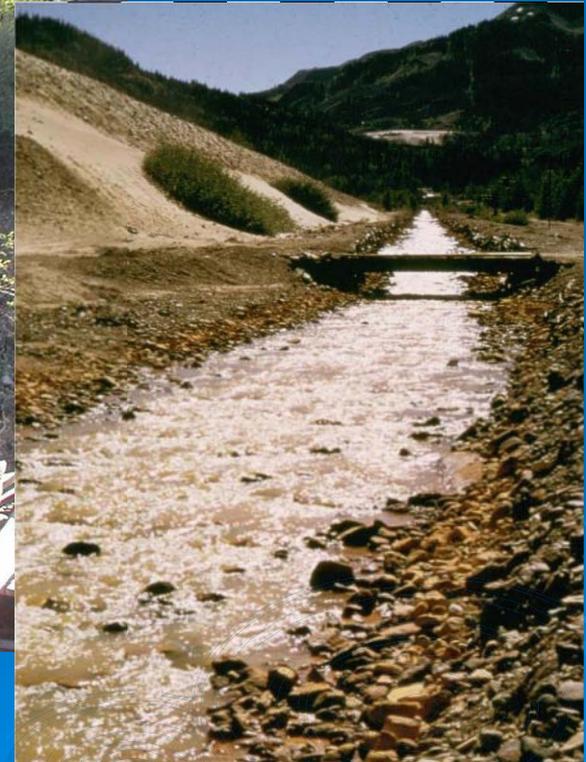
Example Facility: Gas Stations



Example -Industrial Facilities



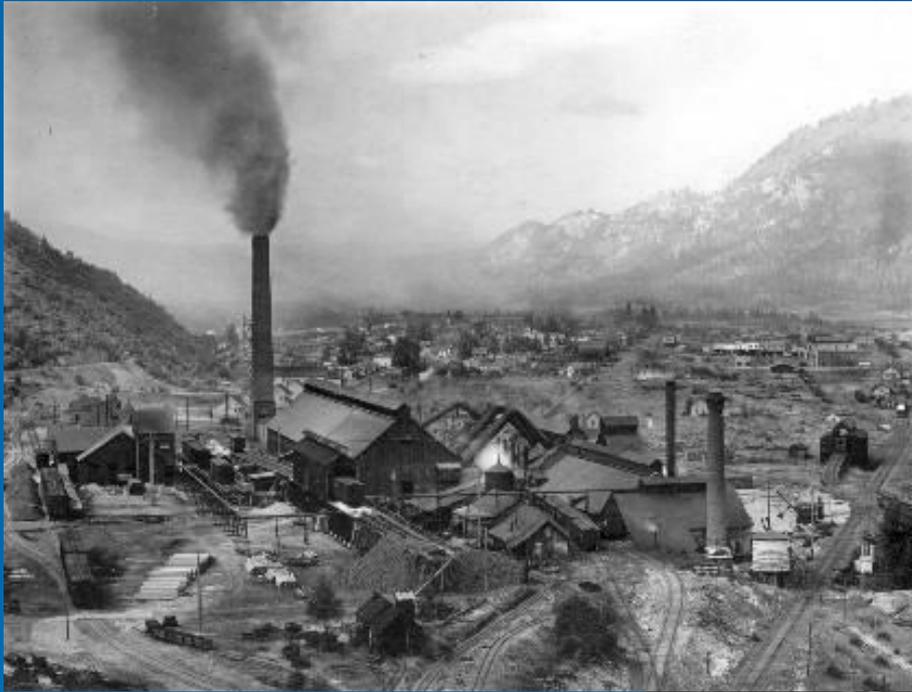
Example: Mining Sites & Facilities



Example Facility: Military Bases



Example Facility Area-wide Contamination



Steps in the Cleanup Process

- Site discovery
- Initial investigation
- Site hazard assessment & ranking (MTCA)
- Cluster Analysis (SMS)
- Interim action (if necessary)
- Remedial investigation /feasibility study (MTCA)
- Cleanup Study-SMS



