

STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

In the Matter of Remedial Action by:

Fuel Processors, Inc.

FIRST AMENDMENT OF
AGREED ORDER

No. DE 5054

TO:

Fuel Processors, Inc.
c/o Wilmer L. Briggs, President
701 Bozarth Avenue
Woodland, WA 98674

Oil Re-Refining Co.
c/o Scott Briggs, President
4150 N. Suttle Road
Portland, OR 97217

Shell Oil Products US
c/o Jeff Bullen
Equilon Enterprises LLC
DBA Shell Oil Products US
WCK A5
150 N Dairy Ashford Rd
Houston, TX 77079

Pursuant to Chapter 70.105D RCW, Ecology has determined that Shell Oil Products US (Shell) is a Potentially Liable Party and is jointly and severally liable for the Fuel Processors, Inc. Facility in Woodland, WA (Site). Shell is therefore added as a party to this Agreed Order as an "owner or operator" of the Site in the same manner as Fuel Processors, Inc., and Oil Re-Refining. The Parties hereby agree to modify Agreed Order No. DE 5054, in accordance with Section XII.L., as follows:

A. Section I (Introduction) is modified to to read as follows: "The mutual objective of the State of Washington, Department of Ecology (Ecology), Fuel Processors, Inc. (Fuel Processors), Oil Re-Refining Co. (ORRCO) and Shell Oil Products US (Shell) under this Agreed Order is to provide for remedial action at a facility where there has been a release or threatened release of hazardous substances. This Order requires Fuel Processors, ORRCO, and Shell to conduct a Remedial Investigation, Interim Actions (if deemed necessary pursuant to WAC 173-

H. Exhibit C: Schedule of Deliverables is added as an exhibit.

I. Except as provided in this First Amendment, all provisions of Order No. DE 5054 remain unmodified and in effect.

J. The undersigned representative of each Party hereby certifies that he or she is fully authorized to enter into this First Amendment of Agreed Order and to execute and legally bind such Party to this Amendment.


K. This First Amendment shall be effective on the date it is signed by the authorized representative of the Department of Ecology.

Effective date of this Order: _____

**STATE OF WASHINGTON,
DEPARTMENT OF ECOLOGY**

SHELL OIL PRODUCTS US

AVA EDMUNDSON
Section Manager
Hazardous Waste and Toxics Reduction Program
Southwest Regional Office



WILLIAM PLATT
US & CA Claims and Special Projects
Manager
150 N. Dairy Ashford
Houston, TX 77079

FUEL PROCESSORS, INC.

OIL RE-REFINING COMPANY

WILMER L. BRIGGS
President
701 Bozarth Avenue
Woodland, WA 98674

SCOTT BRIGGS
President
4150 N. Suttle Road
Portland, OR 97217

H. Exhibit C: Schedule of Deliverables is added as an exhibit.

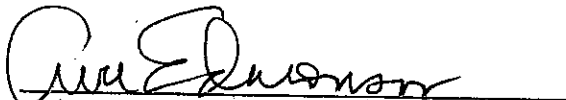
I. Except as provided in this First Amendment, all provisions of Order No. DE 5054 remain unmodified and in effect.

J. The undersigned representative of each Party hereby certifies that he or she is fully authorized to enter into this First Amendment of Agreed Order and to execute and legally bind such Party to this Amendment.

K. This First Amendment shall be effective on the date it is signed by the authorized representative of the Department of Ecology.

Effective date of this Order: 3-1-18

**STATE OF WASHINGTON,
DEPARTMENT OF ECOLOGY**



AVA EDMONDSON
Section Manager
Hazardous Waste and Toxics Reduction Program
Southwest Regional Office

SHELL OIL PRODUCTS US

WILLIAM PLATT
US & CA Claims and Special Projects
Manager
150 N. Dairy Ashford
Houston, TX 77079


FUEL PROCESSORS, INC.



WILMER L. BRIGGS
President
701 Bozarth Avenue
Woodland, WA 98674

2-28-18

OIL RE-REFINING COMPANY



SCOTT BRIGGS
President
4150 N. Suttle Road
Portland, OR 97217

H. Exhibit C: Schedule of Deliverables is added as an exhibit.

I. Except as provided in this First Amendment, all provisions of Order No. DE 5054 remain unmodified and in effect.

J. The undersigned representative of each Party hereby certifies that he or she is fully authorized to enter into this First Amendment of Agreed Order and to execute and legally bind such Party to this Amendment.

K. This First Amendment shall be effective on the date it is signed by the authorized representative of the Department of Ecology.

Effective date of this Order: _____

**STATE OF WASHINGTON,
DEPARTMENT OF ECOLOGY**

AVA EDMUNDSON
Section Manager
Hazardous Waste and Toxics Reduction Program
Southwest Regional Office

FUEL PROCESSORS, INC.

WILMER L. BRIGGS
President
701 Bozarth Avenue
Woodland, WA 98674

SHELL OIL PRODUCTS US

JEFF BULLEN
Environmental Claims Manager
One Shell Plaza, Rm 666
910 Louisiana
Houston, TX 77002

OIL RE-REFINING COMPANY

WILMER L. BRIGGS
President
4150 N. Suttle Road
Portland, OR 97217

EXHIBIT C: Schedule of Deliverables

The schedule for deliverables described in the First Amended Agreed Order is presented below. If the date for submission of any item or notification required by this Schedule of Deliverables occurs on a weekend, state or federal holiday, the date for submission of that item or notification is extended to the next business day following the weekend or holiday. Where a deliverable due date is triggered by Ecology notification, comments or approval, the starting date for the period shown is the date the PLPs received such notification, comments or approval by certified mail, return receipt requested, unless otherwise noted below. Where triggered by Ecology receipt of a deliverable, the starting date for the period shown is the date Ecology receives the deliverable by certified mail, return receipt requested, or the date of Ecology signature on a hand-delivery form.

Deliverables	Completion Times
Final RI Work Plan	30 calendar days following effective date of the First Amended Agreed Order
Completion of RI Field Work	12 months following completion of the Final SAP, QAPP, and HSP
Agency Review Draft RI/FS Report	6 months following receipt of final sampling laboratory data
Public Review Draft RI/FS Report	90 days following receipt of Ecology comments on Agency Review Draft RI Report
Agency Review preliminary Draft Cleanup Action Plan (DCAP)	90 calendar days following completion of the Public Review Draft FS