

**WAC 197-11-265 Early scoping for MTCA remedial actions.** (1) The purpose of early scoping is to identify possible environmental issues prior to making a threshold determination. If early scoping is used and a determination of significance is issued later in the process, no additional SEPA scoping is required.

(2) If, after the preliminary evaluation provided in WAC 197-11-256, the lead agency decides there is insufficient information to make a preliminary determination, pursuant to WAC 197-11-256 (1)(b), the lead agency shall invite the public to comment on the proposed study areas. This early scoping will typically be combined with either the MTCA public review process for the scope of work for an ecology conducted RI/FS (WAC 173-340-600 (12)(a)), or the public review process for the order, consent decree, or agreed order for a RI/FS.

(3) The lead agency shall evaluate the comments received during the early scoping process and take one of the following actions:

(a) Determine the project will have a probable significant adverse environmental impact, issue a determination of significance and begin preparation of the EIS pursuant to WAC 197-11-262.

(b) Make a preliminary decision that there will be no probable significant adverse environmental impacts, and proceed as described in WAC 197-11-259.

(c) Determine there is still insufficient information to evaluate the environmental impacts of the remedial action, and proceed with the RI/FS. A threshold determination shall be made pursuant to WAC 197-11-259 or 197-11-262 as appropriate.

[Statutory Authority: RCW 43.21C.110. WSR 95-08-041 (Order 94-22), § 197-11-265, filed 3/31/95, effective 5/1/95.]