



BRIAN M. WERST †  
*bwerst@workwith.com*  
509.252.5680

February 26, 2024

Jeremy Schmidt  
Eastern Regional Office, Department of Ecology  
4601 N. Monroe Street  
Spokane, WA 99205

**Re: Spokane International Airport**

Dear Mr. Schmidt:

We are in receipt of your letter dated February 14, 2024. We appreciate that the Department of Ecology (“Ecology”) has extended the opportunity for Ecology and the Spokane Airport Board (“Airport”) to continue to negotiate an agreed order (AO) and scope of work (SOW). As you know from our meeting on February 6, 2024, we have assembled a highly experienced and expert team of consultants to assist in this process and the Airport is preparing to move forward with a detailed investigation into the conditions at the Airport. Based on that meeting, we understand that Ecology now wants the AO and SOW to include not only the investigation of PFAS (Per- and Polyfluoroalkyl substances) but also the investigation of other hazardous substances (independent to PFAS) for which there has been evidence of an unmitigated release and contamination at the site, including No-Further-Action (NFA) sites.

As we presented and committed to at the February 6 meeting, we have enclosed a copy of the proposed SOW prepared by our consultant team to reflect the “Schedule of Deliverables” presented to Ecology by the Airport. The proposed SOW also incorporates the additional investigation and testing for non-PFAS hazardous materials. As discussed, the SOW sets forth an aggressive schedule to immediately begin a detailed plan to investigate and study the conditions at the site and propose possible remediation.

**A Professional Limited Liability Company**

†Also Admitted in Idaho

601 West Main Avenue, Suite 1400  
Spokane, Washington 99201-0677  
Telephone: (509) 455-9077  
Facsimile: (509) 624-6441  
Toll Free: (866) 903-9912  
[www.workwith.com](http://www.workwith.com)

## **Summary of Steps Taken Toward an Agreed Order**

While we appreciate the opportunity to continue to negotiate an agreed plan to move forward, we must note at the outset that we disagree with your statement that “no substantive comments have been received regarding the proposed AO.” In fact, the Airport has taken a number of substantive steps and proposed substantive comments as summarized here:

- On November 9, 2023, the Airport submitted to Ecology draft comments and revisions to the draft AO on November 9, 2023, at which time the Airport explained the need to complete the Airport’s required procurement process to engage qualified environmental consultants to address Ecology’s proposed SOW. The Airport advised Ecology that it would have further draft comments and revisions to the draft AO.
- On November 22, 2023, the Airport submitted to Ecology further draft comments and revisions to the draft AO. Again, the Airport stated it was diligently working to procure qualified consultants to assist with the development of a scientific, data-driven SOW and following the selection of a consultant team, would supply a draft SOW.
- On December 5, 2023, Ecology transmitted to the Airport a “revised AO that includes acceptable changes and comment responses.” Ecology responded to a few draft comments and revisions proposed by the Airport by stating it was waiting to address those items, commenting on a few other draft revisions from the Airport, and rejecting most draft revisions from the Airport without any comment or discussion.
- Even though the Airport had not completed the lengthy procurement process it must follow to engage consultants, the Airport submitted its first draft comments and revisions to the draft SOW on December 7, 2023, in anticipation of meeting with Ecology to negotiate the draft AO and SOW.
- In response to your correspondence dated December 20, 2023, the Airport sent responsive correspondence on December 27, 2023, that confirmed the Airport had engaged environmental consultants that were reviewing the draft AO and SOW and the Airport was working to conference with the FAA:

...regarding the provisions in the AO/SOW that are problematic due to the Airport’s federal regulatory obligations. While I appreciate that Ecology has

worked with various facilities in the past, the issues we have regarding our legal and operational obligations have not necessarily been addressed. I'm hopeful there is a way for the Airport to satisfy Ecology's concerns and terms, while at the same time complying with our federal legal and operations obligations...

- Per Ecology's request for "specific topics you would like to discuss" at the meeting between Ecology and the Airport on February 6, 2023, the Airport sent correspondence to Ecology on February 6, 2024, that identified, in addition to work performed by the Airport and discussion regarding the proposed SOW, the following topics for discussion regarding the proposed AO:

Discussion/questions regarding inclusion of all 6,400 acres of Airport property

Discussion/questions regarding non-recognition or insertion of other PLPs in the AO or SOW, such as the Department of Defense (Formerly Used Defense Site) and the State of Washington Military Department (Army and Air National Guard).

