



Voluntary Cleanup Program Eligibility Form

Washington State Department of Ecology – Toxics Cleanup Program

Use this form to determine which Washington state agency and program to apply for when seeking technical assistance for your independent cleanup of a contaminated site.

Both the Department of Ecology (Ecology) and the Pollution Liability Insurance Agency (PLIA),¹ which are **separate state agencies**, offer such assistance under the following programs.

Ecology

Voluntary Cleanup Program (VCP)²

PLIA

Petroleum Technical Assistance Program (PTAP)³

Heating Oil Technical Assistance Program (HOTAP)⁴

Eligibility verification (for Ecology use only)

☐ correct
☒ incorrect

Each program provides technical assistance for only certain types of sites. Ecology provides technical assistance under its VCP for sites that are not eligible for technical assistance under PLIA's PTAP or HOTAP. When applying to enroll in Ecology's VCP, you must submit this form with your application. Use of this form does not guarantee acceptance into the VCP. Ecology may decide to supervise remedial action at your site under an order or decree, based on site-specific conditions.

Part 1 – Applicant information

Applicant name: Sutter Metals, LLC, Chad Sutter

Application submission date: 04/17/2024

Part 2 – Identify release source

PLIA provides technical assistance for independent cleanups of sites only where there has been a release from a tank storing heating oil or another type of petroleum. PLIA provides technical assistance for those releases under HOTAP and PTAP, respectively. See Chapter 374-80 WAC.⁵

Check only one of the following boxes.

- ☐ The site involves a release from a heating oil storage tank. If you checked this box, skip to Part 3.
- Heating oil includes petroleum products used for space heating in oil-fired furnaces, heaters, and boilers, and includes stove oil, diesel fuel, and kerosene.
 - Heating oil does not include petroleum products used as fuels in motor vehicles, marine vessels, trains, buses, aircraft, or off-highway equipment not used for space heating, industrial processing, or generating electrical energy.

¹ <https://plia.wa.gov>

² <https://ecology.wa.gov/VCP>

³ <https://plia.wa.gov/ptap/>

⁴ <https://plia.wa.gov/heating-oil-technical-assistance-program/>

⁵ <https://apps.leg.wa.gov/wac/default.aspx?cite=374-80>

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- ☐ The site involves a release from a non-heating oil petroleum storage tank. If you checked this box, skip to [Part 4](#).
- Non-heating oil petroleum includes, but is not limited to, petroleum and petroleum-based substances made of a complex blend of hydrocarbons, such as motor fuels, jet fuels, distillate fuel oils, residual fuel oils, lubricants, petroleum solvents, and waste oils.
 - Non-heating oil petroleum does not include propane, asphalt, or any other petroleum product that is not liquid at standard conditions of temperature and pressure (60°F and 14.7 pounds per square inch absolute).
- ☒ The site does not involve a release from any kind of heating oil or petroleum storage tank. If you checked this box, skip to [Part 5](#), and check "[Ecology's VCP](#)".

Part 3 – Identify HOTAP eligibility

A heating oil tank release site may be eligible for technical assistance under PLIA's HOTAP, unless the site meets one of the exclusionary factors in this Part 3.

Check each of the following boxes that applies to your site.

Site type factors

- ☐ The heating oil tank release is commingled with a non-petroleum release.

Agency management factors

- ☐ Ecology is currently conducting remedial action at the site.
- ☐ Ecology is currently supervising remedial action at the site, under an order or decree, or is currently negotiating an order or decree for the site.
- ☐ Ecology and PLIA jointly determine the site should be managed by Ecology. If you check this box, include supporting documentation.

If you checked any of the boxes in this Part 3, go to [Part 5](#) and check "[Ecology's VCP](#)". If you did not check any of the boxes, go to [Part 5](#) and check "[PLIA's HOTAP](#)".

Part 4 – Identify PTAP eligibility

Ecology and PLIA have jointly developed inclusionary and exclusionary factors for non-heating oil petroleum tank release sites. Such sites may be eligible for technical assistance under PLIA's PTAP if:

- 1) the site meets any of the inclusionary factors in [Part 4A](#); and
- 2) the site either does not meet any of the exclusionary factors in [Part 4B](#), or Ecology and PLIA jointly override the exclusionary factors under [Part 4C](#).

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4A Inclusionary factors

Check each of the following boxes that applies to your site.

