Environmental Compliance Assessment Program (ECAP)

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Objective

The goal of ECAP is to minimize environmental impacts by industrial tenants and maintain regulatory compliance through education and assessments.
Why ECAP?

- Ensure regulatory compliance
- Potential legal actions against Ports and tenants
- Streamline environmental compliance program
- Reduce cleanup costs
- EMS requirement
- Communication with tenants
Program Overview

ECAP is Comprehensive:

- Hazardous waste
- Emergency Planning and Community Right to Know (EPCRA)
- Stormwater
- Spill Prevention Control and Countermeasures (SPCC)
- Air
Attorney Client Privilege-Option

- Protection of privilege for the tenants
- Protect Port and tenants
- Review finding with attorney
# Benefits of Implementation

## Property Owner
- Check environmental compliance
- Reduce environmental/regulatory liability
- Verify facility activities
- Face time with tenants
- Promote pollution prevention goals
- Promote environmental stewardship
- Positive public relations

## Tenant
- Receive consultation by environmental professionals
- Potential cost savings through waste minimization and recycling recommendations
- Prevent costly fines or cleanup
- Positive public relations
- Free environmental consulting
Implementation

Team Formation

- Experienced team with diverse experience
- Tenant activities vary
- Team:
  - Patrick Domres (Hazardous Waste and Tank Inspections)
  - Port Representative
Implementation

Forms
- Assessment Forms
- Cover Letter
Implementation

Use of agency published guidance documents

- Public guidance documents
- Ecology publications
- EPA guidance documents
Let's Get Started

- Safety standards and security requirements
- Coordinated activities with lease holders (property managers)
- Get access to tenant information (lease, operating agreements, site history)
- Identify appropriate tenant contacts
ECAP Process

ECAP site visits is a process:

1. Pre site visit research (compile maps, conduct EPA and ECHO search)
2. On site
   - Pre and post interview
   - Review findings with attorney and site representative
3. Site walk
4. Post assessment activities
Potential Pitfalls

- Avoid development of negative business relationship
- Avoid being perceived as an enforcement agency
- Avoid offering interpretation of complex regulatory issues
- Keep in mind the profit margins, staffing and sophistication of smaller operations
Potential Pitfalls

Major noncompliance or criminal activities
- Should be directed to appropriate authorities/agencies
- Seek legal counsel
- Be aware of your legal obligations and rights
- Call the attorney!
Common Findings

- Lack of SPCC Plan
- Hazardous waste findings
- Stormwater
  - SIC Code
  - Not implementing or documenting Corrective Actions or other reqmts.
- PARIS database is not up-to-date
Port of Everett and Port of Seattle

- Port of Everett recent compliance inspection
- Communication with tenants
- Education for the tenants
- Training of Port folks on compliance
- Stormwater concerns
Summary

- ECAP is a tool to assess environmental liability and regulatory compliance
- If implemented successfully, the benefits of ECAP can be substantial
  - Education
  - Communication
  - Cost Savings
  - Positive public relationships