



Public Participation Plan

**Clean Earth/Burlington
625 South 32nd Street
Washougal, WA 98671**

Hazardous Waste & Toxics Reduction Program

Washington State Department of Ecology

Southwest Regional Office

Olympia, Washington

September 2021, Publication 21-04-042



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Cover photo

This photo is of the Port of Camus-Washougal Industrial Park. Clean Earth/Burlington is located within this industrial park.

Related Information

- Facility site ID: 1018
- Cleanup site ID: 2796

Contact Information

Hazardous Waste & Toxics Reduction Program

Southwest Regional Office

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¹ www.ecology.wa.gov/contact

Español

El Departamento de Ecología está anunciando el período de comentarios públicos relacionado a la limpieza ambiental del sitio Clean Earth/Burlington. Para obtener este documento, o más información sobre este sitio en español, favor de comunicarse con Gretchen Newman al 360-407-6097 o preguntas@ecy.wa.gov.

ADA Accessibility

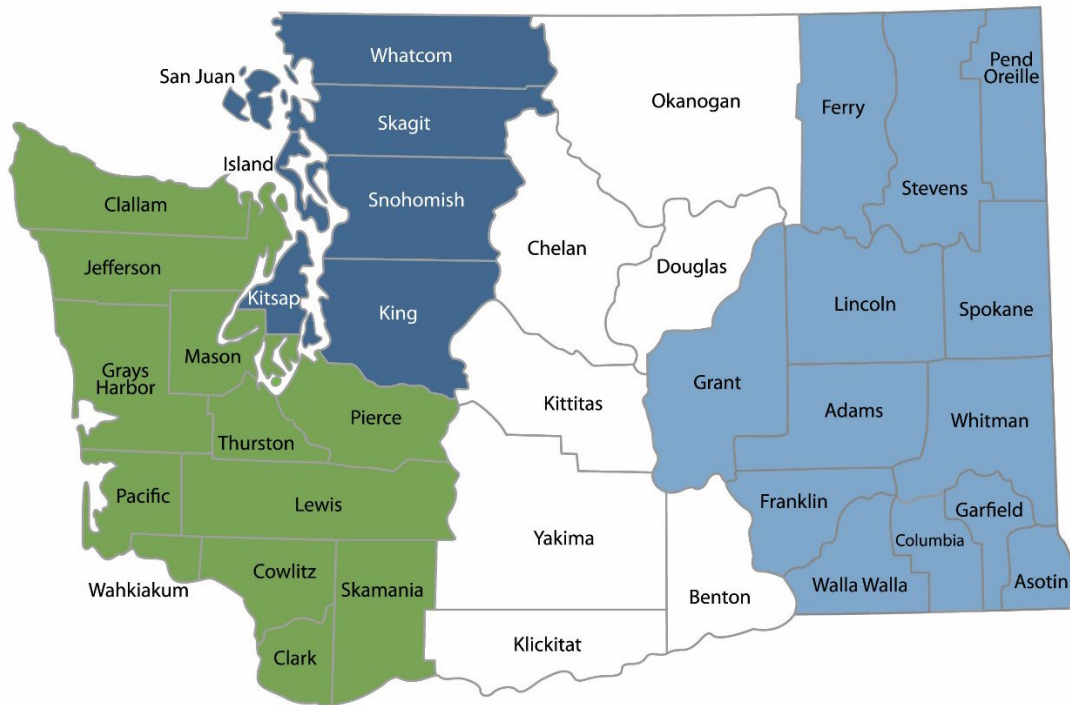
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² www.ecology.wa.gov/accessibility

Department of Ecology's Regional Offices

Map of Counties Served



Southwest Region 360-407-6300	Northwest Region 206-594-0000	Central Region 509-575-2490	Eastern Region 509-329-3400
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Region	Counties served	Mailing Address	Phone
Southwest	Clallam, Clark, Cowlitz, Grays Harbor, Jefferson, Mason, Lewis, Pacific, Pierce, Skamania, Thurston, Wahkiakum	PO Box 47775 Olympia, WA 98504	360-407-6300
Northwest	Island, King, Kitsap, San Juan, Skagit, Snohomish, Whatcom	PO Box 330316 Shoreline, WA 98133	206-594-0000
Central	Benton, Chelan, Douglas, Kittitas, Klickitat, Okanogan, Yakima	1250 W Alder St Union Gap, WA 98903	509-575-2490
Eastern	Adams, Asotin, Columbia, Ferry, Franklin, Garfield, Grant, Lincoln, Pend Oreille, Spokane, Stevens, Walla Walla, Whitman	4601 N Monroe Spokane, WA 99205	509-329-3400
Headquarters	Across Washington	PO Box 46700 Olympia, WA 98504	360-407-6000

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DEPARTMENT OF
ECOLOGY
State of Washington