Hazard ranking factors – Ecology ranks sites using the Washington Ranking Method (WARM).⁶

- ☐ The site is WARM-ranked a 3, 4, or 5.
- ☐ The site is WARM-ranked a 1 or 2, but does not impact surface water or sediment.

Site type factors

- ☐ The site does not impact surface water or sediment.

Funding factors

- ☐ The site is covered by PLIA insurance.
- ☐ The site is a recipient of a PLIA grant or loan.

If you checked any of the boxes in this Part 4A, go to Part 4B. If you did not check any of the boxes in this Part 4A, skip to Part 5 and check “Ecology’s VCP”.

4B Exclusionary factors

Check each of the following boxes that applies to your site.

Agency regulation factors – The release is within the bounds of or is impacting:

- ☐ an industrial facility regulated by Ecology’s Solid Waste Program⁷
- ☐ a dangerous waste facility regulated by Ecology’s Hazardous Waste and Toxics Reduction Program⁸
- ☐ a nuclear waste facility regulated by Ecology’s Nuclear Waste Program.⁹

Agency management factors

- ☐ Ecology is currently conducting remedial action at the site.
- ☐ Ecology is currently supervising remedial action at the site under an order or decree, or is currently negotiating an order or decree for the site.
- ☐ The U.S. Environmental Protection Agency (EPA) is conducting remedial action at the site, under the federal cleanup law.
- ☐ EPA is supervising remedial action at the site, under an order or decree under the federal cleanup law, or is negotiating an order or decree for the site.
- ☐ The release otherwise occurred within or impacts a contaminated site managed by EPA, under the federal cleanup law.

⁶ <https://fortress.wa.gov/ecy/publications/SummaryPages/90014.html>

⁷ <https://ecology.wa.gov/Waste-Toxics/Solid-waste-litter/Solid-waste>

⁸ <https://ecology.wa.gov/Waste-Toxics/Reducing-recycling-waste/Waste-reduction-programs>

⁹ <https://ecology.wa.gov/Waste-Toxics/Nuclear-waste>

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Other legal factors

- ☐ The site is subject to ongoing litigation or court supervision.
- ☐ Liability for remedial action at the site is in dispute.

Funding factors

- ☐ Site remediation is funded by Ecology as the sole or lead funding agency.
- ☐ You are a local government planning to apply for an Ecology Independent Remedial Action Grant.¹⁰ These grants are subject to cultural resource consultation requirements.

Site type factors

- ☐ The site impacts surface water or sediment.
- ☐ The petroleum storage tank release is commingled with a non-petroleum release that is not related to the petroleum release or facility operations.

If you checked any of the boxes in this Part 4B, go to Part 4C. If you did not check any of the boxes in this Part 4B, go to Part 5 and check "PLIA's PTAP".

4C Joint agency determination

Check the following box, and include supporting documentation, if Ecology and PLIA have jointly determined to override the exclusionary factors in Part 4B, based on the results of a site characterization conducted under Chapter 173-340 WAC.¹¹

- ☐ If you check this box, go to Part 5, and check "PLIA's PTAP". If you do not check this box, go to Part 5, and check "Ecology's VCP".

Part 5 – Select appropriate technical assistance program

Based on your responses in Parts 2 through 4, select the technical assistance program your site is eligible to apply for by checking the applicable box (check only one):

- ☒ Ecology's VCP¹² ☐ PLIA's HOTAP¹³
- ☐ PLIA's PTAP¹⁴

Accommodation Requests

If you need this publication in an alternative format, please call the Toxics Cleanup Program at (360) 407-7170 or visit the Toxics Cleanup Program webpage.¹⁵ People with hearing impairment can call 711 for Washington Relay Service. People with a speech disability can call (877) 833-6341.

¹⁰ <https://ecology.wa.gov/About-us/How-we-operate/Grants-loans/Find-a-grant-or-loan/Independent-remedial-action-grants>

¹¹ <https://apps.leg.wa.gov/WAC/default.aspx?cite=173-340>

¹² <https://ecology.wa.gov/Spills-Cleanup/Contamination-cleanup/Voluntary-Cleanup-Program/Applying>

¹³ <https://plia.wa.gov/heating-oil-technical-assistance-program/>

¹⁴ <https://plia.wa.gov/ptap/>

¹⁵ <https://ecology.wa.gov/About-us/Get-to-know-us/Our-Programs/Toxics-Cleanup>