STATE OF WASHINGTON

DEPARTMENT OF ECOLOGY

In the Matter of Remedial Action by: Port of Grays Harbor Post Office Box 660 Aberdeen, Washington 98520	AGREED ORDER No. DE 20344

TO: Port of Grays Harbor
Post Office Box 660
Aberdeen, Washington 98520

TABLE OF CONTENTS

I. INTRODUCTION

The mutual objective of the State of Washington, Department of Ecology (Ecology) and Port of Grays Harbor under this Agreed Order (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 Port of Grays Harbor to perform the remedial actions detailed in the attached cleanup action plan. Ecology believes the actions required by this Order are in the public interest.

II. JURISDICTION

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

III. PARTIES BOUND

This Agreed Order shall apply to and be binding upon the Parties to this Order, their successors and assigns. The undersigned representative of each party hereby certifies that he or she is fully authorized to enter into this Order and to execute and legally bind such party to comply with this Order. Port of Grays Harbor agrees to undertake all actions required by the terms and conditions of this Order. No change in ownership or corporate status shall alter Port of Grays Harbor's responsibility under this Order. Port of Grays Harbor shall provide a copy of this Order to all agents, contractors, and subcontractors retained to perform work required by this Order, and shall ensure that all work undertaken by such agents, contractors, and subcontractors complies with this Order.

IV. DEFINITIONS

Unless otherwise specified herein, the definitions set forth in RCW 70.105D and WAC 173-340 shall control the meanings of the terms in this Order.

A. Site: The Site is referred to as Hungry Whale Grocery. The Site constitutes a facility under RCW 70.105D.020(8). The Site is defined by where a hazardous substance, other than a consumer product in consumer use, has been deposited, stored, disposed of, or placed, or otherwise come to be located. Based upon factors currently known to Ecology, the Site is generally located at 1680 N. Montesano Street, Westport, Washington as shown in the Site Location Map (Exhibit A).

B. Parties: Refers to the State of Washington, Department of Ecology, and Port of Grays Harbor.

C. Potentially Liable Persons (PLP(s)): Refers to Port of Grays Harbor.

D. Agreed Order or Order: Refers to this Order and each of the exhibits to this Order. All exhibits are integral and enforceable parts of this Order.

E. MTCA: Refers to Model Toxics Control Act Cleanup Regulation, Chapter 173-340 WAC.

V. FINDINGS OF FACT

Ecology makes the following findings of fact, without any express or implied admissions of such facts by Port of Grays Harbor:

A. In October 1990, soil samples collected from areas surrounding two underground storage tanks (USTs) revealed contamination in excess of MTCA Method A cleanup standards for total petroleum hydrocarbons as gasoline (TPH-G) and benzene, ethylbenzene, toluene and xylenes (BTEX).

B. In March 1991, the two USTs were properly closed and a preliminary site assessment was conducted in accordance with Chapter 173-360 WAC. One 2,000 gallon tank was removed and a second tank, approximately 6,000 gallons capacity, was closed in place. During the tank removal, a thin layer of free product was found floating on the water table in one of the excavations. Soil samples collected during the site activities revealed contamination in excess of MTCA Method A cleanup standards.

C. In November 1991, Ecology contracted Science Applications International Corporation (SAIC) to conduct a Remedial Investigation/Feasibility Study (RI/FS) for the site. A total of six monitoring wells were installed to determine the extent of the contamination. Groundwater samples collected confirmed contamination in excess of MTCA Method A cleanup standards for TPH-G and BTEX.

D. In May 1992, SAIC installed three additional monitoring wells to further characterize the site and aid in the design of a remediation system. During this phase of investigation, the presence of floating petroleum product on the water table was discovered.

E. In August 1993, Ecology approached the Port of Grays Harbor to request that they take over responsibility for site cleanup. Ecology informed the Port of Grays Harbor that financial assistance in the form of Local Toxics Account funding was available if the Port

entered into an Agreed Order with Ecology. The Port obtained proposals from consultants to explore other options for site cleanup other than what was evaluated by SAIC in the RI/FS.

F. In June 1997, an innovative bio-sparging remediation system was installed by Hobby, Ltd. And 21st Century began operating the system in July 1997. The system was shut down in October 1999 and groundwater monitoring continued until November 2000.

G. In January 2004, Ecology measured elevated levels of hydrocarbon vapors in the head space of existing monitoring wells. Subsequent water samples collected from the deli sink confirmed the presence of petroleum hydrocarbons. The water line was replaced and confirmation water samples indicated that petroleum hydrocarbons were no longer present in the deli sink water.

H. Beginning in February 2005, the Port of Grays Harbor used Ecology's Remedial Action Grant program to fund additional subsurface investigations by the Port's consultant, including maintenance of existing wells and installation of new monitoring wells with resultant groundwater sampling and analysis.

I. Results of the subsurface investigations by the Port of Grays Harbor indicate elevated concentrations of TPH-G and benzene in groundwater at several of the thirteen monitoring wells. The majority of the containment mass appears to be located in and around the current UST locations.

J. From April to October 2007, Sound Environmental Strategies conducted another RI investigation that consisted of 9 direct-push soil borings six of which were converted to

groundwater monitoring wells. In June 2007, free phase product was detected in on-property wells. In October 2007, twelve off-property direct-push soil borings were advanced in Wilson Avenue and N. Montesano Street.

K. Soil and shallow groundwater impacted with TPH-G, BTEX, and naphthalene above MTCA Method A CULs were detected in the northern, central, western and south/southeastern portions of the property. Impacted vadose and capillary fringe soil was detected in several nearby off-property borings in North Montesano Street and Wilson Avenue. Impacted groundwater was observed in off-property direct-push borings.

L. In December 2011, Stantec performed a soil gas survey and vapor intrusion study. Soil vapor sample results indicated that VOCs were detected at concentrations above screening levels in samples collected in the central and southern portions of the property where impacted soil and shallow groundwater are present. An indoor air study was done of the on-site building and it was determined that the indoor concentrations were not discernable from outdoor air samples. Therefore, vapor intrusion did not appear to be occurring in the building.

M. Groundwater monitoring results from 2016 indicate groundwater was impacted with petroleum hydrocarbon constituents in a monitoring well located across N. Montesano Street.

N. A remedial investigation/feasibility study (RI/FS) was completed in April 2020. The RI/FS indicated that gasoline-related impacted soil and shallow groundwater was present in the immediate vicinity of the former piping and UST fueling system. Impacts exist within the northern, western, and southern portions of the property and appear to extend approximately 35 feet to the north/northwest and to the south/southwest beneath Wilson Avenue and North

Montesano Street. The preferred cleanup action alternative was determined to be site-wide soil excavation, post excavation groundwater monitoring and institutional controls.

VI. ECOLOGY DETERMINATIONS

Ecology makes the following determinations, without any express or implied admissions of such determinations (and underlying facts) by Port of Grays Harbor.

A. Port of Grays Harbor is an "owner or operator" as defined in RCW 70.105D.020(22) of a "facility" as defined in RCW 70.105D.020(8).

B. Based upon all factors known to Ecology, a "release" or "threatened release" of "hazardous substance(s)" as defined in RCW 70.105D.020(32) and (13), respectively, has occurred at the Site.

C. Based upon credible evidence, Ecology issued a PLP status letter to Port of Grays Harbor dated November 8, 1993, pursuant to RCW 70.105D.040, .020(26), and WAC 173-340-500. After providing for notice and opportunity for comment, reviewing any comments submitted, and concluding that credible evidence supported a finding of potential liability, Ecology issued a determination that Port of Grays Harbor is a PLP under RCW 70.105D.040 and notified Port of Grays Harbor of this determination by letter dated December 17, 2003.

D. Pursuant to RCW 70.105D.030(1) and .050(1), Ecology may require PLPs to investigate or conduct other remedial actions with respect to any release or threatened release of hazardous substances, whenever it believes such action to be in the public interest. Based on the

foregoing facts, Ecology believes the remedial actions required by this Order are in the public interest.

VII. WORK TO BE PERFORMED

Based on the Findings of Fact and Ecology Determinations, it is hereby ordered that Port of Grays Harbor take the following remedial actions at the Site. The area within the Site where remedial action is necessary under RCW 70.105D is described in the Cleanup Action Plan (Exhibit B). These remedial actions must be conducted in accordance with WAC 173-340:

A. The Scope of Work required by this Order consists of the implementation of the tasks detailed in the attached draft Cleanup Action Plan (Exhibit B) for the Site in accordance with the Schedule of Deliverables (Exhibit C).

B. If the Port learns of a significant change in conditions at the Site, including but not limited to a statistically significant increase in contaminant and/or chemical concentrations in soil, groundwater, surface water or air, the Port, within seven (7) days of learning of the change in condition, shall notify Ecology in writing of said change and provide Ecology with any reports or records (including laboratory analyses, sampling results) relating to the change in conditions.

C. Port of Grays Harbor shall submit to Ecology written quarterly Progress Reports that describe the actions taken during the previous quarter to implement the requirements of this Order. All Progress Reports shall be submitted by the tenth (10th) day of the month in which they are due after the effective date of this Order. Unless otherwise specified by Ecology, Progress Reports and any other documents submitted pursuant to this Order shall be sent by

certified mail, return receipt requested, to Ecology's project coordinator. The Progress Reports shall include the following:

1. A list of on-site activities that have taken place during the quarter.

2. Detailed description of any deviations from required tasks not otherwise documented in project plans or amendment requests.

3. Description of all deviations from the Scope of Work and Schedule (Exhibit C) during the current quarter and any planned deviations in the upcoming quarter.

4. For any deviations in schedule, a plan for recovering lost time and maintaining compliance with the schedule.

5. All raw data (including laboratory analyses) received during the previous quarter (if not previously submitted to Ecology), together with a detailed description of the underlying samples collected.

6. A list of deliverables for the upcoming quarter if different from the schedule.

D. Pursuant to WAC 173-340-440(11), Port of Grays Harbor shall maintain sufficient and adequate financial assurance mechanisms to cover all costs associated with the operation and maintenance of the remedial action at the Site, including institutional controls, compliance monitoring, and corrective measures.

1. Within sixty (60) days of the effective date of this Order, Port of Grays Harbor shall submit to Ecology for review and approval an estimate of the costs under this Order for operation and maintenance of the remedial actions at the Site, including institutional controls, compliance monitoring and corrective measures. Within sixty (60) days after Ecology approves the aforementioned cost estimate, Port of Grays Harbor shall provide proof of financial assurances sufficient to cover all such costs in a form acceptable to Ecology.

2. Port of Grays Harbor shall adjust the financial assurance coverage and provide Ecology's project coordinator with documentation of the updated financial assurance for:

i. Inflation, annually, within thirty (30) days of the anniversary date of the entry of this Order; or if applicable, the modified anniversary date established in accordance with this section, or if applicable, ninety (90) days after the close of Port of Grays Harbor's fiscal year if the financial test or corporate guarantee is used.

ii. Changes in cost estimates, within thirty (30) days of issuance of Ecology's approval of a modification or revision to the cleanup action plan (CAP) that result in increases to the cost or expected duration of remedial actions. Any adjustments for inflation since the most recent preceding anniversary date shall be made concurrent with adjustments for changes in cost estimates. The issuance of Ecology's approval of a revised or modified CAP will revise the anniversary date established under this section to become the date of issuance of such revised or modified CAP.

E. As detailed in the Cleanup Action Plan, institutional controls are required at the Site. Environmental (Restrictive) Covenants will be used to implement the institutional controls.

1. In consultation with Port of Grays Harbor, Ecology will prepare the Environmental (Restrictive) Covenants consistent with WAC 173-340-440, RCW 64.70, and any policies or procedures specified by Ecology. The Environmental (Restrictive) Covenants shall restrict future activities and uses of the Site as agreed to by Ecology and Port of Grays Harbor.

2. After approval by Ecology, Port of Grays Harbor shall record the Environmental (Restrictive) Covenant for affected properties it owns with the office of the Grays Harbor County Auditor in accordance with the Schedule of Deliverables (Exhibit C). Port of Grays Harbor shall provide Ecology with the original recorded Environmental (Restrictive) Covenants within thirty (30) days of the recording date.

3. As detailed in the Cleanup Action Plan, as part of the remedial action for the Site, institutional controls may be required on properties not owned by Port of Grays Harbor. Port of Grays Harbor will ensure that the owner of each affected property records an Ecology-approved Environmental (Restrictive) Covenant in accordance with the Schedule of Deliverables (Exhibit C). Upon a showing that Port of Grays Harbor has made a good faith effort to secure an Environmental (Restrictive) Covenant for an affected property and failed to do so, Ecology may provide assistance to Port of Grays Harbor. Ecology shall determine affected properties, if any exist, upon conclusion of the

cleanup action. Port of Grays Harbor shall provide Ecology with the original recorded Environmental (Restrictive) Covenants within thirty (30) days of the recording date.

F. All plans or other deliverables submitted by Port of Grays Harbor for Ecology's review and approval under the Scope of Work and Schedule (Exhibit C) shall, upon Ecology's approval, become integral and enforceable parts of this Order.

G. If the Parties agree on an interim action under Section VI.E, Port of Grays Harbor shall prepare and submit to Ecology an Interim Action Work Plan, including a scope of work and schedule, by the date determined by Ecology. Ecology will provide public notice and opportunity to comment on the Interim Action Work Plan in accordance with WAC 173-340-600(16). The Port of Grays Harbor shall not conduct the interim action until Ecology approves the Interim Action Work Plan. Upon approval by Ecology, the Interim Action Work Plan becomes an integral and enforceable part of this Order, and Port of Grays Harbor is required to conduct the interim action in accordance with the approved Interim Action Work Plan.

H. If Ecology determines that Port of Grays Harbor has failed to make sufficient progress or failed to implement the remedial action, in whole or in part, Ecology may, after notice to Port of Grays Harbor, perform any or all portions of the remedial action or at Ecology's discretion allow the Port of Grays Harbor opportunity to correct. In an emergency, Ecology is not required to provide notice to Port of Grays Harbor, or an opportunity for dispute resolution. Port of Grays Harbor shall reimburse Ecology for the costs of doing such work in accordance with Section VIII.A (Remedial Action Costs). Ecology reserves the right to enforce requirements of this Order under Section X (Enforcement).

I. Except where necessary to abate an emergency situation or where required by law, the Port of Grays Harbor shall not perform any remedial actions at the Site outside those remedial actions required by this Order to address the contamination that is the subject of this Order, unless Ecology concurs, in writing, with such additional remedial actions pursuant to Section VIII.J. (Amendment of Order). In the event of an emergency, or where actions are taken as required by law, Port of Grays Harbor must notify Ecology in writing of the event and remedial action(s) planned or taken as soon as practical but no later than within twenty-four (24) hours of the discovery of the event.

J. Ecology hereby incorporates into this Order the previous remedial actions described in Section V, Findings of Fact. Reimbursement for specific project tasks under a grant agreement with Ecology is contingent upon a determination by Ecology's Toxics Cleanup Program that the retroactive costs are eligible under WAC 173-332A-320(6), the work performed complies with the substantive requirements of WAC 173-340, and the work is consistent with the remedial actions required under this Order. The costs associated with Ecology's determination on the past independent remedial actions described in Section V, Findings of Fact, are recoverable under this Order.

VIII. TERMS AND CONDITIONS

A. Payment of Remedial Action Costs

Port of Grays Harbor shall pay to Ecology costs incurred by Ecology pursuant to this Order and consistent with WAC 173-340-550(2). These costs shall include work performed by Ecology or its contractors for, or on, the Site under RCW 70.105D, including remedial actions

and Order preparation, negotiation, oversight, and administration. These costs shall include work performed both prior to and subsequent to the issuance of this Order. Ecology's costs shall include costs of direct activities and support costs of direct activities as defined in WAC 173-340-550(2). For all Ecology costs incurred, Port of Grays Harbor shall pay the required amount within thirty (30) days of receiving from Ecology an itemized statement of costs that includes a summary of costs incurred, an identification of involved staff, and the amount of time spent by involved staff members on the project. A general statement of work performed will be provided upon request. Itemized statements shall be prepared quarterly. Pursuant to WAC 173-340-550(4), failure to pay Ecology's costs within ninety (90) days of receipt of the itemized statement of costs will result in interest charges at the rate of twelve percent (12%) per annum, compounded monthly.

In addition to other available relief, pursuant to RCW 19.16.500, Ecology may utilize a collection agency and/or, pursuant to RCW 70.105D.055, file a lien against real property subject to the remedial actions to recover unreimbursed remedial action costs.

B. Designated Project Coordinators

The project coordinator for Ecology is:

Andrew Smith, P.E.
Department of Ecology
Toxics Cleanup Program, SWRO
PO Box 47775
Olympia, WA 98504-7775
360-407-6316
andrew.smith@ecy.wa.gov

The project coordinator for Port of Grays Harbor is:

Randy Lewis
PO Box 660
Aberdeen, WA 98520
360-533-9513
rlewis@portgrays.org

Each project coordinator shall be responsible for overseeing the implementation of this Order. Ecology's project coordinator will be Ecology's designated representative for the Site. To the maximum extent possible, communications between Ecology and Port of Grays Harbor, and all documents, including reports, approvals, and other correspondence concerning the activities performed pursuant to the terms and conditions of this Order shall be directed through the project coordinators. The project coordinators may designate, in writing, working level staff contacts for all or portions of the implementation of the work to be performed required by this Order.

Any party may change its respective project coordinator. Written notification shall be given to the other party at least ten (10) calendar days prior to the change.

C. Performance

All geologic and hydrogeologic work performed pursuant to this Order shall be under the supervision and direction of a geologist or hydrogeologist licensed by the State of Washington or under the direct supervision of an engineer registered by the State of Washington, except as otherwise provided for by RCW 18.43 and 18.220.

All engineering work performed pursuant to this Order shall be under the direct supervision of a professional engineer registered by the State of Washington, except as otherwise provided for by RCW 18.43.130.

All construction work performed pursuant to this Order shall be under the direct supervision of a professional engineer or a qualified technician under the direct supervision of a professional engineer. The professional engineer must be registered by the State of Washington, except as otherwise provided for by RCW 18.43.130.

Any documents submitted containing geologic, hydrogeologic, or engineering work shall be under the seal of an appropriately licensed professional as required by RCW 18.43 and 18.220.

Port of Grays Harbor shall notify Ecology in writing of the identity of any engineer(s) and geologist(s), contractor(s) and subcontractor(s), and others to be used in carrying out the terms of this Order, in advance of their involvement at the Site.

D. Access

Ecology or any Ecology authorized representative shall have access to enter and freely move about all property at the Site that Port of Grays Harbor either owns, controls, or has access rights to at all reasonable times for the purposes of, *inter alia*: inspecting records, operation logs, and contracts related to the work being performed pursuant to this Order; reviewing Port of Grays Harbor's progress in carrying out the terms of this Order; conducting such tests or collecting such samples as Ecology may deem necessary; using a camera, sound recording, or

other documentary type equipment to record work done pursuant to this Order; and verifying the data submitted to Ecology by Port of Grays Harbor. Port of Grays Harbor shall make all reasonable efforts to secure access rights for those properties within the Site not owned or controlled by Port of Grays Harbor where remedial activities or investigations will be performed pursuant to this Order. Ecology or any Ecology authorized representative shall give reasonable notice before entering any Site property owned or controlled by Port of Grays Harbor unless an emergency prevents such notice. All persons who access the Site pursuant to this section shall comply with any applicable health and safety plan(s). Ecology employees and their representatives shall not be required to sign any liability release or waiver as a condition of Site property access.