Table of Contents

List of Figures	5
Public Involvement in Contamination Cleanup.....	6
Site contacts.....	6
Public Participation Grants	7
State and Federal Cleanup Laws.....	7
Model Toxics Control Act.....	7
Resource Conservation and Recovery Act	8
State Environmental Policy Act.....	8
Site Information	10
Basic information	10
Site history	10
Contamination	12
Cleanup process	13
Demographics	14
People of color and minority population.....	14
English language proficiency.....	15
Outreach activities and language access	15
Public Participation Activities	16
How we share information with the community	16
How to share information with us.....	18
Americans with Disabilities Act.....	19
Plan Amendments	19
List of Abbreviations and Acronyms.....	20

List of Figures

Figure 1: Washington's Formal Cleanup Process Infographic	9
Figure 2: Google Map showing Clean Earth/Burlington site in Washougal, WA.....	10
Figure 3: Clean Earth / Burlington Washougal Facility Site Map.....	12
Figure 4: Formal Cleanup Process Infographic	13
Figure 5: Map showing one-mile radius for EJ indicators (taken from EPA's EJSCREEN mapping tool).....	15

Public Involvement in Contamination Cleanup

Ecology (we) developed this public participation plan (plan) in cooperation with Clean Earth/Burlington. This plan is for their facility located at 625 South 32nd Street, Washougal, Washington, within the Port of Camas-Washougal's Industrial Park.

This plan describes how we involve the public in investigating contamination and selecting cleanup activities during the corrective action process.

We encourage the public to:

- Learn about and get involved in decision-making opportunities.
- Provide input during the investigation and cleanup of contamination.

This plan is for corrective action (cleanup). Public participation activities are coordinated between us and Clean Earth/Burlington. We must make sure the cleanup and the outreach comply with Washington state's Dangerous Waste Regulations and Model Toxics Control Act (MTCA) requirements. We will conduct public comment periods and other forms of public involvement during the cleanup process.

Site contacts

To be included in the site record, comments about the cleanup process must be submitted during comment periods. Questions and informal comments or information about the site's history are welcome anytime.

Ecology

Southwest Regional Office
PO Box 47775
Olympia, WA 98504

Kaia Petersen, site manager
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Ldellolio@harsco.com

Public Participation Grants

Grants may be available to neighborhood committees, non-profits, and other groups.

For contaminated sites, these funds can:

- Hire an expert to help interpret technical information.³
- Conduct activities to increase understanding and participation in the cleanup process.

For more information about public participation grants, please contact Lynn Gooding at 360-407-6062 or lynn.gooding@ecy.wa.gov. You may also visit the [Public Participation Grant website](#).⁴

State and Federal Cleanup Laws

In Washington state, we use the Model Toxics Control Act (MTCA) and other regulations for cleanup activities on properties that treated, stored, or disposed of hazardous chemicals. These cleanups, called **corrective actions**, are required under the federal Resource Conservation and Recovery Act (RCRA). The U.S. Environmental Protection Agency (EPA) is responsible for maintaining and enforcing environmental standards across the United States. EPA allows Ecology to follow MTCA, not RCRA, for cleanup activities in Washington state.

This public participation plan is required under MTCA. MTCA provides guidelines for contaminated site cleanup in our state and sets standards to ensure the cleanup protects human health and the environment.

Model Toxics Control Act

MTCA began as a grassroots citizen's initiative in 1988. We started using it to clean up contaminated sites in our state in 1989. Under MTCA, a current or past property owner or operator may need to pay to clean up contamination on or coming from their property, until levels are safe for human health and the environment.

Under MTCA, we oversee cleanups in the state and issue [regulations and guidance](#)⁵ for them. We investigate reports of property contamination. If the contamination is a threat to human health or the environment, the property goes on the Hazardous Sites List and the cleanup process begins.

Public participation is an important part of the MTCA process. Participation needs are determined for each cleanup site by the level of public interest and the risk posed by the contamination. People who live near the site, community groups, businesses, government entities, and other interested parties can comment on the cleanup process.

³ Ecology currently does not have a citizen technical advisor for providing technical assistance to citizens on issues related to the investigation and cleanup of the site.

⁴ www.ecology.wa.gov/ppgrants

⁵ <https://apps.ecology.wa.gov/publications/SummaryPages/9406.html>

Under MTCA, the cleanup process happens in phases. Many of the phases have time for the public to review and comment on cleanup documents. See Figure 1, Washington's Formal Cleanup Process, for more information.

Resource Conservation and Recovery Act

There are federal and state rules about hazardous wastes. Congress passed RCRA in 1976 to ensure hazardous waste is managed and disposed of safely. It has been updated several times to expand the scope and requirements.

RCRA's goals are to:

- Protect human health and the environment.
- Reduce waste, and conserve energy and natural resources.
- Reduce or stop hazardous waste generation.

