

SMS Rule Revisions – Status and Next Steps – July 26, 2010

SMS Rule Section	Date discussed with Advisory Groups	Brief summary of revisions	Status	Next steps	Future decisions to be made
<p align="center">Definitions WAC 173-204-200</p>	<p>Sediment Workgroup (SWG): January/June MTCA/SMS Advisory Group (MSAG): July</p>	<ul style="list-style-type: none"> • Develop new or revised definitions to support integration of MTCA and SMS rule and define terms that have cause confusion during implementation. • See Attachment A. 	<p>Draft definitions have been discussed with the SWG and revisions made to reflect comments.</p>	<ul style="list-style-type: none"> • Receive feedback from MSAG and incorporate comments. • Incorporate into draft rule text (overstrike and underscore). • Incorporate additional definitions to support other rule revisions. 	<ul style="list-style-type: none"> • Definition of Regional Background if it is decided this will be part of the rule revisions. • New definitions as identified by advisory groups.
<p align="center">Sediment cleanup decision process/policies WAC 173-204-500</p>	<p>SWG: Nov/Jan/Mar/May/June MSAG: Nov/Dec/Jan/Apr/June</p>	<ul style="list-style-type: none"> • Plan to revise section to define updated cleanup decision-making framework for human health protection and background See Attachment B. • Plan to revise section to update rule for ecological risk narrative. See Attachment C. 	<ul style="list-style-type: none"> • Reviewing comments from advisory groups and updating decision making framework document. • Discussed draft ecological risk narrative ecological with the SWB and revisions made to reflect comments. 	<ul style="list-style-type: none"> • Receive feedback from MSAG and incorporate comments. • Develop draft rule revisions to reflect HH/background draft framework. • Incorporate into draft rule text (overstrike and underscore) for ecological risk narrative. 	<ul style="list-style-type: none"> • Framework for human health and background. • Determine role and final definition of Regional Background. • If and how to provide settlements for partial cleanups. • Settling PLP liability for recontamination.
<p align="center">Screening clusters of potential concern WAC 173-204-510</p>		<p>No revisions planned.</p>	<p>No revisions developed.</p>		<p>Minor terminology changes may be necessary.</p>
<p align="center">Cleanup screening level criteria</p>	<p>SWG: Nov/Jan/Mar/June</p>	<ul style="list-style-type: none"> • Plan to revise narrative provisions for human 	<ul style="list-style-type: none"> • Reviewing advisory group comments on 	<ul style="list-style-type: none"> • Began development of Human Health Risk 	<ul style="list-style-type: none"> • Do we continue to focus FW revisions on sediment

WAC 173-204-520	MSAG: Nov/Dec/Jan/Apr/June	health and background framework. <ul style="list-style-type: none"> Plan to revise narrative provisions for freshwater biological and chemical standards. Plan to add narrative for ecological (i.e., bioaccumulative) risks. See Attachment C. 	human health and background. <ul style="list-style-type: none"> Developing questions for August 25th Science Panel discussion on freshwater sediment criteria. Ecological narrative standard developed. 	Assessment guidance. <ul style="list-style-type: none"> Incorporate into draft rule text (overstrike and underscore) for freshwater standards. Incorporate into draft rule text (overstrike and underscore) for ecological risk narrative. 	cleanup? <ul style="list-style-type: none"> Based on scientific peer review, what freshwater chemical and/or biological criteria to include in the rule.
Hazard assessment/site identification WAC 17-204-530		No revisions planned.	No revisions developed.		Minor terminology changes may be necessary.
Ranking/list of sites WAC 173-204-540		No revisions planned.	No revisions developed.		
Types of cleanup and authority WAC 173-204-550	SWG: Mar/May/June MSAG: Apr/July	Some focused revisions needed as part of decision framework for human health protection. Current rule identifies partial cleanup as an option.		Evaluate as part of framework for human health/background.	
Cleanup study WAC 173-204-560	SWG: Mar/June MSAG: July	<ul style="list-style-type: none"> Revisions to integrate SMS terminology and requirements with MTCA RI/FS provisions. See Attachments A, B & D. 	<ul style="list-style-type: none"> Discussed draft provisions with the SWG. Incorporated comments into new language. 	<ul style="list-style-type: none"> Receive feedback from MSAG and incorporate comments. Prepare rule revision (overstrike/ under-score) to incorporate new terms and/or MTCA requirements. 	<ul style="list-style-type: none"> Decide on final rule language. Role of partial settlements, liability resolution, recontamination.
Sediment cleanup	SWG:	<ul style="list-style-type: none"> Revisions to integrate 	<ul style="list-style-type: none"> Discussed draft 	<ul style="list-style-type: none"> Receive feedback from 	<ul style="list-style-type: none"> Limit freshwater criteria

<p>standards WAC 173-204-570</p>	<p>Nov/Jan/Mar/May/June MSAG: Nov/Jan/Apr/June/July</p>	<p>SMS terminology and requirements with MTCA RI/FS provisions.</p> <ul style="list-style-type: none"> • See Attachments A, B & D. 	<p>provisions with the SWG.</p> <ul style="list-style-type: none"> • Incorporated comments into new language. 	<p>MSAG and incorporate comments.</p> <ul style="list-style-type: none"> • Develop draft rule language that incorporates HH/background provisions. • Incorporate ecological risk narrative. • Incorporate language for freshwater criteria. 	<p>revisions to cleanup provisions.</p> <ul style="list-style-type: none"> • Role of cost, technical feasibility, and net environmental benefits in setting sediment cleanup standards vs. selecting sediment remedies (can we even separate the two). • Implementation of human health/background framework for setting cleanup standards and remedy selection. • Role of partial settlements, liability resolution, recontamination.
<p>Cleanup action decision WAC 173-204-580</p>	<p>SWG: Mar/June MSAG: Nov</p>	<p>Revisions to integrate SMS terminology and requirements with MTCA RI/FS provisions. See Attachments A, B and D.</p>	<ul style="list-style-type: none"> • Discussed draft provisions with the SWG. • Incorporated comments into new language. 	<ul style="list-style-type: none"> • Receive feedback from MSAG and incorporate comments. • Prepare revision (overstrike and underscore) to incorporate new terms and/or additional MTCA requirements. 	<ul style="list-style-type: none"> • Decide on final rule language for human health/background framework. • Implementation of human health/background framework for setting cleanup standards and remedy selection. • Role of partial settlements, liability resolution, recontamination.
<p>Sediment recovery zone WAC 173-204-590</p>		<p>No revisions planned.</p>	<p>No revisions developed.</p>	<p>Evaluate relative to revisions to 580.</p>	<p>Minor terminology changes may be necessary.</p>