EXHIBIT E

Public Participation Plan

for the

Palouse Producers Site

Facility Site ID No. 787
Cleanup Site ID No. 4973

Prepared by

THE WASHINGTON STATE DEPARTMENT OF ECOLOGY

AND

MAUL FOSTER & ALONGI

November 2011

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PUBLIC PARTICIPATION PLAN

Getting Involved in Cleanup at the Palouse Producers Site

Introduction

The site is formally known as the Palouse Producers site located at 335 East Main Street in the City of Palouse, Whitman County, Washington (see Appendix A and A-1). The site is important to the community as a potential redevelopment site under the Environmental Protection Agency's Brownfields program.

The property sits between the new Palouse Health Clinic building (old school gym) and the Bagott Motors car dealership on the bank of the North Fork Palouse River. The property has been used for a gas station, fuel storage, blacksmith shop, and welding shop over the years.

The Washington State Department of Ecology encourages people in the community to learn about and get involved in decision-making opportunities during the cleanup of contamination at the Palouse Producers site. This Public Participation Plan (Plan) provides an overview of the public involvement opportunities and the Model Toxics Control Act (MTCA), which guides the formal cleanup process at sites in Washington State.

This document also outlines the purpose of the Plan, when public notice will occur, the amount of time the public has to comment, where the potentially affected area is located, and ways the public may get involved in providing feedback. It also provides a site background and community profile.

This Plan is part of a *Prospective Purchaser Consent Decree* which includes a Draft Cleanup Action Plan and State Environmental Policy Act (SEPA) Determination of Non-Significance (DNS). The Prospective Purchaser Consent Decree is a legal document that formalizes the agreement between Ecology and the prospective purchaser for cleanup at a site. Generally, a potentially liable person (PLP) is identified as the responsible party to pay for cleanup at a site. This site is in bankruptcy and no PLPs exist. The prospective purchaser is *not* a potentially liable person (PLP).

The "purchaser" is the City of Palouse. The City will acquire the Palouse Producers site out of bankruptcy rather than through a formal purchase. The City agrees to clean up existing contamination and make the property available for development as part of the agreement with Ecology.

This work is necessary because certain contaminants at the site do not meet state standards. Amounts of petroleum products and metals such as arsenic and lead found in soil and groundwater at the site need to be reduced. The site is near the Palouse River, and cleanup will remove potential exposure to contaminants as well as clean up physical hazards at the site. Additionally, the site is a potential Brownfields site, and redevelopment will provide enhancements to the City of Palouse.

The Prospective Purchaser Consent Decree, Draft Cleanup Action Plan, and SEPA DNS will guide cleanup at the site and will go through a 30-day public comment period. Once comments

have been reviewed and changes to the documents are made, if applicable, the cleanup moves forward. Cleanup begins after the property is acquired and site cleanup plans are approved. The Prospective Purchaser Consent Decree relieves the City of Palouse of liability for known contamination once the cleanup is complete.

Purpose of the Plan

There are three primary purposes of the Public Participation Plan:

- Inform the public about ways to participate in the decision-making process related to the site cleanup.
- Gather information from the public that will help Ecology plan for site-related cleanup.
- Provide background about the proposed cleanup, and outline Ecology's roles and responsibilities regarding cleanup activities.

Overview of the Plan and Model Toxics Control Act (MTCA)

In the November 1988 general election, a citizens' initiative passed that is called the Model Toxics Control Act (MTCA). MTCA provides guidelines and requirements for the cleanup of contaminated sites in Washington State. The law sets strict standards so cleanup at sites is protective of human health and the environment. Public participation is an important part of the MTCA process.

Public participation needs are assessed at each site based on public interest and the degree of risk posed by contaminants. Individuals who live near a site, community groups, businesses, organizations, and other interested parties are provided an opportunity to become involved in commenting on the cleanup process. Citizen groups living near contaminated sites may apply for public participation grants to receive technical assistance in understanding the cleanup process and to create additional public participation avenues.

A Public Participation Plan includes requirements for public notice such as:

- Identifying available site-related documents and the locations for review.
- Providing public comment periods.
- Holding public meetings or hearings.

Additional forms of participation may be personal interviews, involvement in citizen advisory groups, questionnaires, or workshops.

The Plan complies with MTCA regulations (Chapter 173-340-600 WAC). The City of Palouse, their contractors Maul Foster and Alongi, Inc. and the WA Department of Ecology will coordinate and implement outreach activities as applicable. Ecology will determine final approval of the Plan as well as any amendments.