E. Sampling, Data Submittal, and Availability

With respect to the implementation of this Order, Port of Grays Harbor shall make the results of all sampling, laboratory reports, and/or test results generated by it or on its behalf available to Ecology. Pursuant to WAC 173-340-840(5), all sampling data shall be submitted to Ecology in both printed and electronic formats in accordance with Section VII (Work to be Performed), Ecology's Toxics Cleanup Program Policy 840 (Data Submittal Requirements), and/or any subsequent procedures specified by Ecology for data submittal.

If requested by Ecology, Port of Grays Harbor shall allow Ecology and/or its authorized representative to take split or duplicate samples of any samples collected by Port of Grays Harbor pursuant to implementation of this Order. Port of Grays Harbor shall notify Ecology seven (7) days in advance of any sample collection or work activity at the Site. Ecology shall,

upon request, allow Port of Grays Harbor and/or its authorized representative to take split or duplicate samples of any samples collected by Ecology pursuant to the implementation of this Order, provided that doing so does not interfere with Ecology's sampling. Without limitation on Ecology's rights under Section VIII.E (Access), Ecology shall notify Port of Grays Harbor prior to any sample collection activity unless an emergency prevents such notice.

In accordance with WAC 173-340-830(2)(a), all hazardous substance analyses shall be conducted by a laboratory accredited under WAC 173-50 for the specific analyses to be conducted, unless otherwise approved by Ecology.

F. Public Participation

Ecology shall maintain the responsibility for public participation regarding the Site. However, Port of Grays Harbor shall cooperate with Ecology, and shall:

1. If agreed to by Ecology, develop appropriate mailing lists and prepare drafts of public notices and fact sheets at important stages of the remedial action, such as the submission of work plans, remedial investigation/feasibility study reports, cleanup action plans, and engineering design reports. As appropriate, Ecology will edit, finalize, and distribute such fact sheets and prepare and distribute public notices of Ecology's presentations and meetings.

2. Notify Ecology's project coordinator prior to the preparation of all press releases and fact sheets, and before meetings related to remedial action work to be performed at the Site with the interested public and/or local governments. Likewise,

Ecology shall notify Port of Grays Harbor prior to the issuance of all press releases and fact sheets related to the Site, and before meetings related to the Site with the interested public and local governments. For all press releases, fact sheets, meetings, and other outreach efforts by Port of Grays Harbor that do not receive prior Ecology approval, Port of Grays Harbor shall clearly indicate to its audience that the press release, fact sheet, meeting, or other outreach effort was not sponsored or endorsed by Ecology.

3. When requested by Ecology, participate in public presentations on the progress of the remedial action at the Site. Participation may be through attendance at public meetings to assist in answering questions or as a presenter.

4. When requested by Ecology, arrange and/or continue information repositories to be located at the following locations:

a. **Port of Grays Harbor – Main Office**

111 S Wooding Street
Aberdeen, WA 98520

b. **Ecology's Southwest Regional Office**

300 Desmond Drive SE
Lacey, WA 98503

At a minimum, copies of all public notices, fact sheets, and documents relating to public comment periods shall be promptly placed in these repositories. A copy of all documents related to this Site shall be maintained in the repository at Ecology's Southwest Regional Office in Lacey, Washington.

G. Retention of Records

During the pendency of this Order, and for ten (10) years from the date of completion of work performed pursuant to this Order, Port of Grays Harbor shall preserve all records, reports, documents, and underlying data in its possession relevant to the implementation of this Order and shall insert a similar record retention requirement into all contracts with project contractors and subcontractors. Upon request of Ecology, Port of Grays Harbor shall make all records available to Ecology and allow access for review within a reasonable time.

Nothing in this Order is intended to waive any right Port of Grays Harbor may have under applicable law to limit disclosure of documents protected by the attorney work-product privilege and/or the attorney-client privilege. If Port of Grays Harbor withholds any requested records based on an assertion of privilege, Port of Grays Harbor shall provide Ecology with a privilege log specifying the records withheld and the applicable privilege. No Site-related data collected pursuant to this Order shall be considered privileged.

H. Resolution of Disputes

1. In the event that Port of Grays Harbor elects to invoke dispute resolution Port of Grays Harbor must utilize the procedure set forth below.

    a. Upon the triggering event (receipt of Ecology's project coordinator's written decision or an itemized billing statement), Port of Grays Harbor has fourteen (14) calendar days within which to notify Ecology's project coordinator in writing of its dispute (Informal Dispute Notice).

b. The Parties' project coordinators shall then confer in an effort to resolve the dispute informally. The parties shall informally confer for up to fourteen (14) calendar days from receipt of the Informal Dispute Notice. If the project coordinators cannot resolve the dispute within those 14 calendar days, then within seven (7) calendar days Ecology's project coordinator shall issue a written decision (Informal Dispute Decision) stating: the nature of the dispute; the Port of Grays Harbor's position with regards to the dispute; Ecology's position with regards to the dispute; and the extent of resolution reached by informal discussion.

c. Port of Grays Harbor may then request regional management review of the dispute. This request (Formal Dispute Notice) must be submitted in writing to the Southwest Region Toxics Cleanup Section Manager within seven (7) calendar days of receipt of Ecology's Informal Dispute Decision. The Formal Dispute Notice shall include a written statement of dispute setting forth: the nature of the dispute; the disputing Party's position with respect to the dispute; and the information relied upon to support its position.

d. The Section Manager shall conduct a review of the dispute and shall issue a written decision regarding the dispute (Decision on Dispute) within thirty (30) calendar days of receipt of the Formal Dispute Notice. The Decision on Dispute shall be Ecology's final decision on the disputed matter.

2. The Parties agree to only utilize the dispute resolution process in good faith and agree to expedite, to the extent possible, the dispute resolution process whenever it is used.

3. Implementation of these dispute resolution procedures shall not provide a basis for delay of any activities required in this Order, unless Ecology agrees in writing to a schedule extension.

4. In case of a dispute, failure to either proceed with the work required by this Order or timely invoke dispute resolution may result in Ecology's determination that insufficient progress is being made in preparation of a deliverable, and may result in Ecology undertaking the work under Section VII.E (Work to be Performed) or initiating enforcement under Section X (Enforcement).

I. Extension of Schedule

1. Port of Grays Harbor request for an extension of schedule shall be granted only when a request for an extension is submitted in a timely fashion, generally at least thirty (30) days prior to expiration of the deadline for which the extension is requested, and good cause exists for granting the extension. All extensions shall be requested in writing. The request shall specify:

a. The deadline that is sought to be extended.

b. The length of the extension sought.

c. The reason(s) for the extension.

d. Any related deadline or schedule that would be affected if the extension were granted.

2. The burden shall be on Port of Grays Harbor to demonstrate to the satisfaction of Ecology that the request for such extension has been submitted in a timely fashion and that good cause exists for granting the extension. Good cause may include, but may not be limited to:

a. Circumstances beyond the reasonable control and despite the due diligence of Port of Grays Harbor including delays caused by unrelated third parties or Ecology, such as (but not limited to) delays by Ecology in reviewing, approving, or modifying documents submitted by Port of Grays Harbor.

b. Acts of God, including fire, flood, blizzard, extreme temperatures, storm, or other unavoidable casualty.

c. Endangerment as described in Section VIII.K (Endangerment).

However, neither increased costs of performance of the terms of this Order nor changed economic circumstances shall be considered circumstances beyond the reasonable control of Port of Grays Harbor.

3. Ecology shall act upon any Port of Grays Harbor's written request for extension in a timely fashion. Ecology shall give Port of Grays Harbor written

notification of any extensions granted pursuant to this Order. A requested extension shall not be effective until approved by Ecology. Unless the extension is a substantial change, it shall not be necessary to amend this Order pursuant to Section VIII.J (Amendment of Order) when a schedule extension is granted.

4. At Port of Grays Harbor's request, an extension shall only be granted for such period of time as Ecology determines is reasonable under the circumstances. Ecology may grant schedule extensions exceeding ninety (90) days only as a result of one of the following:

a. Delays in the issuance of a necessary permit which was applied for in a timely manner.

b. Other circumstances deemed exceptional or extraordinary by Ecology.

c. Endangerment as described in Section VIII.K (Endangerment).

J. Amendment of Order

The project coordinators may verbally agree to minor changes to the work to be performed without formally amending this Order. Minor changes will be documented in writing by Ecology within seven (7) days of verbal agreement.

Except as provided in Section VIII.L (Reservation of Rights), substantial changes to the work to be performed shall require formal amendment of this Order. This Order may only be formally amended by the written consent of both Ecology and Port of Grays Harbor. Ecology

will provide its written consent to a formal amendment only after public notice and opportunity to comment on the formal amendment.

When requesting a change to the Order, Port of Grays Harbor shall submit a written request to Ecology for approval. Ecology shall indicate its approval or disapproval in writing and in a timely manner after the written request is received. If Ecology determines that the change is substantial, then the Order must be formally amended. Reasons for the disapproval of a proposed change to this Order shall be stated in writing. If Ecology does not agree to a proposed change, the disagreement may be addressed through the dispute resolution procedures described in Section VIII.H (Resolution of Disputes).

K. Endangerment

In the event Ecology determines that any activity being performed at the Site under this Order is creating or has the potential to create a danger to human health or the environment on or surrounding the Site, Ecology may direct Port of Grays Harbor to cease such activities for such period of time as it deems necessary to abate the danger. Port of Grays Harbor shall immediately comply with such direction.

In the event Port of Grays Harbor determines that any activity being performed at the Site under this Order is creating or has the potential to create a danger to human health or the environment, Port of Grays Harbor may cease such activities. Port of Grays Harbor shall notify Ecology's project coordinator as soon as possible, but no later than twenty-four (24) hours after making such determination or ceasing such activities. Upon Ecology's direction, Port of Grays Harbor shall provide Ecology with documentation of the basis for the determination or cessation

of such activities. If Ecology disagrees with Port of Grays Harbor's cessation of activities, it may direct Port of Grays Harbor to resume such activities.

If Ecology concurs with or orders a work stoppage pursuant to this section, Port of Grays Harbor's obligations with respect to the ceased activities shall be suspended until Ecology determines the danger is abated, and the time for performance of such activities, as well as the time for any other work dependent upon such activities, shall be extended in accordance with Section VIII.I (Extension of Schedule) for such period of time as Ecology determines is reasonable under the circumstances.

Nothing in this Order shall limit the authority of Ecology, its employees, agents, or contractors to take or require appropriate action in the event of an emergency.

L. Reservation of Rights

This Order is not a settlement under RCW 70.105D. Ecology's signature on this Order in no way constitutes a covenant not to sue or a compromise of any of Ecology's rights or authority. Ecology will not, however, bring an action against Port of Grays Harbor to recover remedial action costs paid to and received by Ecology under this Order. In addition, Ecology will not take additional enforcement actions against Port of Grays Harbor regarding remedial actions required by this Order, provided Port of Grays Harbor complies with this Order.

Ecology nevertheless reserves its rights under RCW 70.105D, including the right to require additional or different remedial actions at the Site should it deem such actions necessary to protect human health or the environment, and to issue orders requiring such remedial actions.

Ecology also reserves all rights regarding the injury to, destruction of, or loss of natural resources resulting from the release or threatened release of hazardous substances at the Site.

By entering into this Order, Port of Grays Harbor does not admit to any liability for the Site. Although Port of Grays Harbor is committing to conducting the work required by this Order under the terms of this Order, Port of Grays Harbor expressly reserves all rights available under law, including but not limited to the right to seek cost recovery or contribution against third parties, and the right to assert any defenses to liability in the event of enforcement.

M. Transfer of Interest in Property

No voluntary conveyance or relinquishment of title, easement, leasehold, or other interest in any portion of the Site shall be consummated by Port of Grays Harbor without provision for continued implementation of all requirements of this Order and implementation of any remedial actions found to be necessary as a result of this Order.

Prior to Port of Grays Harbor's transfer of any interest in all or any portion of the Site, and during the effective period of this Order, Port of Grays Harbor shall provide a copy of this Order to any prospective purchaser, lessee, transferee, assignee, or other successor in said interest; and, at least thirty (30) days prior to any transfer, Port of Grays Harbor shall notify Ecology of said transfer. Upon transfer of any interest, Port of Grays Harbor shall notify all transferees of the restrictions on the activities and uses of the property under this Order and incorporate any such use restrictions into the transfer documents.

N. Compliance with Applicable Laws

1. *Applicable Laws.* All actions carried out by Port of Grays Harbor pursuant to this Order shall be done in accordance with all applicable federal, state, and local requirements, including requirements to obtain necessary permits or approvals, except as provided in RCW 70.105D.090. The permits or specific federal, state, or local requirements that the agency has determined are applicable and that are known at the time of the execution of this Order have been identified in Exhibit D. Port of Grays Harbor has a continuing obligation to identify additional applicable federal, state, and local requirements which apply to actions carried out pursuant to this Order, and to comply with those requirements. As additional federal, state, and local requirements are identified by Ecology or Port of Grays Harbor, Ecology will document in writing if they are applicable to actions carried out pursuant to this Order, and Port of Grays Harbor must implement those requirements.

2. *Relevant and Appropriate Requirements.* All actions carried out by Port of Grays Harbor pursuant to this Order shall be done in accordance with relevant and appropriate requirements identified by Ecology. The relevant and appropriate requirements that Ecology has determined apply have been identified in Exhibit E. If additional relevant and appropriate requirements are identified by Ecology or Port of Grays Harbor, Ecology will document in writing if they are applicable to actions carried out pursuant to this Order and Port of Grays Harbor must implement those requirements.

3. Pursuant to RCW 70.105D.090(1), Port of Grays Harbor may be exempt from the procedural requirements of RCW 70.94, 70.95, 70.105, 77.55, 90.48, and 90.58 and of any laws requiring or authorizing local government permits or approvals. However, Port of Grays Harbor shall comply with the substantive requirements of such permits or approvals. For permits and approvals covered under RCW 70.105D.090(1) that have been issued by local government, the Parties agree that Ecology has the non-exclusive ability under this Order to enforce those local government permits and/or approvals. The exempt permits or approvals and the applicable substantive requirements of those permits or approvals, as they are known at the time of the execution of this Order, have been identified in Exhibit D.

4. Port of Grays Harbor has a continuing obligation to determine whether additional permits or approvals addressed in RCW 70.105D.090(1) would otherwise be required for the remedial action under this Order. In the event either Ecology or Port of Grays Harbor determines that additional permits or approvals addressed in RCW 70.105D.090(1) would otherwise be required for the remedial action under this Order, it shall promptly notify the other party of its determination. Ecology shall determine whether Ecology or Port of Grays Harbor shall be responsible to contact the appropriate state and/or local agencies. If Ecology so requires, Port of Grays Harbor shall promptly consult with the appropriate state and/or local agencies and provide Ecology with written documentation from those agencies of the substantive requirements those agencies believe are applicable to the remedial action. Ecology shall make the final determination on the additional substantive requirements that must be met by Port of

Grays Harbor and on how Port of Grays Harbor must meet those requirements. Ecology shall inform Port of Grays Harbor in writing of these requirements. Once established by Ecology, the additional requirements shall be enforceable requirements of this Order. Port of Grays Harbor shall not begin or continue the remedial action potentially subject to the additional requirements until Ecology makes its final determination.

Pursuant to RCW 70.105D.090(2), in the event Ecology determines that the exemption from complying with the procedural requirements of the laws referenced in RCW 70.105D.090(1) would result in the loss of approval from a federal agency that is necessary for the state to administer any federal law, the exemption shall not apply and Port of Grays Harbor shall comply with both the procedural and substantive requirements of the laws referenced in RCW 70.105D.090(1), including any requirements to obtain permits or approvals.

O. Periodic Review

So long as remedial action continues at the Site, the Parties agree to review the progress of remedial action at the Site, and to review the data accumulated as a result of monitoring the Site as often as is necessary and appropriate under the circumstances. Unless otherwise agreed to by Ecology, at least every five (5) years after the initiation of cleanup action at the Site the Parties shall confer regarding the status of the Site and the need, if any, for further remedial action at the Site. Ecology reserves the right to require further remedial action at the Site under appropriate circumstances. This provision shall remain in effect for the duration of this Order.

P. Indemnification

Port of Grays Harbor agrees to indemnify and save and hold the State of Washington, its employees, and agents harmless from any and all claims or causes of action (1) for death or injuries to persons, or (2) for loss or damage to property, to the extent arising from or on account of acts or omissions of Port of Grays Harbor, its officers, employees, agents, or contractors in entering into and implementing this Order. However, Port of Grays Harbor shall not indemnify the State of Washington nor save nor hold its employees and agents harmless from any claims or causes of action to the extent arising out of the negligent acts or omissions of the State of Washington, or the employees or agents of the State, in entering into or implementing this Order.

IX. SATISFACTION OF ORDER

The provisions of this Order shall be deemed satisfied upon Port of Grays Harbor's receipt of written notification from Ecology that Port of Grays Harbor has completed the remedial activity required by this Order, as amended by any modifications, and that Port of Grays Harbor has complied with all other provisions of this Agreed Order.

X. ENFORCEMENT

Pursuant to RCW 70.105D.050, this Order may be enforced as follows:

A. The Attorney General may bring an action to enforce this Order in a state or federal court.

B. The Attorney General may seek, by filing an action, if necessary, to recover amounts spent by Ecology for investigative and remedial actions and orders related to the Site.

C. A liable party who refuses, without sufficient cause, to comply with any term of this Order will be liable for:

1. Up to three (3) times the amount of any costs incurred by the State of Washington as a result of its refusal to comply.

2. Civil penalties of up to twenty-five thousand dollars ($25,000) per day for each day it refuses to comply.

D. This Order is not appealable to the Washington Pollution Control Hearings Board. This Order may be reviewed only as provided under RCW 70.105D.060.

