



Focus on

# Remedial Action Grant rule revision

from Ecology's Solid Waste and Financial Assistance Program, Statewide Resources Section

## Background

The Remedial Action Grants and Loans state rule (Chapter 173-322 WAC), establishes requirements for a grants-and-loans program to assist local governments in dealing with contaminated sites (remedial actions and related activities) according to Washington's cleanup law, the Model Toxics Control Act.

Primarily, the Remedial Action Grant rule is being revised because recent amendments to the Model Toxics Control Act (MTCA), chapter 70.105D RCW, made new programs eligible for grant funding, specifically methamphetamine-lab assessment and cleanup, and derelict-vessel programs.

Also, prior to the recent MTCA amendments, the law allowed Ecology to create a loan program. The program has not been codified into rule and this amendment creates the basic structure for the loan program.

## Why amend the rule?

The primary "driver" behind these proposed rule revisions is amendments made to the MTCA after the Remedial Action Grant rule was originally adopted in 1990. New methamphetamine-lab and derelict-vessel grant programs established under the MTCA now need to be incorporated into the grant rules.

A number of other issues will also be addressed during rule-amendment process, to bring the rule up to date.

These issues include the need to raise the funding cap for independent, voluntary cleanups (Voluntary Cleanup Program); to define "innovative technology" and clarify when the use of innovative technologies is eligible for additional funding; to improve the readability of the rule; to establish grant eligibility for assessments and cleanups conducted under federal administrative orders; and to make cleanups completed or negotiated under federal orders prior to the effective date of the rule, eligible to compete for grant funding.

## How can you get involved?

We have created a Web page, <http://www.ecy.wa.gov/programs/swfa/grants/ragulerev.html>, that will be regularly updated with information on rule activities. If you provide us your name

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and address, we'll add you to our rule mailing list. (Use this electronic form to get on our mailing list: <http://www.ecy.wa.gov/programs/swfa/grants/ragmailinglist.html>.) You may also submit your comments electronically or in writing on any rule related document or issue. Please visit <http://www.ecy.wa.gov/programs/swfa/grants/ragcommentform.html>, for the comment form.

## Public Hearing Dates

Ecology Headquarters Building 300 Desmond Drive SE Lacey, Wash.	Dec. 9, 2004 6:30pm – 8:30pm
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Ecology Eastern Regional Office N 4601 Monroe Spokane, Wash.	Dec. 14, 2004 6:30pm – 8:30pm
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## Comment Deadline

Comments will be accepted until **5 p.m., Dec. 31, 2004**.

To submit written comments or for additional information, please contact:

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Grants Manager, Remedial Action Grants/Loans  
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## Where can you find additional information?

For additional information, please see the following documents. They are available by request or from Ecology's Web site, <http://www.ecy.wa.gov/programs/swfa/grants/ragrulerev.html>.

Rule timeline: <http://www.ecy.wa.gov/programs/swfa/grants/RAGRuleTimeline.pdf>  
Project updates: <http://www.ecy.wa.gov/programs/swfa/grants/RAGUpdates.html>  
Frequently Asked Questions: <http://www.ecy.wa.gov/biblio/0407014.html>  
Draft rule language – Planned release: October 11, 2004.

*If you require this publication in an alternate format, please contact the Solid Waste and Financial Assistance Program at 360-407-6900 or (TTY) at 711 or 1-800-833-6388 for the hearing impaired.*