A glossary of terms used in this Plan is included as Appendix C. Documents relating to the cleanup action may be reviewed at the repositories listed on page 9 of this Plan. If individuals are interested in knowing more about the site or have comments regarding the Plan, please contact one of the individuals listed on the following page.

WA Department of Ecology Contacts:	**City of Palouse Contact:**
Sandra Treccani Washington State Department of Ecology Eastern Regional Office 4601 North Monroe Spokane, WA 99205 509/329-3412 E-mail: sandra.treccani@ecy.wa.gov Carol Bergin, Public Involvement Washington State Department of Ecology Eastern Regional Office 4601 North Monroe Spokane, WA 99205 509/329-3546 Email: carol.bergin@ecy.wa.gov Kari Johnson, Public Disclosure Washington State Department of Ecology Eastern Regional Office 4601 North Monroe Spokane, WA 99205 509/329-3415 E-mail: kari.johnson@ecy.wa.gov For special accommodations or to receive this publication in a format for the visually impaired, call Carol Bergin at 509/329-3546. Persons with hearing loss, call 711 for Washington Relay Service. Persons with speech disability call 877/833-6341 **Para asistencia en Español** Richelle Perez 360/407-7528 **Если вам нужно помощь по русский, звоните** Tatyana Bistrevesky 509/928-7617	Joyce Beeson City Clerk Phone: 509/878-1811 e-mail: cityclerk@palouse.com Michael Stringer Maul Foster & Alongi, Inc. 1001 Fourth Avenue, Suite 4400 Seattle, WA 98154 Phone: 206/498-9147 E-mail: mstringer@maulfoster.com

Public Participation and the Model Toxics Control Act (MTCA)

Ecology's Toxics Cleanup Program investigates reports of contamination that may threaten human health and/or the environment. If an investigation confirms the presence of contaminants, a site is ranked from 1-5 and placed on a Hazardous Sites List. A rank of 1 represents the greatest threat to human health and the environment and a rank of 5 the least threat. The Palouse Producers site is ranked a 1.

Current or former owners or operators as well as any other potentially liable persons (PLPs) of a site may be held responsible for cleanup of contamination according to the standards set under MTCA. The PLPs

are notified by Ecology that a site has contaminants, and the process of cleanup begins with Ecology implementing and overseeing the project. As mentioned previously, under a Prospective Purchaser Consent Decree there is no PLP for the site.

Site Background

The Palouse Producers site is located at 335 East Main Street in downtown Palouse, Washington (see Appendix A). The Property is approximately 150 feet long (north-south) and 200 feet wide (east-west) and is generally flat, with a slight slope toward the Palouse River (south). Near the Property's southern boundary is an approximately 18-foot slope down to the river.

The site is bordered by Main Street and commercial development to the north; by the Palouse River to the south, with green space and residential properties located across the river; by commercial property to the west (referred to as the old gymnasium); and by an alleyway followed by commercial development to the east (i.e., Bagott Motors).

The Palouse Producers site has been used over a century for commercial activities serving the agricultural industry (e.g., service station, blacksmith, welding shop). The service station operated on the property from approximately 1955 to 1977. During its operation, five aboveground storage tanks (ASTs) and four underground storage tanks (USTs) were installed.

In 1977, Palouse Producers began operations and used the facility to fuel vehicles and store and distribute bulk fuel, until approximately 1985. In 1985 all of the ASTs and three of the USTs were removed. The final UST was removed in 1992.

Beginning in 1984 and continuing through 1985, several efforts were made to clean up petroleum product that was entering the Palouse River. Later studies of the property conducted by Ecology and the City (through a US Environmental Protection Agency Targeted Brownfield Assessment) identified residual contamination in soil and groundwater on the property.

With the long record of past activities on the site and the presence of historical buildings on Main Street, a cultural and historic resources study was conducted on the property. The study indicates that the service station buildings on the property do not merit placement on the National Register of Historic Places. Careful engineering measures will be taken to ensure cleanup work on the property does not impact nearby historical buildings. The Spokane, Coeur d'Alene, and Nez Perce Tribes were consulted as part of the cultural resource study.

Remedial Investigation Results

Through an Integrated Planning Grant from Ecology, the City completed a comprehensive investigation of environmental contamination remaining on the property. This Remedial Investigation examined the extent of petroleum hydrocarbons, metals, pesticides and other contaminants on the site. The following summarizes the results.

Soil

- Total petroleum hydrocarbons (TPH), benzene, arsenic, and lead concentrations were identified above state cleanup levels.
- The highest concentrations of TPH were located near the former fuel pump islands and bulk fuel storage tank area.