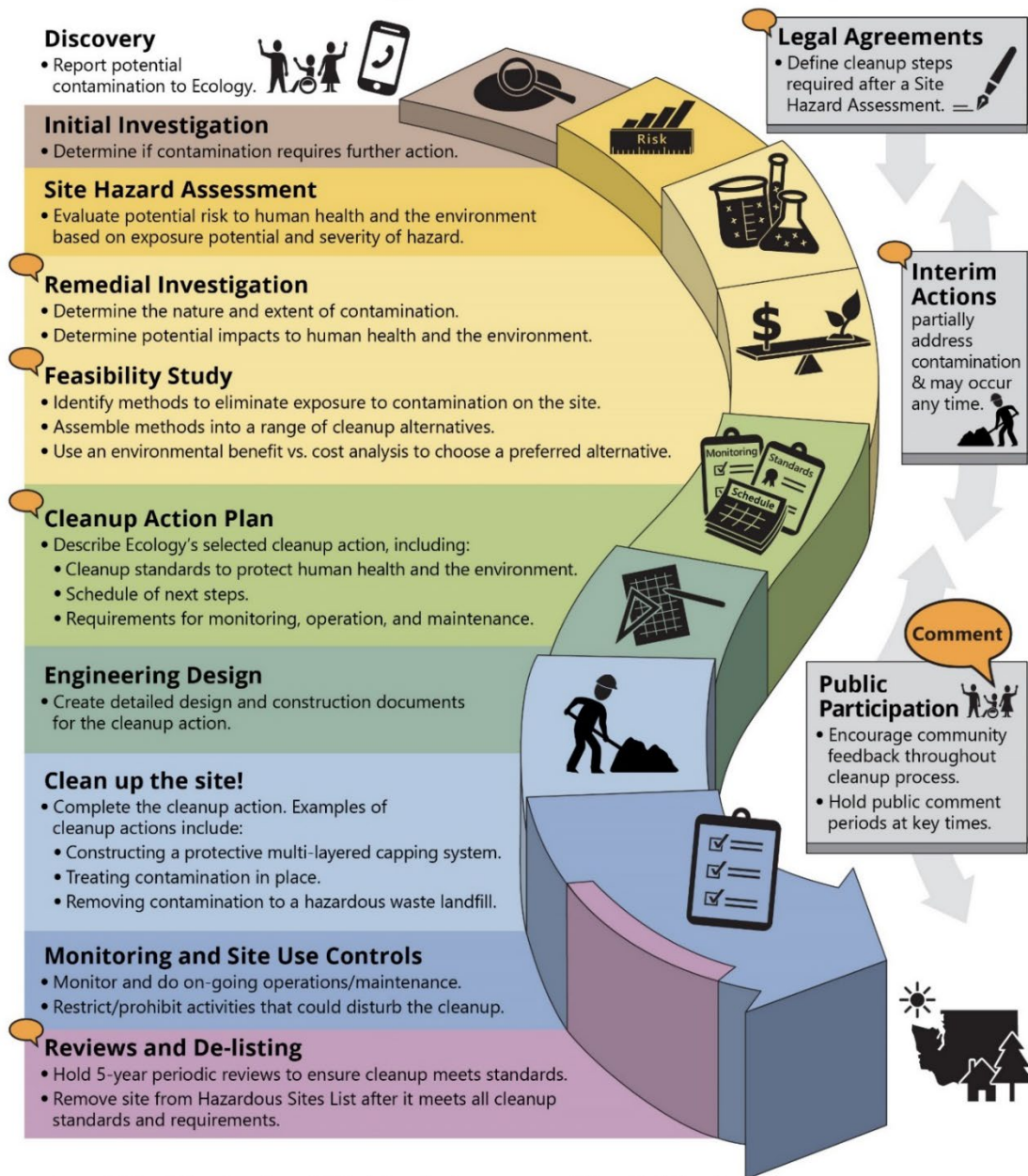
Treatment, storage, and disposal (TSD) facilities must have a permit to design, operate, maintain, or close their site. RCRA also requires facilities to clean up contamination from past and present practices. These cleanup activities are known as **corrective action**.

Federal RCRA and state dangerous waste regulations require opportunities for public participation during the stages of facility permitting and cleanup.

State Environmental Policy Act

The State Environmental Policy Act (SEPA) is followed during review and development of cleanup plans.

Washington's Formal Cleanup Process



Washington's Cleanup Law
Model Toxics Control Act (MTCA)

MTCA defines the cleanup process. This public-initiated environmental law directs upland cleanups (on land or in groundwater) and sediment cleanups (in freshwater or marine environments). Ecology enacts MTCA and regulates the cleanup process.

September 2019
Ecology Publication 19-09-166

Figure 1: [Washington's Formal Cleanup Process Infographic](#)⁶

[Read a Plain Text version of Figure 1](#)⁷

⁶ <https://apps.ecology.wa.gov/publications/SummaryPages/1909166.html>

⁷ <https://apps.ecology.wa.gov/publications/parts/1909166part2.pdf>

Site Information

Basic information

Washougal, Washington is located 18 miles east of Vancouver, Washington. It is a small community on the Washington side of the Columbia River, with its lowlands and famous prairie at the west entrance to the scenic Columbia River Gorge. It has a total area of 6.30 square miles and a population of about 14,000 people. It has several recreational areas and public parks.

