

Response to Comments for Cleanup Program Environmental Justice Criteria and Grant Scoring



Yakima Valley rolling hills (Department of Ecology)

Summary of public comment period

On July 10, 2026, Ecology published for public review and comment proposed changes to the following for the purpose of prioritizing and cleaning up contaminated sites under the MTCA Cleanup Regulations, Chapter [173-340](#)¹ WAC:

- The criteria (indicators) used to identify likely overburdened communities and vulnerable populations.
- How we score those criteria (indicators) for the purpose of prioritizing Oversight Remedial Action Grant (ORAG) projects previously solicited for the 2027–29 biennium.

Ecology published the proposed changes in [Cleanup Program Environmental Justice Criteria and Grant Scoring Updates for Public Comment](#).² The comment period ended on August 10, 2026. Notice of the comment opportunity was:

- Posted on our [Public Input and Events](#)³ and [Oversight Remedial Action Grants and Loans](#)⁴ webpages.
- Published in the [Contaminated Site Register](#),⁵ which was emailed to about 1,547 subscribers on July 9, July 23, and August 6, 2026.
- Emailed to the following interested persons:
 - 76 people who submitted applications for Oversight Remedial Action Grants for the 2027–29 biennium.
 - 1,319 people who subscribe to the agency's [Model Toxics Control Act and Sediment Management Standards Rule Update email list](#),⁶ which provides updates on the cleanup program and rulemaking.

¹ <https://app.leg.wa.gov/WAC/default.aspx?cite=173-340-708>

² <https://apps.ecology.wa.gov/publications/SummaryPages/2609056.html>

³ <https://ecology.wa.gov/events/search/listing>

⁴ <https://ecology.wa.gov/grants-ORAG>

⁵ <https://ecology.wa.gov/contamination-cleanup/site-register>

⁶ https://public.govdelivery.com/accounts/WAECY/subscriber/new?topic_id=WAECY_102

Response to comment

We received one anonymous comment related to our proposed updates to the cleanup program's environmental justice criteria and ORAG project scoring. We did not make any changes to the proposed criteria or scoring based on that comment.

Comment

"Given that the changes to these criteria are being used to allocate tax-payer dollars for cleanup, how is Ecology using these same criteria to allocate operating budget for the same projects. What is Ecology's process for verifying qualified people are managing these funds and the technical work"

Our response

As stated in Section 2.5 of the public comment document, Ecology will use the proposed environmental justice criteria to guide the following actions under the MTCA Cleanup Regulations, Chapter 173-340 WAC:

- How we prioritize contaminated sites and our cleanup resources, including for:
 - Site hazard assessments.
 - Ecology-conducted and supervised cleanups.
 - Competitive cleanup grants, including the Oversight Remedial Action Grants described in this document.
- Which contaminated sites require enhanced accountability and transparency in cleanup decisions.

We prioritize staffing of cleanup projects that we fund using taxpayer dollars. Ecology's human resource practices related to staffing are out of scope for this public comment period.

Next steps

We will revise and republish [Implementation Memo No. 25](#)⁷ and the [ORAG guidelines](#)⁸ for the 2027–29 biennium, and submit a final ranked project list for Oversight Remedial Action Grants to the Governor. Please note that local governments who applied for Oversight Remedial Action Grants for the 2027–29 biennium do not need to reapply, and we will not reopen the solicitation.



Toxics Cleanup Program
[Washington State Department of Ecology](#)
360-407-7170



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⁷ <https://apps.ecology.wa.gov/publications/SummaryPages/2409044.html>

⁸ <https://apps.ecology.wa.gov/publications/SummaryPages/2609046.html>