Steps in the Cleanup Process

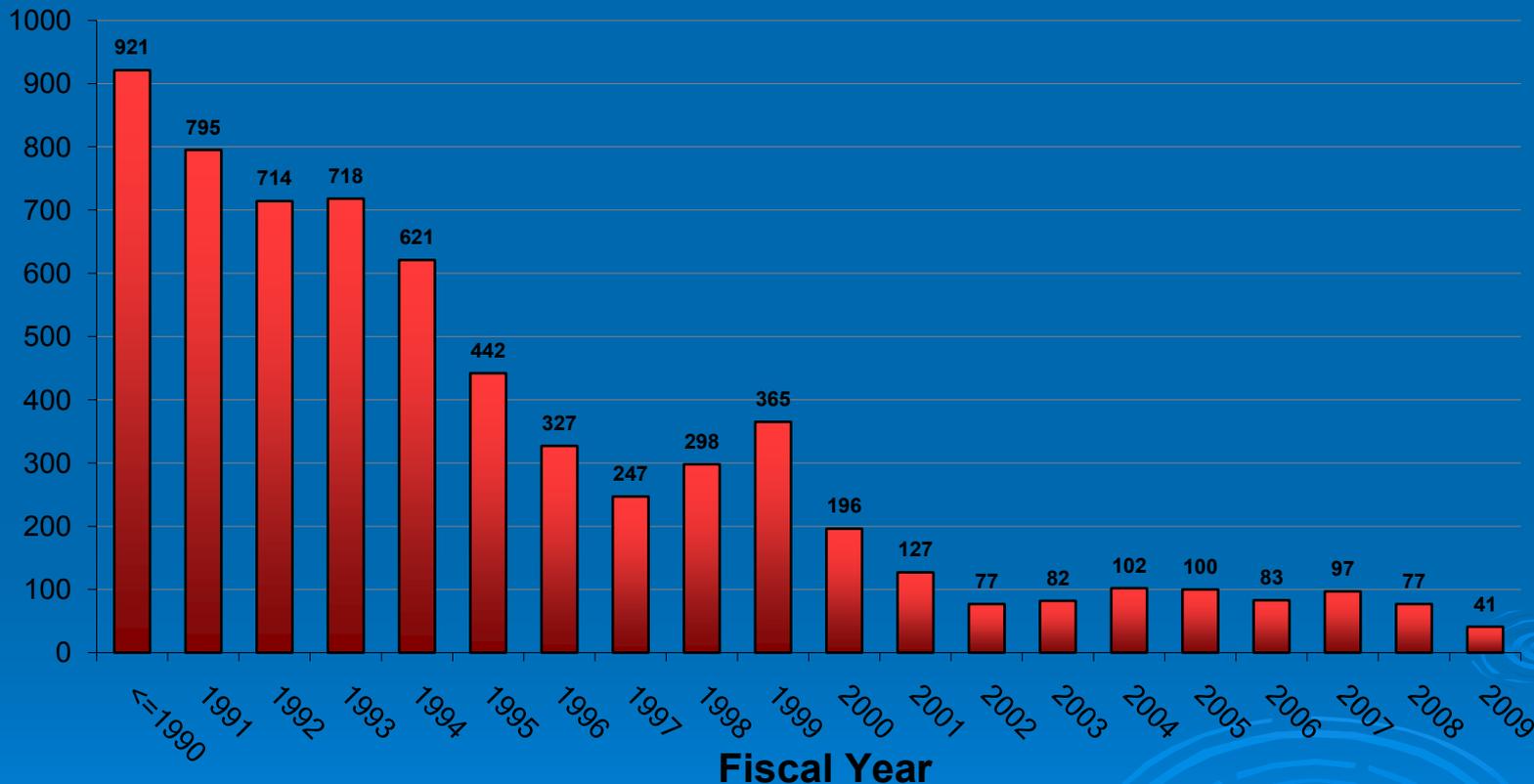
- Selection of cleanup action
 - Cleanup action plan (MTCA)
 - Cleanup Decision (SMS)
- Site cleanup

If contamination left on site:

- ✓ Institutional controls
- ✓ Financial assurance
- ✓ Monitoring
- ✓ Periodic reviews