Clean Earth/Burlington is located southeast of downtown Washougal. It sits between highway 14 and the Columbia River in an industrial area.

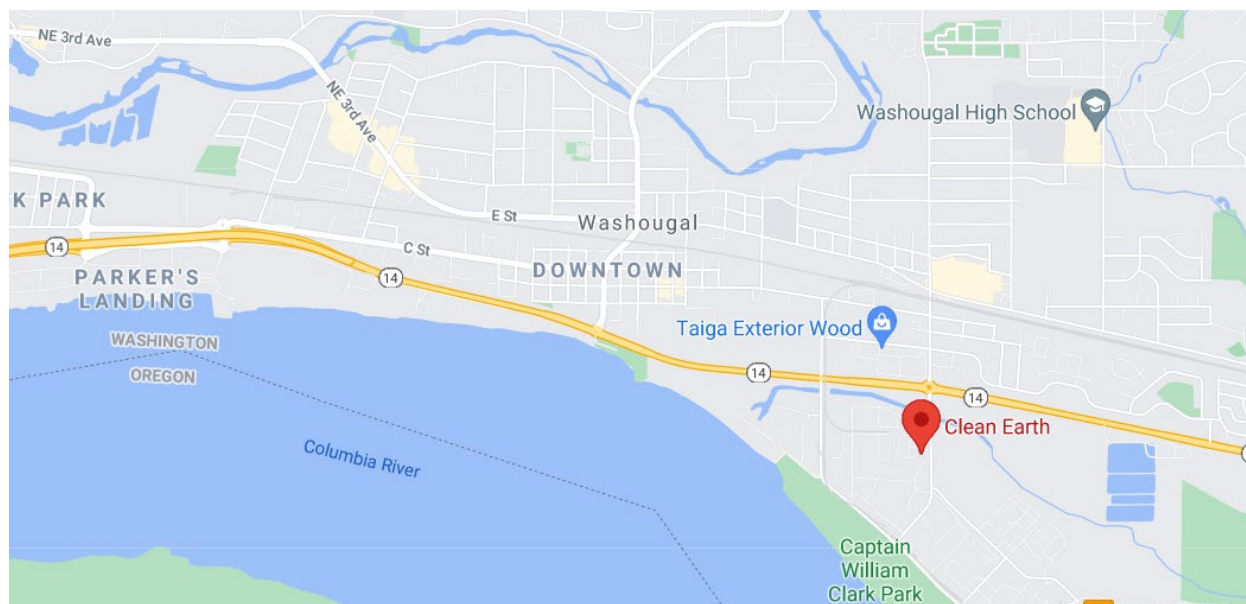


Figure 2: Google Map showing Clean Earth/Burlington site in Washougal, WA

Site history

Clean Earth/Burlington was a hazardous waste TSD facility. Past facility activities resulted in soil and groundwater contamination.

In 1992, we issued a dangerous waste management permit to Clean Earth/Burlington for:

- Waste solvent recycling
- Hazardous waste treatment and storage
- Dangerous waste fuel blending
- Waste oil blending
- On-site waste water treatment system operation

The wastes were treated in tanks and stored in both tanks and containers.

In 1997, Clean Earth/Burlington closed and removed the tanks, removed the concrete containment from under the tanks, and excavated underlying soil.

In 1998, we approved a permit modification for groundwater monitoring, a remedial investigation (RI) and feasibility study (FS), and a draft cleanup action plan (dCAP).

In 1999, Clean Earth/Burlington closed the hazardous waste TSD facility and we approved closure in 2000.

In September 2002, Clean Earth/Burlington submitted an application to renew their permit to complete cleanup activities.

Between 2000–2013, Clean Earth/Burlington did soil and groundwater sampling to identify the contamination, and prepared drafts of the RI and FS.

In September 2013, Clean Earth/Burlington submitted a revised RI report for the facility and continued groundwater sampling.

In May 2019, we decided outstanding issues in the RI could be addressed in the FS.

In 2020, Clean Earth/Burlington submitted their draft FS report.

In 2021, we accepted their draft FS report.

Ownership timeline

Burlington Environmental, LLC and PSC Environmental Services, LLC are wholly owned subsidiaries of Clean Earth Environmental Solutions, Inc. (Clean Earth). We refer to Clean Earth/Burlington throughout this document because the company uses the name Clean Earth in public, but the facility is permitted as Burlington Environmental, LLC.

- **1978–1987:** McClary Columbia Corporation (MCC) owned and:
 - Produced specialty chemicals.
 - Recycled oil.
 - Operated a waste solvent recovery system.
 - Discovered solvent contamination discovered in the groundwater.
- **1987:** Chempro took over MCC and operated the waste recovery business.
- **1992:** Chempro changed their name to Burlington Environmental, Inc. (BEI).
- **1997:** BEI became a wholly owned subsidiary of Phillips Services Corporation (PSC) Environmental Services, Inc.
- **2008:** BEI merged with PSC-Burlington, LLC to form Burlington Environmental, LLC (Burlington).
- **2014:** Burlington was acquired by Stericycle Environmental Services, Inc. (Stericycle).
- **2020:** Burlington was acquired by, and became a wholly-owned indirect subsidiary of Clean Earth.