Discussion/questions regarding proposed AO to investigate and remediate unknown or unidentified hazardous substances in addition to PFAS.

Discussion/questions regarding how "Interim Actions" are determined and carried out

Discussion/questions regarding concerns under federal law

Airport revenue diversion regarding payment of Ecology's costs under WAC 173-340-550, costs attributable to actions of other third parties (none of whom are identified as PLPs), and costs related to non-Airport property.

Airport identified as the only PLP.

Access to Airport property "to enter and freely move about all property".

Ecology's role in Airport real estate leases and transactions.

Ecology acknowledges the Airport's obligations under 14 CFR Part 139, but proposed AO remains inconsistent with federal law and regulation.

- At the two hour meeting on February 6 at Ecology's office, four members of our consultant team were present in person or by video and discussed at great length substantive issues regarding the proposed AO and SOW, including opening up old cases that had been identified by DOE as No-Further Action (NFA) sites.

We believe this summary of the steps taken in furtherance of the effort to negotiate an AO demonstrates that the Airport has continued to raise substantive comments and important issues and is working as expeditiously as possible to negotiate an order in this novel and highly complex matter that is complicated by the fact that the emerging chemicals at issue are still not well understood by the scientific community and their possible fate and transport in the complex geology in eastern Washington is difficult to assess. Unfortunately, the Airport is concerned that throughout this process to date Ecology has not shown a reciprocal interest in working through these complex and difficult issues and is instead focused only on an arbitrary time-line for the issuance of an AO despite the fact that this is the first situation in which Ecology is engaging with a commercial service airport regarding PFAS (not associated with a single-point source release, such as an airplane crash).

### **Next Steps**

As we explained during our meeting with Ecology on February 6, the Airport is moving forward with its highly experienced and qualified environmental consulting team to investigate the groundwater and soil conditions on Airport property. Our consulting team combines the expertise of two prominent consultant firms – Haley & Aldrich and GSI Environmental. Our team members are internationally recognized experts actively involved in all technical, regulatory and industry developments for PFAS at the forefront of the science, and are actively involved in publishing and developing the state of the science for this complex class of chemicals. The scope and breadth of our team's PFAS experience will bring expertise to the project that, we believe, is beyond the expertise of Ecology. At the meeting, Ecology expressed its preference for the Airport to refrain from commencing its consultant led investigation until the Airport is under an AO with Ecology. The Airport strongly believes that proceeding forward with a prompt investigation now, consistent with the "Schedule of Deliverables" presented to Ecology, is in the best interests of the public and we cannot understand why Ecology is now asking to delay the investigation. Our team is committed to a scientific fact-based process that will determine the best course of action to protect

human health and the environment and we intend to move forward with that process with or without an AO.

There are several problematic legal issues that must be resolved in order to come to an agreement on an AO. We are working to resolve these issues and as you know have scheduled a meeting with the FAA to work through these issues. The Airport, based on previous discussions with the FAA, has concerns that the proposed AO conflicts with the Airport's ability to comply with (1) the FAA Airport Compliance Manual Order 5190.6B (specifically Chapter 15 pertaining to revenue diversion), (2) federal aviation regulations found in 14 CFR Part 139, and (3) FAA Airport Sponsor Assurances pursuant to 49 USC §47107. The FAA has advised us that at this point, it has concerns about whether portions of the AO may be contrary to federal law. The Airport cannot enter an AO until the issue of whether it would be in violation of federal law is resolved. While we hope to complete these negotiations as soon as possible, given the length of time it has taken just to get a meeting together makes it difficult to believe that the parties can work through these issues by March 11 deadline Ecology has imposed. FAA's timelines are not within the control of the Airport and the time it takes the FAA to work through these issues must be factored into any deadlines Ecology sets.

