



STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

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State Environmental Policy Act (SEPA)  
DETERMINATION OF SIGNIFICANCE AND  
REQUEST FOR COMMENTS ON SCOPE OF ENVIRONMENTAL IMPACT  
STATEMENT

**Issue date:** January 19, 2021

**Lead agency:** Washington State Department of Ecology

**SEPA responsible official:**

Raman Iyer

Section Manager

Hazardous Waste and Toxics Reduction Program

Washington State Department of Ecology, Northwest Regional Office

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**Description of proposal:**

In 2018, the Washington Legislature passed legislation prohibiting the manufacture and sale of PFAS-containing firefighting foam starting July 2020. The Legislature also prohibited the use of PFAS foam for training exercises. Many fire departments asked the Department of Ecology (Ecology) how to safely dispose of their unused foam. To address this need, the Legislature also authorized Ecology to collect, transport, and dispose of PFAS-containing firefighting foam at the state's municipal fire departments.

Fire departments across the state manage thousands of gallons of PFAS foam. PFAS foam is used on liquid fuel or petroleum-based fires and is suspected of contaminating ground and drinking water around the state. In 2020, Ecology completed outreach to municipal fire departments, identifying 70 plus departments with approximately 30,000 gallons of foam that qualify for disposal. After much research, Ecology determined that the preferred method of disposal was incineration.

In September of 2020, Ecology released a SEPA checklist with a determination of non-significance (DNS) proposing that the collected foam be sent for incineration to the Clean Harbors' Resource Conservation and Recovery Act (RCRA) permitted incinerator in Aragonite, Utah. Ecology closed a 30-day comment period on the DNS and SEPA checklist on October 1, 2020. After considering public feedback, Ecology withdrew the DNS on January 15, 2021 in order to more fully analyze project alternatives, impacts, and potential mitigation.

Find more information on Ecology's website:

[https://www.ezview.wa.gov/site/alias\\_1962/37693/pfas\\_in\\_firefighting\\_foam.aspx](https://www.ezview.wa.gov/site/alias_1962/37693/pfas_in_firefighting_foam.aspx)

**Proponent:** Washington State Department of Ecology

**Location of Proposal:** Statewide

**Environmental Impact Statement (EIS) required:**

The Department of Ecology determined that this proposal may have probable significant adverse impact(s) on the environment. An EIS is required under RCW 43.21C.030 (2)(c) and will be prepared after the scoping process. Elements of the environment that may be included in this analysis are listed in the SEPA rules (WAC 197-11-444).

The EIS will consider the environmental impacts, alternatives, and mitigation of the collection, transport, and disposal of PFAS-containing firefighting foam. The state will use a RCRA qualified hazard waste hauler to collect, transport, and dispose of the foam.

**Applicant contact:**

Sean Smith, [sean.smith@ecy.wa.gov](mailto:sean.smith@ecy.wa.gov) or (425) 649-4495  
Hazardous Waste and Toxics Reduction Program  
Department of Ecology


**Scoping:**

Ecology invites agencies, affected tribes, members of the public, and all interested parties to comment on the scope of the EIS. You may comment on alternatives, mitigation measures, probable significant adverse impacts, and licenses or other approvals that may be required. The comment period will be open for 30 days.

**Submit comments via:**

- **Online:**  
Using our online comment form: <http://hwtr.ecology.commentinput.com/?id=Gudh4>
- **Email:**  
Sean Smith ([sean.smith@ecy.wa.gov](mailto:sean.smith@ecy.wa.gov))
- **Mail:**  
AFFF Collection/Disposal Program EIS  
Attn: Sean Smith  
Department of Ecology  
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**Ecology will accept comments starting January 19, 2021 through February 18, 2021.**

Signature  Date January 14, 2021