

Tribal Engagement Plan  
Clean Earth LLC

Seattle, WA, King County  
Facility Site ID: 70726415, Cleanup Site ID: 12484

**HWTR Program, NW Region**

Washington State Department of Ecology

Shoreline, Washington

July 2025

Document Information

This plan is available on Ecology’s website:

* [ecology.wa.gov/CleanEarth](https://ecology.wa.gov/cleanearth)[[1]](#footnote-2)

Related Information

* Facility site ID: 70726415
* Cleanup site ID: 12484

Contact Information

**Washington State    
Department of Ecology**

Hazardous Waste and Toxics Reduction Program   
Northwest Regional Office   
P.O. Box 330316   
Shoreline, WA 98133

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Erin Hobbs   
Site Manager   
Pronouns: she/her    
Phone: 425-515-5996,    
Email: [erin.hobbs@ecy.wa.gov](mailto:erin.hobbs@ecy.wa.gov)

Website: [Washington State Department of Ecology](https://ecology.wa.gov/about-us/contact-us)[[2]](#footnote-3)

ADA Accessibility

The Department of Ecology is committed to providing people with disabilities access to information and services by meeting or exceeding the requirements of the Americans with Disabilities Act (ADA), Section 504 and 508 of the Rehabilitation Act, and Washington State Policy #188.

To request an ADA accommodation, contact the Ecology ADA Coordinator by phone at 360‑407‑6831 or email at ecyadacoordinator@ecy.wa.gov. For Washington Relay Service or TTY call 711 or 877-833-6341. Visit [Ecology's website[[3]](#footnote-4)](https://ecology.wa.gov/About-us/Accountability-transparency/Our-website/Accessibility) for more information.

## Tribal engagement in contamination cleanup

The purpose of this Tribal Engagement Plan is for the Washington Department of Ecology (Ecology) to invite affected Tribes as sovereign nations to learn about and consider their rights and interests for Ecology-conducted and Ecology-supervised cleanup sites.

Ecology’s goal is to provide timely information, effective communication, continuous opportunities for collaboration, and when necessary, government-to-government consultation, as appropriate for each cleanup site.

## Site information

Clean Earth LLC, Kent

20245 77th Ave. S., Kent, WA, 98032

This is an Ecology supervised cleanup site

* Facility site ID: 70726415
* Cleanup site ID: 12484

Ecology’s website:

* [ecology.wa.gov/CleanEarth](https://ecology.wa.gov/cleanearth)[[4]](#footnote-5)

## Tribes

Ecology identified the following Tribes as potentially affected by site contamination and cleanup.

### Tribe: Muckleshoot Indian Tribe

* Tribal Chair Person: Jaison Elkins, 253-939-3311 ext 3194 / 360-716-4500, [jaison.elkins@muckleshoot.nsn.us](http://www.muckleshoot.nsn.us/)
* Fisheries Director: Isabel Tinoco, 253-939-3311, [isabel.tinoco@muckleshoot.nsn.us](http://www.muckleshoot.nsn.us/)
* Cultural Resources / Archaeologist: Laura Murphy, 253-876-3272, [laura.murphy@muckleshoot.nsn.us](mailto:laura.murphy@muckleshoot.nsn.us)

#### Tribal engagement process

**3/26/25**

* **Email sent to above contacts**
* **SUBJECT: Ecology HWTR Corrective Action Sites Tribal Engagement Plan**

Good afternoon,

We are improving our Tribal Engagement process and would like your feedback about how we can better communicate with you!

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We will host a public comment period for the Clean Earth/Burlington – Kent site, located at 20245 77th Ave S. in Kent, WA, **July 14 – August 15, 2025**. During this comment period, the public will be reviewing the site’s draft cleanup action plan, draft agreed order, draft SEPA/DNS (State Environmental Policy Act/Determination of Non-Significance) and draft public participation plan. You may find more information about this on our Ecology website.

Please let us know your Tribe’s preferred engagement method for this upcoming comment period (email, phone conversation, in person meeting, etc.) as well as your desire to engage in the decision-making process for these documents. We will share the draft documents with you by **May 19, 2025.** This will give you more than 45 days to review them before the public comment period. If you would like additional advance review time, please let us know so we can send documents as soon as they are ready.

We appreciate your feedback and look forward to hearing from you on how we can improve our engagement process with the Muckleshoot Tribe.

