



Memo

Date: December 12, 2025

To: Department of Ecology, Toxics Cleanup Program

From: City of Seattle

Subject: Comments on 2027-29 Cleanup Grant Updates for the Toxics Cleanup Program

Thank you for the opportunity to comment on the 2027-29 Cleanup Grant Updates for the Toxics Cleanup Program, as outlined by the Washington State Department of Ecology's Oversight Remedial Action Grant Updates (ORAG).

The City of Seattle is home to several cleanup sites, most of which are located in historically marginalized and highly impacted communities. These include areas such as South Park, which has long struggled with environmental burdens. Seattle has and will continue to be deeply committed to protecting people's health, preserving the environment, and safeguarding our natural resources for future generations. We are also mindful of the significant shortfall the Model Toxics Control Act (MTCA) is facing, due in part to diversions from these accounts compounding the decrease in revenues going as far back as 2009.

Our comments are as follows.

Environmental Justice Criteria Updates

We support the proposed updates to the environmental justice criteria, as they will provide greater consistency across state agencies. The use of Washington State Environmental Health Disparities Map and reconciling terms with the HEAL Act terminology are positive steps toward alignment with other state policies. These changes will allow sites like Lower Duwamish Waterway to qualify as both an overburdened community and a sensitive population, enhancing targeted cleanup efforts.

We would like to see a reconciliation of terms. Please clarify whether a community will be considered a "highly impacted community" if they meet the criteria for either a "vulnerable population", an "overburdened community", or both. We suggest that perhaps JARPA could be used to prioritize projects (although please note that Superfund sites are not required to conduct a JARPA under CERCLA, so we would need to use another process to evaluate Superfund sites).

Refining Substantial Progress Review

We find the new guidance on timelines to be reasonable, given the external factors, particularly the EPA's role in project completion, which is often beyond our control.

Eastern WA Prioritization

We have concerns regarding the geographic prioritization for Eastern Washington in the updated plan. While we recognize the importance of balancing equity across the state, we believe that prioritizing projects based on *cleanup impact* will optimize the state's available dollars. This will ensure resources are directed toward the highest impact sites regardless of location.

The 25% allocation to Eastern Washington appears arbitrary. What factors were considered in determining this percentage? Considering that only about 20% of Washington's listed cleanup sites are in Central and Eastern regions, we find it odd that 25% of funding would be directed to those sites without any consideration of project impact. In addition, it is unclear if those Eastern Washington sites could spend that much. The proposed language lacks flexibility in the scenario that the full 25% allocation isn't used.

We believe projects ought to instead be prioritized according to the severity of potential impact of the sites, rather than a fixed percentage of funding based on location.

Maximizing Previous Investments

To maximize the impact of the program, we suggest prioritizing funding for projects already in construction, regardless of their geographic location. This would help leverage Ecology's previous investments and ensure that ongoing projects continue without unnecessary delays.

Specific Technical Comments

ORAG Scoring:

- Category 1.5 – Leveraging other funds to reduce costs to the state
 - Contains a typo: states 3 points max above then lists 5 points below
- Category 4 – Redeveloping and Reuse in Cleanups
 - Missing information for points max and percentage of score. We look forward to reviewing those components.

Conclusion

The City of Seattle supports statewide environmental justice and cleanup efforts, but we encourage the Department of Ecology to ensure that funding is allocated in a way that maximizes the impact of each dollar. Prioritizing the highest-risk sites, addressing ongoing projects, and refining the geographic allocation formula will allow the program to achieve its full potential.

Thank you for considering these comments. We look forward to continued collaboration and the opportunity to strengthen the Toxics Cleanup Program for all Washington communities.