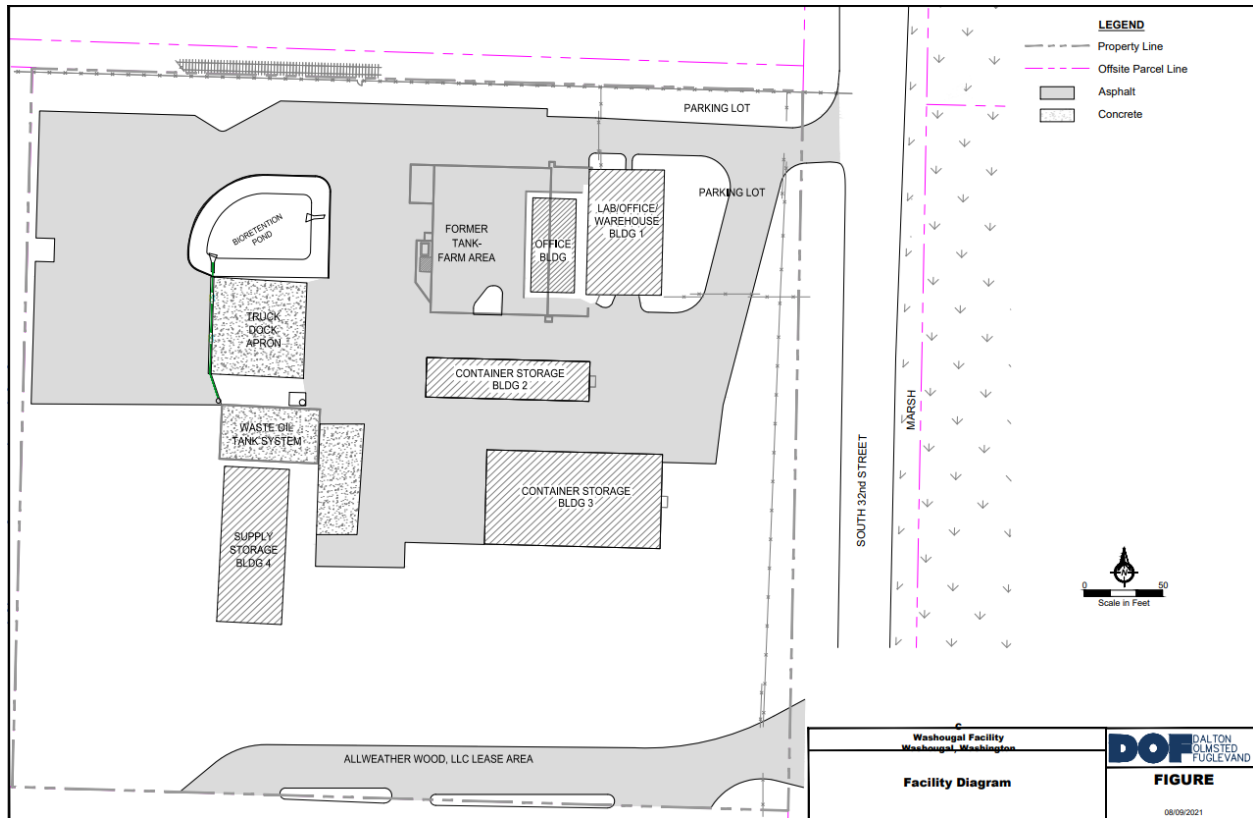


Figure 3: Clean Earth / Burlington Washougal Facility Site Map

Contamination

Released contaminants are mostly solvents and include:

- 1,1-dichloroethene (chemical cleaning liquid)
- Benzene (a liquid in gasoline)
- Toluene (a liquid in gasoline)
- Xylenes (a liquid in gasoline)
- Ethylbenzene (a liquid in gasoline)
- Chloroethane (chemical cleaning liquid)
- Freon 113 (cooling gas used in refrigeration)
- cis-1,2-dichloroethylene (chemical cleaning liquid)
- Tetrachloroethene (chemical cleaning liquid)
- Trichloroethene (chemical cleaning liquid)
- Vinyl chloride (cancer-causing chemical)
- 1,4-dioxane (cancer-causing chemical)

Cleanup process

Under the permit and agreed order going out for public comment in 2021, Clean Earth/Burlington will complete the formal RI, FS, and dCAP. The cleanup will focus on soil and groundwater.

You can view these documents online:

- [Remedial Investigation Report](#)⁸
- [Feasibility Study](#)⁹
- [Agreed Order](#)¹⁰
 - [Exhibit G Groundwater Monitoring Plan](#)¹¹
- [Dangerous Waste Management Permit](#)¹²

The RI and FS will be used to select cleanup actions for site contaminants. We oversee site cleanup activities—they must meet all federal and state standards. We’re asking the public to comment on the agreed order, RI, FS, permit, and public participation plan.

