



Public Participation Plan

**Fuel Processors, Inc.
701 Bozarth Ave.
Woodland, Washington 98674**

Hazardous Waste & Toxics Reduction Program

Washington State Department of Ecology
Southwest Regional Office
Olympia, Washington

Revised March 2022, Publication 22-04-010

Publication Information

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Cover photo

Groundwater sampling event during the remedial investigation work at Fuel Processors, Inc. site. Photo credit: Coles & Betts Environmental August 2018.

Related Information

- Facility site ID: 810
- Cleanup site ID: 76

Contact Information

Hazardous Waste & Toxics Reduction Program

Southwest Regional Office

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¹ www.ecology.wa.gov/contact

Español

El Departamento de Ecología está anunciando el período de comentarios públicos relacionado a la limpieza ambiental del sitio Fuel Processors, Inc. Para obtener este documento, o más información sobre este sitio en español, favor de comunicarse con Gretchen Newman al 360-764-0588 o preguntas@ecy.wa.gov.

ADA Accessibility

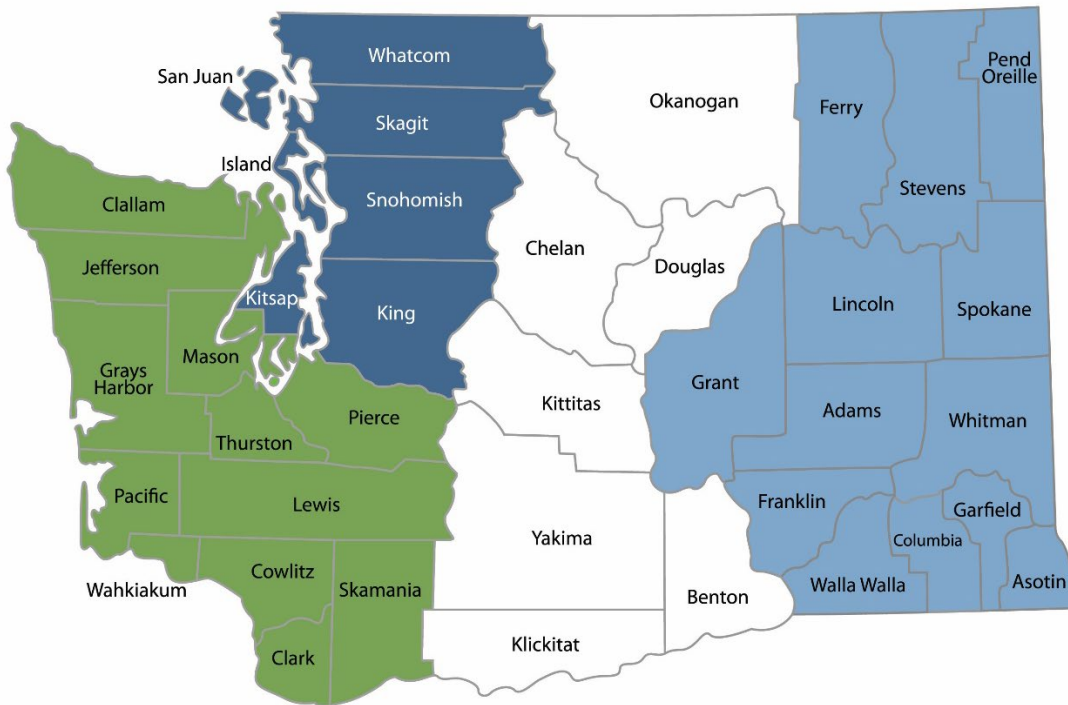
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To request an ADA accommodation, contact Ecology by phone at 360-407-6700 or email at hwtrpubs@ecy.wa.gov. For Washington Relay Service or TTY call 711 or 877-833-6341. Visit [Ecology's website](http://www.ecology.wa.gov)² for more information.

² www.ecology.wa.gov/accessibility

Department of Ecology's Regional Offices

Map of Counties Served



Southwest Region 360-407-6300	Northwest Region 206-594-0000	Central Region 509-575-2490	Eastern Region 509-329-3400
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Region	Counties served	Mailing Address	Phone
Southwest	Clallam, Clark, Cowlitz, Grays Harbor, Jefferson, Mason, Lewis, Pacific, Pierce, Skamania, Thurston, Wahkiakum	PO Box 47775 Olympia, WA 98504	360-407-6300
Northwest	Island, King, Kitsap, San Juan, Skagit, Snohomish, Whatcom	PO Box 330316 Shoreline, WA 98133	206-594-0000
Central	Benton, Chelan, Douglas, Kittitas, Klickitat, Okanogan, Yakima	1250 W Alder St Union Gap, WA 98903	509-575-2490
Eastern	Adams, Asotin, Columbia, Ferry, Franklin, Garfield, Grant, Lincoln, Pend Oreille, Spokane, Stevens, Walla Walla, Whitman	4601 N Monroe Spokane, WA 99205	509-329-3400
Headquarters	Across Washington	PO Box 46700 Olympia, WA 98504	360-407-6000

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DEPARTMENT OF
ECOLOGY
State of Washington

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Public Involvement in Contamination Cleanup

Ecology (we) developed this public participation plan (plan) with Fuel Processors, Inc. (Fuel Processors), Oil Re-Refining Co. (ORRCO), and Shell Oil Products US (Shell). Fuel Processors, ORRCO, and Shell are responsible for cleanup of contamination located at 701 Bozarth Ave., Woodland, Washington 98674.