- Arsenic levels were close to regional background levels (the concentrations of arsenic in soil that naturally occur in Eastern Washington because of the geology of the area).
- Lead concentrations were elevated in several locations around the property and are likely related to lead in gasoline and in fill material brought onto the site over time.

Groundwater

- TPH, benzene, arsenic, manganese, and lead were detected at concentrations above state cleanup standards for groundwater.
- TPH, benzene, and lead are generally significantly elevated in the following locations: in or near the former diesel pump island, near the former bulk fuel storage tanks, and downgradient on the riverbank.
- Pesticides were not detected in groundwater.

Groundwater at the site flows toward the Palouse River.

- One of the primary purposes of the work at the site is to protect the Palouse River.
- Drinking water has not been impacted by site-related contaminants.

Feasibility Study Report

The Feasibility Study Report evaluated the following six cleanup alternatives for the site. The cleanup alternatives include references to both remediation levels and cleanup levels. The cleanup level is the concentration that would protect human health & the environment and would mean the site was clean. The remediation level is a concentration used to define which areas of the site will receive different remedial actions. Detailed information about each alternative may be found in the Draft Cleanup Action Plan.

- **Alternative 1:** Institutional Controls and Groundwater Monitoring.
  This alternative requires installation and monitoring of three groundwater monitoring wells, a restriction on use of groundwater at the property, a Soil Management Plan to guide future uses and would allow the site to naturally correct itself over time.
- **Alternative 2:** Limited Removal of Contaminated Soils, Targeted Enhanced Bioremediation of Soils, and Capping of the Site.
  This alternative includes the items mentioned in Alternative 1 plus removal of soils with the greatest TPH threat to groundwater. It would also place clean backfill in areas where contaminated soils were removed and place a protective engineered cap over remaining contaminated soil.
- **Alternative 3:** Removal of Soil Exceeding Remediation Levels, Consolidation of Soil Exceeding Cleanup Levels, Groundwater Monitoring.
  This alternative includes the items mentioned in Alternative 1 plus removal of soils that exceed remediation levels. Soils not exceeding these levels will remain on-site. Some consolidation of remaining soils may be considered as part of this remedial action. Groundwater will be allowed to naturally correct itself overtime.
- **Alternative 4:** Removal of Soil Exceeding Remediation Levels, Consolidation of Soil Exceeding Cleanup Levels, Removal/Treatment of Impacted Groundwater.
  This alternative includes the items mentioned in Alternative 1 and the same soil cleanup as Alternative 3. In addition, groundwater will be pumped out of the excavation one time and treated before it is backfilled.

- **Alternative 5:** Removal of Soil Exceeding Cleanup Levels, Removal/Treatment of Impacted Groundwater.

  This alternative includes the items mentioned in Alternative 1. Also, all soils exceeding cleanup levels will be removed. Groundwater will be treated the same as in Alternative 4.
- **Alternative 6:** Removal of Soil Exceeding Cleanup Levels, Groundwater Diversion and Treatment.

  This alternative includes the items mentioned in Alternative 1 and the same soil cleanup as Alternative 5. A trench will be installed so that groundwater can be continuously collected and treated.

Selected Cleanup Actions
A Draft Cleanup Action Plan (DCAP) and Prospective Purchaser Consent Decree have been developed for the site. The DCAP identifies which cleanup alternative Ecology has selected from the Feasibility Study.

Protection of human health and the environment were key components in evaluating the six cleanup alternatives. Other factors in selecting the cleanup alternative were effectiveness, potential for implementation, cost, compliance with all applicable laws, and long-term monitoring.

Ecology selected Alternative 3 as the cleanup action for the Palouse Producers site. This alternative meets each of the minimum requirements for remedial actions. Please see information about Alternative 3 on page 6 or read the detailed information in the Draft Cleanup Action Plan.

State Environmental Policy Act and Determination of Non-Significance
The State Environmental Policy Act, known as SEPA, requires government agencies to consider potential environmental impacts of a project before beginning the cleanup. After review of a completed environmental checklist and other site-specific information, Ecology determined the cleanup actions will not have a probable adverse impact on the environment. The cleanup action will benefit the environment by reducing the release of toxic chemicals from the site. Therefore, Ecology has issued a Determination of Non-Significance.

Contaminants of Concern
TPH, benzene, pesticides, lead, arsenic, as well as other metals in soils, groundwater and surface water were evaluated. Detailed results of the evaluation of contaminants are found in the Remedial Investigation Report and Draft Cleanup Action Plan.