Clean Earth/Burlington must also draft a dCAP that describes how the site will be cleaned up. When their dCAP is ready for public comment, a permit modification will be required.

There are three classes of permit modifications:

- Class 1—Simple administrative changes.
- Class 2—Updates to wastes managed, treatments used, regulations, or schedules.
- Class 3—Substantial changes to the facility or its operation.

All permit modifications require public involvement.

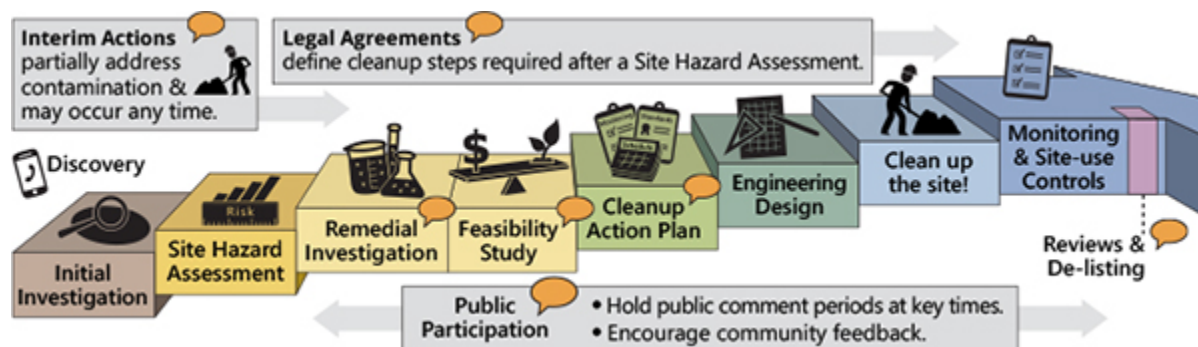


Figure 4: Formal Cleanup Process Infographic

⁸ <https://apps.ecology.wa.gov/gsp/DocViewer.ashx?did=97295>

⁹ <https://apps.ecology.wa.gov/gsp/DocViewer.ashx?did=97207>

¹⁰ <https://apps.ecology.wa.gov/gsp/DocViewer.ashx?did=105168>

¹¹ <https://apps.ecology.wa.gov/gsp/DocViewer.ashx?did=104319>

¹² <https://apps.ecology.wa.gov/gsp/DocViewer.ashx?did=104426>

Demographics

Table 1: Washougal study area: One-mile ring (radius) around the site (population 4,417).

Demographic Indicators	Value	State Average	Percentile in State
Demographic Index	20%	29%	33
Minority Population	15%	31%	23
Low-Income Population	25%	27%	54
Linguistically Isolated Population	1%	4%	45
Population with Less Than High School Education	7%	9%	55
Population Under 5 Years of Age	7%	6%	60
Population Over 64 Years of Age	16%	15%	63

People of color and minority population

Ecology ran a demographic analysis using EPA’s Environmental Justice Screen (EJSCREEN) tool for a one-mile radius around the site. The standard report suggests these indicators for environmental justice considerations:

- Low-income population.
- Linguistically isolated population.
- Population with less than high school education.
- Population under 5 years of age.
- Population over 64 years of age.

Census data from the 2014–2018 American Community Survey (ACS) indicates the largest racial and ethnic population around the site is Hispanic with 263 residents.