This plan describes how we involve the public in investigating contamination and selecting cleanup activities during corrective action.

We encourage the public to:

- Learn about and get involved in decision-making opportunities.
- Provide input during the investigation and cleanup of contamination.

This plan is for corrective action (cleanup). Public participation activities are coordinated between us and Fuel Processors, ORRCO, and Shell. We must make sure the cleanup and the outreach comply with the Washington State Dangerous Waste Regulations and Model Toxics Control Act (MTCA) requirements. We conduct public comment periods and other forms of public involvement during the cleanup process.

Site contacts

To be included in the site record, comments about the cleanup process must be submitted during comment periods. Questions and informal comments or information about the site's history are welcome anytime.

Ecology

Southwest Regional Office
PO Box 47775
Olympia, WA 98504

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Site Manager
Kaia.Petersen@ecy.wa.gov
360-407-6359

Sheila Coughlan
Community Outreach Specialist
Sheila.Coughlan@ecy.wa.gov
360-407-7616

Potentially Liable Persons (PLP)

Fuel Processors, Inc.
c/o Scott Briggs
701 Bozarth Ave., Woodland, WA 98674
scottb@orrcorecycles.com
800-367-8894

Oil Re-Refining Co.
c/o Scott Briggs
scottb@orrcorecycles.com
800-367-8894

Jeff Bullen
Equilon Enterprises LLC
DBA Shell Oil Products US, WCK A5
150 N Dairy Ashford Rd., Houston, TX 77079
Jeff.Bullen@Shell.com
832-337-0746

Public Participation Grants

Grants may be available to neighborhood committees, non-profits, and other groups.

For contaminated sites, these funds can:

- Hire an expert to help interpret technical information.³
- Conduct activities to increase understanding and participation in the cleanup process.

For more information about public participation grants, please contact Faith Wimberley at 425-275-7295 or faith.wimberley@ecy.wa.gov. You may also visit the [Public Participation Grant webpage](#).⁴

State and Federal Cleanup Laws

In Washington state, we use the Model Toxics Control Act (MTCA) and other regulations for cleanup activities on properties that treated, stored, or disposed of hazardous chemicals. These cleanups, called corrective actions, are required under the federal Resource Conservation and Recovery Act (RCRA). The U.S. Environmental Protection Agency (EPA) maintains and enforces environmental standards across the United States. EPA allows Ecology to follow MTCA, not RCRA, for cleanup activities in our state.

This public participation plan is required under MTCA. MTCA provides guidelines for contaminated site cleanup in our state and sets standards to ensure the cleanup protects human health and the environment.

Model Toxics Control Act

MTCA began as a grassroots citizen's initiative in 1988. We started using it to clean up contaminated sites in our state in 1989. Under MTCA, a current or past property owner or operator may need to pay to clean up contamination on or coming from their property, until levels are safe for human health and the environment.

Under MTCA, we oversee cleanups and issue [regulations and guidance](#)⁵ for them. We investigate reports of property contamination. If the contamination is a threat to human health or the environment, the property goes on the Hazardous Sites List and the cleanup process begins.

Public participation is an important part of the MTCA process. We determine participation needs for each cleanup site by the level of public interest and the risk posed by the

³ Ecology currently does not have a citizen technical advisor for providing technical assistance to citizens on issues related to the investigation and cleanup of the site.

⁴ www.ecology.wa.gov/ppgrants

⁵ <https://apps.ecology.wa.gov/publications/SummaryPages/9406.html>

contamination. People who live near the site, community groups, businesses, government entities, and other interested parties can comment on the cleanup process.

Figure 1 shows the formal steps in Washington's cleanup process. Under MTCA, the cleanup process happens in phases. Many of the phases have time for the public to review and comment on cleanup documents.

Resource Conservation and Recovery Act

There are federal and state rules about hazardous wastes. Congress passed RCRA in 1976 to ensure hazardous waste is managed and disposed of safely. It has been updated several times to expand the scope and requirements.

RCRA's goals are to:

- Protect human health and the environment.
- Reduce waste, and conserve energy and natural resources.
- Reduce or stop hazardous waste generation.