Community Background

Community Overview
The site is located in a mixed use neighborhood. Commercial development is found to the north and west of the site. Residential properties and a green space are located across the river and more commercial development is found to the east.

The City of Palouse is located in the Whitman County, approximately two miles west of the Idaho border in eastern Washington. The City is approximately a 15 minute drive from the university towns of Pullman, Washington and Moscow, Idaho.

As of 2009, the city population is estimated at 1,010 with a countywide population of 43,300. The influence of the universities is seen in the high percentage of adults with college degrees (29%). The population of Whitman County is primarily Caucasian with Asians and Hispanics making up a smaller portion of the population**.**

The economy of the Palouse region is based on agriculture, education, government services, medical services, and tourism. The largest employers are Washington State University and the University of Idaho, followed by Scwheitzer Engineering Laboratories, local hospitals, and government. The major agricultural products are wheat and barley. Lentils, green peas, oats, hay, and grass seed are also important crops.

The City of Palouse has a strong local business community with over 60 members of the Palouse Chamber of Commerce. Main Street Palouse has numerous arts and crafts shops along with restaurants and automotive shops.

Tourism is an important and growing economic sector. Popular attractions include:

- The Palouse Scenic Byway with over 200 miles of farmlands and rolling hills, small-town charm, vistas, wildlife viewing, and recreational opportunities.
- Photography of the unique rolling Palouse landscape is a regional and international attraction that brings thousands of tourists to the area.
- Rails-to-Trails projects that provide an array of recreational opportunities, including walking, biking, inline skating, cross-country skiing, horseback riding, and wheelchair access. The region's rails-to-trails include the 3-mile Colfax Trail, the 7.5-mile Bill Chapman Palouse trail, the 11-mile Latah trail, the 72-mile Trail of the Coeur d'Alenes, and the 5.3-mile Kendrick-Juliaetta Recreational Trail.
- Camping and hiking opportunities including Kamiak Butte State Park, located less than 6 miles from the City; McCroskey State Park and Heyburn State Park, located near Plummer, Idaho; Boyer Park, located at the Lower Granite Dam on the Snake River; and Central Ferry State Park, located at Lake Bryan.

Community Concerns

Ecology conducted door-to-door interviews with residents of the City of Palouse on Saturday, October 15, 2011. Only a few people were home and agreed to formal interviews, however, other people agreed to answer some of the questions informally. Ecology recognizes these interviews do not represent the view of all residents, but they provide insights that are helpful as the project moves forward.

Several people living near the site were not aware of the contamination or proposed redevelopment. An overview was provided and all of the individuals thought the proposed cleanup and redevelopment was a good idea. The following were some of the themes from the interviews:

- What are the contaminants and have they reached the river?
- Would cleanup disturb contaminated dust and result in potential exposure from breathing the air?

- Who is paying for the cleanup and redevelopment?
- Most people thought Ecology would do a good job overseeing the cleanup at the site. Some people remembered Debbie Charloe who worked on the site several years ago and had positive things to say about her. Ted Olson's work in helping get grant money to remove old trailers away from the river banks also was seen as positive work from Ecology. Several people expressed a negative view of Ecology regarding how farmers are regulated and specifically the individual regulator's attitude toward farmers.
- The majority of people mentioned Mayor Echanove and all the good things he has done for the community.
- People liked the idea of fact sheets about the project being mailed to them. Some indicated a preference for reading about it on the City of Palouse website or Ecology's website. Several people suggested information be printed in the Whitman Gazette and that the media cover the project on local T.V. Articles in the U of Idaho and WSU school papers also was suggested.

Maul, Foster & Alongi have been working with the City of Palouse for the past two years. The following are concerns they have heard from the community in meetings about the site and in interviews.

Cleanup

- The current condition of the property is unsightly and detracts from the quality of downtown.
- Preventing contamination of the North Fork Palouse River is important to the community.

Redevelopment

- The property is a significant component of downtown Palouse and it is currently underutilized.
- Future redevelopment of the property should provide lift to existing businesses and give more depth to the downtown economy.
- The community is generally supportive of a range of potential future uses of the property including
    - Retail with apartments, condominiums, or hotel/bed and breakfast above the retail business.
    - Small business such as technology, professional, or craft industrial.
    - Restaurant or brew pub.
    - Residential (potentially senior/assisted living housing).
    - Accommodations such as a boutique hotel or bed and breakfast.
- Most community members have stated that the property shouldn't become another park – the City has enough open space, and there's need for economic development.

