

Status Summary: MTCA/SMS Advisory Group April 26, 2010

Issue	Status	Next Steps
<p>Cleanup of contaminated sediments: protecting human health & addressing background</p>	<p>Ecology has been identifying, reviewing and analyzing issues and options for over 18 months. The Department distributed several issue summaries in 2009 and received many comments on this particular issue. Ecology has discussed these issues at all Sediment Work Group and MTCA/SMS Advisory Group meetings.</p> <p>Ecology has identified two main options to address protection of human health and how to incorporate background concentrations. Based on feedback from the two groups, we have also identified several common scenarios. Ecology is working with the Office of the Attorney General on ways to solve some of the implementation questions associated with these issues and options.</p>	<p><input type="checkbox"/> Discuss at April 26 meeting:</p> <ul style="list-style-type: none"> ▪ updated definition of regional background ▪ conceptual framework for decision making ▪ ideas on how to implement and maintain a very low risk or background-based cleanup standard for sediments ▪ short and long term sediment cleanup goals ▪ early ideas on resolving liability and addressing recontamination. ▪ site definition <p><input type="checkbox"/> Based on feedback & input, identify further topics for May discussions</p> <p><input type="checkbox"/> Finalize framework idea/proposal for discussion at June 21 joint meeting</p>
<p>Protecting biota from bioaccumulative chemicals</p>	<p>Ecology recognizes the problem that current cleanup levels are based only on benthic toxicity and do not include impacts to biota from bioaccumulative chemicals.</p> <p>Ecology plans to add to the SMS rule a narrative criteria directing that bioaccumulative pathways be considered. The specifics will be included in guidance.</p>	<p><input type="checkbox"/> Ecology has been working with the Sediment Workgroup to develop a proposal for a narrative standard</p> <p><input type="checkbox"/> Discuss with MTCA/SMS Advisory Group for policy level feedback & input</p> <p><input type="checkbox"/> Develop guidance</p>
<p>Freshwater sediment standards</p>	<p>Ecology has been working for the past several years to update sediment quality guidelines. The question has been whether the analysis was robust and sufficiently final to adopt the freshwater chemical and biological criteria as standards in rule.</p> <p>The analysis and reliability testing is nearing completion and a technical report is being reviewed by Ecology. The Sediment Workgroup (in January and March) discussed and provided feedback on the methodology, QA/QC, and reliability.</p>	<p><input type="checkbox"/> The Sediment Workgroup will discuss the technical report May 3.</p> <p><input type="checkbox"/> Ecology will present results of the analysis and a summary of the Sediment Workgroup discussions to the MTCA/SMS Advisory Group May 24</p> <p><input type="checkbox"/> Identify implementation concerns and develop recommendations for solving</p>
<p>Updates based on new scientific information</p>	<p>Considerable scientific evidence exists pointing to the increased susceptibility of children to chemical carcinogens. Information was presented to and discussed by the MTCA/SMS Advisory Group.</p> <p>Ecology is developing updates to cleanup equations addressing children's exposure to chemical carcinogens (called early life</p>	<p><input type="checkbox"/> Ecology is reviewing input received from the March 22 MTCA/SMS Advisory Group meeting</p> <p><input type="checkbox"/> Ecology will prepare a draft proposal and information on implementation impacts</p>

	<p>adjustments).</p> <p>Ecology expects to incorporate new toxicity information on lead, B[a]P, and possibly other chemicals.</p>	<p><input type="checkbox"/> Continue discussion with respect to Method A updates at May 24 MTCA/SMS Advisory Group Meeting</p>
<p>Vapor Intrusion</p>	<p>Ecology completed draft guidance in Fall 2009. Information was presented to and discussed by the MTCA/SMS Advisory Group in December, 2009. Some group members expressed interest in forming a vapor workgroup.</p> <p>The MTCA Science Panel agreed that Ecology should incorporate new inhalation risk methodology. Ecology has prepared initial revisions to the air cleanup equations based on the new EPA guidance.</p> <p>Ecology has begun forming a vapor risk workgroup to evaluate and provide feedback on rule updates.</p>	<p><input type="checkbox"/> Finalize membership of the vapor/risk workgroup</p> <p><input type="checkbox"/> Schedule 3 meetings of the vapor/risk workgroup for between April and June</p> <p><input type="checkbox"/> For meeting #1, develop a straw outline of possible rule updates</p> <p><input type="checkbox"/> Discuss outcome of vapor/risk workgroup discussions and recommendations at June MTCA/SMS Advisory Group meeting</p>
<p>Remedy Selection: Revisions to Chapter 173-240 WAC Sections 350 – 390</p>	<p>Ecology received many comments on the remedy selection issue summary in 2009. Ecology reviewed those comments and prepared draft rule revisions (Sections 350 to 390). Ecology site managers reviewed the draft rule language and provided feedback. AAGs reviewed draft rule language and provided feedback.</p> <p>Early preliminary draft rule language was distributed to the MTCA/SMS Advisory Group, and the topic was discussed at the December 18, 2009.</p> <p>Besides verbal input, Ecology asked for written comments if group members wished to provide them.</p>	<p><input type="checkbox"/> Ecology staff are working through comments and identifying areas that need further research and/or discussion</p> <p><input type="checkbox"/> Ecology will prepare a focus sheet identifying and explaining proposed changes</p>
<p>Institutional Controls and Periodic Reviews: Revisions to Chapter 173-240 WAC Sections 420 and 440</p>	<p>Ecology plans to revise the institutional controls and periodic review requirements based on the Uniform Environmental Covenants Act and the 2007 amendments to the Model Toxics Control Act.</p> <p>In addition, Ecology is also working with the AG's Office to revise the environmental covenants boilerplate to be consistent with the proposed rule revisions.</p> <p>Early preliminary draft rule language was distributed to the MTCA/SMS Advisory Group, and the topic was discussed at the January 11, 2010.</p> <p>Besides verbal input, Ecology asked for written comments if group members wished to provide them.</p>	<p><input type="checkbox"/> Ecology staff are working through comments and identifying areas that need further research and/or discussion</p> <p><input type="checkbox"/> Ecology will coordinate rule and boilerplate language</p> <p><input type="checkbox"/> Ecology plans to consider UECA comments when developing draft vapor intrusion provisions; and will discuss with the vapor workgroup</p>