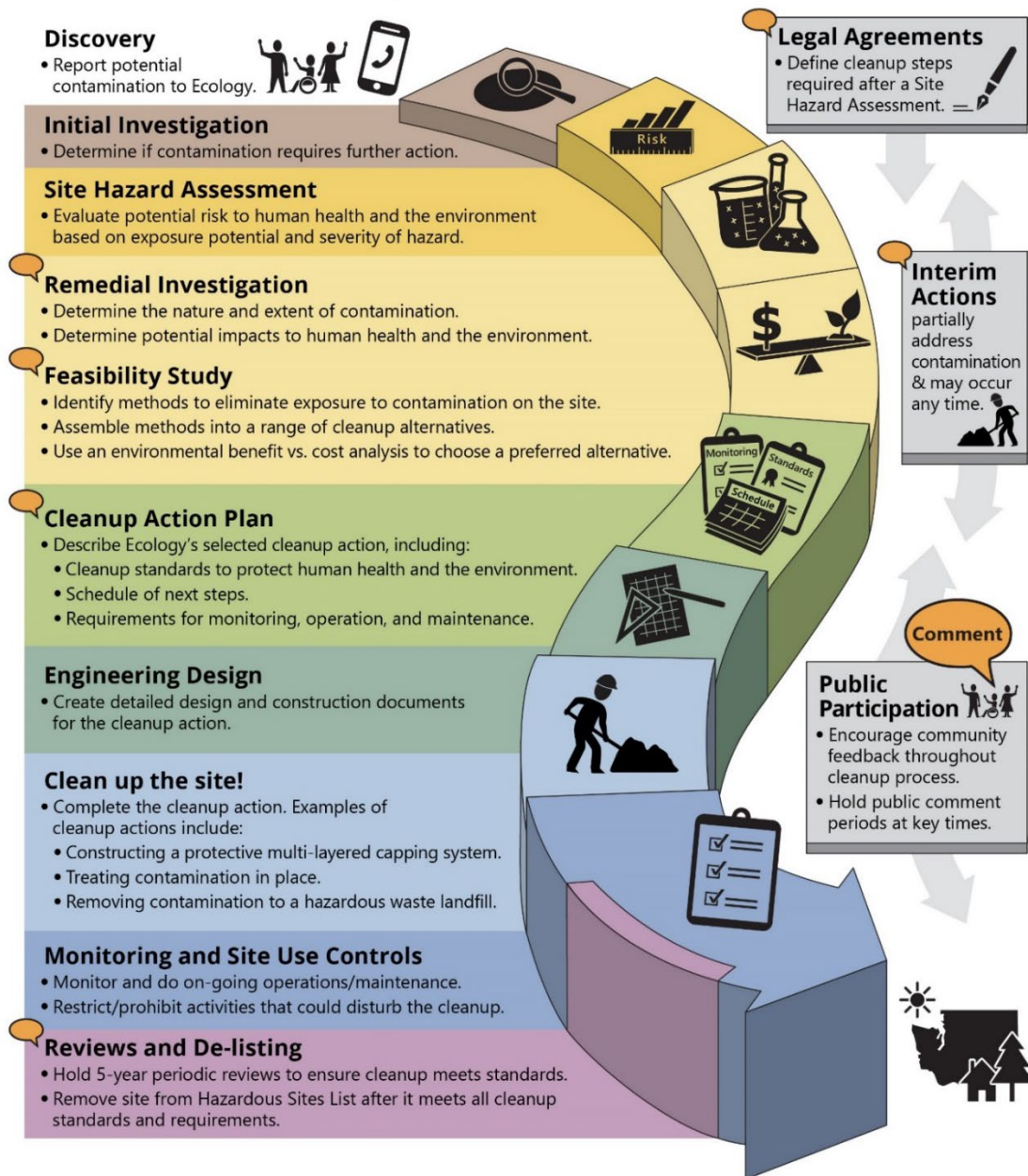
Treatment, storage, and disposal (TSD) facilities must have a permit to design, operate, maintain, or close their site. RCRA also requires facilities to clean up contamination from past and present practices. These cleanup activities are called corrective action.

Federal RCRA and state dangerous waste regulations require opportunities for public participation during the stages of facility permitting and cleanup.

State Environmental Policy Act

We follow the State Environmental Policy Act (SEPA) during review and development of cleanup plans.

Washington's Formal Cleanup Process



Washington's Cleanup Law
Model Toxics Control Act (MTCA)

MTCA defines the cleanup process. This public-initiated environmental law directs upland cleanups (on land or in groundwater) and sediment cleanups (in freshwater or marine environments). Ecology enacts MTCA and regulates the cleanup process.

September 2019
Ecology Publication 19-09-166

Figure 1: [Steps in Washington's cleanup process](#) ⁶

[Read a Plain Text version of Figure 1](#) ⁷

⁶ <https://apps.ecology.wa.gov/publications/SummaryPages/1909166.html>

⁷ <https://apps.ecology.wa.gov/publications/parts/1909166part2.pdf>

Site Information

Site description

The City of Woodland is 20 miles north of Vancouver, Washington. It's in both Cowlitz and Clark counties, and is the southern gateway to Mt. St. Helens and the Lewis River (see Figure 2). The Lewis River flows into the Columbia River. The western boundary of the Fuel Processors site is along the Burlington Northern Railroad right-of-way. An elementary school is located less than two blocks to the north, a residential development is located to the north and east, and a commercial building and the Woodland Action Food Bank are located to the south (see Figure 3). The site is zoned as "light industrial."

The community of Woodland has a population of approximately 6,000 people. It is located at the junction of Interstate 5 and State Highway 503. The greater Woodland area has a population of over 10,000 persons.