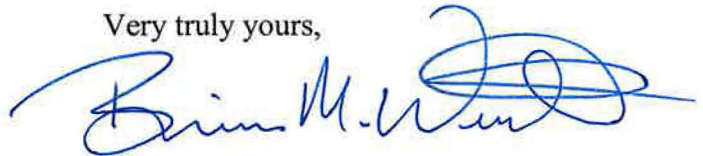
Additionally, while Ecology expressed its concern about the legal issues raised and revisions proposed by the Airport to the draft AO and SOW and stated that it has not been encountered these issues at Ecology's "other airport cleanup projects" neither the Airport nor Ecology have identified any other "airport cleanup project" of the nature and complexity of this project proposed by Ecology related to alleged PFAS/AFFF contamination. Ecology has acknowledged the historical use of Airport property by third parties, including state and federal agencies, which seemingly satisfy the "potentially liable party" definition, yet has refused to consider adding these parties to the investigatory process. Further, Ecology has communicated that any investigation and remediation of Airport property will involve any and all constituents that may be discovered, even if they have been remediated in the past under then-applicable standards and received a "no further action" determination. The Airport has not identified any other cleanup project of such magnitude and reach, with a presumably perpetual duration and never-ending expense. It is for these reasons, among others, the Airport has very real concerns that the proposed AO conflicts with the Airport's ability to comply with the FAA Airport Compliance Manual Order 5190.6B (specifically Chapter 15 pertaining to revenue diversion), federal aviation regulations found in 14 CFR Part 139, and FAA Airport Sponsor Assurances pursuant to 49 USC §47107.

Jeremy Schmidt  
February 26, 2024  
Page 6

In conclusion, the Airport is committed to a process to investigate the groundwater and soil conditions on its property and has assembled a highly experienced and qualified team that has begun the scientific process of investigating the site. We are moving forward with that process. We cannot control how long it will take to resolve certain legal issues with the FAA and for that reason suggest that Ecology not impose an arbitrary deadline for the Airport to sign an AO. We are working toward resolving these issues as quickly as possible but the current deadline is problematic based on factors beyond our control.

Please let us know if you would like to set up a call or meeting to discuss these issues further.

Very truly yours,



BRIAN M. WERST

BMW:bmw  
Attachment

cc via email: Spokane International Airport  
Ivy Anderson, Assistant Attorney General  
Brianna Brinkman  
Nicholas Acklam  
Lyndon Smithson, City of Spokane  
Chris Anderson, Spokane County

## Exhibit B | Scope of work and schedule

### Scope of work

#### Purpose

The work under this Agreed Order (AO) requires the Potentially Liable Person (PLP) to conduct a Remedial Investigation (RI) and Feasibility Study (FS), Ecology Required Emergency Interim Actions, and Additional Interim Actions if required or agreed to by Ecology. The PLP has also included additional investigation and site assessment work under the AO to assist in the development of the RI and FS work. The purpose of the RI/FS for the Site is to provide sufficient data, analysis, and evaluations to enable Ecology to select a cleanup alternative for the Site for hazardous substances for which there has been evidence of an unmitigated release. While the Early Notice of Release letter issued by DOE states it is regarding the possible presence of a group of chemicals known as PFAS (Per- and Polyfluoroalkyl substances) on Airport property, DOE has verbally modified the extents of the notice to also include any hazardous substances regardless of the location of potential releases of PFAS. Therefore the work under this AO also includes effort to accommodate the request of DOE to explore the site for any and all hazardous materials, including No-Further-Action (NFA) sites that are not under federal or state jurisdiction.

The PLP shall coordinate with Ecology throughout the development of the work required by the AO and shall keep Ecology informed of significant changes to any Work Plan or other project plans, and of any substantive issues or problems as they develop once they are adequately identified and understood.

The PLP shall furnish all personnel, materials, and services necessary for, or incidental to, performing the RI/FS or any interim actions at the Site subject to its purchasing and procurement methods and processes.

Deliverables prepared under this AO shall be submitted to Ecology for review and approval in electronic format as both a tracked Word document (.doc) and Adobe (.pdf) format. Work may not begin for each task before receiving written approval from Ecology.

The PLP or their contractors shall submit all sampling data generated under this AO and previously collected at the site to Ecology for entry into the Environmental Information Management System (EIM) in accordance with WAC 173-340-840(5) and Ecology's Toxics Cleanup Program Policy 840: Data Submittal Requirements. Validated data is required to be in the EIM database within 30-60 days of submittal.

The Scope of Work (SOW) is divided into seven-six major tasks as follows:

Task 1. Site Assessment Report

Task 2. Initial Investigation

**Commented [BW1]:** For discussion. The Airport will need to understand the cost assigned to an Action in order to get Airport Board approval for such expenditure.

**Commented [JS2R1]:** We should discuss cost estimating for the AO work, especially in light of potential grant funding. However, interim action language in an AO for an RI/FS is standard. Rejected.

