

**Updated Public Participation Plan
for the Cleanup Phase**

**Metro Dearborn Site
South Dearborn Street and Eighth Avenue South
Seattle, Washington**

September 1994

A Public Participation Plan was developed for the Metro Dearborn Site in November of 1993. At that time, the independent remedial investigation report and feasibility study were presented to the community for public comment.

This plan is updated to address the public involvement efforts for the cleanup phase of this site, according to the Model Toxics Control Act Chapter 173-340-600(8)(c).

Follow-up interviews were conducted by telephone and in person with businesses and interested persons who had previously given information about the site. No new issues, events, or information were discovered in the interviews. The main concern still remains that the site be cleaned up as quickly as possible and a useable facility be placed on the site to enhance the community.

Based on the interviews, no major changes are made to the Public Participation Plan. The details of the activities, however, are updated for the cleanup phase of this site.

Updated Public Participation Activities

1. A 30-day **public comment period** will be held September 12 through October 12, 1994, on the consent decree, the draft cleanup action plan, the State Environmental Policy Act (SEPA) determination of nonsignificance, and an updated public participation plan.
2. An **open house and public hearing** for the cleanup action plans will be Tuesday, September 20, 1994, from 5 to 7 p.m. at the Bush Asia Center, 409 Maynard Avenue South in Seattle. The open house will begin at 5 p.m. and a presentation at 5:30 p.m. followed by questions and answers and public comment.
3. A **fact sheet** will be mailed to all persons on the mailing list announcing the public comment period and the public hearing. The fact sheet will be mailed on September 9, 1994.
4. The **mailing list** will be reviewed and updated previous to the mailing.
5. A **newspaper display advertisement** will be published in The Seattle Times on Monday, September 12, 1994. The ad will be placed in the local section of the regular edition of the newspaper. The size of the ad will be 3 columns by 6 inches.
6. Documents available for comment will be placed in the **information**

repositories for this site established for the convenience of the community. The repositories are the Department of Ecology Northwest Regional Office Central Files, the Metro Library in downtown Seattle, the Seattle Public Library in downtown Seattle, and the Bush Asia Center in the International District near the site.

7. All comments received during this comment period will be retained in Ecology site files. The comments and Ecology's responses will be compiled in a document called a **responsiveness summary**. The responsiveness summary will be sent to those who submit written or oral comments and to the designated information repositories. Notice of availability will be sent to those on the site mailing list.
8. Notice of the public comment period will be listed in Ecology's biweekly publication of cleanup site events and activities, the **Site Register**, on September 13, 1994.

Public Participation Plan

**Metro Dearborn Site
South Dearborn Street and Eighth Avenue South
Seattle, Washington**

**Municipality of Metropolitan Seattle
Seattle, Washington 98104-1598**

**Washington State Department of Ecology
Northwest Regional Office
Toxics Cleanup Program
Bellevue, Washington 98008-5452**

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I. Introduction

A. Public Participation at Cleanup Sites

The Municipality of Metropolitan Seattle (Metro) and the Washington State Department of Ecology (Ecology) are committed to provide public participation opportunities during the cleanup of Metro's Dearborn site. The site is located at 801 South Dearborn Street in the Chinatown-International District of Seattle, Washington.

Public participation is fundamental to the Model Toxics Control Act (MTCA). Passed by voters in 1988 as Citizens' Initiative 97, the law and regulations contain requirements and guidelines for soliciting citizen participation in the investigation and cleanup of petroleum contaminated sites.¹

Under the regulations, a public participation plan is required for all sites undergoing investigation and cleanup. The plan is intended to encourage a coordinated and effective public participation strategy tailored to the needs of the community at a particular site.

Citizen participation is a valuable resource. Metro and Ecology believe a public participation process which invites and encourages community members to participate throughout the process will ultimately result in a better, faster, and more cost effective cleanup.

Metro conducted the Remedial Investigation/Feasibility Study (RI/FS) phase of the cleanup process independently, without Ecology oversight. Under a prepayment position provided to Ecology by Metro in June 1993, Ecology has provided oversight for the cleanup preparation and activities. This public participation plan covers activities for the public comment on the independent investigation and feasibility study. Later in the cleanup process, this plan will be updated and amended for the cleanup action plan phase.

¹Model Toxics Control Act, Chapter 70.105D RCW and Model Toxics Control Act Cleanup Regulation, Chapter 173-340 WAC.