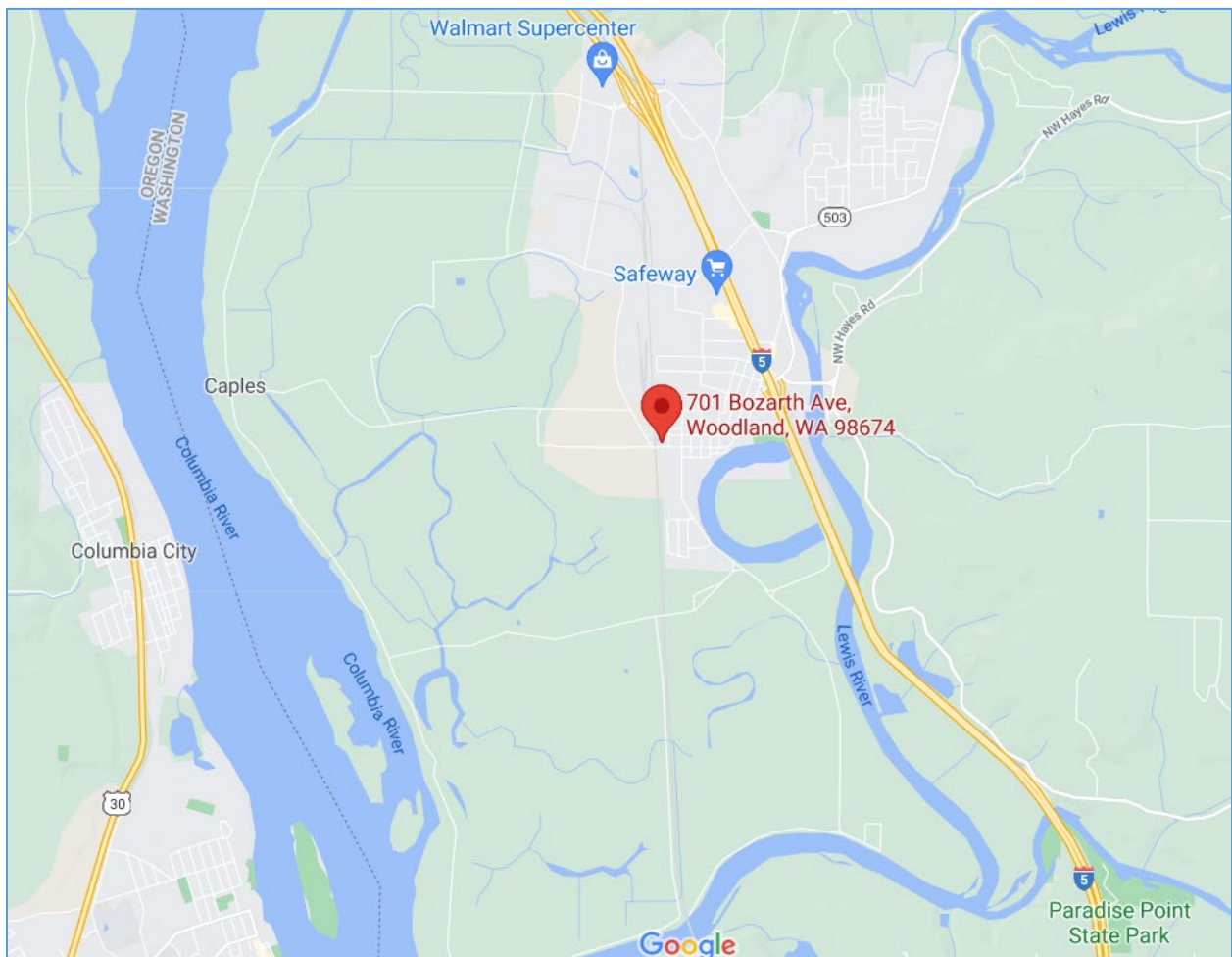


Figure 2. Fuel Processors site location (indicated by the red point) in Woodland, Washington (source: Google Maps 2021)