**Commented [LC3R1]:** We propose interim actions be amended to the AO SOW, if found needed. This approach is also a standard method under an AO. If it is the intent for DOE to implement interim actions following the execution of the AO, and without any further testing, DOE should disclose this intent. Otherwise amending it to the AO SOW is the appropriate method.

**Commented [JS4]:** Rejected and we can discuss.

**Commented [JS5]:** Arbitrary descriptor. Rejected

**Commented [JS6]:** Arbitrary descriptor. Rejected

**Commented [JS7]:** Ecology is to be part of the discussion, not notified after the fact. Rejected.

**Commented [JS8]:** We understand SIA's legal requirements for procurement, however this is an unnecessary addition. Rejected

**Commented [BW9]:** For discussion. Per the discussions with Ecology, the Airport understands the scope of work for all things related to PFAS will be determined after the Order is issued. Therefore the SOW details for each task is subject to change and will be reviewed, discussed, coordinated and agreed-upon with the Airport, Airport's consultant, and DOE. The Exhibit A will also need to be updated, as it is currently not correct. The site will focus on the vicinity of the wells with elevated PFAS levels on Airport property as the initial site.

**Commented [JS10R9]:** The Work Plan will add detail, but the SOW is not subject to change once finalized, unless there is an amendment to the AO. The RI will delineate contamination at the site, which includes source evaluation. We do not pre-limit the extent of investigation work.

**Commented [LC11R9]:** The SOW has been updated with the scope and schedule presented at our last meeting on February 6, 2024 and also includes expanding the scope and schedule for non PFAS materials.

- Task 3. Remedial Investigation (Work Plan and Report)
- Task 4. Feasibility Study
- Task 5. Quarterly Groundwater Monitoring and Reporting
- Task 6. Progress Reports
- ~~Task 1. Remedial Investigation and Feasibility Study (RI/FS) Work Plan~~
- ~~Task 2. Remedial Investigation~~
- ~~Task 3. Remedial Investigation and Feasibility Study (RI/FS) Report~~
- ~~Task 4. Ecology Required Emergency Interim Action(s)~~
- ~~Task 5. Additional Interim Action(s) (if required)~~
- ~~Task 6. Quarterly Groundwater Monitoring and Reporting~~
- ~~Task 7. Progress Reports~~

**Commented [JS12]:** Rejected, see above.

**Commented [LC13R12]:** Will be implemented by amendment to the AO, if needed throughout the process.

The SOW outlined within this document is for reference and a framework that may be used for the development of the detailed work plan and SOW specifically to the AO, following the execution of the AO. The SOW will be established for analyzing the possible presence of a group of chemicals known as PFAS (Per- and Polyfluoroalkyl substances) on Airport property.

**Commented [JS14]:** Rejected

**Commented [LC15R14]:** With the previous deadline, we were still in the expedited process of procuring and retaining a consultant. Now that a consultant has been obtained, a SOW has been developed that includes the framework necessary for the SOW under the AO. The SOW has been updated with the work and schedule presented at our last meeting on February 6, 2024 and also includes expanding the scope and schedule for non PFAS materials.

**Task 1. Site Assessment**

The Site Assessment is a desktop review of the operational history of the airport as well as available reports regarding releases of hazardous substances. The goal is to identify potential source areas soils for further investigation in addition to groundwater sampling and guide the collection and interpretation of soil and groundwater analytical data. This review includes:

1. General Facility Information, including, but not limited to legal description of the facility, present owner and/or operator including chronological listing of past owners and/or operators, adjacent property owners, zoning designations of property and adjacent properties, and other pertinent information.
1. Site History providing descriptions of historical, current, and future Site activities/operations, including historical use of Aqueous Film Forming Foam (AFFF), and their location.
2. Site History providing descriptions of historical, current, and future Site activities/operations, including historical use of Aqueous Film Forming Foam (AFFF), and their location.
3. Purchase history of Aqueous Film Forming Foams (AFFF) relating the brand, amount, quantity, and date, based on a reasonable review of immediately accessible past records.

**Commented [JS16]:** Unnecessary, rejected.

**Commented [LC17R16]:** This is necessary to the SOW.

Suspected Source Areas – locations of all known or suspected source areas, including but not limited to:

- 1.1 Firefighting training areas (historical and current).



Testing location(s) for Part 139 Certification.

