

Stakeholder & Tribal Advisory Group: Charter **(Proposed)**

Overview and Purpose

The Stakeholder & Tribal Advisory Group (STAG) for the Cleanup Rule Update is made up of 20 to 25 key stakeholders and representatives of tribal interests who have practical experience with contaminated site cleanups in Washington state. Contaminated sites are cleaned up under Washington's environmental cleanup law—the Model Toxics Control Act (MTCA)—and the regulations set forth in the [Cleanup Rule, Chapter 173-340 WAC](#). Ecology is beginning a multi-year process to update the Cleanup Rule, which hasn't been fully updated since 2001.

STAG members will provide ongoing input and feedback to Ecology staff during this rule update process. Members of the group will serve as ambassadors who represent the diverse interests and concerns of their organizations and constituents, while building a shared understanding of the rulemaking process, options, and emerging proposals.

Work Flow and General Timing

The Cleanup Rulemaking will occur in three phases:

1. In the **first rulemaking (2018–2020)**, Ecology will consider changes related to our processes and procedures for cleaning up sites, including: a) a new system for ranking hazards at contaminated sites; b) a streamlined process for initial investigation, ranking, and listing of sites; and c) improved ways of communicating with the public about sites. Ecology will also make other substantive changes to the administrative and procedural parts of the rule (Parts 1–6 and Part 8). Except for minor corrections and clarifications, the technical cleanup standards will **not** be addressed in the first rulemaking.
2. In the **second rulemaking (expected to begin 2021)**, Ecology will make substantive updates to the technical cleanup standards (Parts 7 and 9).
3. In the **third rulemaking (expected to begin 2023)**, Ecology will address any deferred topics or new issues that emerge during the first two rulemakings.

More information about the Cleanup Rule Update is available on Ecology's [Cleanup Rule, Chapter 173-340 webpage](#) and [Exploratory Rulemaking webpage](#).

STAG Role in the Rulemaking Process

Ecology will depend on the STAG to bring input from people who have experience with MTCA cleanups, and to review draft rule language in the first rulemaking. Further, the STAG will help define the scope and develop proposed rule changes for cleanup standards in the second rulemaking.

The STAG process is not a substitute for the open public engagement required for rulemaking in Washington state. Rather, it will complement that public involvement process as Ecology updates the Cleanup Rule by allowing in-depth involvement from representatives of organizations and interests concerned with cleanups around the state. Ecology retains responsibility and decision-making authority regarding the content of the proposed rule changes and the final rule.

STAG Membership and Term

STAG members are selected by Ecology as representative of key interests in the Cleanup Rulemaking including:

- Public and private owners or operators of contaminated sites;
- Communities near contaminated sites;
- Tribal governments;
- Federal, state, and local government agencies;
- Environmental attorneys, consultants, and cleanup contractors; and
- Environmental, business, and civic organizations.

Members are asked to serve for at least the first two rulemakings (estimated through 2022) and ideally, through the third rulemaking that begins in 2023. If someone leaves before rulemaking is complete, Ecology will assess the advisory group's composition and may appoint another member. Ecology may also add members to provide technical and scientific perspectives during the second rulemaking, if needed.

Meeting Frequency and Expectations

During the first rulemaking, Ecology anticipates STAG meetings about every two months through June 2020 and about quarterly thereafter. STAG members' work between meetings will include: a) reviewing materials, b) serving as ambassadors for their "home" organizations, and c) conducting outreach with their constituents during the rulemakings. Members agree to stay current with information Ecology provides to the group and to come to meetings prepared to participate fully and offer their input.

During meetings, STAG members agree to:

- Treat other members with respect and work together to ensure all voices are heard and that individual voices don't dominate the conversation.

- Strive for honest and direct communication, allowing for open discussion and the right to disagree.
- Seek opportunities to find common interests, agreements, and solutions.
- Recognize the legitimacy of the concerns and interests of others. Participate in a spirit of "giving the same priority to solving the problems of others as they do to solving their own."
- Present views succinctly and try not to repeat or rephrase what others have already said.
- Focus on clarifying their organizations' or groups' own needs and interests, and refrain from personal criticisms and attacks.

Meetings will be open to the public, with time set aside for public comments at each meeting. Observers are welcome and will be afforded an opportunity to speak during the public comment period; they will otherwise not participate in the deliberation of the group. Ecology will announce each STAG meeting on [Ecology's website](#), [Public input & events listing](#), and [MTCA-SMS Rule Update ListServ](#).

Facilitation

A facilitation team will support the STAG and provide additional staff capacity to Ecology for this project. The facilitator is a neutral third party with no stake in the outcome of the project. They will work with Ecology's project managers and STAG members to plan, structure, and facilitate STAG meetings. They will document the team's perspectives and advice. The facilitator will structure and conduct meetings to support a respectful, productive atmosphere through the development of trust among members.

Media Relations

If they choose to interact with the media, STAG members agree to make clear that they represent themselves or their organization and do not represent Ecology or the Group. Comments to the media, if made, should focus on describing the member's own interests and perspectives, and avoid characterizing the perspectives or interests of other STAG members or speaking for the STAG in any way.