Public Participation Activities and Timeline

The following are public participation efforts which will occur until the cleanup actions are completed:

- A **mailing list** has been developed which includes all residents in the City of Palouse. It also includes businesses, organizations, elected officials, government agencies, and other individuals who have expressed interest in the cleanup process for the site.

- People on the mailing list will receive copies of fact sheets developed regarding the cleanup process via first class mail. Additionally any other interested parties will be added to the mailing list upon request. Other people who are interested may request to be added to the mailing list by contacting

Carol Bergin at the Department of Ecology (see page 4 of this Plan for Carol Bergin's contact information).

- **Public Repositories** have been established and documents may be reviewed at the following offices:

  Washington State Department of Ecology
  Eastern Regional Office
  4601 North Monroe
  Spokane, WA 99205-1295
  Contact: Kari Johnson 509/329-3515
  e-mail: kari.johnson@ecy.wa.gov

  Whitman County Library – Palouse Branch
  120 East Main Street
  Palouse, WA 99161
  509/878-1513
  Contact: Bev Pearce

  Ecology's website: https://fortress.wa.gov/ecy/gsp/Sitepage.aspx?csid=4973

  City of Palouse website http://www.visitpalouse.com/city/brownfield/

- **Site Register** A notice is also published in a statewide Site Register. It is sent electronically to individuals and organizations who request the publication. If you are interested in receiving the Site Register, contact Seth Preston of Ecology at 360) 407-6848 or e-mail Seth.Preston@ecy.wa.gov.

- **Fact sheets** are created by Ecology, reviewed by the City of Palouse, and distributed to individuals on the mailing list. Fact sheets explain the current status of the cleanup process, give a brief background, and ask for comments from the public. A **30-day comment period** allows the public time to comment at specific stages during the cleanup process.

- **Display ads or legal notices** are published in the Whitman Gazette to inform the general public. These notices correlate with the 30-day comment period and associated stage of the cleanup process. They are also used to announce public meetings, workshops, open houses, or hearings.

- **Public meetings, workshops, open houses and public hearings** are held based upon the level of community interest. If ten or more persons request a public meeting or hearing based on the subject of the public notice, Ecology will hold a meeting or hearing and gather comments. Public meetings must be held in a facility that meets the Americans with Disabilities Act (ADA).

  A public meeting is scheduled for December 1, 2011 from 7-9 p.m.. It will be held at the Garfield-Palouse High School at 600 East Alder Street in the City of Palouse, Washington. The date, time and locations of hearings, meetings, workshops, or open houses will be announced in a legal notice in the newspaper, fact sheets, or display ads in accordance with the Model Toxics Control Act (MTCA).

- ❖ Written comments which are received during the 30-day comment periods may be responded to in a **Responsiveness Summary**. The Responsiveness Summary may be sent to those who make written comments and will be available for public review at the Repositories listed on pages 9-10.