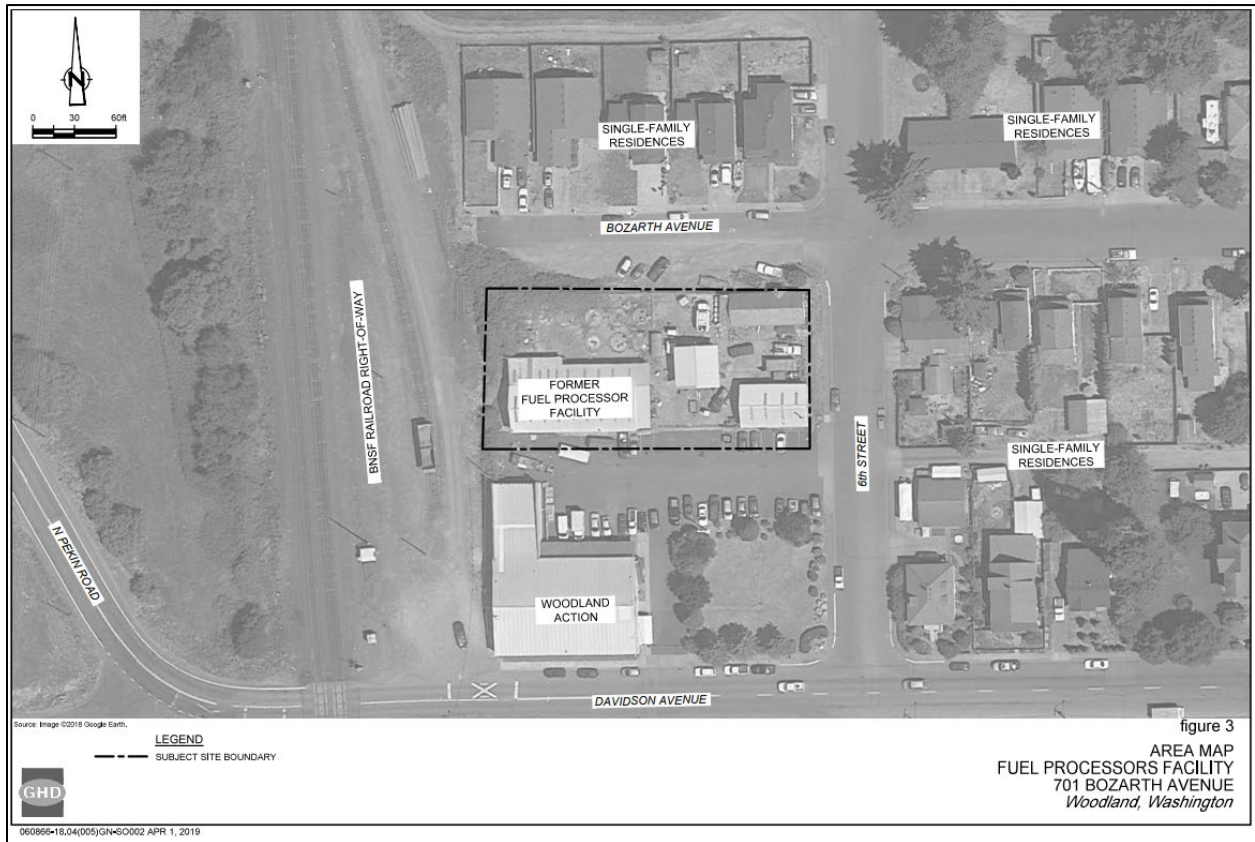


Figure 3. Area map

Site history

Beginning in the 1930s, Shell used the site for a wholesale petroleum plant. In the 1960s, it was sold to a series of independent owners.⁸

One of the past owners planned to use the facility for solvent processing and submitted the required permitting documentation to EPA. A permit is required for any company wanting to treat, store, or dispose of dangerous waste. In 1985, EPA and Fuel Processors agreed to close the permit for dangerous waste disposal at the site.

From 1985 to 2000, the site was used to collect, store, and dehydrate used oil. Since 2002, the property has been leased for storing vehicles and equipment. The only current operation is maintenance of the storm water collection system.

In 2008, Ecology issued an agreed order to Fuel Processors and ORRCO to draft a remedial investigation, a feasibility study, and a cleanup action plan. In 2018, Ecology amended the agreed order to include Shell.

⁸ According to Agreed Order No. DE 5054, the names of the “series of independent owners” haven’t been verified.

Site contamination

Past operations at Fuel Processors released petroleum products and solvents that contaminated soil and groundwater beneath the ground surface.

This included a used oil spill in 1985. The oil was cleaned up and contaminated soil was removed and sent to a permitted landfill. The excavated area was refilled with clean soil and the area was covered with a concrete “cap.” The cap prevents people and animals from coming in contact with any leftover contamination.

Investigations of other areas of the site began in 1985 and occurred as recently as 2019. The investigations indicated that soil and groundwater are contaminated with these substances:

- Weathered gasoline.
- Diesel fuel.
- Used oil products.
- Volatile organic compounds (VOCs) from petroleum.
- Chlorinated solvents (commonly used as degreasers) such as trichloroethylene (TCE).
- Polychlorinated biphenyls (PCBs) and/or metals (long-lasting chemicals that cause cancer).

These chemicals may be harmful to human health and the environment.

The contamination is under the former tank farm, a loading rack canopy, and a warehouse building. The contamination also extends beyond the property boundary to the northwest under the Bozarth Avenue right-of-way.

Certain contaminants found in the soil and groundwater water can evaporate and move through the soil as a gas. These vapors can make their way indoors, affecting air quality in buildings above the ground. Because of this, the current building on the site will be demolished as part of the cleanup action plan. A recent assessment by Shell shows that buildings outside the property boundary aren't affected by soil vapor.

Cleanup process

Once the remedial investigation is finalized, the next steps are to conduct a feasibility study and develop a cleanup action plan to address the contamination. Figure 5 shows the steps involved in Ecology's cleanup process and when the public can submit comments. We're currently in the remedial investigation phase.

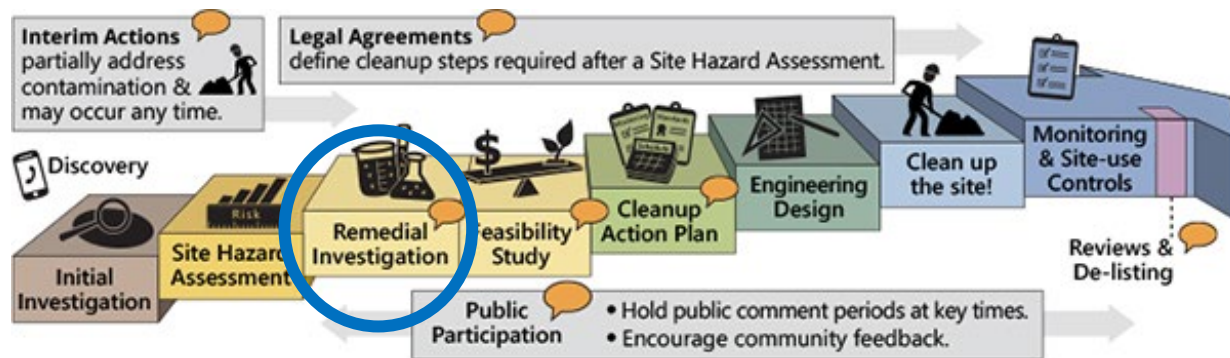


Figure 4. Where we are in the cleanup process (Remedial Investigation).