B. Goals of this Public Participation Plan

This public participation plan is intended to promote public understanding of Metro's and Ecology's responsibilities, planning activities, and cleanup preparation activities at the site. It also provides an opportunity for the agencies to get information from the public that will allow them to develop a comprehensive cleanup plan that is protective of human health and the environment.

The following objectives have been established for this public participation plan:

- * To inform the community of the information gathered during the investigation of the site and the feasibility alternatives for cleaning up the site
- * To encourage and solicit comments from the community on the information gathered and the cleanup alternatives offered
- * To promote public understanding of the cleanup process
- * To fulfill the requirements of MTCA.

C. The Public Participation Process

Metro and Ecology will jointly and cooperatively implement the activities of this public participation plan. This plan includes all activities required under the regulation and other activities thought to be necessary for a comprehensive public participation plan.

Two other parties, who are not officially participants in the cleanup process but who have an interest in the cleanup of this site, are the City of Seattle and the Seattle-Chinatown International District and Preservation Development Authority (SCIPDA). These parties have an interest because Metro plans to clean up the site and sell the property to the City of Seattle, which then will be transferred to the SCIPDA for development into a community center. Plans for the community center may include apartments for the frail elderly, a child care center, family town homes, neighborhood service agencies, stores, and possibly a recreation center and branch library.

This public participation plan has been developed by Metro in close cooperation with public involvement staff of Ecology's Toxics Cleanup Program and with recommendations from the City of Seattle and SCIPDA.

This public participation plan was developed after interviews with community representatives and property owners located within the area affected by the Dearborn site activities. The plan discusses community concerns and outlines public participation activities for reviewing the information gathered. This information includes a remedial investigation and site characterization to estimate the types and extent of contamination and a feasibility study to evaluate the feasible alternatives for cleanup under the MTCA. Also included in the feasibility study is a human health risk assessment for the site. The purpose of the remedial investigation/feasibility study is to collect and develop sufficient site information to provide the basis for the selection of a cleanup action.

Documents in this review are:

Remedial Investigation (RI): A remedial investigation is any remedial action which provides information on the extent and magnitude of contamination at a site. The remedial investigation is followed by a feasibility study.

Feasibility Study (FS): A feasibility study provides identification and analysis of site cleanup alternatives and evaluates site information from the remedial investigation to provide the basis for selection of a cleanup action plan.

Risk Assessment for Human Health: A risk assessment for human health assesses the probability of a hazardous substance, when released into the environment, will cause an adverse effect in exposed humans. For this site, the risk assessment is included in the feasibility study.

Public Participation Plan: A public participation plan (this document) is a plan prepared under the law to encourage coordinated and effective public involvement tailored to the public's needs at a particular site.

II. Site Background

A. Site History

The Metro Dearborn facility is located at 801 South Dearborn Street (at Eighth Avenue South and South Dearborn Street) in the Chinatown-International District of Seattle, Washington. Metro acquired the Dearborn site in 1974, in part with proceeds of a grant from the Federal Transit Authority, formerly called the Urban Mass Transportation Administration, for use in transit operations -- including use as a

maintenance, fueling and storage facility. Prior to 1974, the property was owned and used by a private transit company. After acquiring the property, Metro used the facility for about four years. The adjoining properties have been used for a variety of industrial purposes.

The building located on the property, formerly used to house bus maintenance facilities, has been vacant since 1986 except for some storage. The remainder of the property, which is paved, was used to park vehicles not in use. The Seattle-Chinatown International District and Preservation Development Authority has leased a portion of the property for use as a parking lot since February 1, 1992.

When removing underground storage tanks in December 1990, Metro identified leakage and contaminated soils. Metro conducted a site investigation, a feasibility study to evaluate cleanup alternatives, and an assessment of the potential risks to human health and the environment. These studies were prepared as an independent remedial investigation and feasibility study and risk assessment.

B. Land Use

The site is located in an area that has long been industrialized with mixed commercial and residential land-use. The property is located approximately 3/4 mile south of the Seattle Central Business District within the International District -- east of the Kingdome and west and adjacent to an Interstate Highway 5 off-ramp. The site property is zoned IDM 75'-85' (International District-Mixed residential and commercial with height restrictions of 75 to 85 feet).

The City of Seattle Charles Street Maintenance Facility is located immediately south of the site across South Dearborn Street. City vehicles such as police cars and fire trucks are maintained at the Charles Street Facility, which currently stores and dispenses fuel for City vehicles. Other nearby neighboring properties include the businesses of Reprographics Northwest, Inc., Lindsay Industrial Tool, Inc., Torino Sausage Company, City Produce, the International District Children's Park, and several residences.