**5/21/25**

* **Email sent to above contacts**
* **SUBJECT: Clean Earth - Kent Public Comment Period July 14 - Aug. 15**

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My name is Janelle Anderson, and I am the COEES 4 (Community Outreach & Environmental Education Specialist) for the HWTR (Hazardous Waste & Toxics Reduction) Corrective Action Program at the Washington State Department of Ecology Northwest Region Office. I oversee all outreach materials and communications as well as environmental justice practices for the Clean Earth site located at 20245 77th Ave. S, in Kent, Washington.

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* **Draft cleanup action plan (dCAP**): The dCAP describes the planned cleanup actions and sets the standards that the cleanup must meet.
* **Draft agreed order:** This legal agreement ensures that the cleanup follows state law.
* **Draft State Environmental Policy Act/Determination of Non-Significance (SEPA/DNS):** Ecology uses SEPA during site cleanups to find and evaluate negative environmental impacts that could result from a proposed action. The draft SEPA resulted in a determination of non-significance, meaning that this work will not have large negative environmental impacts.
* **Draft public participation plan**: This plan encourages community involvement in cleanup decisions.

**These documents are in draft form and can be reviewed on our website under the “documents” section at:** [ecology.wa.gov/CleanEarth](https://ecology.wa.gov/cleanearth)

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•             Acids (low pH).

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•             Oily wastes and oily wastewater.

•             Phenols.

•             Cyanide wastes.

•             Sludge.

•             Wastewaters containing metals.

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**How the site became contaminated**

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In the soil, contaminants of concern are:

* Vinyl chloride (a chemical known to cause cancer).
* Benzene (a chemical known to cause cancer).
* Petroleum products (diesel, lube oil, and gasoline).
* Polycyclic aromatic hydrocarbons (many PAHs are chemicals known to cause cancer).
* Arsenic (a toxic metal).
* Cyanide (a toxic chemical).

In the groundwater, contaminants of concern are:

* Arsenic.
* Iron.

**Cleanup process**

We apply both the Resource Conservation and Recovery Act and the Model Toxics Control Act regulations to clean up hazardous waste sites. The cleanup protects human health and the environment from dangerous wastes and chemicals.

In 2017, Ecology held a public comment period for the remedial investigation and feasibility study for the Clean Earth Kent site. Ecology did not receive any comments, and both documents for the facility were approved on March 20, 2018.

**Remedial investigation**

The purpose of the remedial investigation is to define the nature and extent of contamination at the site.

**Feasibility study**

The feasibility study used the results from the remedial investigation to evaluate how to clean up the contamination. Of the cleanup alternatives studied in the feasibility study, Ecology selected Alternative 1. Alternative 1 treats some contaminated soil, maintains surface cover over remaining contaminated soil, and uses “monitored natural attenuation” to clean up soil and groundwater. Monitored natural attenuation tracks the natural breakdown of soil and groundwater contamination to make sure contamination is reducing fast enough.

**Cleanup plans**

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**Kent Library  
212 2nd Avenue N  
Kent WA 98032**

Thank you for your continued interest. Please feel free to contact me with questions.

### Tribe: Puyallup Tribe

* Tribal Chair Person: Bill Sterud, 253-573-7800 / 253-370-6935, [bill.sterud@puyalluptribe-nsn.gov](http://www.puyalluptribe-nsn.gov/)
* NR Director: Russell Ladley, 253-573-7850, [russ.ladley@puyalluptribe-nsn.gov](http://www.puyalluptribe-nsn.gov/)

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We appreciate your feedback and look forward to hearing from you on how we can improve our engagement process with the Puyallup Tribe.

**5/21/25**

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* **SUBJECT: Clean Earth - Kent Public Comment Period July 14 - Aug. 15**

Good afternoon,

My name is Janelle Anderson, and I am the COEES 4 (Community Outreach & Environmental Education Specialist) for the HWTR (Hazardous Waste & Toxics Reduction) Corrective Action Program at the Washington State Department of Ecology Northwest Region Office. I oversee all outreach materials and communications as well as environmental justice practices for the Clean Earth site located at 20245 77th Ave. S, in Kent, Washington.

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* **Draft cleanup action plan (dCAP**): The dCAP describes the planned cleanup actions and sets the standards that the cleanup must meet.
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* **Draft State Environmental Policy Act/Determination of Non-Significance (SEPA/DNS):** Ecology uses SEPA during site cleanups to find and evaluate negative environmental impacts that could result from a proposed action. The draft SEPA resulted in a determination of non-significance, meaning that this work will not have large negative environmental impacts.
* **Draft public participation plan**: This plan encourages community involvement in cleanup decisions.