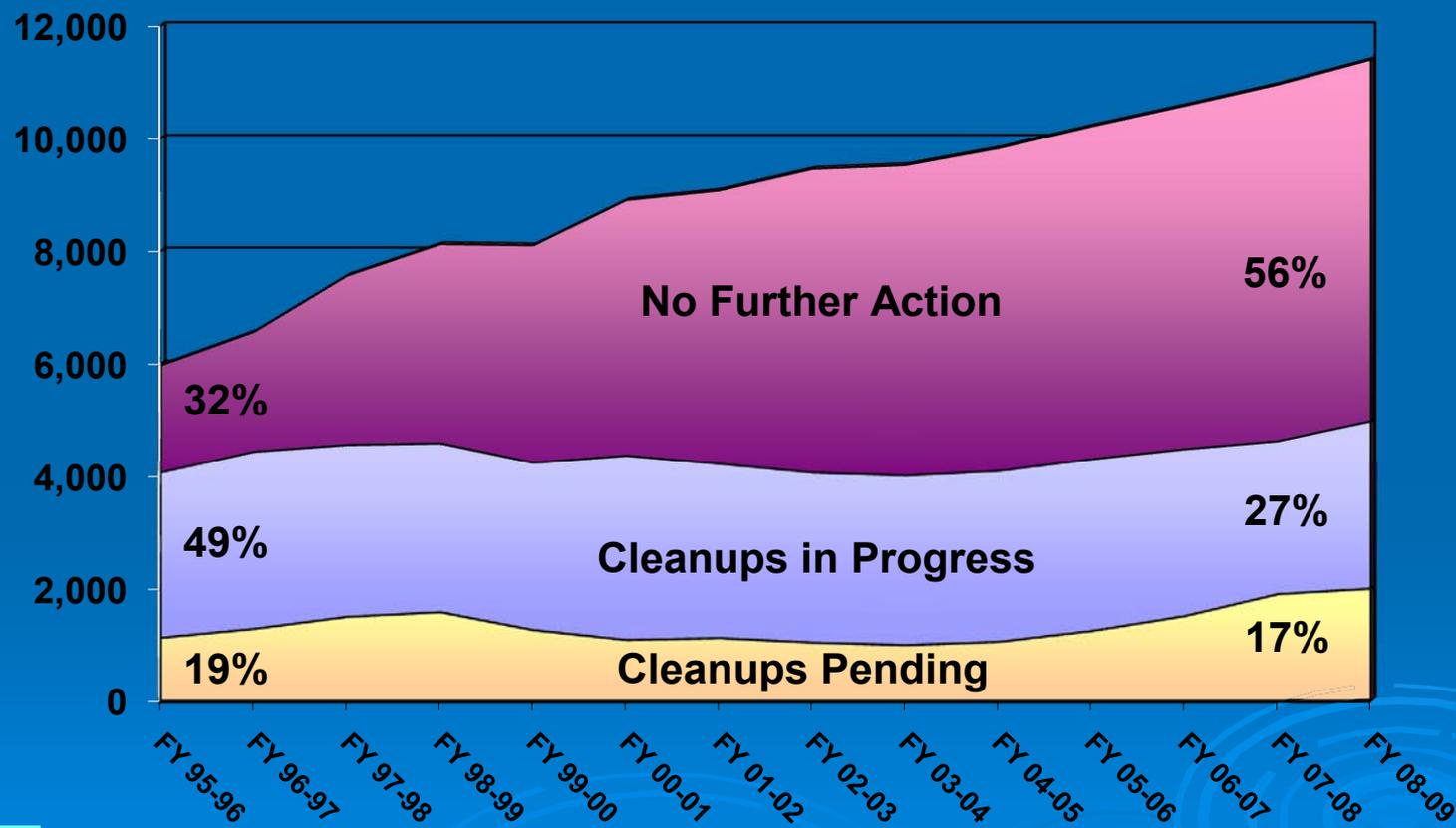


Number of Underground Storage Tank Releases as of July 21, 2009



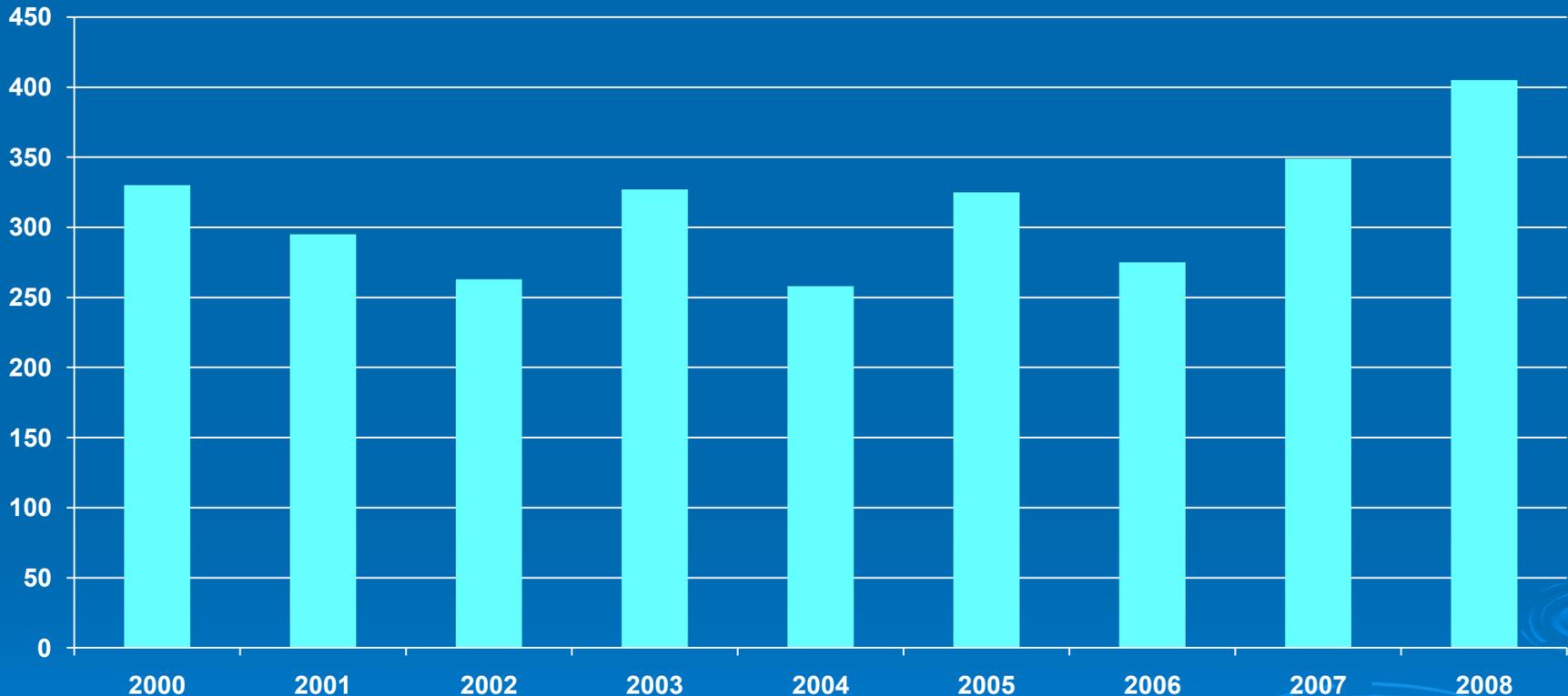
Trend in Status of Known and Suspected Contaminated Sites

(11,395 sites as of April, 2009)



Trend in Newly Reported Sites

New Sites



Data from Toxics Cleanup Program's ISIS Data Base.

One "site" may include multiple properties with individual cleanups going on. In the last 4-5 years, more contaminated sites are reported (300-400) than are cleaned up (200-300) each year.



Model Toxics Control Act -Summary-

- Passed as a citizen's initiative in November, 1988 general election
- Number of sites has far exceeded original expectations and many new sites continue to be reported with no end in sight
- WA State has made significant progress in the cleanup of contaminated sites
- Rules intended to streamline cleanup process but we know there's room for improvement

