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January 28, 2020

Washington Department of Ecology  
c/o Clint Stanovsky, Rulemaking Lead  
PO Box 47775  
Lacey, Washington 98504-7775

RE: Yakama Nation's comments on the Washington Department of Ecology's Site Hazard Assessment and Ranking Process Tool (SHARP Tool)

Dear Mr. Stanovsky:

Below are Yakama Nation's comments on Ecology's SHARP tool.

Worksheet SA (accessible/shallow soils)

- Suggest adding question about persistence and bioaccumulation of contaminants or a flag that shows up if SA-SV7 (terrestrial eco receptor question) is answered "yes". Some chemicals may not break down for centuries (or ever) and this is not captured by the very/extremely hazardous chemical categories. It's good that this question is included on the SW and SM worksheets.
- Suggest adding a question: "Is the site located on public lands? If site is located on public lands, traditional tribal treaty hunting and gathering rights apply here."

Worksheet HSA (accessible/shallow soils)

- Suggest adding guidelines: "All of the State of Washington is within some kind of tribal treaty U&A area. Assume all public lands are located within a traditional tribal treaty hunting and gathering area."

Worksheet GW (groundwater)

- At some sites where solvents are present, groundwater transport is exacerbated. Depending on the timing of data collection, the plume length may not exceed the 200' criteria (GW-SV8). Recommend including a co-solvency question about the presence of a solvent in groundwater.
- GW-SV9 suggest adding the underlined to the following (or to the HGW worksheet). Does contaminated groundwater beneath the Site pose a risk to

a downgradient water body (including seeps, ephemeral flows, or wetlands), or sediment?

#### Worksheet SW (surface water)

- I see a tribal U&A question in Worksheet SM (sediment, SM-SV5), which is good. However, this is also a relevant question for surface water and we suggest adding to this worksheet: "Is the Site a tribal treaty usual and accustomed fishing area, or a subsistence fishing area for other populations?"

#### Worksheet HSW (surface water)

- Add similar guidelines to Worksheet HSM, question SM-SV5, with suggested edits provided below.

#### Worksheet SM (sediment)

- Cell I30 should read [=SUM(J22:27)], not [=SUM(J23:27)]. See underlined text.
- OTRBDS (other toxic, radioactive, biological, or other deleterious substances as described in WAC 173-204-520(5) and WAC 173-204-200(17)) should also be included as a question. I understand that in the STAG meeting there was hesitancy to include these, but at a minimum a flag would be helpful.
- SM-SV5. Suggest adding the word treaty to the following: "Is the Site a tribal treaty usual and accustomed fishing area, or a subsistence fishing area for other populations?"

#### Worksheet HSM (sediment)

SM-SV5 Sensitive Human Receptors - Confirmed sensitive human receptors can include subsistence fishers (adult and children) that harvest or eat fish from as Site. It may be necessary to consult with the appropriate tribes to clarify whether a site is within a Usual and Accustomed (U&A) fishing area for a tribe. Assume all Puget Sound, Columbia River, and Spokane River fishing resources are within a U&A fishing area.

- Instead of the last sentence we suggest the following: "All of the State of Washington is within some kind of tribal treaty U&A area. Assume all waters of the State are located within a tribal treaty U&A area."

#### Worksheet VI (vapor intrusion)

- I'm assuming the 3<sup>rd</sup> question includes schools/daycares, but it may be good to be explicit on the worksheet HVI. Also, suggest adding what is meant by "sensitive human receptors" on worksheet HVI directions.

### Worksheet FF (flagged factors)

- EJ does not adequately address tribal exposure rates. Suggest adding a question about tribal treaty U&A on this worksheet too. Tribal exposure can occur through multiple media.

### Biological Data

- If biological data is available (ex. fish/clam tissue, plants, etc.), this should be captured in the SHARP tool. Suggest capturing this type of available info within this tool within its own worksheet.

### Critical Habitat

- Suggest adding a flag or a question about critical habitat on multiple media (SA, GW, SW, SM).

Please do not hesitate to contact me with questions. I can be reached at 509.985.3561 or [shil@yakamafish-nsn.gov](mailto:shil@yakamafish-nsn.gov).

Sincerely,



Laura K. Shira, P.E.  
Yakama Nation Fisheries, Superfund Section