Effective date of this Order: 8/8/2022

PORT OF GRAYS HARBOR

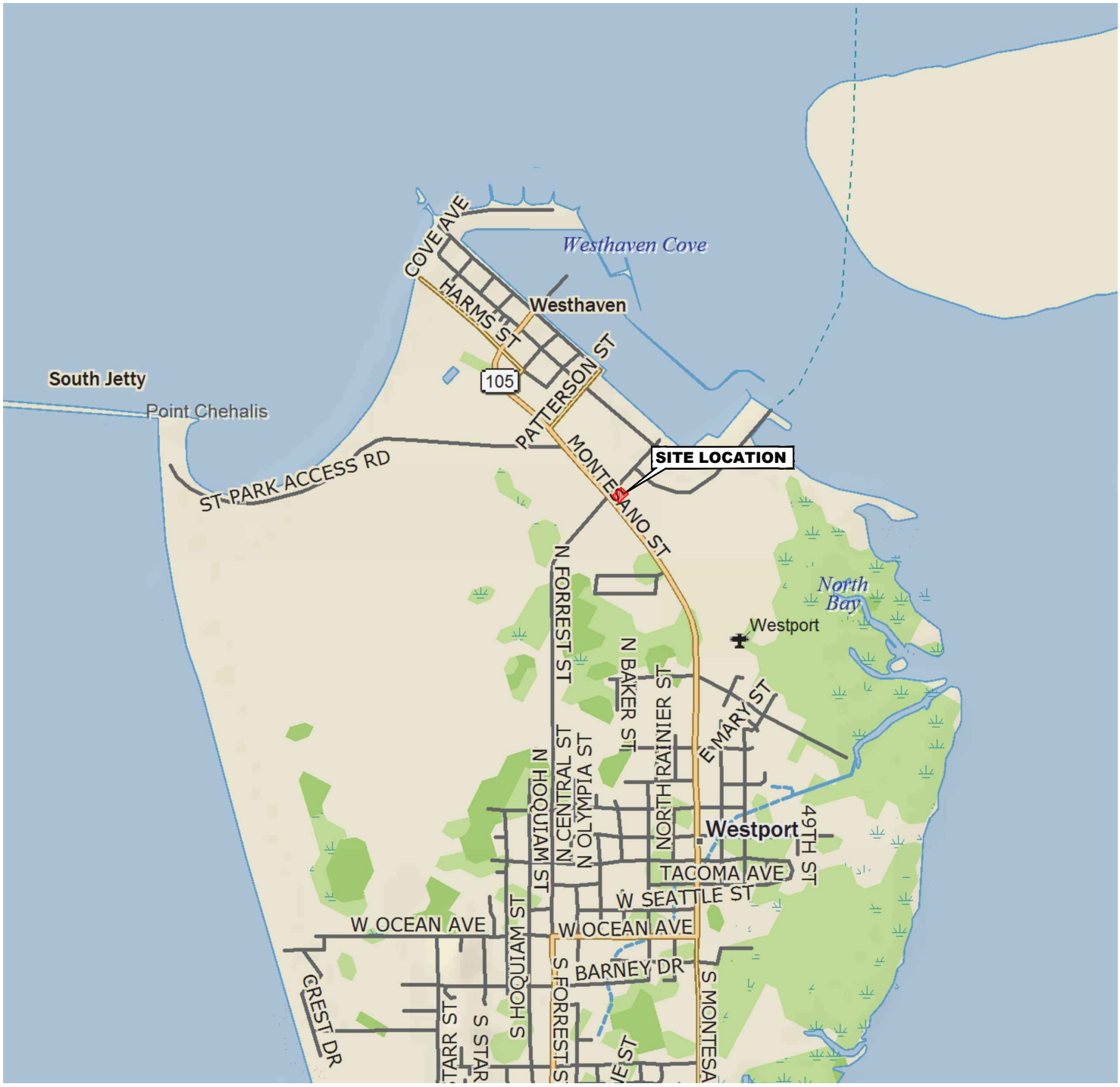
Gary G. Nelson
Executive Director
Port of Grays Harbor
111 S. Wooding St.
Aberdeen, WA 98520
360-533-9528

STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

Rebecca S. Lawson, P.E., LHG
Section Manager
Toxics Cleanup Program
Southwest Regional Office
360-407-6241

EXHIBIT A

SITE LOCATION MAP



North

1/2 0 1

SCALE (MILES)

1000 0 1000 2000 3000 4000 5000

SCALE (FEET)

REFERENCE: USGS 7.5 MINUTE QUADRANGLE, WESTPORT, WASHINGTON

Stantec
11130 NE 33RD PLACE, SUITE 200
BELLEVUE, WASHINGTON
PHONE: (425) 869-9448 FAX: (425) 869-1190

FOR:
THE HUNGRY WHALE
1680 NORTH MONTESANO STREET
WESPORT, WASHINGTON

SITE LOCATION MAP

FIGURE: **1**

JOB NUMBER:	DRAWN BY:	CHECKED BY:	APPROVED BY:	DATE:
185703328	MDR	DH	--	SEPT 2016

FILEPATH:M:_00 OTHER OFFICES\01-REDMOND\HUNGRY WHALE\FIG-1_SITE LOC.dwg | Layout Tab: Layout1 | Drafter: miramirez | Sep 21, 2016 at 15:06

EXHIBIT B

DRAFT CLEANUP ACTION PLAN

Draft Cleanup Action Plan

The Hungry Whale Site

Washington State Department of Ecology
Toxics Cleanup Program
Olympia, Washington

October 18, 2021

Table of Contents

Executive Summary

This document presents the Draft Cleanup Action Plan (dCAP) for the Hungry Whale Site near Westport, Washington. This dCAP was prepared by the Washington State Department of Ecology (Ecology) in collaboration with the Port of Grays Harbor. This dCAP has been prepared to meet the requirements of the Model Toxics Control Cleanup Act (MTCA) administered by Ecology under Chapter 173-340 of the Washington Administrative Code (WAC). This dCAP describes Ecology's proposed cleanup action for this site and sets forth the requirements that the cleanup must meet.

The Hungry Whale is an operating convenience store and fuel dispensing facility in Westport, WA (the Site). The facility was constructed in the mid-1970s and since then has always operated as a convenience and fuel dispensing facility. Historical releases to the subsurface from the fuel storage and dispensing infrastructure have resulted in gasoline contamination of the soil and groundwater beneath the Site. There have been several attempts throughout the years by the Port of Grays Harbor under Ecology's direction to remediate the contaminated soil and groundwater beneath the Site, none of which have been successful. Currently, the soil and groundwater remain contaminated with gasoline constituents above the Ecology clean-up levels. The subsurface contamination represents a potential future risk to human health and the environment as long as contaminant concentrations remain above the clean-up levels.

This dCAP describes actions to remediate the subsurface contamination in the most effective manner. Ecology regulations stipulate that multiple remedial approaches for Site clean-up be considered before choosing the most effective remedial action as part of a Cleanup Action. This analysis was completed, and each approach was evaluated for its technical viability and cost effectiveness. The approach selected as the most likely to effectively remediate subsurface contamination is a combination of soil excavation and groundwater removal. This approach includes removing all existing infrastructure including the convenience store and the fuel storage and distribution equipment. Following these infrastructure removal activities, contaminated soil beneath the Site will be excavated and disposed off-Site at an appropriate waste disposal facility. Concurrent with contaminated soil excavation and as part of the Cleanup Action, groundwater entering the excavation will be pumped out of the excavation. The pumped water will be treated through an on-property temporary water treatment facility. Once treated, the water will be tested to confirm it meets discharge levels. Upon confirmation that the water meets discharge levels, it will be managed as stormwater and directed to the City of Westport's stormwater ditches.

Following the soil excavation and groundwater pumping activities, the open excavation will be backfilled with clean soils. Groundwater monitoring wells will be installed to confirm contaminant levels in the groundwater have been reduced. Following remedial action, the site will be suitable for redevelopment.

Abbreviations

AO	Agreed Order
BGS	Below Ground Surface
CAP	Corrective Action Plan
COC	Chemical of Concern
cPAH	Carcinogenic Polycyclic Aromatic Hydrocarbons
CUL	Cleanup Level
dCAP	Draft Corrective Action Plan
Ecology	Washington State Department of Ecology
EPA	U.S. Environmental Protection Agency
ESA	Environmental Site Assessment
Ft	Feet
HBU	Highest Beneficial Use
IHS	Indicator Hazardous Substance
mg/kg	Milligrams per kilogram
MNR	Monitored Natural Recovery
MTCA	Model Toxics Control Act
ng/kg	nanograms per kilogram
ORP	Oxidation Reduction Potential
PCB	Polychlorinated Biphenyl
PLP	Potentially Liable Party
Port	Port of Grays Harbor
RI/FS	Remedial Investigation/Feasibility Study
RME	Reasonable Maximum Exposure
SMS	Sediment Management Standards
SVOC	Semi-Volatile Organic Compound

TEE	Terrestrial Ecological Investigation
TPH	Total Petroleum Hydrocarbons
µg/L	micrograms per liter
UCL	Upper Confidence Limit
UST	Underground Storage Tank
VCP	Voluntary Cleanup Program
VOC	Volatile Organic Compound
WAC	Washington Administrative Code

1.0 INTRODUCTION

1.1 PURPOSE

This document is the Draft Cleanup Action Plan (dCAP) for the Hungry Whale Site located near Westport, Washington. The general location of the Site is shown in Figure 1. A dCAP is required as part of the Site cleanup process under Chapter 173-340 WAC, Model Toxics Control Act (MTCA) Cleanup Regulations. The purpose of the dCAP is to identify the proposed cleanup action for the Site and to provide an explanatory document for public review. More specifically, this plan:

- Describes the Site
- Summarizes current site conditions
- Summarizes the cleanup action alternatives considered in the remedy selection process
- Describes the selected cleanup action for the Site and the rational for selecting this alternative
- Identifies site-specific cleanup levels and points of compliance for each hazardous substance and medium of concern for the proposed cleanup action
- Identifies applicable state and federal laws for the proposed cleanup action
- Identifies residual contamination remaining on the site after cleanup and restrictions on future uses and activities at the site to ensure continued protection of human health and the environment
- Discusses compliance monitoring requirements; and
- Presents the schedule for implementing the dCAP.

Ecology has made a preliminary determination that a cleanup conducted in conformance with this dCAP will comply with the requirements for selection of a remedy under WAC 173-340-360.

1.2 PREVIOUS STUDIES

In March 1991, two former USTs were decommissioned by Olympus Environmental: one 2,000-gallon gasoline UST was decommissioned by removal and one 6,000-gallon gasoline UST was decommissioned in-place (the UST interior was cleaned and filled with sand-and-concrete slurry). Both USTs were reportedly located immediately to the south/southwest of the convenience store building. A preliminary site assessment was also conducted, and soil samples collected during that assessment revealed impacts above MTCA Method A CULs. Several test pits were excavated on the property at this time and a thin layer of SPH was found floating on the water table at a location close to the abandoned USTs. A test pit (located immediately east of the station building) revealed no petroleum hydrocarbon impacts. Ecology UST online summary records indicate that a third UST (closed-in-place) may exist at the property; however, there is no further information regarding the size, location, or former tank contents of this possible third UST. Following the UST abandonment activities, one UST (the current UST) was installed at a new location in the southern portion of the property.

In November 1991, following the UST removal/in-place closure activities at the property, Ecology contracted with Science Applications International Corporation (SAIC) to conduct a remedial investigation/feasibility study (RI/FS). SAIC initially installed six groundwater monitoring wells to determine the extent of groundwater impacts. Laboratory analysis of groundwater samples identified TPH-G and BTEX at concentrations exceeding MTCA Method A CULs. SAIC installed three additional monitoring wells in May 1992 to further characterize subsurface conditions beneath the property and to collect data to aid in remedial system design. At that time, separate phase hydrocarbon (SPH) was observed on the water table.

Four groundwater monitoring events were conducted by Development, Planning Research and Analysis (DPRA) and SAIC between 1991 and 1993 (DPRA and SAIC 1993). Groundwater samples collected from the groundwater monitoring well network contained concentrations of TPH-G and BTEX above applicable CULs for unrestricted land use (MTCA Method A concentrations). Measurable SPH was reportedly observed in groundwater monitoring wells located in the central and northwestern portions of the property, and in a well located near the north corner of the property's storage building. The thickest SPH was measured in the central portion of the property.

In August 1993, Ecology requested that the Port of Grays Harbor assume responsibility for Site cleanup, resulting in the initial Agreed Order 94-S388 (dated March 21, 1995). It appears that an early Corrective Action Plan (CAP; undated) was prepared and submitted to Ecology.

Agreed Order No. DE 94-S388 became effective March 29, 1995 and was written to facilitate the implementation of the remedy selected in the cleanup action plan – enhanced bioremediation (biosparging). The biosparging technology is a closed loop process which circulates soil vapors and ground water through a pressurized bioreactor before returning the newly cleansed vapor and groundwater (with bio surfactants and nutrients added) to the center of the contamination using a sparge well. The biosparging system began operation in August 1997 and was shut down in October 1999. One year of quarterly groundwater monitoring was then performed to see if natural attenuation mechanisms would cause Site concentrations to decrease to levels below the MTCA. The results of groundwater sampling and testing indicated that the contaminant concentrations decreased significantly during the operation of the remediation system. But after the treatment system was shutdown, quarterly monitoring for an additional year indicated concentrations of TPH-G and Benzene rebounded to their pre-treatment levels.

Based on the November 2000 contaminant rebound noted above, in 2004 Ecology requested an additional investigation to establish baseline concentrations of TPH-G and BTEX in both soil and groundwater. In January 2005, Urban Redevelopment, LLC (UR) advanced approximately 7 soil borings/groundwater monitoring wells at and in the vicinity of the property: MW-01(UR) through MW-03(UR) on the property and four off-property, including MW-05(UR), MW-06 (UR), MW-13(UR), and MW-14(UR). A metal culvert located near the southwest corner of the property was punctured during advancement of well MW-13(UR). SPH was noted floating on the water within the culvert; however, the thickness of the SPH was not specified. According to Sound Environmental Strategies (SES') review of UR's data, the highest concentrations of TPH-G and BTEX in groundwater were detected in samples collected from the southwestern portion of the property near the current USTs.

Between April and October 2007, SES conducted a remedial investigation at and in the vicinity of the property to identify the source(s) of the contamination beneath the site; more fully assess the vertical and lateral extent of the contamination; and assist in the development of a remedial action. SES' 2007 field activities consisted of:

- Late April 2007 - sampling and analysis of soil and groundwater "grab" samples from eight (8) on-property direct-push soil borings (P01 through P06, P08 and P09, and nearby off-property P07 immediately south of the property). Most of these borings were drilled to depths of 12 to 15 feet below ground surface (bgs). Impacted soil (TPH-G, BTEX, and/or naphthalene above MTCA Method A CULs) was detected in the on-property borings but not at off-property boring P07 (see Table 1). TPH-G and benzene isoconcentration contour maps are provided as Figures 3 and 4. Off-property test pits along the culvert south of the property were excavated to evaluate potential off-property contamination within or around the culvert.
- Recovery of SPH within a nearby culvert and off-property test pits to the southeast along the culvert to control possible further off-property SPH migration (this was follow-up work performed because of UR's January 2005 inadvertent puncturing of a culvert).
- Early June 2007 - drilling and installation of six additional on- and off-property soil borings, all of which were completed as groundwater monitoring wells: on-property B-20/MW-20 through B-23/MW-23; off-property B-24/MW-24 located west of the intersection of Wilson Avenue and N. Montesano Street; and off-property B-25/MW-25 located south of the property and across N. Montesano Street. B-21/MW-21 through B-25/MW-25 were drilled to depths of approximately 15 feet, completed with 10 feet of lower well screen and 5 feet of upper blank casing at the top of each well. B-20/MW-20 was drilled to a depth of 30 feet and completed as a single-cased well with screen from 25-30 feet bgs and again from 3-13 feet bgs.
- Late June 2007 - collection and analysis of groundwater samples from 16 of the 18 on- and off-property monitoring wells (including the six new wells; two pre-existing wells contained sheen or less than 0.1 feet of SPH and were not sampled);
- Early October 2007 - advancement of 11 additional direct-push soil borings (P10 through P21) located off-property within public rights-of-way in North Montesano Street and Wilson Avenue. Most of these borings were drilled to depths of approximately 8 feet bgs. Soil samples were collected from all 11 borings and groundwater "grab" samples were collected from P11, P14, and P18 through P20. The purpose of these off-property borings was to delineate the extent of petroleum-contaminated soil (PCS) previously identified along northern and western property boundaries. Impacted soil (TPH-G and/or BTEX at concentrations above MTCA Method A CULs) was encountered at off-property Borings P11, P12, P13, P14, P15 and P16; and,
- Early May 2007 - collection of water samples from cold- and hot-water faucets at a nearby residence, performed with Ecology's approval resulting from the resident telling SES' field staff that the residential tap water had an odor of chlorine following rainstorms. Information from public records reviewed by others shows that water for residential and commercial uses is provided by the City of Westport, not domestic wells.

SES noted that laboratory analysis identified TPH-G and benzene in one or more soil samples collected from all on-property borings at concentrations above their respective MTCA Method A CULs. Soil

contamination was also found to extend beneath the North Montesano Street and Wilson Avenue rights-of-way at distances of approximately 15 to 20 feet to the west and north of the property but was not encountered in borings advanced further west and north of (beyond) North Montesano Street and Wilson Avenue. According to SES, off-property test pits that were excavated southeast of the January 2005 culvert puncture location did not show evidence of petroleum-hydrocarbon subsurface impacts.

During the late June 2007 groundwater monitoring event, thin layers of SPH were recorded in wells MW-04 and MW-09. In addition, concentrations of TPH-G and one or more of the BTEX constituents were detected above their respective MTCA Method A CULs in groundwater samples collected from seven of the remaining 16 wells. The contaminant distribution in groundwater monitoring wells closely resembled the distribution of the soil contamination, except for the northwest portion of the active UST area (SES' boring P05).

Impacted groundwater (collected as "grab" samples via temporary stainless steel "hydropunch" and/or PVC screens placed inside the direct-push borings) was encountered in all on-property borings and several of the off-property borings located in North Montesano Street and Wilson Avenue; however, SES notes that the groundwater "grab" samples showed high turbidity and are more reflective of saturated soil impacts rather than groundwater.

On December 12, 2011, Stantec supervised the installation of seven shallow soil gas probes (SG-1 through SG-7) to depths 4.5 feet bgs at the property to evaluate the possible presence of subsurface soil gas impacted by petroleum hydrocarbons. Soil gas samples were collected from the shallow probes on December 20, 2011. Laboratory analysis of shallow soil vapor samples indicated that no VOCs were detected at concentrations at or above Table B-1 Screening Levels (in Washington Department of Ecology Guidance for Evaluating Soil Vapor Intrusion in Washington State: Investigation and Remedial Action, Review Draft, October 2009) in samples from SG-1 or SG-7 only, located in the north portion of the property and approximately 40 feet south of Wilson Avenue. Concentrations of BTEX, 1,2,4-Trimethylbenzene, and 1,3,5-Trimethylbenzene exceeded their respective Table B-1 Screening Levels in the remaining five vapor samples SG-2 through SG-6, located in the central and southern portions of the property where impacted soil and shallow groundwater are present.

Due to elevated concentrations of volatile organic compounds (VOCs) detected in the soil gas samples collected near the building (SG-2 and SG-3), Ecology recommended collecting indoor air samples to evaluate vapor intrusion. On March 21, 2012, Stantec collected two indoor and two outdoor ambient air samples. Laboratory analysis of ambient air samples indicated that none of the VOCs analyzed were detected at concentrations at or above the Method B indoor air screening levels presented in Table B-1 (referenced above) and that results of the indoor and outdoor ambient samples were not discernably different. Based on the data, vapor intrusion did not appear to be occurring and as such, the vapor exposure pathway was determined to be incomplete. Results of the ambient air sampling event are presented in Table 3b.

Stantec has conducted nine groundwater monitoring and sampling events since SES' 2007 assessment work during the following times: Fourth Quarter 2011; First through Third Quarters 2012; Second Quarter 2013; Second Quarter 2016; January 2018; June 2019, and May 2021. Field parameters of dissolved

oxygen (DO), oxidation-reduction potential (ORP), pH, temperature, and/or conductivity have been measured at the wellheads during low-flow purging and sampling with pump intakes placed at depths of approximately 9 to 11 feet (varies depending on the depth to water each quarter but equivalent to 4 to 6 feet below the surface of shallow groundwater; mid-screen interval for SES' 2007 wells and upper screen interval for the earlier wells). The three 2012 quarterly events were only performed at selected on-property groundwater monitoring wells whereas the subsequent events were conducted at all on- and off-property wells. The January 2018 event included three on-Site wells (MW-10, MW-21, and MW-22) and one off-Site well (MW-25).

1.3 REGULATORY FRAMEWORK

Cleanup activities at the Hungry Whale are under the Department of Ecology's Model Toxics Control Act (MTCA). MTCA was passed into law in 1989 and is intended to provide a clear and efficient process to clean up contaminated sites to standards that are safe for both human health and the environment. Under MTCA, a current or past owner or operator may be held responsible for the cleanup.

Ecology is responsible for implementing and enforcing the provisions of MTCA and its accompanying administrative regulations. Ecology investigates reports of property contamination and determines if a significant threat exists to human health, the environment, or both. If a significant threat exists, the site is placed on the Hazardous Sites List and a cleanup process begins.

Ecology entered into an Agreed Order with the Port of Grays Harbor in 1995 to complete additional sampling and implement the selected cleanup remedy (identified during the Feasibility Study). A remediation (cleanup) system was installed and operated from 1997 to 1999. Testing after the system was shut down confirmed that contamination remained present in groundwater above state cleanup standards.