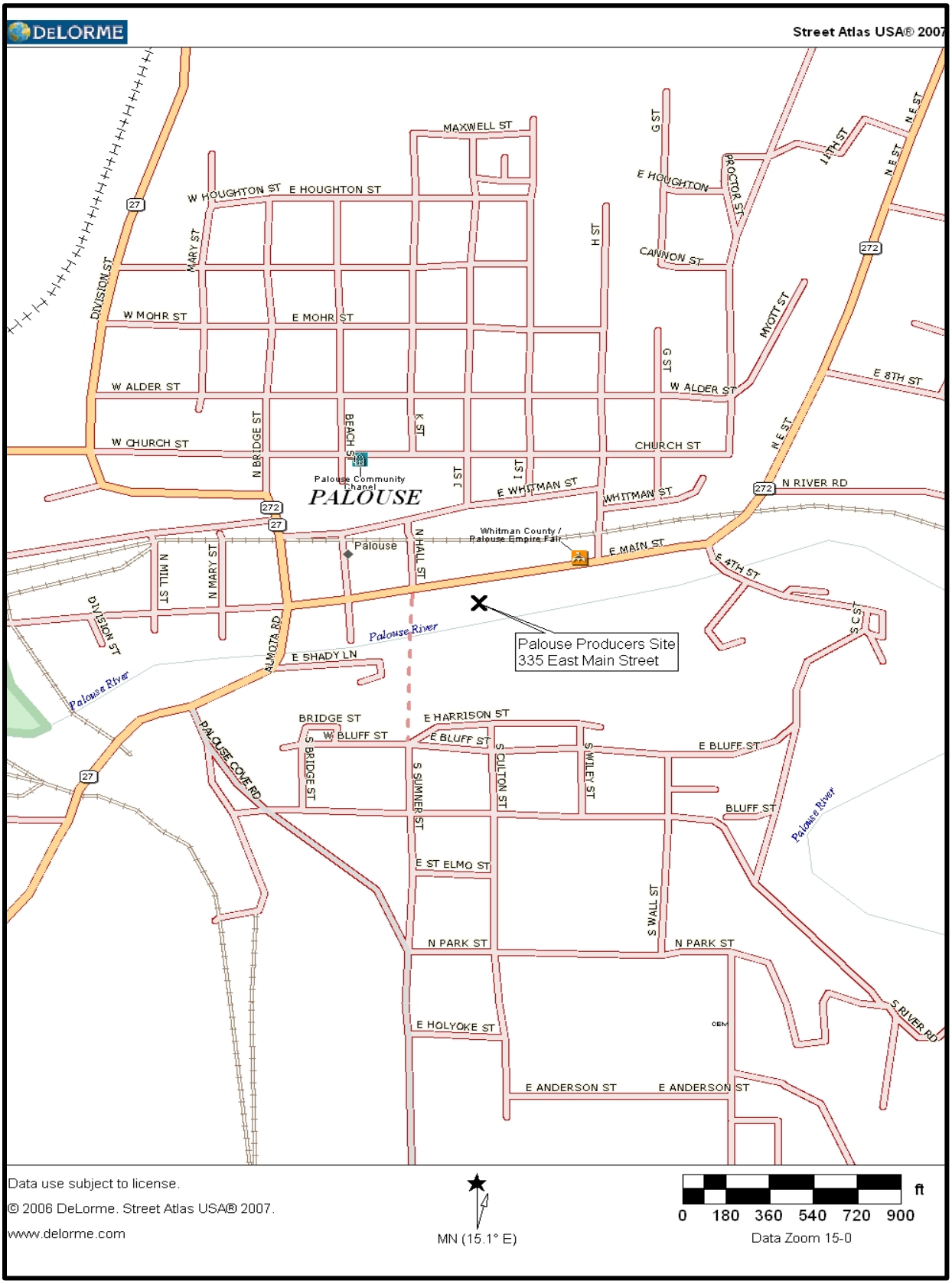
Answering Questions from the Public

Individuals may want to ask questions about the site, the cleanup process and how to get involved. A list of contacts is provided on page 4 of this Plan.

Public Participation Time Line - Actions Taken

Document or Activity	Date
Public Meeting to discuss Prospective Purchaser Consent Decree, Draft Cleanup Action Plan, State Environmental Policy Act (SEPA) and Determination of Non-Significance (DNS)	Thursday, December 1, 2011
Public comment period for the Prospective Purchaser Consent Decree, Draft Cleanup Action Plan and State Environmental Policy Act (SEPA) Determination of Non-Significance (DNS)	November 17, 2011 through December 19, 2011
City Council Study Session / Community Meeting – Briefing on cleanup plan and funding strategy.	November 15, 2011
Community Interviews	October 22, 2011
Notice in Ecology's Site Register announcing beginning of formal negotiations for the Prospective Purchaser Consent Decree, Draft Cleanup Action Plan and State Environmental Policy Act (SEPA) and Determination of Non-Significance (DNS).	October 20, 2011
Brownfield Committee Meeting to discuss status of cleanup planning and future use of the site	March 3, 2010
Brownfield Committee Meeting to discuss status of cleanup planning and future use of the site.	January 2010
Community meeting to discuss cleanup and redevelopment planning.	September 30, 2009
Stakeholder interviews to listen to concerns and vision for redevelopment of the site.	July 2009
Updates on the status of cleanup and redevelopment planning process given at City Council meeting.	June 2009 to September 2011 approximately monthly
Stakeholder interviews to listen to concerns and vision for redevelopment of the site.	June 28, 29, 2009

APPENDIX A
SITE MAP



APPENDIX A-1

Side view of site

View of South side of the site

APPENDIX B
MAILING LIST
(Made available upon request)

APPENDIX C
GLOSSARY

Agreed Order: A legal document issued by Ecology which formalizes an agreement between the department and potentially liable persons (PLPs) for the actions needed at a site. An agreed order is subject to public comment. If an order is substantially changed, an additional comment period is provided.

Applicable State and Federal Law: All legally applicable requirements and those requirements that Ecology determines are relevant and appropriate requirements.

Area Background: The concentrations of hazardous substances that are consistently present in the environment in the vicinity of a site which are the result of human activities unrelated to releases from that site.