**These documents are in draft form and can be reviewed on our website under the “documents” section at:** [ecology.wa.gov/CleanEarth](https://ecology.wa.gov/cleanearth)

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Thank you for your continued interest. Please feel free to contact me with questions.

### Tribe: Snoqualmie Tribe

* Tribal Chair Person: Robert de los Angeles, 425-888-6551, [bobde@snoqualmietribe.us](http://www.snoqualmietribe.us/)
* NR Director: Cindy Spiry, 425-888-6551, [cindy@snoqualmietribe.us](http://www.snoqualmietribe.us/)
* Tribal Staff; Tribal Manager: Kelsey Payne, (425) 414-6340, [kelsey.payne@snoqualmietribe.us](mailto:kelsey.payne@snoqualmietribe.us)
* Environmental Policy Analyst: Matt Baerwalde, (425) 888-6551; (425) 495-4111, [mattb@snoqualmietribe.us](mailto:mattb@snoqualmietribe.us)

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Kent WA 98032**

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### Tribe: Stillaguamish Tribe of Indians

* Tribal Chair Person: Eric White, (o) 360-572-3010 (c) 360-770-3949, [ewhite@stillaguamish.com](http://www.stillaguamish.com/)
* NR Director: Sarah Thitipraserth, 360-631-0946, [sthitipra@stillaguamish.com](http://www.stillaguamish.com/)

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* **SUBJECT: Clean Earth - Kent Public Comment Period July 14 - Aug. 15**

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* Arsenic.
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**Cleanup process**

We apply both the Resource Conservation and Recovery Act and the Model Toxics Control Act regulations to clean up hazardous waste sites. The cleanup protects human health and the environment from dangerous wastes and chemicals.

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* **SUBJECT: RE: Ecology HWTR Corrective Action Sites Tribal Engagement Plan**

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**Kent Library  
212 2nd Avenue N  
Kent WA 98032**

Thank you for your continued interest. Please feel free to contact me with questions.

### Tribe: Suquamish Tribe

* Tribal Chair Person: Leonard Forsman, 360-394-8461 / 360-340-0986, [lforsman@suquamish.nsn.us](http://www.suquamish.nsn.us/)
* NR Manager: Alison O'Sullivan, 360-394-8447, [aosullivan@suquamish.nsn.us](http://www.suquamish.nsn.us/)

#### Tribal engagement process

**3/26/25**

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**5/21/25**

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### Tribe: Tulalip Tribes

* Tribal Chair Person: Teri Gobin, 360-716-4000, [trgobin@tulaliptribes-nsn.gov](http://www.tulaliptribes-nsn.gov/)
* Director of Natural Resources: Jason Gobin, 360-716-4598, [jasongobin@tulaliptribes-nsn.gov](http://www.tulaliptribes-nsn.gov/)

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## Tribal Engagement Process

This Tribal Engagement Plan proposes actions Ecology will take to provide timely and relevant information and offer meaningful engagement opportunities to Tribes during investigation and cleanup of Ecology-conducted and Ecology-supervised contaminated sites.

Tribal Engagement for this site is separate from and in addition to public involvement. Tribes and indigenous peoples are welcome to also participate in Ecology’s public involvement process. Ecology’s Public Participation Plan[[5]](#footnote-6) for the site has more information about that process.

Ecology invites each Tribe to share their perspective on what constitutes meaningful engagement for this site, enabling Ecology to develop a more effective process.

## Ecology’s Tribal Engagement Responsibilities under the Model Toxics Control Act (MTCA)

Ecology will initiate engagement with affected Tribes before a remedial investigation or an interim action at a site, or as early in the investigation and cleanup process as possible.

Ecology will seek to maintain meaningful engagement with Tribes throughout the cleanup process.

This Tribal Engagement Plan is publicly available on the cleanup site page.[[6]](#footnote-7)

**Figure 1.** Washington’s Cleanup Process under the Model Toxics Control Act (MTCA)[[7]](#footnote-8)

Diagram

Description automatically generated

## Ecology’s Tribal Engagement Plan proposed actions:

* Invite potentially affected Tribes as early as possible in the cleanup process to share and discuss information about the site and to understand the Tribes’ concerns.
* Provide a copy of the Tribal Engagement Plan to potentially affected Tribes for review and comment.
* Invite the Tribes to share their preferred engagement process and propose any changes to this Tribal Engagement Plan.
* Provide early notifications and opportunities for collaboration and input at specific points in the cleanup process. See Table 1.
* Communicate project timelines, review timeframes, and comment period deadlines[[8]](#footnote-9).
* Provide tribes at least as much time to provide input as provided to the public in each stage in the process.
* Notify potentially affected Tribes when Ecology identifies a potentially liable person under WAC 173-340-500.
* Meet with Tribes upon request.
* Keep effective communication open throughout the cleanup process.
* If long-term monitoring is required for the cleanup, learn from the Tribes what level of engagement is preferred during monitoring.
* If a Tribe requests government-to-government consultation, engage Ecology leadership and facilitate that process.

