

Attachment A MTCA/SMS integration – Definitions/Terminology

Colored underlined text reflects proposed new language, language changes, or concepts.

Cleanup Goal (As identified in June 2009 Issue Paper)

The SMS needs to be clarified regarding what cleanup goal must be met within a specified time frame. This includes clarification that the SQS is the cleanup goal with certain caveats by harmonizing the following sections:

- o WAC 173-204-580(3)(a)(ii) refers to a time frame of meeting cleanup standards within ten years.
- o WAC 173-204-580(3)(b) allows for an extended time frame if certain conditions are met.
- o WAC 173-204-570(3) requires that the minimum cleanup level is the maximum concentration of a contaminant allowed at the site by year ten after the cleanup action.
- o WAC 173-204-570(2) requires that the cleanup objective must be the SQS as defined in WAC 173-204-320 through 340.
- o WAC 173-204-570(4) allows for a cleanup standard to be set as close as practicable to the SQS but not to exceed the minimum cleanup level within a preferred 10 year time frame.
- o WAC 173-204-500(4) identifies the policy of the department to manage sediment cleanup actions towards the goal of reducing and ultimately eliminating adverse effects on biological resources and significant health threats to humans from sediment contamination. To achieve this goal, the department will pursue sediment cleanup decisions and cleanup standards that are as close as practicable to the sediment quality standards of WAC 173-204-320 through 173-204-340.

Current Language:

Section 173-204-570(3) Minimum cleanup level. The minimum cleanup level is the maximum allowed chemical concentration and level of biological effects permissible at the cleanup site to be achieved by year ten after completion of the active cleanup action.

Proposed Language:

Section 173-204-570(3) Maximum allowable level. The maximum allowable level (MAL) (formerly “minimum cleanup level”) is the maximum allowed chemical concentration and level of biological effects that is permissible **at a site after completion of the active cleanup action.** This is the upper end of the range for setting cleanup standards.

Definitions

Proposed new definition:

Chronic bioassays: Biological assessments which measure the effects upon organisms or their populations conducted over prolonged exposure periods relative to the life span of the organism.

Current definition:

None.

Proposed new definition:

Acute bioassays: Biological assessments which measure the effects upon organisms conducted for exposure periods that are relatively short in comparison to the life span of the organism.

Current definition:

None.

Proposed new definition:

Sediment: Any particulate matter which has been deposited or is present as particles on the bed or bottom of a body of water to which fish, wildlife or humans may potentially be exposed and a) exists for a minimum of six contiguous weeks on an annual basis or b) is at or below mean annual flood level or c) is at or below the highest high tide level.

Current definition:

None

Proposed new definition:

Surface Sediment: Sediment located in the biologically active zone or exposed to the water column.

Current definition:

"Surface sediments" or "sediment(s)" means settled particulate matter located in the predominant biologically active aquatic zone, or exposed to the water column. Sediment(s) also includes settled particulate matter exposed by human activity (e.g., dredging) to the biologically active aquatic zone or to the water column.

Proposed new definition:

Contaminated Sediment: Sediments designated under the procedures of WAC 173-204-310 as exceeding the applicable sediment quality standards of WAC 173-204-320 through 173-204-340 including narrative, biological, and chemical criteria. NOTE: This may need to be modified if HH is included in the rule.)

Current definition:

"Contaminated sediment" means sediments designated under the procedures of WAC 173-204-310 as exceeding the applicable sediment quality standards of WAC 173-204-320 through 173-204-340

Proposed new definition:

Active Cleanup Action: Those activities requiring physical implementation whose intent is to result in meeting the cleanup standard. Actions include but are not limited to dredging and capping. Passive actions such as natural attenuation, natural recovery and other time- dependent actions are not included.

Current definition:

None

Proposed new definition:

Biologically Active Zone: The area within the sediment in which a majority of benthic macroinvertebrates are generally found. By default this is the uppermost 10 cm in marine sediment. Where default criteria are not appropriate or unavailable, Information such as the vertical distribution of benthic macroinvertebrates can be gathered for each site to be investigated in an attempt to delimit the Site specific biologically active zone.

Current definition:

None

See Attachment B for more detail

Current SMS rule term	<u>Proposed SMS rule term</u>
Sediment Cleanup Study Plan or Cleanup Study Plan	<u>Remedial Investigation/Feasibility Study</u>
Sediment Cleanup Study Report or Study Report	<u>Cleanup Action Plan</u>
Public information/education	<u>Public Participation Plan</u>