Carcinogen: Any substance or agent that produces or tends to produce cancer in humans.

Chronic Toxicity: The ability of a hazardous substance to cause injury or death to an organism resulting from repeated or constant exposure to the hazardous substance over an extended period of time.

Cleanup: The implementation of a cleanup action or interim action.

Cleanup Action: Any remedial action, except interim actions, taken at a site to eliminate, render less toxic, stabilize, contain, immobilize, isolate, treat, destroy, or remove a hazardous substance that complies with cleanup levels; utilizes permanent solutions to the maximum extent practicable; and includes adequate monitoring to ensure the effectiveness of the cleanup action.

Cleanup Action Plan: A document which identifies the cleanup action and specifies cleanup standards and other requirements for a particular site. After completion of a comment period on a Draft Cleanup Action Plan, Ecology will issue a final Cleanup Action Plan.

Cleanup Level: The concentration of a hazardous substance in soil, water, air or sediment that is determined to be protective of human health and the environment under specified exposure conditions.

Cleanup Process: The process for identifying, investigating, and cleaning up hazardous waste sites.

Consent Decree: A legal document, approved and issued by a court which formalizes an agreement reached between the state and potentially liable persons (PLPs) on the actions needed at a site. A decree is subject to public comment. If a decree is substantially changed, an additional comment period is provided.

Containment: A container, vessel, barrier, or structure, whether natural or constructed, which confines a hazardous substance within a defined boundary and prevents or minimizes its release into the environment.

Contaminant: Any hazardous substance that does not occur naturally or occurs at greater than natural background levels.

Enforcement Order: A legal document, issued by Ecology, requiring remedial action. Failure to comply with an enforcement order may result in substantial liability for costs and penalties. An enforcement order is subject to public comment. If an enforcement order is substantially changed, an additional comment period is provided.

Environment: Any plant, animal, natural resource, surface water (including underlying sediments), ground water, drinking water supply, land surface (including tidelands and shorelands) or subsurface strata, or ambient air within the state of Washington.

Exposure: Subjection of an organism to the action, influence or effect of a hazardous substance (chemical agent) or physical agent.

Exposure Pathways: The path a hazardous substance takes or could take from a source to an exposed organism. An exposure pathway describes the mechanism by which an individual or population is exposed or has the potential to be exposed to hazardous substances at or originating from the site. Each exposure pathway includes an actual or potential source or release from a source, an exposure point, and an exposure route. If the source exposure point differs from the source of the hazardous substance, exposure pathway also includes a transport/exposure medium.

Facility: Any building, structure, installation, equipment, pipe or pipeline (including any pipe into a sewer or publicly-owned treatment works), well, pit, pond, lagoon, impoundment, ditch, landfill, storage container, motor vehicle, rolling stock, vessel, or aircraft; or any site or area where a hazardous substance, other than a consumer product in consumer use, has been deposited, stored, disposed or, placed, or otherwise come to be located.

Feasibility Study (FS): A study to evaluate alternative cleanup actions for a site. A comment period on the draft report is required. Ecology selects the preferred alternative after reviewing those documents.

Groundwater: Water found beneath the earth's surface that fills pores between materials such as sand, soil, or gravel. In aquifers, groundwater occurs in sufficient quantities that it can be used for drinking water, irrigation, and other purposes.

Hazardous Sites List: A list of sites identified by Ecology that requires further remedial action. The sites are ranked from 1 to 5 to indicate their relative priority for further action.

Hazardous Substance: Any dangerous or extremely hazardous waste as defined in RCW 70.105.010 (5) (any discarded, useless, unwanted, or abandoned substances including, but not limited to, certain pesticides, or any residues or containers of such substances which are disposed of in such quantity or concentration as to pose a substantial present or potential hazard to human health, wildlife, or the environment because such wastes or constituents or combinations of such wastes; (a) have short-lived, toxic properties that may cause death, injury, or illness or have mutagenic, teratogenic, or carcinogenic properties; or (b) are corrosive, explosive, flammable, or may generate pressure through

decomposition or other means,) and (6) (any dangerous waste which (a) will persist in a hazardous form for several years or more at a disposal site and which in its persistent form presents a significant environmental hazard and may affect the genetic makeup of man or wildlife; and is highly toxic to man or wildlife; (b) if disposed of at a disposal site in such quantities as would present an extreme hazard to man or the environment), or any dangerous or extremely dangerous waste as designated by rule under Chapter 70.105 RCW: any hazardous substance as defined in RCW 70.105.010 (14) (any liquid, solid, gas, or sludge, including any material, substance, product, commodity, or waste, regardless of quantity, that exhibits any of the characteristics or criteria of hazardous waste as described in rules adopted under this chapter,) or any hazardous substance as defined by rule under Chapter 70.105 RCW; petroleum products.