**Table 1:** Ecology documents and cleanup actions where tribes will be invited to review and comment.

|  |  |  |  |
| --- | --- | --- | --- |
|  | **Document or Action** | **Ecology-conducted** | **Ecology-supervised** |
|  | Interim action plans | X | X |
|  | Legal Orders or Agreements   * Consent decrees & amendments * Agreed orders & amendments * Enforcement orders & amendments |  | X |
|  | Remedial investigation work plans | X |  |
|  | Remedial investigation reports | X | X |
|  | Feasibility study reports | X | X |
|  | Cleanup action plans (CAPs)  *(which may or may not include institutional controls*[[9]](#footnote-10)) | X | X |
|  | Engineering design reports | X |  |
|  | Implementation plans substantially changing cleanup action plans | X | X |
|  | Periodic review reports | X | X |
|  | Amendment of institutional controls | X | X |
|  | Removal of institutional controls | X | X |
|  | Removal of sites from contaminated sites list | X | X |

## Other Tribal engagement opportunities

In addition to engagement through MTCA, Ecology will also contact Tribes for the following purposes when relevant to the cleanup.

* Cleanup activities, especially those that disturb the ground, can affect or reveal cultural resources that may need to be assessed for protection or preservation, called a [Cultural Resource Review](https://ecology.wa.gov/about-us/payments-contracts-grants/grants-loans/find-a-grant-or-loan/area-wide-groundwater-investigation-grants/cultural-resources-review).[[10]](#footnote-11)
* Identifying and analyzing environmental impacts associated with governmental decisions as required by the [State Environmental Policy Act](https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review)[[11]](#footnote-12) (SEPA) and associated [SEPA rules](https://apps.leg.wa.gov/wac/default.aspx?cite=197-11).[[12]](#footnote-13)
* Implementing [Washington’s Environmental Justice Law (HEAL Act)](https://ecology.wa.gov/about-us/who-we-are/environmental-justice/heal).[[13]](#footnote-14)

1. [ecology.wa.gov/CleanEarth](https://ecology.wa.gov/cleanearth)  [↑](#footnote-ref-2)
2. [Contact Us - Washington State Department of Ecology](https://ecology.wa.gov/about-us/contact-us) [↑](#footnote-ref-3)
3. https://ecology.wa.gov/About-us/Accountability-transparency/Our-website/Accessibility [↑](#footnote-ref-4)
4. [ecology.wa.gov/CleanEarth](https://ecology.wa.gov/cleanearth)  [↑](#footnote-ref-5)
5. If a public participation plan exists for this site , then in can be found in the ‘Documents’ section of the site webpage. If there is no Public Participation Plan listed on the site’s webpage, then it has not yet been prepared. https://apps.ecology.wa.gov/cleanupsearch/document/[DOCUMENT ID #] [↑](#footnote-ref-6)
6. https://apps.ecology.wa.gov/cleanupsearch/site/[CSID] [↑](#footnote-ref-7)
7. https://ecology.wa.gov/spills-cleanup/contamination-cleanup/cleanup-process [↑](#footnote-ref-8)
8. Ecology aims to finalize documents shortly after close of comment periods. [↑](#footnote-ref-9)
9. Institutional controls are legal and administrative tools that help protect people from exposure to contaminants. Examples include prohibiting use of groundwater for drinking, requiring maintenance of a barrier to prevent exposure, and zoning and property use restrictions among others. [↑](#footnote-ref-10)
10. https://ecology.wa.gov/about-us/payments-contracts-grants/grants-loans/find-a-grant-or-loan/area-wide-groundwater-investigation-grants/cultural-resources-review [↑](#footnote-ref-11)
11. https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review [↑](#footnote-ref-12)
12. https://apps.leg.wa.gov/wac/default.aspx?cite=197-11 [↑](#footnote-ref-13)
13. https://ecology.wa.gov/about-us/who-we-are/environmental-justice/heal [↑](#footnote-ref-14)