**STATE OF WASHINGTON**

**DEPARTMENT OF ECOLOGY**

|  |  |
| --- | --- |
| In the Matter of Remedial Action by:  The Boeing Company  Boeing Kent Space Center  20403 68th Avenue South  Kent, Washington | FIRST AMENDMENT TO AGREED ORDER  No. DE 12820 |

TO: The Boeing Company

c/o Steven Shestag

Director, Environmental Remediation

P.O. Box 3707, MS 74-25

Seattle, WA 98124-2207

EXHIBIT A: Revised Facility Diagram

# INTRODUCTION

Agreed Order No. DE 12820 (Order) entered into by the State of Washington, Department of Ecology (Ecology), and the Boeing Company (Boeing) on January 19, 2016, requires that Boeing conduct a remedial investigation at the Site. By this Amendment to Agreed Order No. DE 12820 (Amendment), Ecology requires that Boeing complete a Focused Feasibility Study. This Amendment also replaces the Facility Diagram (Exhibit A) to more accurately reflect the current Site boundary. Ecology believes the actions required by this Amendment are in the public interest.

This Amendment does not attempt to recite all of the provisions of the Order. Provisions of the Order not specifically changed in this Amendment remain in full force and effect. The following sections of the Order are amended as follows:

# JURISDICTION

This Amendment is issued pursuant to the authority of the Model Toxics Control Act (MTCA), RCW 70A.305.050(1). This Order also satisfies the requirements of WAC 173-303-646 through -64630.

# WORK TO BE PERFORMED

Section VII (Work To Be Performed) of the Order is hereby amended to add the following remedial action that the Boeing Company must perform in accordance with WAC 173-340 unless specifically provided for herein:

K. Within twenty (20) months of the effective date of this Amendment, Boeing shall provide the Ecology Northwest Region Office for review and approval a draft focused feasibility study that meets the requirements of WAC 173-340-350 and includes the following:

1. An analysis of cleanup alternatives for arsenic in groundwater and affected media and in the migration pathways identified in the final Revised Remedial Investigation Report.
2. Collection and presentation of relevant site characterization data to delineate the Facility’s arsenic re-adsorption zone, Boeing must:
   1. Submit a Sampling and Analysis Plan (SAP) for data collection for Ecology approval.
   2. Provide Ecology with interim data analytical reports on this sampling as new data and information become available.
   3. Compile the results of the arsenic re-adsorption zone into a draft FS and submit it to Ecology for review and comment.
   4. If the data collected is insufficient to delineate the Facility’s arsenic re-adsorption zone, Ecology may ask Boeing to conduct an additional phase of investigation.
3. An evaluation of a monitored natural attenuation (MNA) remedy.
4. An evaluation of the need for institutional controls, including environmental covenants, for the Facility.

After incorporating Ecology’s comments, if any, on the draft focused feasibility study, Boeing shall prepare a public review draft feasibility study and submit it, including one electronic copy each in Word (.doc) and Adobe (.pdf) formats, to Ecology for distribution and public comment. The feasibility study will not be considered final until after a public review and comment period.

Effective date of this Order:

THE BOEING COMPANY STATE OF WASHINGTON

DEPARTMENT OF ECOLOGY

XXXX Raman Iyer

Director, Environmental Remediation Section Manager

M/C 9U4-26, PO Box 3707 Hazardous Waste and Toxics Reduction

Seattle, WA 98124 Program

(818) 466-8822 Northwest Regional Office

(425) 417-5453