C. Technical Aspects

Until the last decade, regulations governing underground storage tanks and contamination from petroleum products were limited or nonexistent. At the Dearborn site, contamination probably occurred prior to and during Metro's ownership.

Gasoline, oil, and diesel leaked into the subsurface at the site causing petroleum hydrocarbon contamination of soils and ground water. In addition to petroleum hydrocarbons, one solvent, 1,2-dichloroethane, has been identified above the MTCA cleanup levels. The solvent was a common additive to gasoline and has been detected in soil and ground water. These contaminants are common substances similar to those found at gasoline stations or vehicle maintenance facilities.

The contamination in the soils does not pose an immediate health risk to residents, pedestrians, or people working on the site during cleanup and construction. There is also no immediate threat to human health from the ground water because this ground water is not used for drinking water.

In the long term without cleanup, the contamination may pose a threat to the environment. The contaminants have moved within the soil and into the ground water and will continue to do so. The ground water in this area flows toward Elliott Bay and the contaminants in the ground water may pose a long-term risk to the environment.

It is unlikely that contaminants at the site will travel to other water sources, since the property is not close to other water bodies or to where the City of Seattle or any other population center gets its water. The property is not considered to be an environmentally sensitive area, according to Washington State regulations (WAC 173-360-510). The property is also not near any surface water body or wetland and not within a 100-year flood plain.

III. Community Background

A. Community Profile

The site is located in the heart of Seattle's International District. Historically the District has been home for Asian/Pacific immigrants and refugees. Currently, it is home to primarily low income elderly. The community residents and businesses are strongly committed to revitalizing the District. The SCIPDA, a community development corporation, is planning to develop the International District Village Square, a community center. This community center will link together elderly and family housing, a child care center, service agencies, and possibly a recreation center and branch library. The project has strong support within the International District community.

B. Key Community Concerns

In September of 1993, Metro and Ecology conducted interviews with community leaders, business people and residents. The results of those interviews indicate that the community in general knows that the property has petroleum contamination and that Metro is working to clean it up. The community supports these efforts. The results also showed that SCIPDA has successfully involved the community in planning for its proposed project, and the community strongly supports having the site cleaned up so that the community center can be built.

Presently, the community is concerned about the current condition of the property and how cleaning it up will be handled. There also seems to be considerable interest in having an opportunity to be involved in the commenting on the proposed cleanup process, as well as being kept informed during the cleanup/disposition of the property.

IV. Public Participation Activities

A. Ecology Lead Activities

Although all activities under this public participation plan will be conducted by Ecology and Metro jointly and cooperatively, Ecology will have the lead in some and Metro will have the lead in others. Ecology will be responsible for leading in the MTCA required public notice activities:

1. A 30-day **public comment period** on the remedial investigation, the feasibility study, and this public participation plan will be held beginning November 1, 1993 and ending December 1, 1993. (The plan will be updated and amended for the public comment period for the next phase, the proposed consent decree and cleanup action plan estimated for the first half of 1994.)
2. An **open house and public meeting** on the remedial investigation, the feasibility study, and this public participation plan will be held Tuesday, November 9, 1993, from 5:00 to 7:00 p.m. in the Bush Asia Center, 409 Maynard Avenue South, Seattle, WA 98104. The open house will begin at 5 p.m. and the presentation at 5:30 p.m. followed by questions and answers and public comment.
3. A **fact sheet** will be mailed to all persons on the mailing list announcing the public comment period and the public meeting.

4. A **mailing list** will be compiled of identified parties who may have an interest in this site. These include: adjacent property owners, businesses in the area, prospective residents and business owners of commercial establishments to occupy the International District Village Square, government agencies who have jurisdiction in this area, media (newspapers, radio, television) for this area, elected officials for this area, and persons who have requested to be on Ecology's standard mailing list.

These and other persons requesting to be placed on the mailing list for this site will be provided with updates on site activities as new information becomes available.

5. A **newspaper display advertisement**, providing notice of the public comment period and public meeting, will be placed in The Seattle Times on Monday, November 1, 1993. The size of the display ad will be 3 columns x 7".