In 2006, Ecology entered into a new Agreed Order with the Port of Grays Harbor to complete another Remedial Investigation to summarize findings to date. The Agreed Order also required The Port of Grays Harbor to conduct a Feasibility Study to determine new and more effective method for cleanup.

The Site is further identified by Ecology as Facility #1127 and Cleanup Site #4988 with Agreed Order #3812.

Implementation of the CAP requires the following permits and/or notifications:

- State Environmental Protection Act (SEPA) Environmental Checklist
- Olympic Region Clean Air Agency (ORCAA) Notification of Demolition
- Ecology General Construction Stormwater Permit
- City of Westport Demolition Permit
- City of Westport Sewer and Water Permit

- City of Westport Fill and Grade Permit
- Ecology Underground Storage Tank (UST) closure forms/permits (30-day notice and Permanent Closure Notice)

2.0 SITE DESCRIPTION

The Hungry Whale property is owned by the Port and is currently leased as a convenience store and fuel dispensing facility. The property is a small portion of the much larger, Port-owned APN No. 616120142001 and is situated in the western-most corner of APN No. 616120142001. The property is located at the east corner of the intersection of North Montesano Street and Wilson Avenue in Westport, Grays Harbor County, Washington (**Figure 1**). A copy of the legal description of the property (including the Port-provided Hungry Whale leasehold boundaries; a nearly square shaped parcel with sides of approximately 150, 151, 155, and 173 feet in length) is contained in Appendix A. The Property is in the northeast quarter of the southeast quarter of Section 1, Township 16 North, Range 12 West.

2.1 SITE HISTORY

The current facility was constructed in the mid-1970s and since then has always operated as a convenience store and fuel dispensing facility. The original underground storage tanks (UST) consisted of one decommissioned-by-removal 2,000 gallon UST and, one abandoned-in-place 6,000 gallon UST, located in the central portion of the property. These USTs were replaced with one, 20,000 gallon three-compartment UST currently situated in the southwest portion of the property. The surface of the property has historically comprised asphalt and/or concrete – these surfaces are now weathered and cracked. A storage building and a residence are in the eastern portion of the property. A generalized layout of the property (including an approximation of the property boundaries and the locations of the current UST and former USTs) is provided on Figure 2.

Historical releases to the subsurface from the fuel storage and dispensing infrastructure have resulted in gasoline contamination of the soil and groundwater beneath the Site. There have been several attempts throughout the years by the Port of Grays Harbor and under Ecology's direction to remediate the contaminated soil and groundwater beneath the Site, none of which have been successful. Currently, the soil and groundwater remain contaminated with gasoline constituents above the Ecology clean-up levels. Site Cleanup activities are being conducted under an Agreed Order between the Port of Grays Harbor and Ecology.

The contaminated subsurface soil and groundwater extend off-property and therefore the Site boundary extends beyond the property limits. The known or inferred extent of the Site limits is documented in subsequent sections and Figures 3 and 4 (SES 2008) in this report.

2.2 HUMAN HEALTH AND ENVIRONMENTAL CONCERNS

The extent of impacts to soil and groundwater from chemicals of concern are predominantly on the property and within short distances (approximately 35 feet) beyond the property to the north, west and south beneath Wilson Avenue and N. Montesano Street.

Elevated contaminant concentrations in soil have been encountered during subsurface environmental investigations from depths extending from near ground surface to approximately 13 to 14 feet bgs in various portions of the Site (SES 2008). However, areas exhibiting elevated concentrations of COCs are generally limited to portions of the Site which are paved with asphalt or concrete. A change in property use, redevelopment or construction activities may result in human exposure to petroleum contaminants in soils.

Elevated concentrations of COCs have been detected in shallow groundwater beneath the Site. The groundwater plume is generally confined beneath areas of the Site paved with asphalt or concrete; however, because the historical depths to groundwater are relatively shallow (4 to 8 feet), direct contact with groundwater (dermal contact, incidental ingestion and inhalation of VOCs partitioning from groundwater) may occur to construction and excavation worker.

There is no documented use of shallow groundwater as domestic or municipal water supply at or within 0.5-mile of the Site and potable water is provided to the site by the City of Westport. No municipal supply wells are in the vicinity of the Site.

Unless an exclusion applies to a site, a terrestrial ecological evaluation (TEE) is required. A TEE determines whether a release of hazardous substances to soil may pose a threat to the terrestrial environment; characterizes threats to terrestrial plants or animals; and establishes site-specific cleanup standards for the protection of terrestrial plants and animals. Stantec completed a Simplified Terrestrial Ecological Evaluation (TEE) in April 2019. The Site is covered almost entirely with asphalt, concrete, gravel or occupied by buildings. Following the clean-up action, the site will be a vacant lot covered with gravel and suitable for redevelopment. The April 2019 Simplified TEE Form was approved by Ecology. The Site is subject to commercial and industrial use and is within a Mixed-Use Tourist Commercial 1 (MUTC-1) zoning district. Based on the TEE, Ecology has determined that the cleanup standards for the Site do not include any terrestrial ecological considerations.

2.3 CLEANUP STANDARDS

Washington MTCA regulations define Cleanup Standards for contaminated groundwater and soil in WAC 173-240-700 and 173-340-720. A Cleanup Standard consists of three distinct elements:

- Cleanup Levels, expressed as allowable concentrations of hazardous substances present in Site soil and groundwater
- Point of Compliance, the location(s) where soil and groundwater quality is monitored to determine the need for, and effectiveness of, any cleanup action; and,
- Any other applicable state and federal laws.

2.3.1 Chemicals of Concern (COCs)

The primary COCs include TPH-G, BTEX and naphthalene constituents (benzene is the primary risk driver). These COCs have been selected based on the historical use of the property as a fuel dispensing facility, as well as on exceedances of CULs based on the results of the subsurface investigations.

2.3.2 Cleanup Levels and Site-Specific Remediation Levels

Ecology has determined that residential land use is generally the property use requiring the most protective cleanup levels and that exposure to hazardous substances under unrestricted land use conditions represents the reasonable maximum exposure (RME) scenario. While residential development of the property is unlikely, hospitality services (restaurant), public access, and office space are present in the vicinity of the property and current zoning does not prohibit residential use. Therefore, the MTCA Method A soil and groundwater CULs for TPHg has been selected for application to the property based on the requirements under WAC 173-340-720 for unrestricted (residential) land use.

3.0 CLEANUP ACTION ALTERNATIVES AND ANALYSIS

3.1 CLEANUP ACTION ALTERNATIVES

The following cleanup alternatives were considered:

- In-situ Treatment
- Air Sparging and Soil Vapor Extraction
- Groundwater Extraction and Treatment
- Interim Monitoring and Source Removal
- Interim Monitoring and Soil Excavation
- Institutional Controls.

3.2 INITIAL SCREENING OF ALTERNATIVES

Initial cleanup alternatives were screened against the following minimum criteria set forth in (WAC 173-340-360(2)(a) and (b) which indicate an alternative must:

- Be protective of human health and the environment.
- Comply with cleanup standards.
- Comply with applicable state and federal laws.
- Provide for compliance monitoring.
- Use permanent solutions to the maximum extent practicable.
- Provide for a reasonable restoration timeframe; and,
- Consider public concerns.

3.3 DETAILED EVALUATION OF ALTERNATIVES

The following cleanup measures were considered but were not selected based on the reasons noted:

- In-situ Treatment: Fairly new technology without the track record of more traditional remedial approaches. Carbon-based petroleum degradation product must be in direct contact with the contaminant to be effective, which can prove challenging if the exact location of the contamination is not fully known, resulting in untreated areas; for sites with substantial and high concentration vadose or smear zone contamination, in-situ treatment may not be effective and re-contamination of groundwater may occur. Costs associated with purchasing and injection of the product can be high if multiple injections are required

- Air Sparging and Soil Vapor Extraction (AS/SVE): The effectiveness of an AS/SVE system is highly dependent upon the permeability of soil; soil structure and stratification; soil moisture; and the depth to groundwater. On-Site AS/SVE was reportedly tried previously but the reason for discontinuing is unknown. The high groundwater levels make it challenging to operate the SVE component of the system.

- Groundwater Extraction and Treatment (GWET): In general, a GWET (aka pump and treat) system is designed to remove contaminated groundwater through a series of extraction wells, pass extracted groundwater through a treatment device (e.g. granulated activated carbon), then discharge the treated groundwater to surface water, storm sewer or publicly owned treatment works (POTW). This cleanup alternative was evaluated but was not selected since attainment of cleanup levels is estimated to take approximately five years, this is greater than soil excavation and removal approach; pumping depresses the groundwater level leaving residual contaminants sorbed to soil. When groundwater level returns to a normal static level, contaminants sorbed to soil may become dissolved (resulting in a rebound of contaminant concentrations in groundwater).

- Interim Monitoring and Source Removal: Interim Monitoring and Soil Excavation includes interim groundwater monitoring with Institutional Controls and removal of the existing UST and those abandoned in place, with soil excavation (approximately 2,800 cubic yards) to remove a large volume of contaminated soils. Impacted soils beneath the convenience store and other structures would remain in place and serve as a reservoir for continued groundwater contamination. Due to partial impacted soil removal and recontamination potential this alternative is not considered permanent.

4.0 DESCRIPTION OF SELECTED REMEDY

4.1 SITE DESCRIPTION

The Site (as defined in MTCA) is the extent of subsurface contamination and therefore the Site extends outside of the property into the public rights of way to the northwest under Wilson Avenue and the

southwest under Montesano Street. This dCAP applies to the Site where property related contamination is present above CULs. Figure 2 presents the Site Plan with proposed remedial excavation limits.

4.2 DESCRIPTION OF SELECTED REMEDIAL ALTERNATIVE

The Interim Monitoring and Soil Excavation (FS Alternative 4) comprises interim groundwater monitoring with Institutional Controls and soil excavation to remove a large volume of contaminated soils situated on the property.

The selected cleanup action was evaluated to determine whether it meets the minimum requirements to be compliant with MTCA regulations as specified in WAC 173-340-360(2). The MTCA minimum requirements include threshold and other requirements. The threshold requirements are:

- Protection of human health and the environment
- Compliance with cleanup standards
- Compliance with applicable state and federal laws
- Provision for compliance monitoring.

In addition to threshold requirements, the selected cleanup action must also meet the following requirements:

- Use of permanent solutions to the maximum extent practicable
- A reasonable restoration timeframe
- Consider public concerns.

Site remediation will consist of removal of the convenience store, all fuel storage tanks and distribution infrastructure. Soil remedial activities will consist of removing UST backfill materials to the limits of the UST cavity and soils associated with the fuel islands and distribution lines. In addition, contaminated soils beyond the fueling infrastructure will be removed including soils beneath the former location of the convenience store and potentially extending to the property limits. The intent of the soil excavation will be to remove all soils containing contaminant concentrations greater than MTCA Method A Clean-up Levels. The extent of the excavation will be driven by field observation of contaminated soil, field-screening soil samples with a photo-ionizing detector and previously collected soil samples indicating concentrations of contaminants above MTCA Method A Clean-up Levels. Based on the estimated horizontal extent of excavation and the targeted excavation zone between approximately 2 feet and 12 feet below ground surface, the estimated volume of soil to be excavated is 5,200 cubic yards. During soil removal activities, contaminated groundwater will be pumped from the excavation, and disposed. Removing source soils and pumping contaminated groundwater will eliminate a large portion of contaminant mass (the source material) and should result in a substantial decrease in concentrations of dissolved petroleum in groundwater beneath the Site. Pumped contaminated groundwater will be treated to remove contaminants prior to discharge to the appropriate conveyance. Once the contaminated soils are

removed, contaminant concentrations in the groundwater will decrease through natural attenuation. The monitoring wells removed during excavation activities will be replaced to allow Monitored Natural Attenuation (MNA) as part of the remedy.

In accordance with WAC 173-340-740(6) the point of compliance for the Hungry Whale soils is defined as the point or points where cleanup levels must be met. Soils throughout the Property to a depth of 15 feet below ground surface will be the point of compliance. It is currently assumed that contaminated soil extends to beneath the adjacent rights of way. These soils will not be removed as part of the remedy.

4.3 CLEANUP STANDARDS AND POINTS OF COMPLIANCE

In accordance with WAC 173-340-704, MTCA Method A has been selected as the cleanup standard for the Site groundwater since the Site has a limited number of hazardous substances and will undergo a routine cleanup action as defined by WAC 173-340-200.

MTCA Method A includes cleanup levels (CULs) presented in the following table.

COPC	Soil (mg/kg)	Basis	Groundwater (ug/L)	Basis
TPH-G	30	Protection of groundwater as drinking water source	800	WAC 246-290-310 and 40 CFR 141.61
Benzene	0.03	Protection of groundwater as drinking water source	5	WAC 246-290-310 and 40 CFR 141.61
Toluene	7	Protection of groundwater as drinking water source	1,000	WAC 246-290-310 and 40 CFR 141.61
Ethylbenzene	6	Protection of groundwater as drinking water source	700	WAC 246-290-310 and 40 CFR 141.61
Xylenes	9	Protection of groundwater as	1,000	WAC 246-290-310 and 40 CFR 141.61

		drinking water source		

For soil, a Point of Compliance (POC) is defined in accordance with WAC 173-340-740(8) and will include soils throughout the property. At this time, it is anticipated that CULs for soil will initially be based on either a) human exposure due to direct contact with soils extending to a depth from the surface to 15 feet below the ground surface and/or b) protection of groundwater since ecological receptors have not been identified previously (see Simplified Terrestrial Ecological Evaluation Form, SES 2008).

The standard POC for groundwater is typically throughout the Site from the uppermost level of the saturated zone extending vertically to the lowest most depth which could potentially be affected by the Site. Newly installed groundwater monitoring wells at the property limits will comprise the point of compliance. If it is demonstrated that residual contamination associated with the Site remains, the issue will be addressed with an Environmental Covenant.

4.4 APPLICABLE, RELEVANT AND APPROPRIATE REQUIREMENTS (ARARS)

The following most significant potential ARARs apply to the selected remedy but may be refined during the design process:

- Model Toxics Control Act (Chapter 173.105D RCW), and Model Toxics Control Act Regulation (Chapter 173-340 WAC).
- Washington State Hazardous Waste Management Act (Chapter 70.105 RCW, and State Dangerous Waste Regulation (Chapter 173-303).
- Solid Waste Management-Reduction and Recycling (Chapter 70.95 RCW).
- Minimum Standards for Construction and Maintenance of Wells (Chapter 173-160 RCW).
- Occupational Safety and Health Act (OSHA), 29 CFR Subpart 1910.120
- Washington Industrial Safety and Health Act (WISHA).

4.5 REASONABLE RESTORATION TIMEFRAME

The MTCA [WAC 173-340-360(4)(a)] specifies that the following factors be considered in establishing a reasonable timeframe:

- Potential risks to human health and the environment
- Practicability of achieving a shorter restoration timeframe

- Current use of the Site, surrounding areas, and associated resources that are, or may be, affected by releases from the Site
- Potential future use of the Site, surrounding areas, and associated resources that are, or may be, affected by releases from the Site
- Availability of alternate water supplies
- Likely effectiveness and reliability of institutional controls
- Ability to control and monitor migration of hazardous substances from the Site
- Toxicity of the hazardous substances at the Site
- Natural processes that reduce concentrations of hazardous substances and have been documented to occur at the Site or under similar Site conditions.

The selected cleanup action described in this dCAP is consistent with or meets the above factors from WAC 173-340-360 and will address potential risks to human health and the environment. The selected cleanup action will be compatible with potential future use of the Site. The primary considerations for future land use will be the proper management of extracted groundwater if construction dewatering is required and the management of residual soil impacts if any, excavated during Site redevelopment. The City of Westport provides municipal water to the Site, and Site groundwater is not considered a potable water supply, so availability of an alternate water supply is not an issue. Site institutional controls will be largely limited to requirements for management of extracted groundwater, which can be easily and reliably implemented.

.

Thus, the cleanup action provides for a reasonable restoration time frame, as is outlined in WAC 173-340-360(4), and achieving a shorter restoration timeframe is not practicable.

4.6 SCHEDULE FOR IMPLEMENTATION

The following reporting and remedial action implementation activities will occur according to the following schedule. This schedule is subject to change based on Ecology's review schedule, Port coordination, and other conditions not foreseen. There will be a public comment period for this dCAP after which Ecology will address the comments in a Responsiveness Summary and issue the final RI/FS and CAP.

Document or Event	Date
Final CAP	Following joint public comment and responsiveness summary.
Draft schedule-for Implementation of CAP	Within 60 days of the effective date of the Order
Final schedule-for Implementation of CAP	Within 30 days of receipt of Ecology comments
Draft Engineering Design Report (EDR)	120 days following effective date of the Order.
Finalize EDR and submit permit applications	60 days following receipt of Ecology comments

Draft Operations & Monitoring Plan (OM&MP)	120 days following approval of Final EDR
Finalize OM&MP	Within 90 days of receipt of Ecology comments
Implementation of Remedial Action (site work)	Dry period following finalization of permits
Draft Contaminated Media Management Plan	Within 90 days of the effective date of the Order
Final Contaminated Media Management Plan	Within 30 days of receipt of Ecology comments
Draft Remedial Action Report	Within 60 days of receipt of final validated data
Final Remedial Action Report	Within 60 days of receipt of Ecology comments
Draft Environmental Covenant	Within 30 days of final remedial action report.
Record Final Environmental Covenant (EC)	Within 15 days following finalizing the EC

4.7 INSTITUTIONAL/ENGINEERING CONTROLS AND COMPLIANCE MONITORING

Institutional Controls will be employed to restrict groundwater use and exposure to contaminated soil and may include:

- A restriction on installation of drinking water wells in the shallow aquifer on-Site while contaminant concentrations in groundwater exceed applicable Federal Maximum Contaminant Levels (MCLs)
- A requirement to limit property zoning and use to commercial/industrial activities consistent with the current zoning and uses
- A requirement for development and implementation of a contaminated media management plan for use during any construction activities involving disturbance of the subsurface (excavation, trenching).

Environmental covenants (EC) for the soil and groundwater beneath the adjacent public right of ways (ROWs) will be sought from the City of Westport and the Washington State Department of Transportation (WSDOT). The ECs will be submitted to Ecology for review and once approved will be recorded at the Grays Harbor County Auditor's Office. The purpose of the ECs is to notify construction or utility workers of the presence of residual contamination within the public ROWs.

The standard point of compliance for groundwater is throughout the Site and groundwater monitoring to demonstrate contaminant attenuation in groundwater will be implemented. Monitoring will continue following source removal to track anticipated decreasing contaminant concentrations. For planning purposes, annual monitoring over a period of five years is anticipated.

4.8 PUBLIC PARTICIPATION AND COMMUNITY ACCEPTANCE

A public comment period will be held to allow the public and parties affected by the cleanup action an opportunity to provide comment on this dCAP. Ecology will review all public comments submitted during the public comment period, and will incorporate them, as appropriate, in the final cleanup action plan (CAP). Individuals or organizations that comment will receive notice by regular mail or electronic mail that Ecology has received their comments, along with an explanation about how the comments were addressed.

5.0 REFERENCES

Sound Environmental Strategies Corporation, *Remedial Investigation Report, The Hungry Whale*, March 26, 2008.

