



DEPARTMENT OF  
**ECOLOGY**  
State of Washington

# **1. Sediment Management Standards**

# **2. Fish Consumption Rates**

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# Ecology has proposed amendments to the Sediment Management Standards

## **Proposed SMS Amendments:**

- ▶ Focus on Section V - Sediment Cleanup Requirements
- ▶ Clarify how to address bioaccumulate chemical at sediment cleanup sites
- ▶ Includes numeric freshwater sediment standards

## **Proposed SMS Amendments do not include:**

- ▶ Default fish consumption rate
- ▶ Instead, identifies RME based on tribal exposure scenario

# The Model Toxics Control Act (Ch 70.105D RCW) is the state's primary cleanup law

- ▶ Cleanup of contaminated sediment sites must comply with the requirements of MTCA – which require protecting human health and the environment
- ▶ The MTCA Cleanup Regulation says that sediment cleanup actions must also comply with SMS
- ▶ Proposed SMS amendments help define the process for cleanup of contaminated sediments to satisfy requirements in both regulations
- ▶ Clarification was needed for how to protect human health

# SMS – summary of proposed amendments

## Integrate with MTCA requirements

- ▶ Remedy selection and Institutional controls
- ▶ Source control and preventing recontamination at cleanup sites

## Framework for addressing bioaccumulative chemicals

- ▶ Human health risk
- ▶ Regional Background and Natural Background

## Freshwater sediment standards

- ▶ Chemical and biological criteria protective of benthic species

# SMS Rulemaking status

## **CR-102** (proposed amendments) 8/15/12

- ▶ 60 day public comment period 8/15/12 – 10/15/12
  - ▶ Proposed rule language
  - ▶ Preliminary CBA
  - ▶ Draft EIS

## **Public hearings** – format is: open house, brief presentation, Q&A, testimony

- ▶ Seattle            Wed Sept 26 2012, Pacific Market Center, 9 am & 5 pm
- ▶ Bellingham      Th Sept 27 2012, Whatcom Community College, 5 pm
- ▶ Olympia          Mon Oct 1 2012, Ecology Lacey Headquarters, 6 pm
- ▶ Spokane          Wed Oct 3 2012, CenterPlace Regional Event Center, 5 pm
- ▶ Richland          Th Oct 4 2012, Hampton Inn, 5 pm

## **SMS Rulemaking: recently decided not to include a default fish consumption rate in the proposed SMS amendments**

- ▶ Ecology will continue working on fish consumption rates
- ▶ Dialog enlarging to include water quality issues
- ▶ Technical Support Document – a long and winding road
- ▶ Updated draft now available
  - ▶ Draft incorporating comments now available for review
  - ▶ Response to comments available
  - ▶ Public comments now being accepted Aug 27 – Oct 26
- ▶ Scientific review of technical analyses
  - ▶ Technical meetings being planned Sept/Oct 2012

# Fish Consumption Rates Technical Support Document collects data and information about fish consumption in Washington

- ▶ **Over 300 comments between Oct 2011 – Jan 2012**
- ▶ **Ecology has prepared a revised report**
  - ▶ Reviewed and considered comments
  - ▶ Took a closer look at the data
  - ▶ Performed several additional analyses
- ▶ **The revised report**
  - ▶ Removed recommendations: instead a compilation of data
  - ▶ Expands information on regional harvests (local vs store bought fish)
  - ▶ Added results from analysis of general population data and recreational angler data
  - ▶ Provides species-specific rates

# Summary of data (revised)

Population	Source of Fish	n	Mean	Percentiles		
				50 <sup>th</sup>	90 <sup>th</sup>	95 <sup>th</sup>
<b>General population</b>	All sources: EPA method	2,853	56	38	128	168
	All sources: NCI method	6,465	19	13	43	57
<b>Columbia River Tribes</b>	All sources	464	63	41	130	194
	Columbia River	–	56	36	114	171
<b>Tulalip Tribes</b>	All sources	73	82	45	193	268
	Puget Sound	71	60	30	139	237
<b>Squaxin Island Tribe</b>	All sources	117	84	45	206	280
	Puget Sound	–	56	30	139	189
<b>Suquamish Tribe</b>	All sources	92	214	132	489	797
	Puget Sound	91	165	58	397	767
<b>Asian and Pacific Islanders</b>	All sources	202	–	74	227	286
	Locally harvested	125	–	6.5	26	59
<b>Recreational Fishers</b> (compilation of multiple studies)	Marine waters, WA State	–	11–53	1.0–21	13–246	
	Freshwater, WA State	–	6.0–22	–	42–67	

What's new: NCI method; source of fish; recreational info; closer look at survey data

## Next steps

### **Response to Comments Document (expect this week)**

- ▶ distinguishing between matters of science and policy
- ▶ regulatory context

### **Technical meetings**

- Still in the planning phase

### **Comments on the revised draft accepted through Oct 26**

### **Final report expected mid to late November**

- ▶ Summary of changes between this revised draft and the Final will be provided

# Technical review meetings

- ▶ **Review and feedback on additional analyses**
  - ▶ Species specific rates
  - ▶ National Cancer Institute Methodology for correcting short term dietary survey data to obtain long term information for episodically consumed foods
- ▶ **Limited discussion on statistical issues related to regional fish consumption surveys**
- ▶ **Advice on using available studies to estimate Reasonable Maximum Exposure**
  - ▶ Short term
  - ▶ Chronic, long term exposure

## Contact info

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### **Toxics Cleanup Program**

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### **SMS Rulemaking - including public hearing schedule**

<http://www.ecy.wa.gov/programs/tcp/regs/SMS/2012/proposedRule.html>

### **Fish Consumption Rate info**

<http://www.ecy.wa.gov/toxics/fish.html>