6. The public will be provided copies of all documents for review at **information repositories** in the following locations:

Department of Ecology
Central Files
3190 160th Ave. S.E.
Bellevue, WA 98008-5452
Phone: (206) 649-7239

Bush Asia Center
Room 200
409 Maynard Ave. S.
Seattle, WA 98104
Phone: (206) 624-8929

Metro Library
9th Floor
821 Second Avenue, M.S. 90
Seattle, WA 98104-1598
Phone: (206) 684-2033

Seattle Public Library
Magazine, Newspapers and Governmental Publications Dept.
1000 Fourth Ave.
Seattle, WA 98104
Phone: (206) 386-4636.

7. All comments received on the Dearborn site documents will be retained in Ecology site files. These documents and Ecology's responses will be compiled in a document called a **responsiveness summary**. The responsiveness summary will be sent to those who submit written comments and to the designated information repositories. Notice of availability will be sent to those on the site mailing list.
8. If there is need for **additional public participation activities**, the public will be notified through a mailed notice to all on the mailing list and an advertisement in The Seattle Times.
9. Notice of the public comment period will be listed in Ecology's biweekly publication of cleanup site events and activities, the Site Register, on October 26, 1993.

B. Metro Lead Activities

Metro will be responsible in leading the following additional activities deemed necessary for a comprehensive public participation plan to meet the needs of the public at this site:

1. **News releases** will be sent to the International District media to help news media and the public learn about the cleanup activities at the site. The releases will be sent the week of October 27, 1993. A letter requesting the media to provide the information to the public in the language of that media will accompany the news release.
2. A **public information document**, informally detailing the scope of the project including cleanup of the site, will be mailed to all on the mailing list and distributed at the public meeting and any other place Metro deems appropriate.
3. **Multilingual posters** will help announce key activities as needed.

C. Responsibilities

Ecology and Metro will coordinate review between the two agencies of all comments from this phase of cleanup. Ecology and Metro will allow each other to review all documents regarding the cleanup of the site prior to distribution to the public.

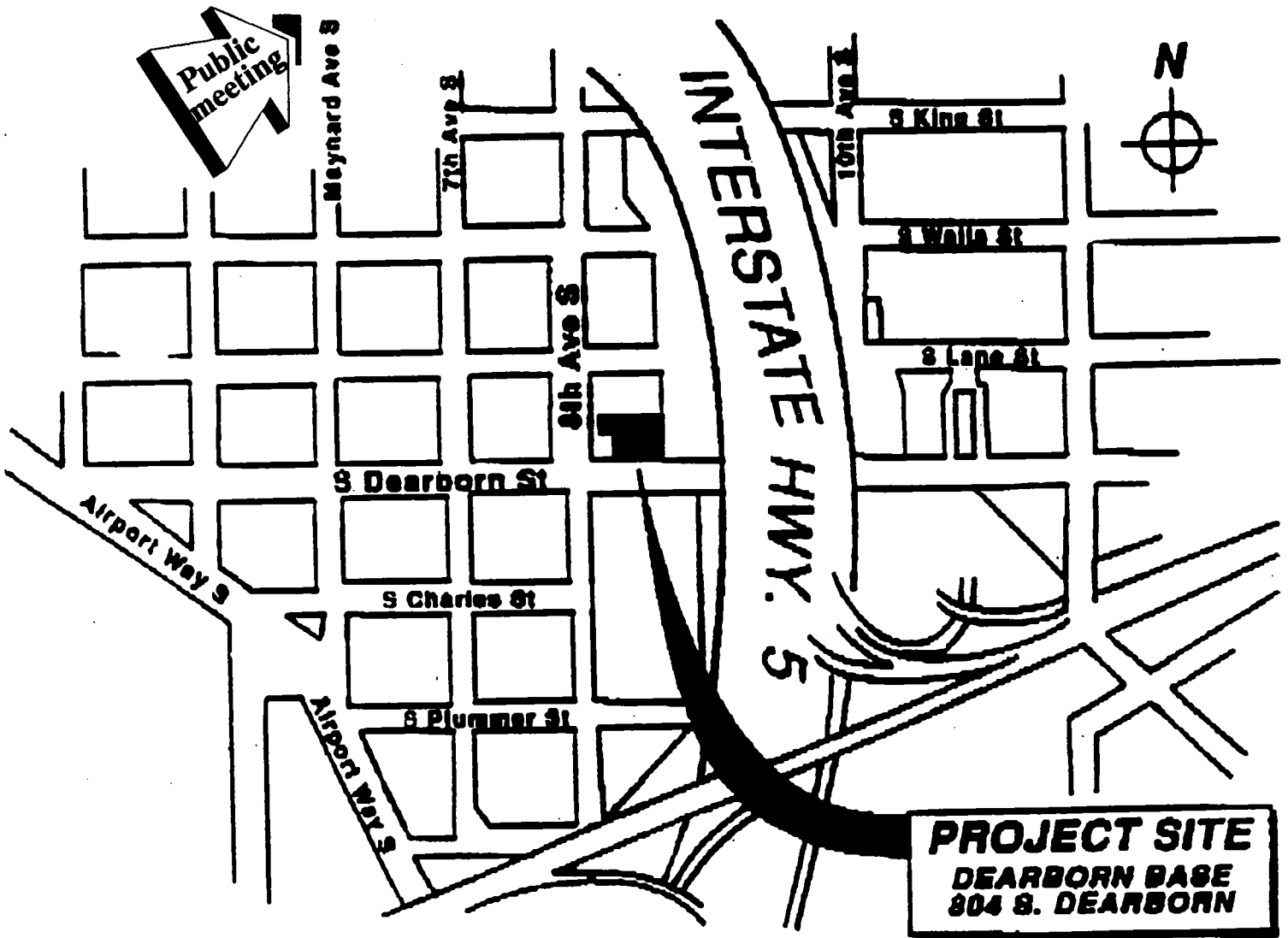
Ecology and Metro agree that additional activities may be undertaken if considered necessary and appropriate by both agencies.