The 2022 public comment period will cover the remedial investigation. You can view this document online:

- Remedial Investigation [Part One](#).⁹
- Remedial Investigation [Part Two](#).¹⁰

Demographics

Ecology ran a demographic analysis using EPA’s Environmental Justice Screen (EJSCREEN) tool for a one-mile radius around the site (see Figure 6). The standard report (see Table 1) suggests these indicators for environmental justice considerations:

- Demographic index.
- Low-income population.
- Population with less than high school education.
- Population over 64 years of age.

Census data from the 2014–2018 American Community Survey (ACS) indicates the largest racial and ethnic population around the site is Hispanic with 263 residents.

⁹ <https://apps.ecology.wa.gov/gsp/DocViewer.ashx?did=105790>

¹⁰ <https://apps.ecology.wa.gov/gsp/DocViewer.ashx?did=105790>

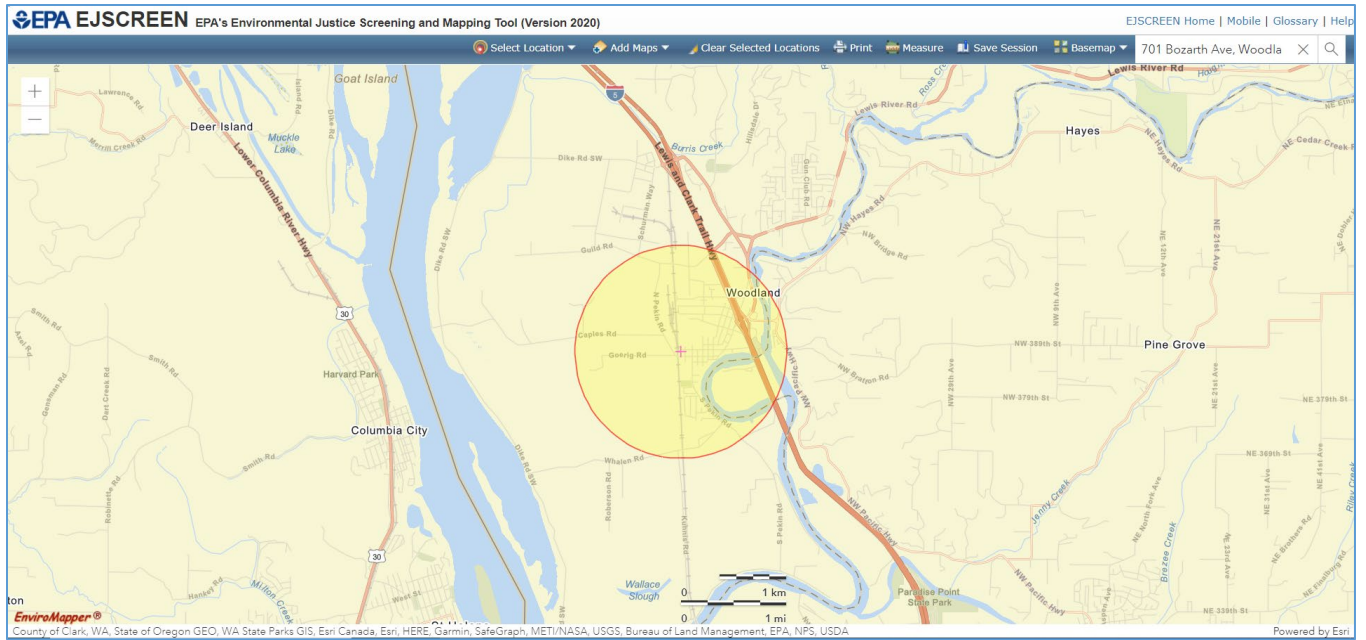


Figure 5. Map showing one-mile radius for environmental justice indicators (source: EPA's EJSCREEN mapping tool).¹¹

Table 1. Woodland study area: one-mile ring (radius) around the site (population 3,134).

Demographic Indicators	Value	State Average	Percentile in State
Demographic Index	30%	29%	61
Minority Population	20%	31%	37
Low-Income Population	39%	27%	77
Linguistically Isolated Population	2%	4%	57
Population with Less Than High School Education	13%	9%	76
Population Under 5 Years of Age	6%	6%	48
Population Over 64 Years of Age	20%	15%	77

English language proficiency

According to the [Language Data \(Census 2015\)](#)¹² for Woodland, Washington, the Spanish or Spanish Creole population is the primary non-English language group that “speaks English less than very well” and makes up 9.93 percent of the population.

¹¹ <https://ejscreen.epa.gov/mapper/>

¹² http://teams/sites/EXEC/mitt/LanguageMap/Shared%20Documents/ACS_LanguageData_2015.aspx

Outreach activities and language access

Based on this analysis, we will include the following outreach activities for this site:

- Contact cultural organizations and leaders in these communities.
- Provide information to request language services for all public materials.
- Provide basic information about this site in Spanish in all outreach materials.
- Translate all documents that are vital or critical to well-being for Spanish or Spanish Creole speaking language groups that are either 5% of the population or more than 1,000 people.

