

2.0 SURVEY AND INVENTORY OF POTENTIALLY CONTAMINATED SITES

2.1 SCOPE AND APPLICATION

The timely survey of sites that may pose contamination risks to soil and groundwater is critical to maintaining good water quality and soil conditions on the Tulalip Reservation. This policy and standard operating procedures will benefit several programs within the Tulalip Tribes government.

- + Tulalip Natural Resources administers the Tulalip Brownfield Program under Section 128(a) of the CERCLA, which authorizes EPA to provide funding to tribes to establish or enhance their environmental response programs. The timely survey and inventory of Brownfield sites is the first of four elements that CERCLA §128(a)(2) requires. This element enables the Tulalip Tribes to establish or enhance a system or process to reasonably estimate the number, likely locations, and general characteristics of Brownfield sites on the Tulalip Tribes Reservation or the Tribes' usual and accustomed territory.
- + Tulalip Code Enforcement is authorized to investigate complaints and code violations that may affect the health, safety, and environmental resources of the Tulalip Reservation. Nuisance properties and other sites may contain pollution sources like motor vehicles, boat motors, batteries, sewage, oils/grease containers, lead or anti-fouling paint, and other pollutants that can contaminate soil and water.
- + Tulalip Asset & Real Estate performs due diligence for sites that may be purchased or given to the Tribe. This guidance should provide information on the physical condition of the site through the assessment of potential contamination of water or soil on site.

2.2 REFERENCES — AUTHORITIES

- + Tulalip Tribal Codes Title 7 and Title 8
- + "Funding Guidance for State and Tribal Response Programs Fiscal Year 2021." U.S. Environmental Protection Agency. 2020. EPA-5600F-20-001.
- + Tribal Response Programs 42 U.S. Code §9628—CERCLA §128(a)(2)
- + Eligible Entity, an Indian tribe, as defined in CERCLA §101(36)
- + Tulalip Constitution

2.3 ROLES AND RESPONSIBILITIES

- + Tulalip Brownfields Manager—Conducts the Brownfields surveying and inventory duties or oversees the work of others in the task (Natural Resource staff and contractors).
- + Code Enforcement Officers – Receive complaints from the public and investigate the site for Tulalip code violations.
- + Asset & Real Estate Manager – Conducts due diligence for potential real estate purchases or gifts.

- + Tribal Board of Directors—Makes final decisions regarding Tulalip Brownfields, code enforcement cases, and real estate purchases.

2.4 SURVEY AND INVENTORY

Surveying consists of researching potentially contaminated sites using publicly available information, interviewing knowledgeable persons, and visiting the sites. Information is compiled from multiple sources to address any contamination sources from past uses of the site.

For the Tulalip Brownfields program, the manager maintains an inventory of actual or potential Brownfields sites. The inventory serves as an internal tool for tracking and prioritizing potential Brownfields sites within the exterior boundaries of the Tulalip Tribes' Reservation and Tribally owned lands outside the exterior boundaries (including fee and trust land). In meeting Brownfields criteria, properties are often associated with contamination or perceived contamination, which creates a barrier to developing or restoring the property. The inventory is contained in an Excel spreadsheet. It includes basic site information, known or suspected contaminants, and property characteristics.

For Tulalip Code Enforcement, information on past uses and pollution sources can be used to differentiate between past and current contamination and to identify how to address the contamination and code violations in an enforcement process.

For Tulalip Asset & Real Estate, this information can provide information on the past and current physical condition of properties that may be purchased by the Tribe.

2.4.1 Territory

For the Brownfields Program, the Tribes' territorial jurisdiction includes the Tulalip Tribes' Reservation boundary and Tribally owned lands outside the exterior boundaries, whether fee or trust. The Tribes' Brownfield inventory includes properties that may have potential contamination that could affect human health, natural resources, and cultural resources. Code Enforcement addresses lands within the exterior boundaries of the Tulalip Reservation. Asset & Real Estate land purchases can be either within or outside Reservation boundaries.

The Tribes may identify and monitor properties that could impact Tribal lands or members if they are located within the Tulalip Tribes' Usual and Accustom Territory or Reservation boundaries or owned by the Tulalip Tribes.