Documents written and distributed to the public by Ecology will contain an Ecology contact person and documents written and distributed to the public by Metro will contain a Metro contact person. Ecology is responsible to answer questions of the public pertaining to cleanup preparations and activities of the site. Metro is responsible to answer questions of the public pertaining to the remedial investigation/feasibility study and risk assessment conducted at the site, as well as the site sale and transfer plans of the property to the City of Seattle and SCIPDA.

V. Appendices

- A. Site Map
- B. Time Line
- C. Site Mailing List
- D. Community Interview Questions
- E. Glossary

Metro Dearborn Site



TIME LINE FOR DEARBORN SITE CLEANUP UNDER MODEL TOXICS CONTROL ACT

<p>↓ Dec 90 Tanks Removed, Discovered Soil Contamination by TPH**</p>	<p>↓ 1992 Investigation RI/FS* and Risk Assessment Reports by Metro</p>	<p>↓ Aug 93 Ecology Review on Investigation Reports</p>	<p>↑ Public Comment Period #1 on Investigation Reports Nov 1 - Dec 1 ↑</p>	<p>↓ Jan 94 Ecology Responsive Summary for Public Comment Period #1</p>	<p>↓ Dec-Jan 94 Consent Decree & Cleanup Action Plan Draft</p>	<p>↑ Public Comment Period #2 on CD & Cleanup Plan Draft Early 94 ↑</p>	<p>↓ March? 94 Ecology Responsive Summary for Public Comment Period #2</p>	<p>↓ Spring 94 Consent Decree & Cleanup Action Plan Final</p>	<p>↓ Summer 94 Begin Dearborn Site Cleanup</p>
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*RI/FS = Site Characterization (remedial investigation) and Human Health Risk Assessment and Feasibility Study for the Metro South Dearborn Facility, Aug 92, revised Oct 93.
 **TPH = Total petroleum hydrocarbons, typical substances from gasoline, diesel and oil underground storage tanks.

Community Interviews

Site Name: _____

Name: _____ Date: _____

Title: _____ Time: _____

Affiliation: _____

Address: _____

Phone Number: _____ Results: _____

Hello. My name is _____, and I'm with Metro (or) the state Department of Ecology (*choose one*). I'm calling you to collect information on community concerns about cleanup of Metro's South Dearborn property at Eighth Avenue South and South Dearborn Street. The site is in an industrial area in the International District of southern Seattle.

Metro has completed a Remedial Investigation Feasibility Study for the site. We want to involve the community in the public participation plan for developing the cleanup process.

May I ask you a few questions about your knowledge of the site and any concerns you have? Yes ____ No ____.

1. Are you aware of the site? Yes ____ No ____.
When were you first aware?

2. What is your understanding of the history of the site?

3. Are you aware of the planned use of this site? Yes ____ No ____.

4. What kind of information do you need about the site? How do you want to get the information?

5. Do you want to be involved in the decision-making process?
Yes ____ No ____ . If so, how do you want to be involved?

6. Do you think this site has caused any problems or issues on your property?
Yes ____ No ____ . If so, what are they?

7. Have you had any contacts with the City of Seattle, Department of Ecology, Metro or other government officials about the site? Yes ____ No ____ .
If so, were the officials responsive to your concerns? Yes ____ No ____ .