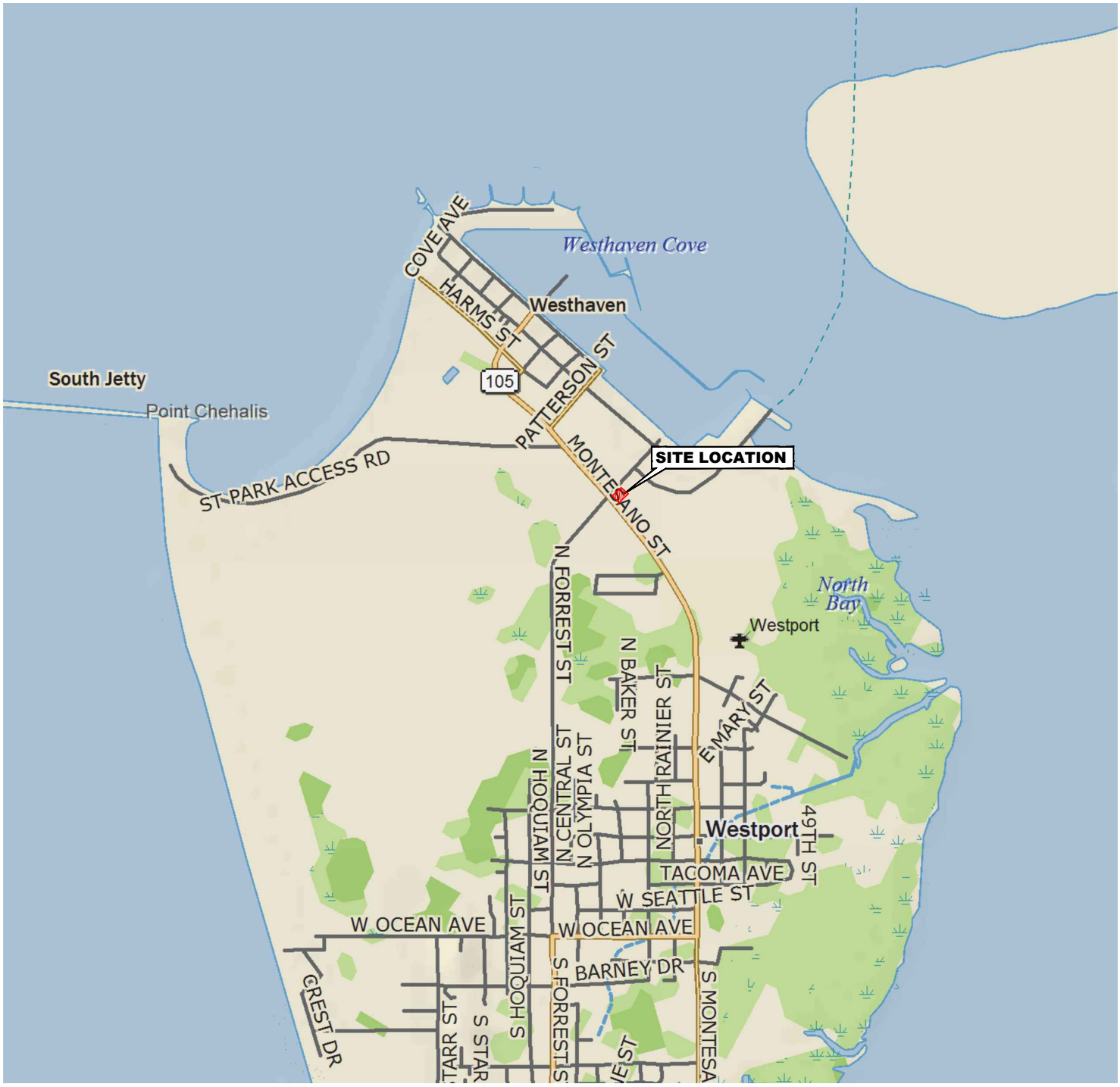
Stantec Consulting Services Inc., *Indoor/Outdoor Air Sampling Report, The Hungry Whale,* April 25, 2012.

Stantec Consulting Services Inc., *Focused Feasibility Study, The Hungry Whale*, August 2013.

Stantec Consulting Services Inc., *Remedial Investigation/Feasibility Study, The Hungry Whale, 1680 North Montesano Street, Westport, Washington 98595, April 22, 2020.*

Washington State Department of Ecology, *Guidance for Evaluation Soil Vapor Intrusion in Washington State: Investigation and Remedial Action*, October 2009.

FIGURES



North

1/2 0 1

SCALE (MILES)

1000 0 1000 2000 3000 4000 5000

SCALE (FEET)

REFERENCE: USGS 7.5 MINUTE QUADRANGLE, WESTPORT, WASHINGTON

Stantec
11130 NE 33RD PLACE, SUITE 200
BELLEVUE, WASHINGTON
PHONE: (425) 869-9448 FAX: (425) 869-1190

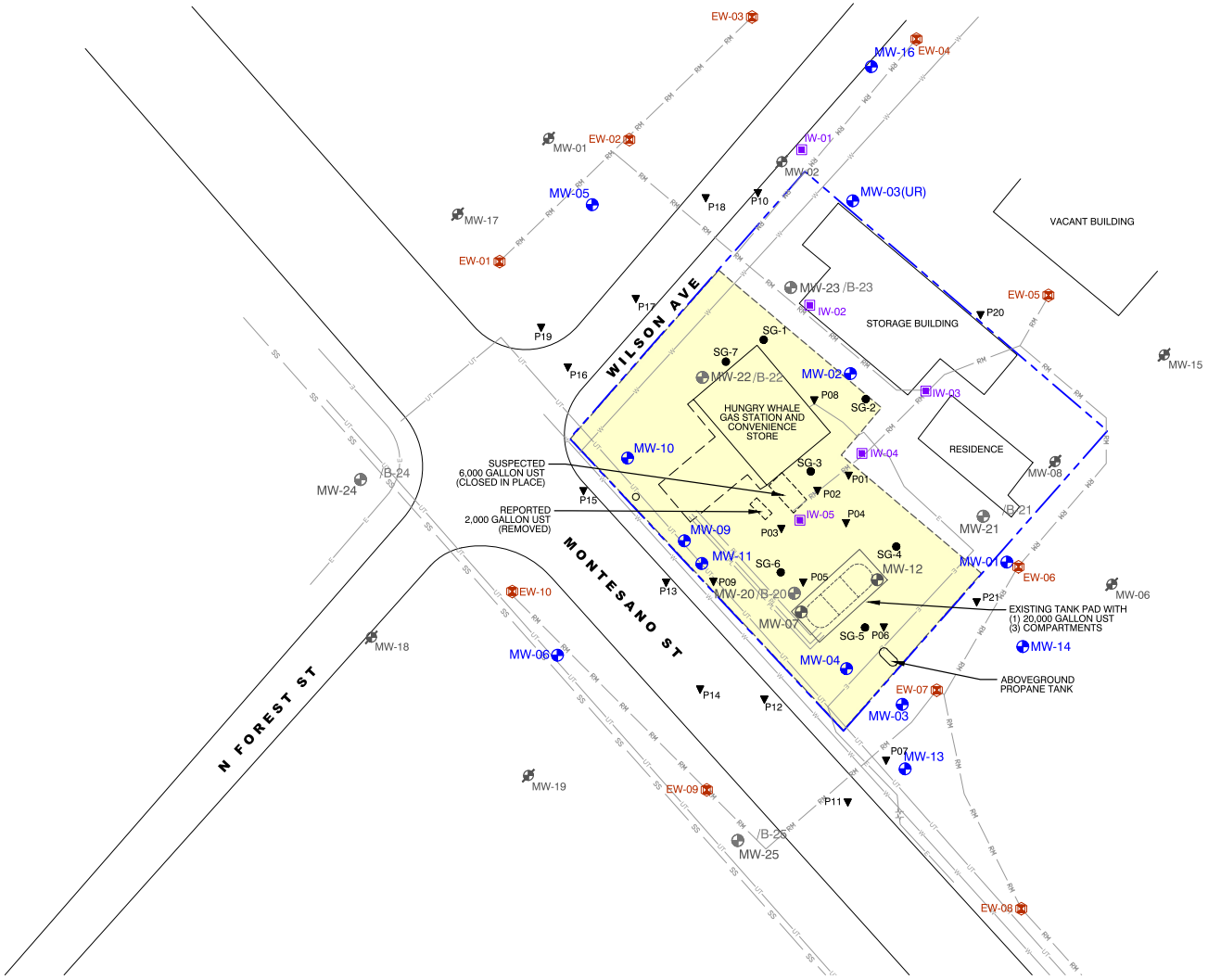
FOR:
THE HUNGRY WHALE
1680 NORTH MONTESANO STREET
WESPORT, WASHINGTON

SITE LOCATION MAP

FIGURE: **1**

JOB NUMBER:	DRAWN BY:	CHECKED BY:	APPROVED BY:	DATE:
185703328	MDR	DH	--	SEPT 2016

FILEPATH:M:_00 OTHER OFFICES\01-REDMOND\HUNGRY WHALE\FIG-1_SITE LOC.dwg | Layout Tab: Layout1 | Drafter: miramirez | Sep 21, 2016 at 15:06



LEGEND

- MW-1 — MONITORING WELL (pre-2007)
- MW-1 — MONITORING WELL/BORING (2007)
- EW-01 — EXTRACTION WELL (OPERATED 7/1997-10/1999)
- IW-01 — INJECTION WELL (OPERATED 7/1997-10/1999)
- SG-1 — SOIL GAS POINT (2011)
- P01 — SOIL BORING (DIRECT PUSH, 2007)
- DESTROYED/ABANDONED WELL
- POWER POLE
- LEASEHOLD BOUNDARY (APPROXIMATE)
- E — ELECTRIC LINE
- SS — SANITARY SEWER LINE
- UT — UNDERGROUND TELEPHONE LINE
- W — WATER LINE
- RM — REMEDIATION SYSTEM PIPING
- PL — STATION FUEL/PRODUCT LINE
- PROPOSED BOTTOM OF REMEDIAL EXCAVATION (APPROXIMATE)

PROPOSED REMEDIAL EXCAVATION NOTE:

APPROXIMATE VOLUME UP TO A MAXIMUM OF 5,200 cu.yd. INCLUDING REMOVAL OF CONVENIENCE STORE.

NOTE:

MW-07 AND MW-12 ARE 4" DIAMETER WELLS LIKELY INSTALLED IN UST BACKFILL

N

0 50 100

APPROXIMATE SCALE IN FEET

Stantec
11130 NE 33RD PLACE, SUITE 200
BELLEVUE, WASHINGTON
PHONE: (425) 869-9448 FAX: (425) 869-1190

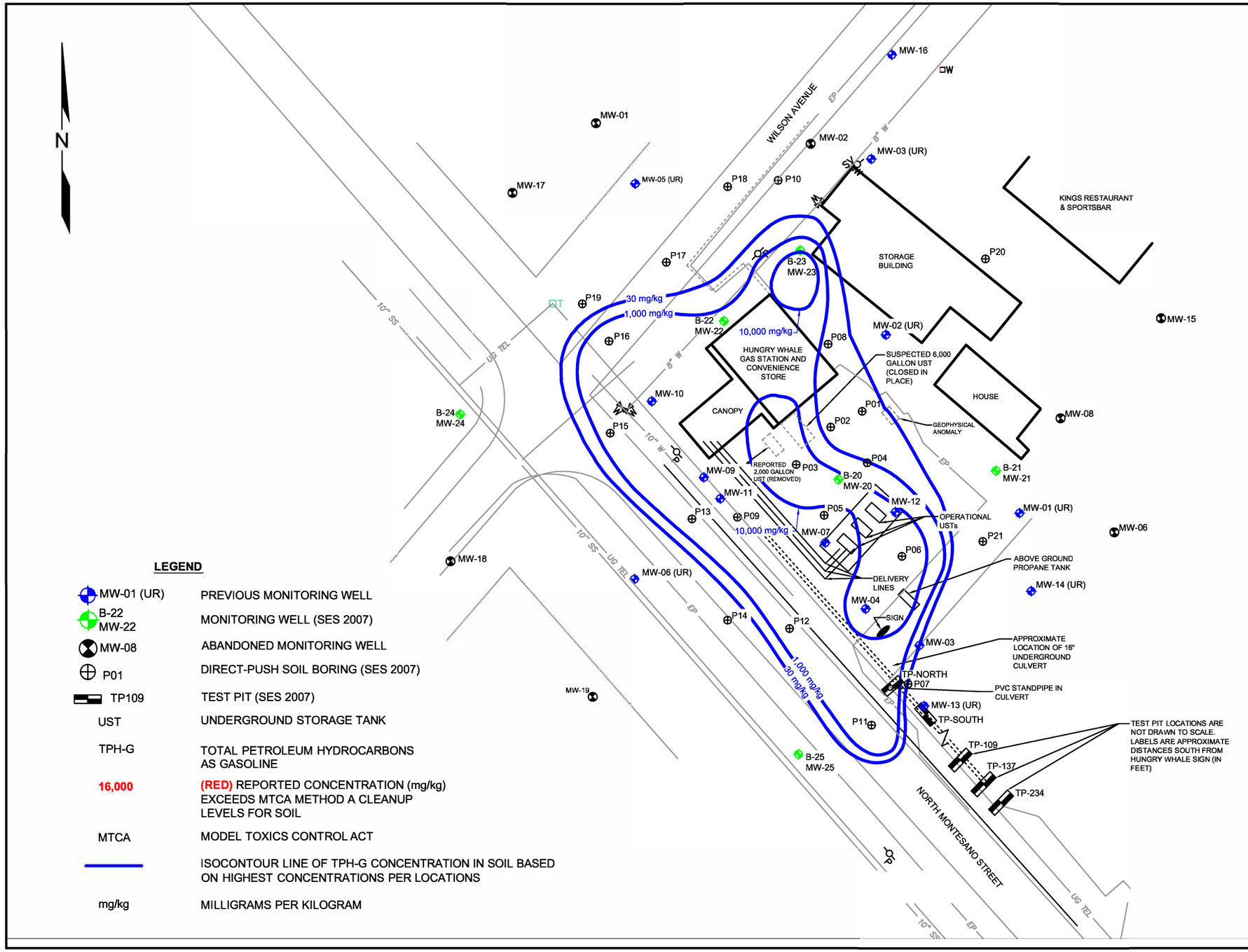
FOR: THE HUNGRY WHALE
1680 NORTH MONTESANO STREET
WESTPORT, WASHINGTON

SITE PLAN

FIGURE: **2**

JOB NUMBER:	DRAWN BY:	CHECKED BY:	APPROVED BY:	DATE:
185703328	MDR/JBL	MS	MS	07/07/21

FILEPATH:M:\00_OTHER OFFICES\Bellevue, WA\185751446\HungryWhale-2021 GWE.dwg | Layout Tab: FIG-2 SITE PLAN | Drafter: JLieberman | Jul 07, 2021 at 14:49



Location	Depth (feet)	TPH-G (mg/kg)
P01	3.5	150
	6	280
	12	200
P02	1.5	26
	6.5	76
	12	25
P03	3	4,300
	6	16,000
	12	57
P04	3.5	1,000
	6	340
	12	13
	16	6
P05	3	2,000
	5	4,600
	9	2,900
	12	90
P06	3	1,700
	6	12,000
	12	42
P07	4	<2
	8	4
P08	3	<2
	5.5	210
	9	660
P09	5	1,700
	8	6,100
P10	7	<2
	10	4
	12	<2
P11	4	550
	7	2,200
	10	11
P12	3	5,100
	6	7,300
	8	100
P13	3	1,500
	6	5,200
	10	11
P14	7	<2
P15	3	1,600
	6	2,300
	8	8
P16	3	8
	6	5,300
	8	7
P17	7	5
P18	8	<2
P19	3	<2
	6	<2
P20	7	<2
P21	6	<2
TP-South	4.5	<2
TP-North	4.5	8,000
TP-109	4.5	<2
B-20	3	5,600
	7	12,000
	17	76
	28.5	7
B-21	7.5	<2
B-22	5	<2
	9	2,000
	12	4
	15.5	5
B-23	4.5	<2
	7.5	10,000
	11	20
	15	<2
B-24	4.5	<2
B-25	6	<2
MTCA Method A		100/30

LEGEND

MW-01 (UR)	PREVIOUS MONITORING WELL
B-22 MW-22	MONITORING WELL (SES 2007)
MW-08	ABANDONED MONITORING WELL
P01	DIRECT-PUSH SOIL BORING (SES 2007)
TP109	TEST PIT (SES 2007)
UST	UNDERGROUND STORAGE TANK
TPH-G	TOTAL PETROLEUM HYDROCARBONS AS GASOLINE
16,000	(RED) REPORTED CONCENTRATION (mg/kg) EXCEEDS MTCA METHOD A CLEANUP LEVELS FOR SOIL
MTCA	MODEL TOXICS CONTROL ACT
	ISOCONTOUR LINE OF TPH-G CONCENTRATION IN SOIL BASED ON HIGHEST CONCENTRATIONS PER LOCATIONS
mg/kg	MILLIGRAMS PER KILOGRAM

SOUND ENVIRONMENTAL STRATEGIES
SOUNDENVIRONMENTAL.COM

DATE: 01/09/08
DRAWN BY: BLR
CHECKED BY: RKB
CAD FILE: 0461-001-02 FIG10 SD TPHG

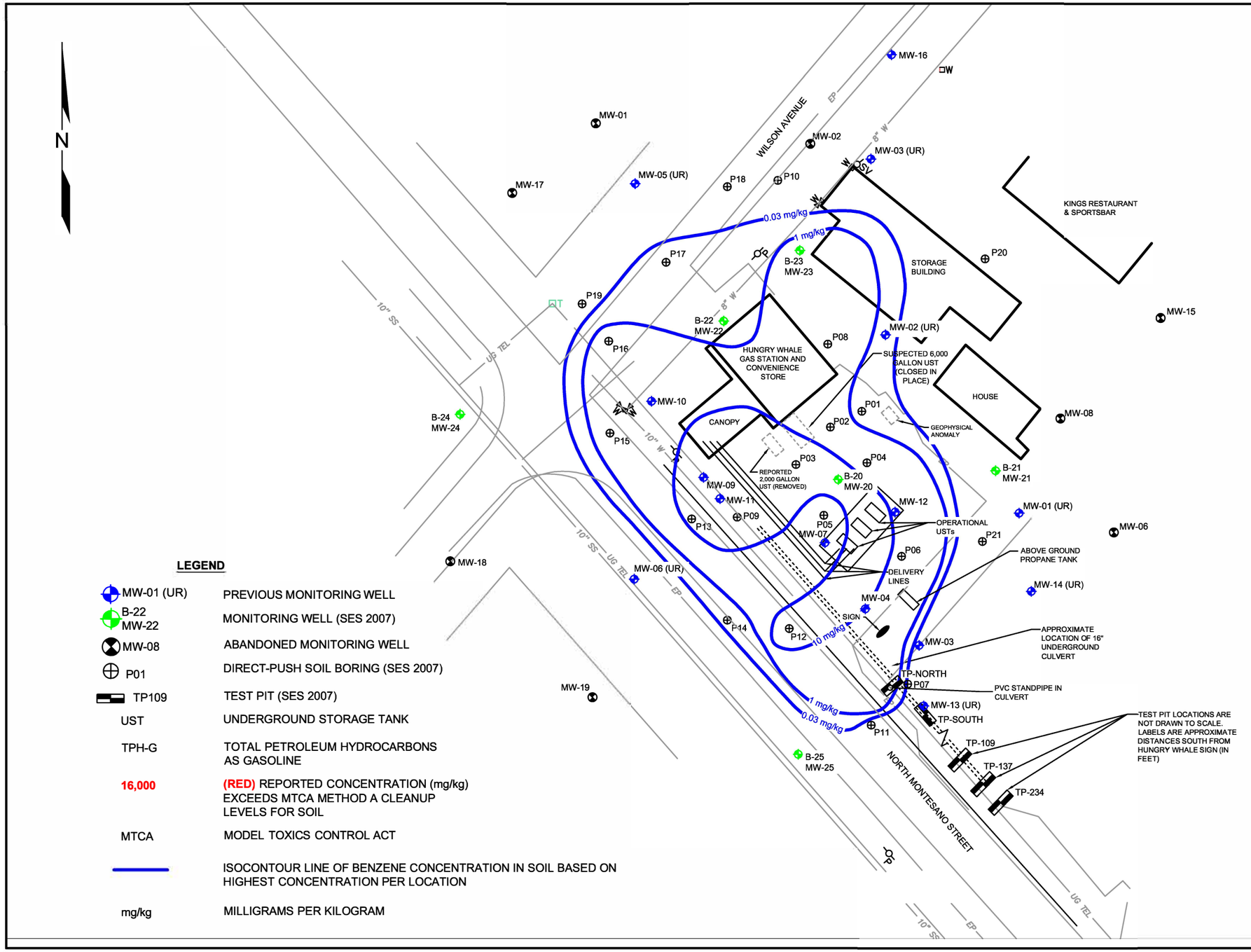
PROJECT NAME: THE HUNGRY WHALE
SES PROJECT NUMBER: 0461-001-02
STREET ADDRESS: 1680 NORTH MONTESANO STREET
CITY, STATE: WESTPORT, WASHINGTON