To request translation services, please contact:

Sheila Coughlan
Community Outreach Specialist
Sheila.Coughlan@ecy.wa.gov
360-407-7616

We will reach out to cultural community organizations as part of our outreach and provide information in other languages as appropriate following federal guidance.¹³ The non-English language most widely spoken in this area is Spanish. When appropriate, Ecology will provide outreach in Spanish. We strive to make our public participation efforts as inclusive as possible and welcome your input about how to best reach the nearby community.

Tribal communications

The federally recognized Yakama Nation Tribe, Grand Ronde Confederated Tribes, and Cowlitz Tribe rely on potentially contaminated resources near this site. We will invite these tribes to engage in decision-making during the process on a government-to-government basis.

Public Participation Activities

Members of the public may ask questions, submit informal comments, or share site information at any time. Interested parties don't need to wait for a formal public comment period to contact Ecology.

However, to be included in the formal site record, you must submit comments about the site investigation, cleanup alternatives, or cleanups during formal comment periods. In addition, you are invited to review site documents before they become final. This is the most direct way to learn more about the site and be involved in the cleanup's decision-making.

¹³ Guidance to Environmental Protection Agency Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons, 69 Fed. Reg. § 35602 (June 15, 2004).

How we share information with the community

During specific stages of the cleanup, Ecology will mail public notices about public comment periods to addresses surrounding the site. The mailing list area will vary depending on the type of contamination and where it's located, but the list will at least include addresses within a quarter-mile radius of the site and other interested organizations and individuals. These notices will provide general information about the site, contact information for submitting comments, and times and locations of public meetings or hearings—or how to request one if not yet scheduled.

Ecology may also develop documents outside of comment periods to keep the community updated on the site's status. These informational documents will be available online and at document repositories. Print copies may be mailed to the nearby community if we feel the message warrants the cost and resources.

Comment period notices and other site announcements may also be posted in various locations throughout the community (for example, local businesses, schools, libraries).

Postal mailing list

Ecology maintains a mailing list that includes addresses near the site. This mailing list also includes local, state, and federal government contacts.

Everyone will receive public comment notices when draft documents are available.

We will add additional individuals, organizations, and other interested parties to the mailing list as requested. If you would like to be added to the mailing list for this site, please contact:

Sheila Coughlan
Community Outreach Specialist
Sheila.Coughlan@ecy.wa.gov
360-407-7616

Site Register

Public comment periods, events, and other cleanup notices are published in Ecology's [Site Register](#).¹⁴ To receive the Site Register by email, please [subscribe online](#),¹⁵ or contact Sarah Kellington at sarah.kellington@ecy.wa.gov or 360-407-7466.

¹⁴ ecology.wa.gov/Regulations-Permits/Guidance-technical-assistance/Site-Register-lists-and-data

¹⁵ https://public.govdelivery.com/accounts/WAECY/subscriber/new?topic_id=WAECY_118

Newspaper display ads or legal notices

We announce public comment periods and events in ads or notices published in [The Columbian](#),¹⁶ [The Reflector](#),¹⁷ and [The Daily News](#).¹⁸ We will also publish notice on our [Public Input & Events Listing](#).¹⁹

Ecology's website and social media platforms

Ecology maintains a webpage for the [Fuel Processors site](#),²⁰ which provides site information and cleanup documents. We may also share information about cleanup sites through [news releases](#)²¹ and [Ecology's blog](#).²²

Document repositories

You may review documents at these locations when they are open to the public.

Washington State Department of Ecology
By appointment only
300 Desmond Drive SW
Lacey, WA 98503
360-407-6300

Woodland Community Library
770 Park St.
Woodland, WA 98671
360-906-4830

To schedule time to view site documents at Ecology, please [submit a Public Records Request online](#).²³ If you need public records assistance, please email us at PublicRecordsOfficer@ecy.wa.gov or call 360-407-6040.

Signs around the cleanup site

We may also install signs displaying information about project status, traffic impacts, and health risks around the cleanup site.

How to share information with us

At minimum, MTCA requires 30-day public comment periods for draft cleanup documents and 14-day comment periods for SEPA documents. SEPA documents are often made available for public review with other cleanup documents. In that case, we combine the comment periods, and they last at least 30 days. We may hold comment periods longer than 30 days.

We may also identify public concerns and cleanup goals by meeting with and soliciting information from interested community members and organizations. To collaborate with us

¹⁶ <https://www.columbian.com/news/local/>

¹⁷ <https://www.thereflector.com/news/>

¹⁸ <https://tdn.com/>

¹⁹ ecology.wa.gov/Events/Search/Listing

²⁰ <https://apps.ecology.wa.gov/gsp/Sitepage.aspx?csid=76>

²¹ <https://ecology.wa.gov/About-us/Get-to-know-us/News>

²² <https://ecology.wa.gov/blog>

²³ <https://ecology.wa.gov/Footer/Public-records-requests>

about this site, please contact Sheila Coughlan at 360-407-7616 or Sheila.Coughlan@ecy.wa.gov.

Public comment periods

Formal 30-day comment periods allow interested members of the public to comment on draft documents, legal agreements, and proposed cleanup actions. If there is significant interest, Ecology may extend the public comment period. When Ecology oversees SEPA determinations, we hold comment periods for at least two weeks and may extend to 30 days or more when other cleanup documents are available for review at the same time.

Following a comment period, we publish all the input we received and respond to comments and questions. If the comments result in significant changes to the cleanup documents, then the documents will be revised and re-issued for public review. If the comments do not result in significant changes, then they become final.

