

EXHIBIT C
Agreed Order No. DE 21664
Chevron Pipeline Company Pasco Bulk Terminal
Site
Ecology Cleanup Site ID No. 4867
Tesoro Logistics Operations LLC
Scope of Work and Schedule

This Scope of Work implements the Cleanup Action Plan (Exhibit A) to address soil and groundwater contamination at the Chevron Pipeline Company Pasco Bulk Terminal site (Site) (Exhibit B) in the City of Pasco, Washington. The potentially liable person (PLP), Tesoro Logistics Operations LLC (Tesoro), must implement this Scope of Work to perform Site cleanup. The Scope of Work requires developing plans and specifications, along with all other work products, that meet the requirements of the Model Toxics Control Act (MTCA) Cleanup Regulation, Chapter 173-340 Washington Administrative Code (WAC).

The PLP must furnish all personnel, materials, and services necessary for, or incidental to, performing the cleanup action the Washington State Department of Ecology selected for the Site.

The Scope of Work contains the following tasks to be accomplished in accordance with the schedule below.

Task 1: Engineering Design Report

The Engineering Design Report (EDR) must comply with the WAC 173-340-400(4)(a) requirements. The report will provide engineering concepts and design criteria for major components of the selected cleanup action. The EDR will describe the installation of the oxygen-releasing compound (ORC) devices (also known as “socks”) in the wells described in the Cleanup Action Plan (CAP), as well as the materials and methods required to implement the CAP.

The EDR should identify the necessary permits or the substantive provisions of laws for which there is a permit exemption in MTCA for the Site cleanup. The EDR must include a section describing the institutional controls for the Site. Institutional controls will be required for Tesoro’s property as long as the contaminants of concern in groundwater exceed the cleanup levels (CULs) set forth in the CAP. The controls will prohibit groundwater extraction until CULs for groundwater are achieved at the Site.

Task 2: Permits and Substantive Conditions of Permit-Exempt Laws

The PLP must obtain any necessary permits prior to constructing the cleanup action or identify substantive requirements of laws for which MTCA creates a permit exemption.

Task 3: Compliance Monitoring Plan

The Compliance Monitoring Plan (CMP) will be developed prior to implementing the selected remedial action. The CMP will include protection monitoring, performance monitoring, and confirmation monitoring plans. The CMP will also include a Sampling and Analysis Plan (SAP) and a Quality Assurance Project Plan (QAPP). The plans must meet WAC 173-340-410 and WAC 173-340-820 requirements. All sampling data will be submitted to Ecology according to the requirements of Section VII.E of the Agreed Order.

Task 4: Operation & Maintenance Plan:

The Operation & Maintenance Plan (O&M Plan) will be developed as an appendix to the EDR. The O&M Plan will describe the installation process for the ORC socks, process to remove and dispose of the socks, and procedures for maintaining monitoring wells. The O&M Plan will meet WAC 173-340-400(4)(c) requirements.

Task 5: Cleanup Action Implementation

Based on the EDR, the PLP will prepare a final punch list of items to be completed during cleanup action implementation. The punch list items will be tracked as the implementation progresses.

The cleanup action to be implemented at the Site includes:

- Installing ORC socks in wells described in the CAP.
- Maintaining ORC socks when deployed in the wells.
- Removing and disposing of ORC socks after each six-month treatment period.
- Monitoring groundwater for six months between ORC sock treatment periods.

The cleanup action shall be carried out in accordance with the requirements and procedures in the CAP and EDR.

Task 6: Institutional Controls

After the PLP initiates the cleanup action, the PLP must implement the institutional controls in the EDR. These institutional controls will include restricting access to the groundwater wells and prohibiting groundwater use at the Site. The access restrictions and groundwater prohibition will remain in-place until Site groundwater CULs have been met. The PLP will incorporate these restrictions into an Environmental Covenant for the property and file the covenant with Grant County after Ecology's review and approval. If environmental covenants are required for properties not owned by Tesoro, Tesoro will draft the covenants for those properties. Tesoro will submit all draft covenants for Ecology's review at the time Tesoro submits the Environmental Covenant for its property.

Task 7: Cleanup Action Report

The PLP must submit a Cleanup Action Report in accordance with WAC 173-340-400(6)(b) and (c), following implementation of the cleanup action. Laboratory data must be in the report and will be reviewed and compared to the quality assurance and quality control procedures in the SAP and QAPP. Raw data will be submitted to Ecology within

three weeks of receiving it from the analytical laboratory. The Cleanup Action Report will be submitted with graphical representations of the work performed. The report will also provide documented evidence that institutional controls have been recorded.

Task 8: Periodic Review

Ecology will perform periodic reviews in accordance with WAC 173-340-420 to evaluate the effectiveness of the cleanup action and assess contaminant trends in groundwater. The periodic reviews will be conducted approximately every five years until the groundwater CUL has been achieved as described in the CAP or Site conditions change so that other actions may be necessary to protect human health and the environment.

SCHEDULE

Each of the documents required below are subject to Ecology’s review and approval. Ecology will approve, approve with conditions, or disapprove of such documents. If Ecology disapproves of a document, Ecology will provide comments to the PLP, and the parties will establish a mutually agreed upon date for the PLP’s re-submittal of the document, not to exceed forty-five (45) days after the PLP’s receipt of Ecology's comments. The PLP will then submit a revised document that addresses Ecology's comments. For the purposes of the following schedule, the ORC sock deployment season will be defined as March 15 through September 15.

| Deliverables | Due Date |
|---|--|
| Effective date of Agreed Order | Start |
| PLP submits draft EDR, O&M Plan, and CMP | 90 days after start |
| PLP submits final EDR, O&M Plan, and CMP | 30 days after PLP receives Ecology’s written comments on draft documents |
| PLP notifies Ecology that ORC socks are ready to be installed | 30 days after Ecology approval of EDR and O&M Plan |
| Begin cleanup action | As described in EDR, but no later than April 28, 2023 |
| PLP notifies Ecology in advance of any sample collection or work activity at the Site | 7 days in advance |
| PLP submits draft Environmental Covenant | 60 days after ORC socks are deployed for the first time |
| Record Environmental Covenant | Within 30 days of Ecology approval |
| PLP submits draft Cleanup Action Report | 90 days after the ORC treatment is complete |
| PLP submits final Cleanup Action Report | 30 days after PLP receives Ecology’s written comments on draft Cleanup Action Report |
| PLP submits semi-annual progress reports | Within 60 days of the last day of the previous six-month period |