2.4.2 Research

Potentially contaminated sites are identified using multiple sources, including existing Tribal, state, and federal inventories, reports, and databases, such as those generated under the Resource Conservation and Recovery Act (RCRA), CERCLA, underground storage tank (UST)/leaking

underground storage tank (LUST), or other statutes. Properties listed on federal or state databases are prime properties to survey due to the storage, use, or release of hazardous substances. The following are typical sources used to develop a Brownfields inventory.

- + Environmental Protection Agency (federal) databases:
 - EPA Easy Address Search (FRS) <https://enviro.epa.gov/facts/myproperty/>
 - EPA Facility Registry System (FRS) <https://www.epa.gov/frs/frs-query>
 - EPA Underground Storage Tanks (UST) <https://www.epa.gov/ust/ust-finder>
 - EPA RCRA Search <https://enviro.epa.gov/facts/rcrainfo/search.html>
 - EPA Multi-System Search [Multisystem Search | Envirofacts | US EPA](#)
- + Washington State Department of Ecology (state) databases:
 - What's In My Neighborhood—Toxics Cleanup interactive mapping tool <https://apps.ecology.wa.gov/neighborhood/>
 - Cleanup and Tank Search—search for cleanup sites and underground storage tanks by location, status, contaminant, or other features <https://apps.ecology.wa.gov/cleanupsearch/>
 - Dirt Alert map—shows the general pattern of arsenic contamination from the Asarco Tacoma Smelter and information about other areas of arsenic contamination statewide <https://apps.ecology.wa.gov/dirtalert/>
 - Spills map—an interactive map showing the estimated crude oil movement by rail in Washington [Spills maps | Washington State Department of Ecology, data, oil, crude, refined, transfer, train, reported spills, incidents, pipelines, facilities, equipment, geographic response plans, GRP, maps](#)
- + Snohomish County databases:
 - Snohomish County Auditor
 - Real property transactions (deeds, mortgages, real estate contracts, liens, and releases), recorded plats and surveys. [Landmark Web Official Records Search \(snoco.org\)](#)
 - Snohomish County Assessor
 - [Current Property Information](#)
 - [Historical Property Information](#)
 - [Public records request](#) for older information
 - Snohomish County Health Department
 - Septic Tank As-Built database [As-Built Records | Snohomish County Health Department, WA \(snohd.org\)](#)
 - Snohomish County Interactive Maps [Interactive Maps of Snohomish County | Snohomish County, WA - Official Website \(snohomishcountywa.gov\)](#)
- + City of Marysville, Washington, public records requests:

- Fire Department Incident Records [Marysville Fire District - Public Request](#)
- Building Department Permit Office [Marysville WA | Public Records Center \(govqa.us\)](#)
- + Other information, including property records, historical records, old photos, aerial photos, topographic maps, insurance maps, GIS records, city directories. Possible resources include:
 - Sanborn Insurance Maps (typically available at libraries and through environmental database vendors)
 - Local library
 - Local museum
 - Hibulb Cultural Center (<https://www.hibulbculturalcenter.org/>)
 - Marysville Historical Society (www.marysvillehistory.org)

It may be more convenient to work with a vendor to perform a search of multiple databases with results compiled into a single report. Two fee-based vendor options are:

- + Environmental Risk Information Services (ERIS) <https://www.erisinfo.com/products-services/>
- + Environmental Data Resources (EDR) <https://edrnet.com/>

Additionally, the Platform for Exploring Environmental Records (PEER) is a free interactive, open-source tool that utilizes data from EPA's FRS, UST, and Landfill Methane Outreach Program (LMOP) databases (<https://www.communitylattice.com/peer>). However, PEER does not provide a complete listing of databases, and it should only be used to supplement research to build Brownfields inventories.

2.4.3 Site Reconnaissance and Interviews

The purpose of site reconnaissance is to verify research and obtain additional information to complete the inventory. Before visiting a site, ensure that you have permission to walk the property to avoid trespassing.

Performing a job hazard analysis before the site visit is highly advisable. Research data, such as the likelihood of encountering contaminated media, can help identify risks and appropriate mitigation measures. Wearing appropriate personal protective equipment (PPE) while working is important, including sturdy footwear, high-visibility vests, safety glasses, full-length trousers, and rain gear. It is essential to carry a flashlight, camera, smartphone, notepad, and checklist.