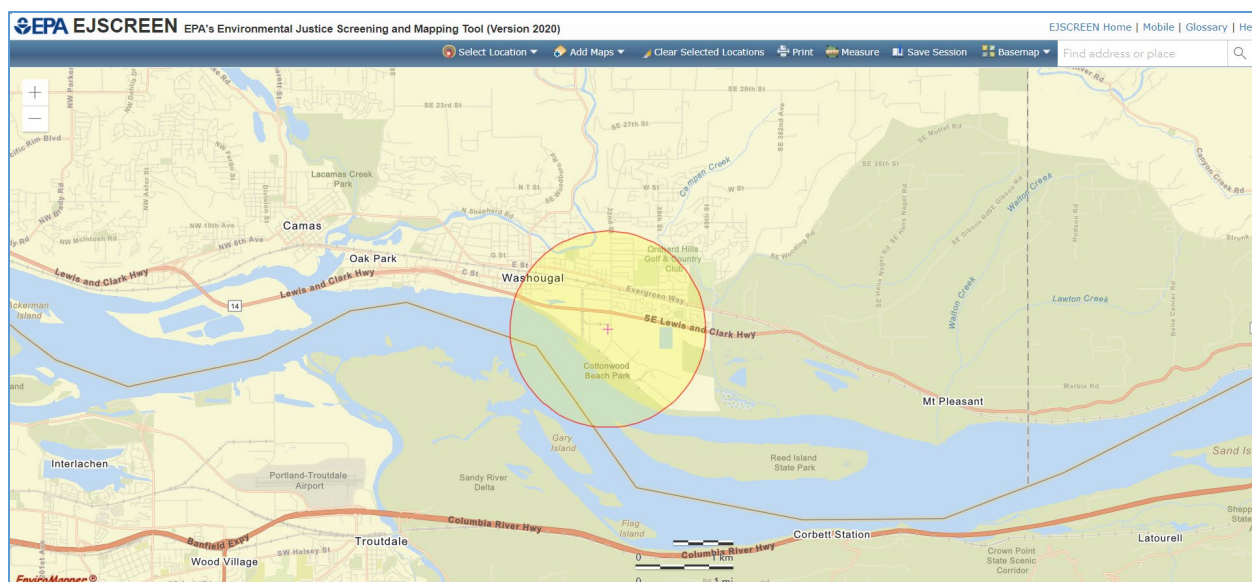


Figure 5: Map showing one-mile radius for EJ indicators (taken from EPA’s EJSCREEN mapping tool).¹³

English language proficiency

According to the [Language Data \(Census 2015\)](#)¹⁴ for Washougal, the Hispanic population is the primary non-English language group that speaks English less than “very well” and makes up 1.06 percent of the population.

Outreach activities and language access

Based on this analysis, we will include the following outreach activities for this site:

- Contact cultural organizations and leaders in these communities.
- Provide information to request language services for all public materials.
- Provide basic information about this site in Spanish in all outreach materials.
- Translate all documents that are vital or critical to well-being for language groups that are either 5% of the population or more than 1,000 people.

¹³ <https://ejscreen.epa.gov/mapper/>

¹⁴ http://teams/sites/EXEC/mitt/LanguageMap/Shared%20Documents/ACS_LanguageData_2015.aspx

To request translation services, please contact:

Janelle Anderson, Community Outreach & Environmental Education Specialist
Washington Department of Ecology
Northwest Regional Office
PO Box 330316
Shoreline, WA 98133
Phone: 425-301-6454
Email: Janelle.anderson@ecy.wa.gov

Ecology will reach out to cultural community organizations as part of our outreach and provide information in other languages as appropriate following federal guidance.¹⁵ The non-English language most widely spoken in this area is Spanish. When appropriate, Ecology will provide outreach in Spanish. We strive to make our public participation efforts as inclusive as possible and welcome your input about how to best reach the nearby community.

Tribal communications

The federally recognized Yakama Nation Tribe, Grand Ronde Confederated Tribes, and Cowlitz Tribe rely on potentially contaminated resources near this site. We will invite these tribes to engage in decision-making during the process on a government-to-government basis.

Public Participation Activities

Members of the public may ask questions, submit informal comments, or share site information at any time. Interested parties do not need to wait for a formal public comment period to contact Ecology.

However, to be included in the formal site record, comments about the site investigation, cleanup alternatives, or cleanups must be submitted during formal comment periods. In addition, the public is invited to review site documents before they become final. This is the most direct way to learn more about the site and be involved in the cleanup's decision-making.

How we share information with the community

During specific stages of the cleanup, Ecology will mail notices about public comment periods to addresses surrounding the site. The mailing list area will vary depending on the type of contamination and where it's located, but the list will at least include addresses within a 1/4-mile radius of the site and other interested organizations and individuals. These notices will

¹⁵ Guidance to Environmental Protection Agency Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons, 69 Fed. Reg. § 35602 (June 15, 2004).

provide general information about the site, contact information for submitting comments, and times and locations of public meetings or hearings—or how to request one if not yet scheduled.

Ecology may also develop documents outside of comment periods to keep the community updated on the site’s status. These informational documents will be available online and at document repositories. Print copies may be mailed to the nearby community if we feel the message warrants the associated cost and resources.

Comment period notices and other site announcements may also be posted in various locations throughout the community (for example, local businesses, schools, libraries).

Postal mailing list

Ecology maintains a mailing list that includes addresses near the site. This mailing list also includes local, state, and federal government contacts.

Everyone will receive public comment notices when draft documents are available.

We will add additional individuals, organizations, and other interested parties to the mailing list as requested. If you would like to be added to the mailing list for this site, please contact Janelle Anderson at 425-301-6454 or Janelle.anderson@ecy.wa.gov.

Site Register

Public comment periods, events, and other cleanup notices are published in Ecology’s [Site Register](#).¹⁶ To receive the Site Register by email, please contact Sarah Kellington at 360-407-7466 or sarah.kellington@ecy.wa.gov, or [subscribe online](#).¹⁷

Newspaper display ads or legal notices

We announce public comment periods and events in ads or notices published in the [Camas-Washougal Post-Record](#)¹⁸ and on [FM News 101 KXL](#)¹⁹ radio. We will also publish notice on our [Public Input & Events Listing](#).²⁰

Ecology’s website and social media platforms

Ecology maintains a webpage for the [Washougal site](#),²¹ which provides site information and cleanup documents. Information may also be shared about cleanup sites through [news releases](#)²² and [Ecology’s blog](#).²³

¹⁶ ecology.wa.gov/Regulations-Permits/Guidance-technical-assistance/Site-Register-lists-and-data