Public events

We hold public meetings, workshops, open houses, and public hearings based on community interest. If we have not scheduled a meeting, we will hold one if 10 people request it, and this may cause us to extend a public comment period so the meeting occurs during it.

Events are held at locations close to the site that meet Americans with Disabilities Act standards. Public meetings, workshops, open houses, and hearings are always announced in advance using a variety of methods.

Americans with Disabilities Act

To request ADA accommodation for disabilities, or printed materials in a format for the visually impaired, contact Ecology at 360-407-6700 or hwtrpubs@ecy.wa.gov, or visit ecology.wa.gov/accessibility. People with impaired hearing may call Washington Relay Service at 711. People with speech disability may call TTY at 877-833-6341.

Plan Amendments

Ecology developed this plan following MTCA regulations (WAC 173-340-600). We review it as the cleanup progresses and amend it as necessary. You may suggest amendments to Kaia Petersen, Site Manager, by phone at 360-407-6359 or email at Kaia.Petersen@ecy.wa.gov.

This plan includes information for the public regarding opportunities for public involvement and comment. The outreach activities discussed in this section reflect Ecology's current plans for keeping the public informed and providing ways for those interested in the site to communicate their concerns and questions to us.

If you feel the planned outreach activities and mechanisms described in this plan are insufficient, or should otherwise be modified, we will work to find solutions. New outreach activities or outreach tools established as a result can be implemented right away, with or without amending this plan.

List of Abbreviations and Acronyms

Abbreviation or Acronym	Definition
ADA	Americans with Disabilities Act
ACS	American Community Survey
Cleanup	Corrective action
Ecology (we)	Washington State Department of Ecology
EJSCREEN	EPA's Environmental Justice Screen
EPA	U.S. Environmental Protection Agency
Fuel Processors	Fuel Processors Inc.
MTCA	Model Toxics Control Act
ORRCO	Oil Re-Refining Company
PCBs	Polychlorinated biphenyls
Plan	Public participation plan
PLP	Potentially liable person
RCRA	Resource Conservation and Recovery Act
SEPA	State Environmental Policy Act
Shell	Shell Oil Products US
TCE	Trichloroethylene
TSD facility	Treatment, storage, and disposal facility
VOCs	Volatile organic compounds
WAC	Washington Administrative Code

Glossary

Agreed Order

A legal agreement between Ecology and a **Potentially Liable Person** (see below) to conduct work toward a cleanup.

Cleanup or Corrective Action

Actions that deal with a release or threatened release of hazardous substances that could affect public health or the environment. Ecology often uses the term **cleanup** broadly to describe response actions or phases of cleanup, such as the remedial investigation or feasibility study.

Comment Period

A time period during which the public can review and comment on various documents and proposed actions. For example, a comment period may be provided to allow community members to review and comment on proposed cleanup action alternatives and proposed plans.

Contamination

The presence of any hazardous substance that doesn't occur naturally or occurs at greater than natural background levels.

Dangerous Waste and Hazardous Waste

Hazardous waste is waste the EPA considers ignitable, corrosive, reactive, and toxic, as well as specific lists of compounds and processes.

Dangerous waste is a Washington state term that includes wastes the EPA considers hazardous waste plus additional waste that only the state considers "hazardous" waste. The state's additional dangerous waste includes solid corrosive materials, state toxic materials, certain PCBs, and state persistent materials.

Demographic Index

In EPA's EJSCREEN, the demographic index is defined as a combination of two demographic factors: percent low income and percent minority.

Environmental Justice

The fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income, with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies. This goal will be achieved when everyone enjoys:

- The same degree of protection from environmental and health hazards, and
- Equal access to the decision-making process to have a healthy environment in which to live, learn, and work.

Feasibility Study

A study that develops and evaluates cleanup options for a site.

Groundwater

Rain and snow that seeped into the soil beyond the surface and fills underground spaces between sand, soil, or gravel. In some aquifers (bodies of rock or sediment that hold groundwater), groundwater occurs in large enough amounts to be used for drinking water, irrigation, and other purposes.

Repositories

Locations convenient for local residents—such as a public school, city hall, or library—with files containing site information and reports for public review.

Potentially Liable Persons (PLPs)

Any individual(s) or company(s) potentially responsible for, or contributing to, the contamination problems at a site. Whenever possible, Ecology requires PLPs to clean up sites.

Public Notice

Adequate notice and the opportunity for all interested persons to comment. At a minimum, notice is provided in these ways:

- Mailed to all persons who have made a timely request of Ecology.
- Mailed to persons residing in the potentially affected vicinity of the proposed action.
- Mailed to appropriate newspapers.
- Published in the local (city and county) newspaper of largest circulation.

Public Participation Plan

A plan that describes how the public can provide input on a site's cleanup activities.

Remedial Investigation

This study characterizes the site and defines the extent of contamination.

Remedial Investigation/Feasibility Study

Two distinct but related studies. They are usually performed at the same time, and together referred to as the **RI/FS**. They are intended to:

- Gather the data necessary to determine the type and extent of contamination;
- Establish criteria for cleaning up the site;
- Identify and screen cleanup alternatives for remedial action; and
- Analyze in detail the technology and costs of the alternatives.

Risk

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

Site

Any area where a hazardous substance, other than a consumer product in consumer use, has come to be located.