Hazardous Waste Site: Any facility where there has been a confirmation of a release or threatened release of a hazardous substance that requires remedial action.

Independent Cleanup Action: Any remedial action conducted without Ecology oversight or approval, and not under an order or decree.

Initial Investigation: An investigation to determine that a release or threatened release may have occurred that warrants further action.

Interim Action: Any remedial action that partially addresses the cleanup of a site.

Mixed Funding: Any funding, either in the form of a loan or a contribution, provided to potentially liable persons from the state toxics control account.

Model Toxics Control Act (MTCA): Washington State's law that governs the investigation, evaluation and cleanup of hazardous waste sites. Refers to RCW 70.105D. It was approved by voters at the November 1988 general election and known is as Initiative 97. The implementing regulation is WAC 173-340.

Monitoring Wells: Special wells drilled at specific locations on or off a hazardous waste site where groundwater can be sampled at selected depths and studied to determine the direction of groundwater flow and the types and amounts of contaminants present.

Natural Background: The concentration of hazardous substance consistently present in the environment which has not been influenced by localized human activities.

National Priorities List (NPL): EPA's list of hazardous waste sites identified for possible long-term remedial response with funding from the federal Superfund trust fund.

Owner or Operator: Any person with any ownership interest in the facility or who exercises any control over the facility; or in the case of an abandoned facility, any person who had owned or operated or exercised control over the facility any time before its abandonment.

Potentially Liable Person (PLP): Any person whom Ecology finds, based on credible evidence, to be liable under authority of RCW 70.105D.040.

Public Notice: At a minimum, adequate notice mailed to all persons who have made a timely request of Ecology and to persons residing in the potentially affected vicinity of the proposed action; mailed to appropriate news media; published in the local (city or county) newspaper of largest circulation; and opportunity for interested persons to comment.

Public Participation Plan: A plan prepared under the authority of WAC 173-340-600 to encourage coordinated and effective public involvement tailored to the public's needs at a particular site.

Release: Any intentional or unintentional entry of any hazardous substance into the environment, including, but not limited to, the abandonment or disposal of containers of hazardous substances.

Remedial Action: Any action to identify, eliminate, or minimize any threat posed by hazardous substances to human health or the environment, including any investigative and monitoring activities of any release or threatened release of a hazardous substance and any health assessments or health effects studies.

Remedial Investigation: A study to define the extent of problems at a site. When combined with a study to evaluate alternative cleanup actions it is referred to as a Remedial Investigation/Feasibility Study (RI/FS). In both cases, a comment period on the draft report is required.

Responsiveness Summary: A compilation of all questions and comments to a document open for public comment and their respective answers/replies by Ecology. The Responsiveness Summary is mailed, at a minimum, to those who provided comments and its availability is published in the Site Register.

Risk Assessment: The determination of the probability that a hazardous substance, when released into the environment, will cause an adverse effect in exposed humans or other living organisms.

Sensitive Environment: An area of particular environmental value, where a release could pose a greater threat than in other areas including: wetlands; critical habitat for endangered or threatened species; national or state wildlife refuge; critical habitat, breeding or feeding area for fish or shellfish; wild or scenic river; rookery; riparian area; big game winter range.

Site: See Facility.

Site Characterization Report: A written report describing the site and nature of a release from an underground storage tank, as described in WAC 173-340-450 (4) (b).

Site Hazard Assessment (SHA): An assessment to gather information about a site to confirm whether a release has occurred and to enable Ecology to evaluate the relative potential hazard posed by the release. If further action is needed, an RI/FS is undertaken.

Site Register: Publication issued every two weeks of major activities conducted statewide related to the study and cleanup of hazardous waste sites under the Model Toxics Control Act. To receive this publication, please call (360) 407-7200.

Surface Water: Lakes, rivers, ponds, streams, inland waters, salt waters, and all other surface waters and water courses within the state of Washington or under the jurisdiction of the state of Washington.

TCP: Toxics Cleanup Program at Ecology

Toxicity: The degree to which a substance at a particular concentration is capable of causing harm to living organisms, including people, plants and animals.

Washington Ranking Method (WARM): Method used to rank sites placed on the hazardous sites list. A report describing this method is available from Ecology.