¹⁷ <http://listserv.wa.gov/cgi-bin/wa?SUBED1=siteregister&A=1>

¹⁸ <https://www.camaspstrecord.com/>

¹⁹ <https://www.kxl.com/>

²⁰ ecology.wa.gov/Events/Search/Listing

²¹ <https://apps.ecology.wa.gov/gsp/Sitepage.aspx?csid=2796>

²² <https://ecology.wa.gov/About-us/Get-to-know-us/News>

²³ <https://ecology.wa.gov/blog>

Document repositories

In response to Washington state’s coronavirus response and Governor Inslee’s Stay Home, Stay Healthy Order, in-person document review is not currently available. You may review documents at these locations when they re-open to the public.

Washington State Department of Ecology
Southwest Regional Office
300 Desmond Drive SW
Lacey, WA 98503
360-407-6300

Fort Vancouver Regional
Library—Washougal Branch
1661 C Street
Washougal, WA 98671
360-835-5393

To schedule an appointment, please contact Susie Baxter at 360-407-6365 or PublicDisclosureSWRO@ecy.wa.gov.

Signs around the cleanup site

We may also install signs displaying information about project status, traffic impacts, and health risks around the cleanup site.

How to share information with us

At minimum, MTCA requires 30-day public comment periods for draft cleanup documents and 14-day comment periods for SEPA documents. SEPA documents are often made available for public review with other cleanup documents. In that case, we combine the comment periods, and they last at least 30 days. We may hold comment periods longer than 30 days.

We may also identify public concerns and cleanup goals by meeting with and soliciting information from interested community members and organizations. To collaborate with us about this site, please contact Janelle Anderson at 425-301-6454 or Janelle.anderson@ecy.wa.gov.

Public comment periods

Formal 30-day comment periods allow interested members of the public to comment on draft documents, legal agreements, and proposed cleanup actions. If there is significant interest, Ecology may extend the public comment period. When Ecology oversees SEPA determinations, we hold comment periods for at least two weeks and may extend to 30 days or more when other cleanup documents are available for review at the same time.

Following a comment period, we publish all the input we received and respond to comments and questions. If the comments result in significant changes to the cleanup documents, then the documents will be revised and re-issued for public review. If the comments do not result in significant changes, then they become final.

Public events

We hold public meetings, workshops, open houses, and public hearings based on community interest. If we have not scheduled a meeting, we will hold one if 10 people request it, and this may cause us to extend a public comment period so the meeting occurs during it.

Events are held at locations close to the site that meet Americans with Disabilities Act standards. Public meetings, workshops, open houses, and hearings are always announced in advance using a variety of methods.

Americans with Disabilities Act

To request ADA accommodation for disabilities, or printed materials in a format for the visually impaired, contact Ecology at 360-407-6700 or hwtrpubs@ecy.wa.gov, or visit <https://ecology.wa.gov/accessibility>. People with impaired hearing may call Washington Relay Service at 711. People with speech disability may call TTY at 877-833-6341.

Plan Amendments

Ecology developed this plan following MTCA regulations (WAC 173-340-600). We review it as the cleanup progresses and amend it as necessary. You may suggest amendments to Kaia Petersen, Site Manager, by phone at 360-407-6359 or email at kaia.petersen@ecy.wa.gov.

This plan includes information for the public regarding opportunities for public involvement and comment. The outreach activities discussed in this section reflect Ecology's current plans for keeping the public informed and providing ways for those interested in the site to communicate their concerns and questions to us.

If you feel the planned outreach activities and mechanisms described in this plan are insufficient, or should otherwise be modified, we will work to find solutions. New outreach activities or outreach tools established as a result can be implemented right away, with or without amending this plan.

List of Abbreviations and Acronyms

Table 2: List of abbreviations and acronyms.

Abbreviation or Acronym	Definition
ADA	Americans with Disabilities Act
ACS	American Community Survey
Burlington or BEI	Burlington Environmental, Inc.
Clean Earth	Clean Earth Environmental Solutions, Inc
Cleanup	Corrective action
dCAP	Draft Cleanup Action Plan
Ecology (we)	Washington State Department of Ecology
EJSCREEN	EPA's Environmental Justice Screen
EPA	U.S. Environmental Protection Agency
Facility	Clean Earth/Burlington, Washougal, WA
FS	Feasibility study
MCC	McClary Columbia Corporation
MTCA	Model Toxics Control Act
Plan	Public participation plan
PLP	Potentially liable person
PSC	Phillips Services Corporation
RCRA	Resource Conservation and Recovery Act
RFA	RCRA Facility Assessment
RI	Remedial investigation
RI/FS	Remedial investigation/feasibility study
SEPA	State Environmental Policy Act
Site	Area where hazardous substances at the facility are currently located
Stericycle	Stericycle Environmental Services, Inc.
SWMUs	Solid waste management units
TSD	Treatment, storage, and disposal facility
TWP	Treated wood products area
WAC	Washington Administrative Code