

Revisions to Washington's Cleanup Rules



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The goal of the cleanup program is to get contaminants out of the environment and keep them out.

Model Toxics Control Act – cleanup rules protect human health & the environment

Voluntary Cleanup Program – effective solutions for the business community

Brownfields – adaptive reuse, economic redevelopment, storm water

MTCA rule updates reflect waves in environmental concerns.

1991

- regulatory framework & cleanup standards

2001

- Ecological and human health risks
- Chemical fate and transport
- Independent cleanup provisions
- Site specific risk assessment + remediation levels

2011: sediments and ?



What did we hear about the cleanup rule?

- Confusion about sediment cleanups & the Sediment Management Standards
- Update new science
- Vapor intrusion provisions
- It's not all about the rules



Ecology is evaluating recent science about risks to human health.

- Multiple exposure pathways
 - Ingestion + dermal + inhalation
- Effects during early life stage
 - fetus, infants, children
- New toxicity information
 - Carcinogens
 - Lead



Risk-based cleanup levels for some chemicals are below background.

Rule Options	Benzo[a]pyrene Soil Cleanup Level
Risk –Based Current MTCA Rule	0.1 mg/kg
Risk-Based MTCA Rule + Children’s increased susceptibility	0.02 mg/kg
Mean Background Levels - CA Background Study	0.1 – 0.2 mg/kg

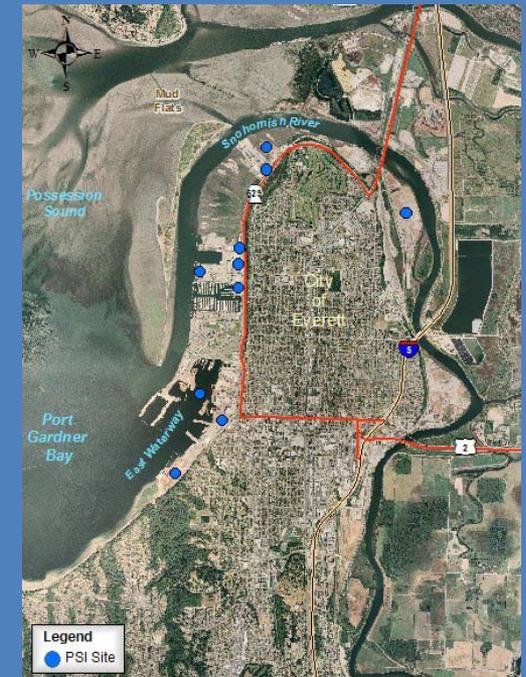
Contaminated sediments present additional unique challenges.

The challenge of making two laws work together:
SMS and MTCA.

- Protect human health
- Defining background
- Recontamination



- Freshwater sediment standards



We have made decisions about what is within the scope of this rulemaking

- Integrate MTCA and SMS sediment cleanup provisions
- Clear policies and procedures for vapor intrusion pathway

Update cleanup levels (new science)

Updates to reflect statutory changes

Updates to reflect implementation experience

Currently Outside Rule Scope

- Updating the Marine Criteria
- Source Control Provisions
- Natural Resource Damages
- Broad Review of Exposure Parameters

The cleanup program is working with several advisory committees.

MTCA/SMS Advisory Group

- 20 members, has met 5 times since November
- Remedy selection, institutional controls, risk-based cleanup levels, fish consumption rates

Sediment Workgroup

- 8 members, sediment specialists, has met 6 times since November, detailed evaluation of options

Vapor Workgroup

- 8 members, first meeting was last week

MTCA Science Panel

Meets quarterly

Timeframes

- This summer (2010)
 - Conclude this round of advisory group meetings
 - Digest what we've heard
 - Complete preliminary drafts of rule language
- This fall (2010)
 - EIS
 - Cost-benefit analysis
 - Early feedback on the preliminary rule language
- Late spring (2011)
 - Propose rule amendments

For Further Information

(Including Sign up for E-mail Announcements)

Go to:

www.ecy.wa.gov

- At the ribbon along the top, click on **Programs**.
- Then on the left menu click on **Toxics Cleanup**.
- On the right side click on **In Progress: MTCA Cleanup Regulation & SMS updates**.
- Follow link on the right side of the page to join the MTCA-SMS-RULE-UPDATE listserv.

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