REGION:

0 25 50 100
APPROXIMATE SCALE IN FEET 1" = 50'

FIGURE 3
ISOCONCENTRATON MAP
FOR TPH-G IN SOIL

1/16/2008
I:\Sound-dsk\esdirectory\SES CURRENT PROJECTS\0461-001 Port of Grays Harbor\0461-001-02 Hungry Whale\Miscellaneous\dmb\0461-001-02 FIG10 SD TPHG.dwg
SOUNDENVIRONMENTAL.COM



LEGEND

MW-01 (UR)	PREVIOUS MONITORING WELL
B-22 MW-22	MONITORING WELL (SES 2007)
MW-08	ABANDONED MONITORING WELL
P01	DIRECT-PUSH SOIL BORING (SES 2007)
TP109	TEST PIT (SES 2007)
UST	UNDERGROUND STORAGE TANK
TPH-G	TOTAL PETROLEUM HYDROCARBONS AS GASOLINE
16,000	(RED) REPORTED CONCENTRATION (mg/kg) EXCEEDS MTCA METHOD A CLEANUP LEVELS FOR SOIL
MTCA	MODEL TOXICS CONTROL ACT
	ISOCONTOUR LINE OF BENZENE CONCENTRATION IN SOIL BASED ON HIGHEST CONCENTRATION PER LOCATION
mg/kg	MILLIGRAMS PER KILOGRAM

Location	Depth (feet)	Benzene (mg/kg)
P01	3.5	<0.02
	6	0.73
	12	0.13
P02	1.5	0.05
	6.5	4.2
	12	0.85
P03	3	9
	6	74
	12	1.8
P04	3.5	6.9
	6	6.4
	12	0.4
	16	0.06
P05	3	<1
	5	2.2
	9	7
	12	1.4
P06	3	0.8
	6	6.7
	12	1.5
P07	4	<0.02
	8	<0.03
P08	3	<0.02
	5.5	2.9
	9	4.4
P09	5	29
	8	44
P10	7	<0.02
	10	<0.02
	12	<0.02
P11	4	<1
	7	<2
	10	<0.02
P12	3	11
	6	20
	8	0.61
P13	3	0.55
	6	14
	10	3.2
P14	7	0.61
P15	3	2.2
	6	0.30
	8	1.5
P16	3	0.13
	6	1.6
	8	0.14
P17	7	0.07
P18	8	<0.02
P19	3	<0.02
	6	<0.02
P20	7	<0.02
P21	6	<0.02
TP-South	4.5	<0.02
TP-North	4.5	1.6
TP-109	4.5	<0.02
B-20	3	2.4
	7	27
	17	0.11
	28.5	0.54
B-21	7.5	<0.02
B-22	5	<0.02
	9	<1
	12	<0.02
	15.5	<0.02
B-23	4.5	<0.02
	7.5	2.5
	11	0.45
	15	<0.02
B-24	4.5	<0.02
B-25	6	<0.02
MTCA Method A		0.03

SOUND ENVIRONMENTAL STRATEGIES
SOUNDENVIRONMENTAL.COM

DATE: 01/09/08
DRAWN BY:.....BLR
CHECKED BY: .....RKB
CAD FILE: .....0461-001-02 FIG11 SD BENZ

PROJECT NAME: .....THE HUNGRY WHALE
SES PROJECT NUMBER:.....0461-001-02
STREET ADDRESS:.....1680 NORTH MONTESANO STREET
CITY, STATE:.....WESTPORT, WASHINGTON

REGION:

0 25 50 100
APPROXIMATE SCALE IN FEET 1" = 50'

FIGURE 4
ISOCONCENTRATION MAP
FOR BENZENE IN SOIL

1/16/2008
\\Sound-dc\sesdirectory\SES CURRENT PROJECTS\0461-001 Port of Grays Harbor\0461-001-02 Hungry Whale\Miscellaneous\dmb\0461-001-02 FIG11 SD BENZ.dwg
SOUNDENVIRONMENTAL.COM

TABLES

Table 1. Cumulative Summary (2007 - 2021) of Groundwater Analytical Results - TPH, VOCs, and Geochemical Parameters The Hungry Whale
1680 North Montesano Street Westport, Washington

Well Number (TOC in feet)	Sample Date	Depth to Groundwater (feet)	SPH Thickness (feet)	Groundwater Elevation (feet)	TPH-G[1] (µg/L)	Volatile Organic Compounds[2] (VOCs)				Geochemical Parameters							
						Benzene (µg/L)	Toluene (µg/L)	Ethyl- benzene (µg/L)	Total Xylenes (µg/L)	Dissolved Oxygen[3] (mg/L)	Oxygen Reduction Potential (ORP)[4] (mV)	Ferrous Iron[5] (mg/L)	Nitrate[6] as NO_3 (mg/L)	Sulfate[6] as SO_4(mg/L)	Methane[7] (µg/L)	Total Alkalinity[8] as $CaCO_3$ (mg/L)	Manganese[9], Dissolved (µg/L)
MW-01	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
(13.72)	4/12/16	5.81	0.00	7.91	<100	<0.200	<1.00	<0.500	<1.50	--	--	--	--	--	--	--	--
(13.72)	6/19/19	7.81	0.00	5.91	<50	<1	<1	<1	<1	--	--	--	--	--	--	--	--
	5/24/21	Unable to Locate															
MW-02	6/27/07	7.51	0.00	92.49	**44,000**	**5,400**	**5,900**	**1,300**	**5,200**	--	--	--	--	--	--	--	--
	11/30/11	4.55	0.00	95.45	**43,000**	**3,700**	**5,800**	**1,600**	**6,100**	4.90 H	-196	5.6 H	<0.100	11.0	--	--	--
(100.00)	3/6/12	4.61	0.00	95.39	**6,200**	**1,400**	68	250	230	0.79	-92	17.4	0.141	6.8	642	246	--
	6/13/12	5.60	0.00	94.40	**14,000**	**1,400**	**1,800**	550	**1,500**	3.36	-88.2	16 H	<0.50	3.6	817	228	--
	10/4/12	8.30	0.00	91.70	**51,500**	**5,990**	**5,100**	**1,780**	**6,810**	2.88	-120.4	27.2	<0.20	<1.0	3,320	297	257
	6/4/13	5.98	0.00	94.02	**21,000**	**1,600**	**2,800**	**750**	**2,500**	--	--	--	--	--	--	--	--
(13.69)	4/12/16	5.28	0.00	8.41	**5,340**	**211**	16.1	73.1	106	1.0	-103	21,500	<0.250	15.5	--	146	209
(13.69)	6/20/19	7.52	0.00	6.17	**10,600**	**1,160**	474	410	**1,101**	--	--	--	--	--	--	--	--
(13.69)	6/20/2019 DUP	7.52	0.00	6.17	**12,100**	**1,370**	627	452	**1,283**	--	--	--	--	--	--	--	--
(13.69)	5/25/2021	7.12	0.00	6.57	**3,500**	**227**	26.5	116	**102**	0.46	-285.4	--	--	--	--	--	--
MW-03 (UR)	6/27/07	7.91	0.00	92.49	<100	<1	<1	<1	<3	--	--	--	--	--	--	--	--
	12/1/11	4.74	0.00	95.66	<250	<0.50	<0.50	<0.50	<0.50	--	-121	--	--	--	--	146	--
	3/6/12	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
(100.40)	6/13/12	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
	10/4/12	7.00	0.00	93.40	<50	<1.0	<1.0	<1.0	<3.0	2.30	-30.8	0.21	<0.20	2.4	<6.6	17.3	35.0
	6/4/13	6.28	0.00	94.12	<80	<0.20	<0.50	<0.50	<1.0	--	--	--	--	--	--	--	--
(14.07)	4/12/16	5.65	0.00	8.42	<100	<0.200	<1.00	<0.500	<1.50	6.4	67	4,220	0.488	14.8	--	66.0	12.4
(14.07)	6/26/19	8.10	0.00	5.97	<50	<1	<1	<1	<1	--	--	--	--	--	--	--	--
	5/24/21																
MW-04	6/27/07	6.90	0.02	92.29	**SPH (0.02')**	**SPH (0.02')**	**SPH (0.02')**	**SPH (0.02')**	**SPH (0.02')**	--	--	--	--	--	--	--	--
	12/1/11	4.20	0.10	95.05	**SPH (0.10')**	**SPH (0.10')**	**SPH (0.10')**	**SPH (0.10')**	**SPH (0.10')**	--	--	--	--	--	--	66.0	--
	3/6/12	4.16	0.01	95.02	**74,000/SPH**	**4,700/SPH**	**5,800/SPH**	**2,300/SPH**	**16,000/SPH**	0.26	-80	--	--	--	--	--	--
(99.17)	6/13/12	5.10	0.00	94.07	**75,000**	**6,900**	**9,700**	**2,000**	**13,000**	1.64	-19.0	--	--	--	--	--	--
	10/4/12	7.60	0.15	91.69	**116,000/SPH**	**13,800/SPH**	**13,200/SPH**	**2,570/SPH**	**14,900/SPH**	3.79	-39.4	39.6	<0.20	<1.0	13,000	283	1,130
	6/4/13	5.51	0.00	93.66	**120,000/sheen**	**7,000/sheen**	**6,400/sheen**	**2,400/sheen**	**19,000/sheen**	--	--	--	--	--	--	--	--
(12.85)	4/14/16	4.51	0.01	8.35	**106,000/SPH**	**3,170/SPH**	748/SPH	**1,740/SPH**	**9,130/SPH**	1.3	-100	45,200	<0.250	<1.00	--	112	714
(12.85)	6/20/19	6.97	0.01	5.89	**66,000/SPH**	**8,310/SPH**	**5,910/SPH**	**1,620/SPH**	**6,890/SPH**	--	--	--	--	--	--	--	--
(12.85)	5/25/21	6.32	0.00	6.53	**91,500**	**4750**	**5980**	**1510**	**8800**	0.22	-359.9	--	--	--	--	--	--
MW-05	6/27/07	6.79	0.00	92.81	<100	<1	<1	<1	<3	--	--	--	--	--	--	--	--
	11/30/11	3.55	0.00	96.05	<250	<0.50	<0.50	<0.50	<0.50	10.1 H	-113	0.15 H	0.104	5.26	--	74.8	--
	3/6/12	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
(99.60)	6/13/12	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
	10/4/12	7.80	0.00	91.80	704	**314**	2.5	77.0	12.7	4.79	-114.2	2.5	0.30	19.1	293	150	92.2
	6/4/13	5.14	0.00	94.46	<80	<0.20	<0.50	<0.50	<1.0	--	--	--	--	--	--	--	--
(13.30)	4/12/16	4.53	0.00	8.77	<100	<0.200	<1.00	<0.500	<1.50	6.2	89	3,540	0.271	12.7	--	74.8	<1.00
(13.30)	6/20/19	6.91	0.00	6.39	64.7	<1	3.63	3.56	21.27	--	--	--	--	--	--	--	--
(13.30)	5/26/21	6.25	0.00	7.05	<100	<0.200	<1.00	<0.500	<1.50	#	-168.2	--	--	--	--	--	--
MW-06	6/27/07	5.98	0.00	92.54	<100	<1	<1	<1	<3	--	--	--	--	--	--	--	--
	12/1/11	3.14	0.00	95.38	<250	<0.50	<0.50	<0.50	<0.50	--	-137	--	--	--	--	--	--
	3/6/12	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
(98.52)	6/13/12	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
	10/4/12	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
	6/4/13	4.46	0.00	94.06	<80	<0.20	<0.50	<0.50	<1.0	--	--	--	--	--	--	--	--
	4/12/16	Unable to Locate															
	6/19/19	Unable to Locate															
	5/24/21	Unable to Locate															
MW-07	6/27/07	7.29	0.00	92.44	**110,000**	**15,000**	**13,000**	**2,600**	**18,000**	--	--	--	--	--	--	--	--
	11/29/11	4.48	0.00	95.25	**110,000**	**6,200**	**15,000**	**2,400**	**23,000**	7.70 H	-114	5.1 H	<0.100 H	2.10 H	--	--	--
	3/6/12	4.50	0.00	95.23	**100,000**	**4,300**	**13,000**	**1,800**	**18,000**	0.29	25	10.0	<0.100	0.60	692	53.0	--
(99.73)	6/13/12	5.40	0.00	94.33	**71,000**	**6,600**	**13,000**	**2,100**	**19,000**	8.60	-24.8	31	<0.50	<0.50	1,490	160	--
	10/4/12	8.05	0.05	91.72	**129,000/SPH**	**9,350/SPH**	**12,600/SPH**	**2,320/SPH**	**22,100/SPH**	14.02	98.7	39.3	<0.20	<1.0	4,730	230	1,250
	6/4/13	5.80	0.00	93.93	**140,000/sheen**	**8,200/sheen**	**14,000/sheen**	**2,200/sheen**	**23,000/sheen**	--	--	--	--	--	--	--	--
(13.41)	4/14/16	4.97	0.00	8.44	**214,000**	**5,730**	**12,500**	**2,400**	**24,900**	1.4	-44	44,200	<0.250	<1.00	--	129	743
(13.41)	6/20/19	7.63	0.00	5.78	**105,000**	**8,440**	**8,820**	**2,160**	**15,470**	--	--	--	--	--	--	--	--
(13.41)	5/26/21	6.90	0.00	6.51	**164,000**	**8,700**	**9,500**	**2,170**	**24,000**	0.38	-161	--	--	--	--	--	--
MW-09	6/27/07	6.50	0.08	92.57	**SPH (0.08')**	**SPH (0.08')**	**SPH (0.08')**	**SPH (0.08')**	**SPH (0.08')**	--	--	--	--	--	--	--	--
	12/1/11	3.57	0.01	95.45	**1,000**	**110**	26	21	84	--	636	--	--	--	--	--	--
	3/6/12	3.55	0.01	95.47	**1,800**	**460**	8.8	36	55	0.14	-135	--	--	--	--	--	--
(99.01)	6/13/12	4.50	0.00	94.51	**7,200**	**1,600**	460	200	810	1.10	-79.90	--	--	--	--	--	--
	10/4/12	7.28	0.00	91.73	**22,200**	**4,630**	**1,340**	603	**3,600**	1.14	-13.8	26.4	<0.20	<1.0	7,190	164	466
	6/4/13	4.92	0.00	94.09	**8,300**	**1,800**	180	120	270	--	--	--	--	--	--	--	--
(12.69)	4/14/16	4.06	0.00	8.63	**36,500**	**4,250**	**1,030**	455	**2,620**	1.1	-141	63,100	<0.250	<1.00	--	228	1,290
(12.69)	6/20/19	6.54	0.00	6.15	**16,500**	**4,390**	60.5	436	778.8	--	--	--	--	--	--	--	--
(12.69)	5/26/21	6.02	0.00	6.67	**15,100**	**2,450**	<50.0	209	503	0.4	-155.9	--	--	--	--	--	--
MW-10	6/27/07	6.51	0.00	92.67	**50,000**	**1,300**	**2,200**	**1,200**	**6,700**	--	--	--	--	--	--	--	--
	11/30/11	3.59	0.00	95.59	**6,200**	**610**	53	390	390	4.80 H	-103	7.0 H	<0.100	9.99	--	--	--