8. Do you have current concerns about the site? Yes ____ No ____ .
If so, what are they?

9. Are you participating in any activities concerning the site? Yes ____ No ____ .
If so, what are they?

10. Can you suggest other people, officials or groups that we should contact?
Yes ____ No ____ . If so, who are they?

11. Would you like to be on the mailing list to receive information about the site?
Yes ____ No ____ . If so, what is your mailing address?

12. Do you know anyone interested in this site who does not read English?
Yes ____ No ____ . If so, what language do they read?

Please call 684-1144 if you think of anyone else who might be interested in this site, or if you have other questions.

Thank you for your time.

GLOSSARY

Agreed order: A legal document, issued by Ecology, which formalizes an agreement between Ecology and the potentially liable persons for the actions needed at a site. An agreed order may be used for all remedial actions except for non-routine cleanup actions and interim actions that constitute a substantial majority of a cleanup action likely to be selected. Since an agreed order is not a settlement, an agreed order shall not provide for mixed funding, a covenant not to sue, or protection from claims for contribution. An agreed order means that the potentially liable person agrees to perform remedial actions at the site in accordance with the provisions of the agreed order and that Ecology will not take additional enforcement action against the potentially liable person to require those remedial actions specified in the agreed order so long as the potentially liable person complies with the provisions of the order. Agreed orders are subject to public comment. If an order substantially changes, an additional public comment period is provided.

Applicable state and federal laws: 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 selects the cleanup action and specifies cleanup standards and other requirements for a particular site. The cleanup action plan, which follows the remedial investigation/feasibility study report, is subject to a public comment period. After completion of a comment period on the draft cleanup action plan, Ecology issues 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 Ecology and potentially liable persons on the actions needed at a site. A consent decree is subject to public comment and a public meeting is required. If a consent decree substantially changes, an additional comment period is provided. After satisfying the public comment and meeting requirements, Ecology files the consent decree with the appropriate superior court or federal court having jurisdiction over the matter.

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 pathway: 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 a site.

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 of, or placed, or otherwise come to be located.

Feasibility study (FS): Provides identification and analysis of site cleanup alternatives, and is usually completed within a year. The entire RI/FS process takes about two years and is followed by the cleanup action plan. Remedial action evaluating sufficient site information to enable the selection of a cleanup action plan.

Free product: A hazardous substance that is present as a nonaqueous phase liquid (that is, liquid not dissolved in water).

Ground water: Water in a saturated zone beneath the surface of land or below a surface water.

Hazardous site list: A list of ranked sites that require further remedial action. These sites are published in the Site Register.

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 be concentrated by living organisms through a food chain or 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 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. It is an action that is technically necessary to reduce a threat to human health or the

environment by eliminating or substantially reducing one or more pathways for exposure to a hazardous substance at a facility; an action that corrects a problem that may become substantially worse or cost substantially more to address if the action is delayed; an action needed to provide for completion of a site hazard assessment, state remedial investigation/feasibility study, or design of a cleanup action.

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): Refers to RCW 70.105D. It was approved by voters at the November 1988 general election and known as Initiative 97. The implementing regulation is WAC 173-340.

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. There are currently 41 sites in Washington State officially designated as final NPL sites and 4 sites pending federal Superfund designation.

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.

Recovery by-products: Any hazardous substance, water, sludge, or other materials collected in the free product removal process in response to a release from an underground storage tank.

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 conducted in order to determine the risk or potential risk to human health.

Remedial investigation (RI): Any remedial action which provides information on the extent and magnitude of contamination at a site. This usually takes 12 to 18 months and is followed by the feasibility study. The purpose of the remedial investigation/feasibility study is to collect and develop sufficient site information enabling the selection of a cleanup action.

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: 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: The same as facility (see above).

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. 173-340-320.

Site Register: Ecology publication issued every two weeks listing 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 (206) 438-3081.

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.

SWRO: Ecology Southwest Regional Office in Tumwater.

TCP: Ecology Toxics Cleanup Program.

Underground storage tank (UST): An underground storage tank and connected underground piping as defined in the rules adopted under Chapter 90.76 RCW.

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