The Site Reconnaissance Checklist (see Appendix A) is provided to guide surveying the subject property. It is important to address as many items as possible on the checklist and mark when it is not applicable. During the reconnaissance, walk the entire property (drive if the property is large) and enter all accessible structures that are safe for occupancy. Follow roads and trails, and check the fence line and property corners, where dumping often occurs. Develop a property sketch or carry a

printout of a Google map to mark elements that you observe. Identify storage areas and view all rooms, when feasible. View the contents of storage cabinets, but do not open or slosh containers.

Be sure to view the adjacent properties from the subject property boundaries. Take photographs. As photos are taken, record location coordinates using GPS or a smartphone application. If possible, interview any knowledgeable persons, such as the owner, operator, or employees of the property or facility. To the greatest extent possible, collect all missing information for the inventory).

Be attentive to evidence of past industrial use, such as equipment, vehicles, tanks, drums, solid waste, and utilities. Frequently, liquid chemical waste is improperly disposed of in floor drains, catch basins, and sumps. Improper disposal can be indicated by evidence of stained soil, stained concrete, or stressed vegetation. Search for any evidence of past ponding or running water that may have left an impression in the soil (evaporation or scouring) or left a sheen on standing water. View adjacent properties and note any conditions that may affect the subject property, such as industrial activity, tanks or totes, water run-off, encroachments, odors, stained soil, or stressed vegetation.

2.4.4 Placement on Tulalip Brownfield Inventory

If it is determined that a property meets the criteria for inclusion on the Brownfields inventory, the parcel should be added to the official inventory. Information on potential Brownfields sites is compiled from multiple sources, including the checklist from the survey. This information will be put into the Tulalip Brownfield Inventory and can be used to develop a one-page Brownfields site description worksheet (see Appendix B for a template). This worksheet provides a one-page summary that will be helpful for the Tribal Board of Directors and public outreach efforts.

The Tulalip Brownfield Inventory is maintained in a spreadsheet (see Appendix C). When entering data into the inventory, each site must be given a unique identification (ID) number. The remainder of the information should be completed using information collected to the best of your ability. The following fields are usually self-explanatory, but you will likely have empty columns due to unavailable or non-applicable information.

- + Site Reference Number—a unique number assigned by the TRP Manager
- + Date—date data is entered or updated
- + EPA FSR ID#—EPA number assigned to this facility
- + Latitude/Longitude—usually the centroid of the site: it can be provided by Google or by checking the EPA FSR listing
- + Parcel ID—county parcel number or BIA trust number
- + Petroleum only—some properties are contaminated with petroleum only, which puts them in a special class with EPA
- + Hazardous Waste—list all hazardous waste substances, if known
- + Comingled—note whether contamination on the site is comingled with petroleum or other hazardous waste

2.4.5 Update Frequency for Brownfields Inventory

CERCLA §128(a)(2) states that the inventory should be maintained so that the listings are as current as possible. The TRP program should update the list at least annually as properties may have changes in ownership and conditions over time. Also, the inventory should be updated if your sources offer new information.

During an annual update, the following activities should occur:

- + Confirm the current ownership
- + Do a windshield survey of each property to confirm occupancy and general site conditions
- + Review environmental databases. If the site was previously listed, review new information from the previous year. Or, if the site was not previously listed, confirm that there are no new listings.

If a property listed on the inventory appears to have changed substantially, additional information gathering may be warranted to evaluate if the property should remain on the inventory.

2.5 REPORTING AND DOCUMENTATION

The reporting and documentation requirements are described in previous sections. To summarize, the reporting documents for this effort include the following:

- + Site Reconnaissance (Section 2.4.3); Completion of the checklist (Appendix A)
- + Site Descriptions Worksheet (Section 2.4.4); Completion of the worksheet (Appendix B)
- + Tulalip Brownfield Inventory Spreadsheet (2.4.4); Completion of the spreadsheet (Appendix C), if applicable

From this point forward, each program will have different documentation methods and next steps. The information gathered from existing information/data sources and site reconnaissance can be used to support further actions for Brownfields inventory, code enforcement cases, and real estate transactions.