	3/6/12	3.53	0.00	95.65	**2,200**	**150**	13	43	140	0.00	-125	9.10	<0.100	4.0	1,330	105	--
	3/6/12 DUP	3.53	0.00	95.65	**2,100**	**180**	20	68	210	--	--	--	--	--	--	--	--
(99.18)	6/13/12	4.50	0.00	94.68	**6,900**	**640**	440	330	**1,400**	0.92	-82.4	30 H	<0.50	<0.50	1,450	185	--
	10/4/12	7.44	0.00	91.74	**16,900**	**1,340**	464	**930**	**2,620**	1.60	32.4	40.1	<0.20	4.3	7,750	250	1,460
	6/4/13	4.94	0.00	94.24	**15,000**	**1,300**	360	500	**1,400**	--	--	--	--	--	--	--	--
(12.86)	4/13/16	4.23	0.00	8.63	**22,800**	**1,390**	63.9	555	**2,300**	1.10	-153.0	72,200	<0.250	<1.00	--	256	1,230
(12.86)	4/13/16 DUP	4.23	0.00	8.63	**21,600**	**1,340**	<100	457	**1,730**	--	--	--	--	--	--	--	--
(12.86)	6/21/19	6.68	0.00	6.18	**5,640**	**296**	11.4	312	293.6	--	--	--	--	--	--	--	--
(12.86)	5/25/21	5.97	0.00	6.89	**4,480**	**238**	11.5	211	57.4	0.28	-263.8	--	--	--	--	--	--
MW-11	6/27/07	6.89	0.00	92.08	<100	<1	<1	<1	<3	--	--	--	--	--	--	--	--
	11/30/11	4.37	0.00	94.60	<250	**20**	27	3.7	16	5.70 H	128	0.090 H	<0.100	6.63	--	--	--
	3/6/12	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
(98.97)	6/13/12	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
	10/4/12	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
	6/4/13	5.73	0.00	93.24	<80	<0.20	<0.50	<0.50	<1.0	--	--	--	--	--	--	--	--
(12.77)	4/14/16	4.48	0.00	8.29	<100	<0.200	<1.00	<0.500	<1.50	3.3	-77	140	<0.250	5.05	--	78	1.12
(12.77)	6/20/19	7.32	0.00	5.45	<50	<1	<1	<1	2.50	--	--	--	--	--	--	--	--
(12.77)	5/26/21	6.37	0.00	6.40	<100	<0.200	<1.00	<0.500	<1.50	7.6	-134	--	--	--	--	--	--
MW-12	6/27/07	7.82	0.00	92.35	**20,000**	**14,000**	**28,000**	**1,700**	**21,000**	--	--	--	--	--	--	--	--
	11/29/11	5.01	0.00	95.16	**130,000**	**9,000**	**20,000**	**2,700**	**20,000**	2.90 H	627	5.8 H	<0.100 H	0.447 H	--	--	--
	3/6/12	5.12	0.00	95.05	**100,000**	**8,900**	**24,000**	**2,700**	**22,000**	0.54	-139	--	--	--	--	--	--
(100.17)	6/13/12	6.20	0.00	93.97	**100,000**	**6,800**	**19,000**	**2,500**	**21,000**	2.74	-105.8	--	--	--	--	--	--
	10/4/12	9.00	0.88	91.85	**SPH**	**SPH**	**SPH**	**SPH**	**SPH**	--	--	--	--	--	--	--	--
	6/4/13	6.40	0.00	93.77	**160,000/sheen**	**8,600/sheen**	**21,000/sheen**	**2,400/sheen**	**22,000/sheen**	--	--	--	--	--	--	--	--
(13.87)	4/14/16	5.61	0.00	8.26	**252,000/sheen**	**5,020/sheen**	**16,300/sheen**	**2,650/sheen**	**29,600/sheen**	1.1	-118	46,800	<0.250	169	--	273	2,770
(13.87)	6/19/19	7.82	0.00	6.05	**98,900**	**3,360**	**10,800**	**2,470**	**17,890**	--	--	--	--	--	--	--	--
(13.87)	6/19/16 DUP	7.82	0.00	6.05	**109,000**	**3,440**	**13,200**	**2,600**	**19,240**	--	--	--	--	--	--	--	--
(13.87)	5/25/21	7.43	0.00	6.44	**180,000/sheen**	**2,340**	**12,700**	**2,090**	**28,800**	0.14	-252.9	--	--	--	--	--	--
MW-13	6/27/07	6.49	0.00	92.21	<100	<1	<1	<1	<3	--	--	--	--	--	--	--	--
	11/30/11	5.55	0.00	93.15	<250	<0.50	<0.50	<0.50	<0.50	10.6 H	-105	0.070 H	<0.100	1.81	--	--	--
	3/6/12	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
(98.70)	6/13/12	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
	10/4/12	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
	6/4/13	4.99	0.00	93.71	<80	<0.20	<0.50	<0.50	<1.0	--	--	--	--	--	--	--	--
(12.36)	4/14/16	3.79	0.00	8.57	<100	<0.200	<1.00	<0.500	<1.50	8.9	56	1,680	<0.250	1.75	--	<20.0	1.24
(12.36)	6/19/19	6.50	0.00	5.86	<50	<1	<1	<1	1.44	--	--	--	--	--	--	--	--
(12.36)	5/24/21	5.59	0.00	6.77	<100	<0.200	<1.00	<0.500	<1.50	8.41	-91.2	--	--	--	--	--	--
MW-14	6/27/07	7.36	0.00	92.17	<100	<1	<1	<1	<3	--	--	--	--	--	--	--	--
	11/30/11	4.44	0.00	95.09	<250	<0.50	<0.50	<0.50	<0.50	--	76	--	--	--	--	--	--
	3/6/12	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
(99.53)	6/13/12	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
	10/4/12	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
	6/4/13	5.91	0.00	93.62	<80	<0.20	<0.50	<0.50	<1.0	--	--	--	--	--	--	--	--
(13.24)	4/12/16	5.22	0.00	8.02	<100	<0.200	<1.00	<0.500	<1.50	0.9	22.3	369	0.867	3.55	--	64.6	<1.00
(13.24)	6/19/19	7.41	0.00	5.83	<50	<1	<1	<1	<1	--	--	--	--	--	--	--	--
(13.24)	5/24/21	6.75	0.00	6.49	<100	<0.200	<1.00	<0.500	<1.50	2.63	-86.5	--	--	--	--	--	--
MW-16 No elevation	Not Located																
MW-20	6/27/07	7.82	0.00	92.27	**130,000**	**6,900**	**14,000**	**2,800**	**15,000**	--	--	--	--	--	--	--	--
(100.09)	Not Located																
	6/4/13	6.21	0.00	93.88	**100,000/sheen**	**8,800/sheen**	**9,800/sheen**	**2,600/sheen**	**11,000/sheen**	--	--	--	--	--	--	--	--
(13.66)	4/13/16	5.44	0.00	8.22	**184,000**	**6,500**	**14,500**	**3,240**	**19,400**	1.5	-137	64,500	<0.250	8.7	--	379	968
(13.66)	6/20/19	7.61	0.00	6.05	**88,400**	**7,550**	**9,040**	**3,440**	**11,460**	--	--	--	--	--	--	--	--
(13.66)	5/25/21	7.24	0.00	6.42	**90,500**	**4,550**	**5,850**	**3,220**	**9,610**	0.34	-310.2	--	--	--	--	--	--
MW-21	6/27/07	7.62	0.00	92.26	<100	<1	<1	<1	<3	--	--	--	--	--	--	--	--
	11/30/11	4.82	0.00	95.06	<250	<0.50	<0.50	<0.50	<0.50	--	138	--	--	--	--	--	--
	3/6/12	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
(99.88)	6/13/12	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
	10/4/12	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
	6/4/13	6.22	0.00	93.66	<80	<0.20	<0.50	<0.50	<1.0	--	--	--	--	--	--	--	--
(13.57)	4/12/16	5.63	0.00	7.94	<100	<0.200	<1.00	<0.500	<1.50	8.3	127	368	<.250	3.12	--	31.1	2.30
(13.57)	6/19/19	7.58	0.00	5.99	<50	<1	<1	<1	<1	--	--	--	--	--	--	--	--
	5/24/2021	Not Located															
MW-22	6/27/07	7.45	0.00	92.64	**7,100**	**78**	42	57	520	--	--	--	--	--	--	--	--
	11/30/11	4.50	0.00	95.59	**3,000**	<2.00	17	47	160	6.10 H	125	4.4 H	<0.100	9.30	--	--	--
	3/6/12	4.50	0.00	95.59	<250	0.90	2.2	1.6	9.3	0.57	-31	--	--	--	--	--	--
(100.09)	6/13/12	5.45	0.00	94.64	**1,500**	0.92	4.9	61	43	2.38	-209.7	--	--	--	--	--	--
	10/4/12	8.34	0.00	91.75	**3,230**	**8.8**	21.2	118	121	2.52	-158.3	1.5	<0.20	5.2	1,910	230	136
	6/4/13	5.82	0.00	94.27	730	0.23	1.2	6.1	33	--	--	--	--	--	--	--	--
(13.77)	4/13/16	5.16	0.00	8.61	**2,010**	<0.200	1.15	7.08	19.1	1.1	12	2,870	<0.250	95	--	306	136
(13.77)	4/13/16 DUP	5.16	0.00	8.61	**1,890**	0.349	1.06	6.31	18.0	--	--	--	--	--	--	--	--
(13.77)	6/21/19	7.59	0.00	6.18	**1,490**	1.78	1.87	15.30	47.78	--	--	--	--	--	--	--	--
(13.77)	5/25/21	6.98	0.00	6.79	**1,370**	0.920	<1.00	27.6	16.5	0.34	-321.3	--	--	--	--	--	--
MW-23	6/27/07	7.01	0.00	92.56	**92,000**	**1,500**	**9,300**	**2,000**	**14,000**	--	--	--	--	--	--	--	--
	11/30/11	3.92	0.00	95.65	**51,000**	**470**	**3,700**	**1,100**	**7,100**	--	-121	--	--	--	--	35.6	--
(99.57)	11/30/11 DUP	3.92	0.00	95.65	**47,000**	**560**	**4,000**	**1,200**	**7,700**	--	--	--	--	--	--	--	--
	3/6/12	3.95	0.00	95.62	**55,000**	**630**	**5,700**	**2,200**	**12,000**	0.56	-107	12.6	<0.100	6.6	527	136	--
	6/13/12	4.95	0.00	94.62	**56,000**	**830**	**5,600**	**2,300**	**15,000**	1.28	-103.7	15 H	<0.50	12	387	169	--
	10/4/12	7.95	0.15	91.74	**70,500**	**1,320**	**6,850**	**1,580**	**10,000**	3.86	-112.8	13.5	<0.20	1.6	2,170	176	219
	6/4/13	5.40	0.00	94.17	**88,000/sheen**	**770/sheen**	**5,200/sheen**	**2,800/sheen**	**17,000/sheen**	--	--	--	--	--	--	--	--

(13.23)	4/13/16	4.84	0.00	8.39	**158,000/sheen**	**280/sheen**	**4,860/sheen**	**3,230/sheen**	**21,700/sheen**	1.1	-105	16,600	<0.250	1.32	--	96.1	128
(13.23)	6/20/19	7.10	0.00	6.13	**52,100**	**374**	**4,350**	**1,840**	**10,450**	--	--	--	--	--	--	--	--
(13.23)	5/25/21	6.78	0.00	6.45	**82,500**	**194**	**4,450**	**2,080**	**11,700**	0.40	-252.1	--	--	--	--	--	--
(13.23)	5/25/21 DUP	6.78	0.00	6.45	**88,000**	**214**	**4,650**	**2,200**	**12,400**	--	--	--	--	--	--	--	--
MW-24	6/27/07	5.15	0.00	92.78	<100	<1	<1	<1	<3	--	--	--	--	--	--	--	--
	12/1/11	2.14	0.00	95.79	<250	<0.50	<0.50	<0.50	<0.50	--	-133	--	--	--	--	--	--
	3/6/12	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
(97.93)	6/13/12	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
	10/4/12	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
	6/4/13	3.47	0.00	94.46	<80	<0.20	<0.50	<0.50	<1.0	--	--	--	--	--	--	--	--
(11.61)	4/12/16	2.74	0.00	8.87	<100	<0.200	<1.00	<0.500	<1.50	1.4	99	5,170	<0.250	<1.00	--	35.6	105
(11.61)	6/26/19	5.51	0.00	6.10	<50	<1	<1	<1	<1	--	--	--	--	--	--	--	--
MW-25	6/27/07	6.45	0.00	92.29	<100	<1	<1	<1	<3	--	--	--	--	--	--	--	--
	12/1/11	3.68	0.00	95.06	<250	<0.50	<0.50	<0.50	<0.50	--	123	--	--	--	--	--	--
	3/6/12	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
(98.74)	6/13/12	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
	10/4/12	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
	6/4/13	5.02	0.00	93.72	<80	<0.20	<0.50	<0.50	<1.0	--	--	--	--	--	--	--	--
	4/13/16	4.25	0.00	8.16	**2,820**	**76.3**	<1.00	45.5	101	1.2	25	9,690	<0.250	6.24	--	65.0	235
(12.41)	5/20/16	5.77	0.00	6.64	94.4	<1.00	<1.00	1.10	1.08	--	--	--	--	--	--	--	--
(12.41)	1/9/18	3.36	0.00	9.05	123	2.15	<1.00	<1.00	33.7	--	--	--	--	--	--	--	--
(12.41)	6/19/19	6.52	0.00	5.89	<50	<1	<1	<1	1.60	--	--	--	--	--	--	--	--
MTCA Method A Cleanup Levels [10]		N/A	N/A	N/A	800/1,000 [11]	5	1,000	700	1,000	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A

[3] Dissolved Oxygen analysis collected as a field parameter, except samples collected November 2011, which were analyzed by laboratory

[4] Oxygen Reduction Potential collected as a field parameter

[5] Ferrous Iron analysis by Method SM3500-Fe B

[6] Nitrate and Sulfate analysis by Ion Chromatography by EPA Method 300.0

[7] Methane analysis by Method RSK-175M

[8] Total Alkalinity analysis by Method SM 2320B

[9] Manganese analysis bu EPA Method 6010

[10] Washington State Department of Ecology Model Toxics Control Act (MTCA) Method A Cleanup Level for groundwater. November 2007.

[11] MTCA Method A Cleanup Level for TPH-G in groundwater is 800 µg/L if benzene is detected; but is 1,000 µg/L if benzene is not detected. SPH = Separate Phase Hydrocarbons

Groundwater Elevation calculated using "Groundwater Elevation = TOC-(Depth to Water -(SPH thickness*0.77))" where 0.77 is a generic density of gasoline.

Table 1. Cumulative Summary (2007 - 2021) of Groundwater Analytical Results - TPH, VOCs, and Geochemical Parameters The Hungry Whale
1680 North Montesano Street Westport, Washington

Well Number (TOC in feet)	Sample Date	Depth to Groundwater (feet)	SPH Thickness (feet)	Groundwater Elevation (feet)	TPH-G[1] (µg/L)	Volatile Organic Compounds[2] (VOCs)				Geochemical Parameters							
						Benzene (µg/L)	Toluene (µg/L)	Ethyl- benzene (µg/L)	Total Xylenes (µg/L)	Dissolved Oxygen[3] (mg/L)	Oxygen Reduction Potential (ORP)[4] (mV)	Ferrous Iron[5] (mg/L)	Nitrate[6] as NO_3 (mg/L)	Sulfate[6] as SO_4(mg/L)	Methane[7] (µg/L)	Total Alkalinity[8] as $CaCO_3$ (mg/L)	Manganese[9], Dissolved (µg/L)
MW-01	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
(13.72)	4/12/16	5.81	0.00	7.91	<100	<0.200	<1.00	<0.500	<1.50	--	--	--	--	--	--	--	--
(13.72)	6/19/19	7.81	0.00	5.91	<50	<1	<1	<1	<1	--	--	--	--	--	--	--	--
	5/24/21	Unable to Locate															
MW-02	6/27/07	7.51	0.00	92.49	**44,000**	**5,400**	**5,900**	**1,300**	**5,200**	--	--	--	--	--	--	--	--
	11/30/11	4.55	0.00	95.45	**43,000**	**3,700**	**5,800**	**1,600**	**6,100**	4.90 H	-196	5.6 H	<0.100	11.0	--	--	--
(100.00)	3/6/12	4.61	0.00	95.39	**6,200**	**1,400**	68	250	230	0.79	-92	17.4	0.141	6.8	642	246	--
	6/13/12	5.60	0.00	94.40	**14,000**	**1,400**	**1,800**	550	**1,500**	3.36	-88.2	16 H	<0.50	3.6	817	228	--
	10/4/12	8.30	0.00	91.70	**51,500**	**5,990**	**5,100**	**1,780**	**6,810**	2.88	-120.4	27.2	<0.20	<1.0	3,320	297	257
	6/4/13	5.98	0.00	94.02	**21,000**	**1,600**	**2,800**	**750**	**2,500**	--	--	--	--	--	--	--	--
(13.69)	4/12/16	5.28	0.00	8.41	**5,340**	**211**	16.1	73.1	106	1.0	-103	21,500	<0.250	15.5	--	146	209
(13.69)	6/20/19	7.52	0.00	6.17	**10,600**	**1,160**	474	410	**1,101**	--	--	--	--	--	--	--	--
(13.69)	6/20/2019 DUP	7.52	0.00	6.17	**12,100**	**1,370**	627	452	**1,283**	--	--	--	--	--	--	--	--
(13.69)	5/25/2021	7.12	0.00	6.57	**3,500**	**227**	26.5	116	**102**	0.46	-285.4	--	--	--	--	--	--
MW-03 (UR)	6/27/07	7.91	0.00	92.49	<100	<1	<1	<1	<3	--	--	--	--	--	--	--	--
	12/1/11	4.74	0.00	95.66	<250	<0.50	<0.50	<0.50	<0.50	--	-121	--	--	--	--	146	--
	3/6/12	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
(100.40)	6/13/12	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
	10/4/12	7.00	0.00	93.40	<50	<1.0	<1.0	<1.0	<3.0	2.30	-30.8	0.21	<0.20	2.4	<6.6	17.3	35.0
	6/4/13	6.28	0.00	94.12	<80	<0.20	<0.50	<0.50	<1.0	--	--	--	--	--	--	--	--
(14.07)	4/12/16	5.65	0.00	8.42	<100	<0.200	<1.00	<0.500	<1.50	6.4	67	4,220	0.488	14.8	--	66.0	12.4
(14.07)	6/26/19	8.10	0.00	5.97	<50	<1	<1	<1	<1	--	--	--	--	--	--	--	--
	5/24/21																
MW-04	6/27/07	6.90	0.02	92.29	**SPH (0.02')**	**SPH (0.02')**	**SPH (0.02')**	**SPH (0.02')**	**SPH (0.02')**	--	--	--	--	--	--	--	--
	12/1/11	4.20	0.10	95.05	**SPH (0.10')**	**SPH (0.10')**	**SPH (0.10')**	**SPH (0.10')**	**SPH (0.10')**	--	--	--	--	--	--	66.0	--
	3/6/12	4.16	0.01	95.02	**74,000/SPH**	**4,700/SPH**	**5,800/SPH**	**2,300/SPH**	**16,000/SPH**	0.26	-80	--	--	--	--	--	--
(99.17)	6/13/12	5.10	0.00	94.07	**75,000**	**6,900**	**9,700**	**2,000**	**13,000**	1.64	-19.0	--	--	--	--	--	--
	10/4/12	7.60	0.15	91.69	**116,000/SPH**	**13,800/SPH**	**13,200/SPH**	**2,570/SPH**	**14,900/SPH**	3.79	-39.4	39.6	<0.20	<1.0	13,000	283	1,130
	6/4/13	5.51	0.00	93.66	**120,000/sheen**	**7,000/sheen**	**6,400/sheen**	**2,400/sheen**	**19,000/sheen**	--	--	--	--	--	--	--	--
(12.85)	4/14/16	4.51	0.01	8.35	**106,000/SPH**	**3,170/SPH**	748/SPH	**1,740/SPH**	**9,130/SPH**	1.3	-100	45,200	<0.250	<1.00	--	112	714
(12.85)	6/20/19	6.97	0.01	5.89	**66,000/SPH**	**8,310/SPH**	**5,910/SPH**	**1,620/SPH**	**6,890/SPH**	--	--	--	--	--	--	--	--
(12.85)	5/25/21	6.32	0.00	6.53	**91,500**	**4750**	**5980**	**1510**	**8800**	0.22	-359.9	--	--	--	--	--	--
MW-05	6/27/07	6.79	0.00	92.81	<100	<1	<1	<1	<3	--	--	--	--	--	--	--	--
	11/30/11	3.55	0.00	96.05	<250	<0.50	<0.50	<0.50	<0.50	10.1 H	-113	0.15 H	0.104	5.26	--	74.8	--
	3/6/12	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
(99.60)	6/13/12	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
	10/4/12	7.80	0.00	91.80	704	**314**	2.5	77.0	12.7	4.79	-114.2	2.5	0.30	19.1	293	150	92.2
	6/4/13	5.14	0.00	94.46	<80	<0.20	<0.50	<0.50	<1.0	--	--	--	--	--	--	--	--
(13.30)	4/12/16	4.53	0.00	8.77	<100	<0.200	<1.00	<0.500	<1.50	6.2	89	3,540	0.271	12.7	--	74.8	<1.00
(13.30)	6/20/19	6.91	0.00	6.39	64.7	<1	3.63	3.56	21.27	--	--	--	--	--	--	--	--
(13.30)	5/26/21	6.25	0.00	7.05	<100	<0.200	<1.00	<0.500	<1.50	#	-168.2	--	--	--	--	--	--
MW-06	6/27/07	5.98	0.00	92.54	<100	<1	<1	<1	<3	--	--	--	--	--	--	--	--
	12/1/11	3.14	0.00	95.38	<250	<0.50	<0.50	<0.50	<0.50	--	-137	--	--	--	--	--	--
	3/6/12	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
(98.52)	6/13/12	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
	10/4/12	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
	6/4/13	4.46	0.00	94.06	<80	<0.20	<0.50	<0.50	<1.0	--	--	--	--	--	--	--	--
	4/12/16	Unable to Locate															
	6/19/19	Unable to Locate															
	5/24/21	Unable to Locate															
MW-07	6/27/07	7.29	0.00	92.44	**110,000**	**15,000**	**13,000**	**2,600**	**18,000**	--	--	--	--	--	--	--	--
	11/29/11	4.48	0.00	95.25	**110,000**	**6,200**	**15,000**	**2,400**	**23,000**	7.70 H	-114	5.1 H	<0.100 H	2.10 H	--	--	--
	3/6/12	4.50	0.00	95.23	**100,000**	**4,300**	**13,000**	**1,800**	**18,000**	0.29	25	10.0	<0.100	0.60	692	53.0	--
(99.73)	6/13/12	5.40	0.00	94.33	**71,000**	**6,600**	**13,000**	**2,100**	**19,000**	8.60	-24.8	31	<0.50	<0.50	1,490	160	--
	10/4/12	8.05	0.05	91.72	**129,000/SPH**	**9,350/SPH**	**12,600/SPH**	**2,320/SPH**	**22,100/SPH**	14.02	98.7	39.3	<0.20	<1.0	4,730	230	1,250
	6/4/13	5.80	0.00	93.93	**140,000/sheen**	**8,200/sheen**	**14,000/sheen**	**2,200/sheen**	**23,000/sheen**	--	--	--	--	--	--	--	--
(13.41)	4/14/16	4.97	0.00	8.44	**214,000**	**5,730**	**12,500**	**2,400**	**24,900**	1.4	-44	44,200	<0.250	<1.00	--	129	743
(13.41)	6/20/19	7.63	0.00	5.78	**105,000**	**8,440**	**8,820**	**2,160**	**15,470**	--	--	--	--	--	--	--	--
(13.41)	5/26/21	6.90	0.00	6.51	**164,000**	**8,700**	**9,500**	**2,170**	**24,000**	0.38	-161	--	--	--	--	--	--
MW-09	6/27/07	6.50	0.08	92.57	**SPH (0.08')**	**SPH (0.08')**	**SPH (0.08')**	**SPH (0.08')**	**SPH (0.08')**	--	--	--	--	--	--	--	--
	12/1/11	3.57	0.01	95.45	**1,000**	**110**	26	21	84	--	636	--	--	--	--	--	--
	3/6/12	3.55	0.01	95.47	**1,800**	**460**	8.8	36	55	0.14	-135	--	--	--	--	--	--
(99.01)	6/13/12	4.50	0.00	94.51	**7,200**	**1,600**	460	200	810	1.10	-79.90	--	--	--	--	--	--
	10/4/12	7.28	0.00	91.73	**22,200**	**4,630**	**1,340**	603	**3,600**	1.14	-13.8	26.4	<0.20	<1.0	7,190	164	466
	6/4/13	4.92	0.00	94.09	**8,300**	**1,800**	180	120	270	--	--	--	--	--	--	--	--
(12.69)	4/14/16	4.06	0.00	8.63	**36,500**	**4,250**	**1,030**	455	**2,620**	1.1	-141	63,100	<0.250	<1.00	--	228	1,290
(12.69)	6/20/19	6.54	0.00	6.15	**16,500**	**4,390**	60.5	436	778.8	--	--	--	--	--	--	--	--
(12.69)	5/26/21	6.02	0.00	6.67	**15,100**	**2,450**	<50.0	209	503	0.4	-155.9	--	--	--	--	--	--
MW-10	6/27/07	6.51	0.00	92.67	**50,000**	**1,300**	**2,200**	**1,200**	**6,700**	--	--	--	--	--	--	--	--
	11/30/11	3.59	0.00	95.59	**6,200**	**610**	53	390	390	4.80 H	-103	7.0 H	<0.100	9.99	--	--	--

