



Jim Verburg

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April 15, 2023

Sent via upload to: <https://tcp.ecology.commentinput.com/?id=94FiR>

Clint Stanovsky
Department of Ecology
Toxics Cleanup Program
Cleanup Rulemaking Lead

Sarah Wollwage
Department of Ecology
P.O. Box 47600
Olympia, WA 98504-7600

Re: *New Draft Tool for Assessing and Ranking Contaminated Sites - Comment on the SHARP Tool*

Dear Mr. Stanovsky and Ms. Wollwage,

The Western States Petroleum Association (WSPA) appreciates this opportunity to comment on the new draft tool for assessing and ranking contaminated sites as provided on the Department of Ecology's (Ecology) webpage "Ranking Contaminated Sites." WSPA is a trade association that represents companies which provide diverse sources of transportation energy throughout the west, including Washington. This includes the transport and market petroleum, petroleum products, natural gas, and other energy supplies. WSPA provides the following comments for Ecology's review.

SHARP Tool and Guidance Document

The new site hazard assessment and ranking process (SHARP Tool) appears to be similar to preparing a Conceptual Site Model (CSM) within the existing Model Toxics Control Act remedial investigation (MTCA RI) process and expands the existing Washington Ranking Method (WARM) site ranking process with additional detail and media by media assessment. WARM would assign one number ranking from 1 to 5, with 1 being a site posing the greatest risk to human health and the environment. With SHARP, each media gets a number ranking and an exposure potential pathway ranking of complete (A), possible pathway (B), potential future pathway (C), or no source (D). Therefore, a site can have soil with a ranking of C2 and soil vapor to indoor air can be a D4.

One limitation of using the WARM ranking process was that sites were ranked only once during the cleanup process. Under SHARP, re-ranking can occur at milestones that indicate a significant or important change in site conditions, such as after completing a remedial investigation, an interim action, or other cleanup action. WSPA recognizes that the WARM ranking process was outdated and broad, whereas the SHARP process acts almost as a preliminary CSM with rankings for each media. The opportunity for re-ranking during milestones is a welcome improvement in the ranking process that could be streamlined to reduce the administrative burden on Ecology staff.

Qualified Rankers

The text in the SHARP Tool manual indicates that "[r]ankers include Ecology staff, such as initial investigators, site hazard assessors, site managers, and subject matter experts." The text does not

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explicitly limit rankers to only Ecology staff members. However, the SHARP Tool evaluates sites more comprehensively than the WARM Tool and as a result, may require input from multiple Ecology staff with different specialties. Considering Ecology's current workload and limited resources, use of a more complex tool may cause additional delays in the site identification and cleanup process. Environmental consultants and others with experience in the environmental and natural resources have the necessary knowledge to complete the ranking process to be submitted to Ecology for review and approval when reporting a cleanup site or as major cleanup milestones are reached.

Ecology should update the SHARP Tool manual to be consistent with WSPA's earlier comment on WAC 173-340-130(4)'s proposed rule language to allow rankers with experience in environmental and natural resources, such as environmental consultants and environmental program managers, to complete the ranking process to be submitted to Ecology for review and approval when major cleanup milestones are reached.

Additional Factors Tab Inputs: Climate Change Impacts Ranking

The SHARP Tool includes consideration of "high threat vulnerabilities" including sea level rise and flooding. The SHARP Tool references Ecology's revised *Guidance for Sustainable Remediation* which provides steps to identify the climate change impacts that can pose the highest risk for a PLP's site.

At the initial site investigation and ranking phase, potential climate change impacts are not expected to be well understood. The inclusion of climate change considerations, which occur decades in the future, is most appropriate when determining long-term remedy protectiveness. To avoid duplication of resources, climate change should not be factored into site decisions until the feasibility study stage of cleanup. As a result, Ecology should clarify that climate change information is provided for context only, and that in early site rankings, this determination is made in the absence of site-specific data or studies completed consistent with sustainable remediation guidance.

WSPA appreciates the opportunity to comment on new draft tool for assessing and ranking contaminated sites. If you have any questions about the information presented in this letter, please contact me at (360) 296-0692 or via email at jverburg@wspa.org. I would be happy to discuss our comments with you.

Sincerely,



James Verburg
Senior Director, NW and SW Climate and Fuels

