

**STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY**

In the Matter of Remedial Action by:

Port of Seattle

FIRST AMENDMENT TO AGREED ORDER

No. DE 6703

TO: Tay Yoshitani
Chief Executive Officer
Port of Seattle
Seattle-Tacoma International Airport
P.O. Box 1209
Seattle, WA 98111

I. INTRODUCTION

Agreed Order No. DE 6703 (Order), entered into by the State of Washington, Department of Ecology (Ecology) and the Port of Seattle (Port) on July 10, 2009, requires the Port to: (1) implement interim actions in connection with demolition of the above ground structures on the Lora Lake Apartments Parcel; (2) prepare a Public Participation Plan; (3) prepare a Supplemental Data Gaps Report; and (4) perform a Remedial Investigation/Feasibility Study (RI/FS).

By this First Amendment to Agreed Order No. DE 6703 (Amendment), Ecology requires the Port to prepare a draft Cleanup Action Plan (DCAP).

The actions required by this Amendment will expedite implementation of the cleanup actions at the Site.

Ecology believes the actions required by this Amendment are in the public interest. Provisions of the Order not specifically changed in this Amendment remain in full force and effect.

II. JURISDICTION

This Amendment is issued pursuant to the Model Toxics Control Act (MTCA) RCW 70.105D.050(1).

III. AMENDMENT

The Order is amended as follows:

The Order, Section VII (Work to be Performed), is hereby amended to add the following requirements:

N. Within one-hundred and eighty (180) days from Ecology's receipt of the Public Review draft RI/FS Report, the Port shall prepare for Ecology review and approval a draft Cleanup Action Plan (DCAP) in accordance with WAC 173-340-380. The DCAP shall detail the proposed cleanup action for addressing the contamination present on the Site and address the requirements for developing a cleanup action in WAC 173-340-350 through -390, including Ecology's expectations for cleanup alternatives in WAC 173-340-370. The DCAP shall include a general description of the proposed cleanup action, cleanup standards from the RI/FS and a rationale regarding their selection, a proposed schedule for implementation, description of any institutional controls proposed, and a summary of federal, state, and local laws that are applicable to the proposed cleanup action. Preparation of a final Cleanup Action Plan (CAP) is not a part of this Order. Ecology intends to draft the final CAP. The final CAP will be implemented in a subsequent agreed order, enforcement order, or consent decree.

O. The Order, Exhibit C (Schedule of Deliverables), is hereby amended to add the following deliverable:

EXHIBIT C
Schedule of Deliverables

Deliverable	Due Dates¹
The Port submits the Ecology Review Draft Cleanup Action Plan	180 calendar days following submittal of the Public Review Draft Lora Lake Apartments Site RI/FS Report

¹ If a due date falls on a holiday or weekend, the due date will be extended to the next business day that is not a holiday or weekend.

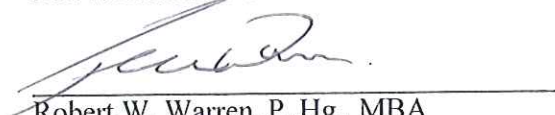
Effective date of this First Amendment: 4/18/13

PORT OF SEATTLE



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STATE OF WASHINGTON,
DEPARTMENT OF ECOLOGY



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