	3/6/12	3.53	0.00	95.65	**2,200**	**150**	13	43	140	0.00	-125	9.10	<0.100	4.0	1,330	105	--
	3/6/12 DUP	3.53	0.00	95.65	**2,100**	**180**	20	68	210	--	--	--	--	--	--	--	--
(99.18)	6/13/12	4.50	0.00	94.68	**6,900**	**640**	440	330	**1,400**	0.92	-82.4	30 H	<0.50	<0.50	1,450	185	--
	10/4/12	7.44	0.00	91.74	**16,900**	**1,340**	464	**930**	**2,620**	1.60	32.4	40.1	<0.20	4.3	7,750	250	1,460
	6/4/13	4.94	0.00	94.24	**15,000**	**1,300**	360	500	**1,400**	--	--	--	--	--	--	--	--
(12.86)	4/13/16	4.23	0.00	8.63	**22,800**	**1,390**	63.9	555	**2,300**	1.10	-153.0	72,200	<0.250	<1.00	--	256	1,230
(12.86)	4/13/16 DUP	4.23	0.00	8.63	**21,600**	**1,340**	<100	457	**1,730**	--	--	--	--	--	--	--	--
(12.86)	6/21/19	6.68	0.00	6.18	**5,640**	**296**	11.4	312	293.6	--	--	--	--	--	--	--	--
(12.86)	5/25/21	5.97	0.00	6.89	**4,480**	**238**	11.5	211	57.4	0.28	-263.8	--	--	--	--	--	--
MW-11	6/27/07	6.89	0.00	92.08	<100	<1	<1	<1	<3	--	--	--	--	--	--	--	--
	11/30/11	4.37	0.00	94.60	<250	**20**	27	3.7	16	5.70 H	128	0.090 H	<0.100	6.63	--	--	--
	3/6/12	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
(98.97)	6/13/12	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
	10/4/12	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
	6/4/13	5.73	0.00	93.24	<80	<0.20	<0.50	<0.50	<1.0	--	--	--	--	--	--	--	--
(12.77)	4/14/16	4.48	0.00	8.29	<100	<0.200	<1.00	<0.500	<1.50	3.3	-77	140	<0.250	5.05	--	78	1.12
(12.77)	6/20/19	7.32	0.00	5.45	<50	<1	<1	<1	2.50	--	--	--	--	--	--	--	--
(12.77)	5/26/21	6.37	0.00	6.40	<100	<0.200	<1.00	<0.500	<1.50	7.6	-134	--	--	--	--	--	--
MW-12	6/27/07	7.82	0.00	92.35	**20,000**	**14,000**	**28,000**	**1,700**	**21,000**	--	--	--	--	--	--	--	--
	11/29/11	5.01	0.00	95.16	**130,000**	**9,000**	**20,000**	**2,700**	**20,000**	2.90 H	627	5.8 H	<0.100 H	0.447 H	--	--	--
	3/6/12	5.12	0.00	95.05	**100,000**	**8,900**	**24,000**	**2,700**	**22,000**	0.54	-139	--	--	--	--	--	--
(100.17)	6/13/12	6.20	0.00	93.97	**100,000**	**6,800**	**19,000**	**2,500**	**21,000**	2.74	-105.8	--	--	--	--	--	--
	10/4/12	9.00	0.88	91.85	**SPH**	**SPH**	**SPH**	**SPH**	**SPH**	--	--	--	--	--	--	--	--
	6/4/13	6.40	0.00	93.77	**160,000/sheen**	**8,600/sheen**	**21,000/sheen**	**2,400/sheen**	**22,000/sheen**	--	--	--	--	--	--	--	--
(13.87)	4/14/16	5.61	0.00	8.26	**252,000/sheen**	**5,020/sheen**	**16,300/sheen**	**2,650/sheen**	**29,600/sheen**	1.1	-118	46,800	<0.250	169	--	273	2,770
(13.87)	6/19/19	7.82	0.00	6.05	**98,900**	**3,360**	**10,800**	**2,470**	**17,890**	--	--	--	--	--	--	--	--
(13.87)	6/19/16 DUP	7.82	0.00	6.05	**109,000**	**3,440**	**13,200**	**2,600**	**19,240**	--	--	--	--	--	--	--	--
(13.87)	5/25/21	7.43	0.00	6.44	**180,000/sheen**	**2,340**	**12,700**	**2,090**	**28,800**	0.14	-252.9	--	--	--	--	--	--
MW-13	6/27/07	6.49	0.00	92.21	<100	<1	<1	<1	<3	--	--	--	--	--	--	--	--
	11/30/11	5.55	0.00	93.15	<250	<0.50	<0.50	<0.50	<0.50	10.6 H	-105	0.070 H	<0.100	1.81	--	--	--
	3/6/12	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
(98.70)	6/13/12	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
	10/4/12	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
	6/4/13	4.99	0.00	93.71	<80	<0.20	<0.50	<0.50	<1.0	--	--	--	--	--	--	--	--
(12.36)	4/14/16	3.79	0.00	8.57	<100	<0.200	<1.00	<0.500	<1.50	8.9	56	1,680	<0.250	1.75	--	<20.0	1.24
(12.36)	6/19/19	6.50	0.00	5.86	<50	<1	<1	<1	1.44	--	--	--	--	--	--	--	--
(12.36)	5/24/21	5.59	0.00	6.77	<100	<0.200	<1.00	<0.500	<1.50	8.41	-91.2	--	--	--	--	--	--
MW-14	6/27/07	7.36	0.00	92.17	<100	<1	<1	<1	<3	--	--	--	--	--	--	--	--
	11/30/11	4.44	0.00	95.09	<250	<0.50	<0.50	<0.50	<0.50	--	76	--	--	--	--	--	--
	3/6/12	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
(99.53)	6/13/12	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
	10/4/12	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
	6/4/13	5.91	0.00	93.62	<80	<0.20	<0.50	<0.50	<1.0	--	--	--	--	--	--	--	--
(13.24)	4/12/16	5.22	0.00	8.02	<100	<0.200	<1.00	<0.500	<1.50	0.9	22.3	369	0.867	3.55	--	64.6	<1.00
(13.24)	6/19/19	7.41	0.00	5.83	<50	<1	<1	<1	<1	--	--	--	--	--	--	--	--
(13.24)	5/24/21	6.75	0.00	6.49	<100	<0.200	<1.00	<0.500	<1.50	2.63	-86.5	--	--	--	--	--	--
MW-16 No elevation	Not Located																
MW-20	6/27/07	7.82	0.00	92.27	**130,000**	**6,900**	**14,000**	**2,800**	**15,000**	--	--	--	--	--	--	--	--
(100.09)	Not Located																
	6/4/13	6.21	0.00	93.88	**100,000/sheen**	**8,800/sheen**	**9,800/sheen**	**2,600/sheen**	**11,000/sheen**	--	--	--	--	--	--	--	--
(13.66)	4/13/16	5.44	0.00	8.22	**184,000**	**6,500**	**14,500**	**3,240**	**19,400**	1.5	-137	64,500	<0.250	8.7	--	379	968
(13.66)	6/20/19	7.61	0.00	6.05	**88,400**	**7,550**	**9,040**	**3,440**	**11,460**	--	--	--	--	--	--	--	--
(13.66)	5/25/21	7.24	0.00	6.42	**90,500**	**4,550**	**5,850**	**3,220**	**9,610**	0.34	-310.2	--	--	--	--	--	--
MW-21	6/27/07	7.62	0.00	92.26	<100	<1	<1	<1	<3	--	--	--	--	--	--	--	--
	11/30/11	4.82	0.00	95.06	<250	<0.50	<0.50	<0.50	<0.50	--	138	--	--	--	--	--	--
	3/6/12	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
(99.88)	6/13/12	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
	10/4/12	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
	6/4/13	6.22	0.00	93.66	<80	<0.20	<0.50	<0.50	<1.0	--	--	--	--	--	--	--	--
(13.57)	4/12/16	5.63	0.00	7.94	<100	<0.200	<1.00	<0.500	<1.50	8.3	127	368	<.250	3.12	--	31.1	2.30
(13.57)	6/19/19	7.58	0.00	5.99	<50	<1	<1	<1	<1	--	--	--	--	--	--	--	--
	5/24/2021	Not Located															
MW-22	6/27/07	7.45	0.00	92.64	**7,100**	**78**	42	57	520	--	--	--	--	--	--	--	--
	11/30/11	4.50	0.00	95.59	**3,000**	<2.00	17	47	160	6.10 H	125	4.4 H	<0.100	9.30	--	--	--
	3/6/12	4.50	0.00	95.59	<250	0.90	2.2	1.6	9.3	0.57	-31	--	--	--	--	--	--
(100.09)	6/13/12	5.45	0.00	94.64	**1,500**	0.92	4.9	61	43	2.38	-209.7	--	--	--	--	--	--
	10/4/12	8.34	0.00	91.75	**3,230**	**8.8**	21.2	118	121	2.52	-158.3	1.5	<0.20	5.2	1,910	230	136
	6/4/13	5.82	0.00	94.27	730	0.23	1.2	6.1	33	--	--	--	--	--	--	--	--
(13.77)	4/13/16	5.16	0.00	8.61	**2,010**	<0.200	1.15	7.08	19.1	1.1	12	2,870	<0.250	95	--	306	136
(13.77)	4/13/16 DUP	5.16	0.00	8.61	**1,890**	0.349	1.06	6.31	18.0	--	--	--	--	--	--	--	--
(13.77)	6/21/19	7.59	0.00	6.18	**1,490**	1.78	1.87	15.30	47.78	--	--	--	--	--	--	--	--
(13.77)	5/25/21	6.98	0.00	6.79	**1,370**	0.920	<1.00	27.6	16.5	0.34	-321.3	--	--	--	--	--	--
MW-23	6/27/07	7.01	0.00	92.56	**92,000**	**1,500**	**9,300**	**2,000**	**14,000**	--	--	--	--	--	--	--	--
	11/30/11	3.92	0.00	95.65	**51,000**	**470**	**3,700**	**1,100**	**7,100**	--	-121	--	--	--	--	35.6	--
(99.57)	11/30/11 DUP	3.92	0.00	95.65	**47,000**	**560**	**4,000**	**1,200**	**7,700**	--	--	--	--	--	--	--	--
	3/6/12	3.95	0.00	95.62	**55,000**	**630**	**5,700**	**2,200**	**12,000**	0.56	-107	12.6	<0.100	6.6	527	136	--
	6/13/12	4.95	0.00	94.62	**56,000**	**830**	**5,600**	**2,300**	**15,000**	1.28	-103.7	15 H	<0.50	12	387	169	--
	10/4/12	7.95	0.15	91.74	**70,500**	**1,320**	**6,850**	**1,580**	**10,000**	3.86	-112.8	13.5	<0.20	1.6	2,170	176	219
	6/4/13	5.40	0.00	94.17	**88,000/sheen**	**770/sheen**	**5,200/sheen**	**2,800/sheen**	**17,000/sheen**	--	--	--	--	--	--	--	--

(13.23)	4/13/16	4.84	0.00	8.39	**158,000/sheen**	**280/sheen**	**4,860/sheen**	**3,230/sheen**	**21,700/sheen**	1.1	-105	16,600	<0.250	1.32	--	96.1	128
(13.23)	6/20/19	7.10	0.00	6.13	**52,100**	**374**	**4,350**	**1,840**	**10,450**	--	--	--	--	--	--	--	--
(13.23)	5/25/21	6.78	0.00	6.45	**82,500**	**194**	**4,450**	**2,080**	**11,700**	0.40	-252.1	--	--	--	--	--	--
(13.23)	5/25/21 DUP	6.78	0.00	6.45	**88,000**	**214**	**4,650**	**2,200**	**12,400**	--	--	--	--	--	--	--	--
MW-24	6/27/07	5.15	0.00	92.78	<100	<1	<1	<1	<3	--	--	--	--	--	--	--	--
	12/1/11	2.14	0.00	95.79	<250	<0.50	<0.50	<0.50	<0.50	--	-133	--	--	--	--	--	--
	3/6/12	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
(97.93)	6/13/12	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
	10/4/12	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
	6/4/13	3.47	0.00	94.46	<80	<0.20	<0.50	<0.50	<1.0	--	--	--	--	--	--	--	--
(11.61)	4/12/16	2.74	0.00	8.87	<100	<0.200	<1.00	<0.500	<1.50	1.4	99	5,170	<0.250	<1.00	--	35.6	105
(11.61)	6/26/19	5.51	0.00	6.10	<50	<1	<1	<1	<1	--	--	--	--	--	--	--	--
MW-25	6/27/07	6.45	0.00	92.29	<100	<1	<1	<1	<3	--	--	--	--	--	--	--	--
	12/1/11	3.68	0.00	95.06	<250	<0.50	<0.50	<0.50	<0.50	--	123	--	--	--	--	--	--
	3/6/12	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
(98.74)	6/13/12	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
	10/4/12	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
	6/4/13	5.02	0.00	93.72	<80	<0.20	<0.50	<0.50	<1.0	--	--	--	--	--	--	--	--
	4/13/16	4.25	0.00	8.16	**2,820**	**76.3**	<1.00	45.5	101	1.2	25	9,690	<0.250	6.24	--	65.0	235
(12.41)	5/20/16	5.77	0.00	6.64	94.4	<1.00	<1.00	1.10	1.08	--	--	--	--	--	--	--	--
(12.41)	1/9/18	3.36	0.00	9.05	123	2.15	<1.00	<1.00	33.7	--	--	--	--	--	--	--	--
(12.41)	6/19/19	6.52	0.00	5.89	<50	<1	<1	<1	1.60	--	--	--	--	--	--	--	--
MTCA Method A Cleanup Levels [10]		N/A	N/A	N/A	800/1,000 [11]	5	1,000	700	1,000	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A

[3] Dissolved Oxygen analysis collected as a field parameter, except samples collected November 2011, which were analyzed by laboratory

[4] Oxygen Reduction Potential collected as a field parameter

[5] Ferrous Iron analysis by Method SM3500-Fe B

[6] Nitrate and Sulfate analysis by Ion Chromatography by EPA Method 300.0

[7] Methane analysis by Method RSK-175M

[8] Total Alkalinity analysis by Method SM 2320B

[9] Manganese analysis bu EPA Method 6010

[10] Washington State Department of Ecology Model Toxics Control Act (MTCA) Method A Cleanup Level for groundwater. November 2007.

[11] MTCA Method A Cleanup Level for TPH-G in groundwater is 800 µg/L if benzene is detected; but is 1,000 µg/L if benzene is not detected. SPH = Separate Phase Hydrocarbons

Groundwater Elevation calculated using "Groundwater Elevation = TOC-(Depth to Water -(SPH thickness*0.77))" where 0.77 is a generic density of gasoline.

EXHIBIT C

SCHEDULE OF DELIVERABLES

Action	Deliverable	Schedule
Prepare Draft Engineering Design Report (EDR)	Draft EDR and Draft Permit Applications	120 days following the effective date of the Agreed Order
Finalize EDR	Final EDR and Submit Permit Applications	60 days following receipt and incorporation of Ecology comments on the Draft EDR
Secure Permits	Permits Approved	120 days following approval of EDR
Remedial Action Implementation Planning	Construction Schedule	60 days following approval of permits
Implementation of Remedial Action	On site Field Work	During the dry period following finalization of permits
Prepare draft Post Remediation Operations Maintenance and Monitoring Plan (OM&MP)	Draft OM&MP	120 days following the approval of the Final EDR
Finalize OM&MP	Final OM&MP	90 days following receipt and incorporation of Ecology comments on the draft OM&MP
Submit Draft Remedial Action Report	Draft Remedial Action Report	Within 90 days following completion of the Remedial Action
Final Remedial Action Report	Final Remedial Action Report	60 days following receipt and incorporation of Ecology comments on the Draft Remedial Action Report
Draft Environmental Covenant Submittal to Ecology	Draft Environmental Covenant	30 days following acceptance of Final Remedial Action Report
Recording the Environmental Covenant	Environmental Covenant	30 days following finalizing the Environmental Covenant

EXHIBIT D

APPLICABLE PERMITS

- State Environmental Policy Act (SEPA) Environmental Checklist
- Olympic Region Clean Air Agency (ORCAA) Notice of Construction Permit
- Department of Ecology General Construction Stormwater Permit
- City of Westport Demolition Permit
- City of Westport Sewer and Water Permits
- City of Westport Fill and Grade Permit
- Department of Ecology Underground Storage Tank (UST) closure forms/permits (30-day notice and Permanent Closure Notice)

EXHIBIT E

APPLICABLE RELEVANT AND APPROPRIATE REQUIREMENTS

- Model Toxics Control Act (Chapter 70A.305D RCW), and Model Toxics Control Act Regulation (Chapter 173-340 WAC).
- Washington State Hazardous Waste Management Act (Chapter 70.105 RCW, and State Dangerous Waste Regulation (Chapter 173-303).
- Solid Waste Management-Reduction and Recycling (Chapter 70.95 RCW).
- Minimum Standards for Construction and Maintenance of Wells (Chapter 173-160 RCW).
- Occupational Safety and Health Act (OSHA), 29 CFR Subpart 1910.120
- Washington Industrial Safety and Health Act (WISHA).