Firefighting equipment maintenance areas.

4. Disposal areas.

- 4.1 Firefighting training areas (historical and current).
- 4.2 Firefighting equipment testing and maintenance areas.
- 4.3 Disposal areas.
- 1.2 Stormwater drainage infrastructure and management areas receiving flows from suspected source areas. Impacted soils.
- 4.4
- 4.5 Drainage and wastewater systems used to contain discharged fire-extinguishing materials.
- 4.6 Historic and current storage areas for AFFF.
- 4.7 Tanks, vehicles, equipment, and distribution systems that were used to store or apply AFFF.
- 4.8 Hangars that contain AFFF fire suppression systems (historical and current).
- 4.9 Spills.
- 4.10 Incident response(s) that used AFFF.
- 4.11 Historical grading/construction projects at the Site associated with suspected source areas.

5. Review Data Reports from previous analysis of PFAS in soils, groundwater, surface water, and sediments along with documentation of any remedial activities if undertaken.

In addition to the desktop review, the site assessment report will develop and present a preliminary Conceptual Site Model (CSM) that describes the current understanding of contaminant release, fate and transport (including migration pathways in all environmental media and identifying potential receptors), and Site-specific concerns such as identification of natural resources and ecological receptors.

**Commented [JS18]:** The RI will determine the extent and magnitude of contamination, which may not be limited to PFAS.

**Commented [LC19R18]:** SOW has expanded to explore the site for hazardous materials, including No-Further-Action (NFA) sites. Note this has added more time to the schedule for testing, review, and development of the RI.

## Task 2. Initial Investigation

An initial field investigation will be conducted to provide data into support of the development of a comprehensive RI Work Plan-development. The-sampling will be conducted-forconsist of in-place groundwater wells and for-soils in the potential source areas identified during the Site Assessment. A Wwork Pplan for the Initial Investigation will be prepared and submitted to Ecology for approval prior to commencing field work. The Initial Investigation Work Plan will include:

1. **Sampling and Analysis Plan (SAP)** shall conform to the requirements of WAC 173-340-820 and WAC 173-340-830, and shall generally contain:
  - 1.1. Specific sampling methods, including number and type of QA/QC samples. The sampling suite should be guided by historical property use.
  - 1.2. Sampling locations and designations, including access considerations.
  - 1.3. Types of media to be sampled (e.g., ~~and at a minimum:~~ soil, groundwater, surface water, catch basin solids, stormwater runoff, seeps, sediment, etc.) and the number of samples of each.
  - 1.4. Proposed number and location of monitoring wells, soil borings, test pits and other investigative activities.
  - 1.5. Schedule and task assignments.
  - 1.6. Supplies and equipment.
  - 1.7. Monitoring well construction requirements.
  - 1.8. Analytical procedures, methods, and detection limits.
  - 1.9. Sample custody procedures, including holding times, containers, and preservation.
  - 1.10. Investigation-derived waste management.
  - 1.11. Shipping and handling arrangements.
2. **Health and Safety Plan** to cover the level of chemical protection, hazard evaluation, waste characteristics and special considerations and emergency information in accordance with WAC 173-340-810.

Commented [ML20]: I would make these a subset of 1.2

3. Quality Assurance Project Plan (QAPP) to include field quality assurance/quality control (QA/QC) methods, chain of custody procedures, laboratory QA/QC methods, electronic data management, archival, and transmittal protocols.

The findings of the Initial Investigation will be submitted as a report to Ecology following the estimated schedule within this Exhibit and data will be submitted to EIM.

Task 1.Task 3. Remedial Investigation and Feasibility Study (RI/FS) Work Plan

The PLP will prepare a RI/FS Work Plan (Work Plan) that includes an overall description and schedule of all RI activities and FS development. The Work Plan will clearly describe the project management strategy for implementing and reporting on RI/FS activities. The responsibility and authority of all organizations and key personnel involved in conducting the RI/FS ~~must~~ will be outlined.

A Remedial Investigation/RI Planning Meeting will be held prior to submittal of the Work Plan to:

- review requirements for the Work Plan.
- plan Remedial Investigation/RI field work.
- discuss the preliminary Conceptual Site Model/CSM.
- identify project data needs and possible interim actions.

The Work Plan shall outline procedures for the RI and FS, comply with [WAC 173-340-350](#), and should include the following information:

~~1. General Facility Information, including, but not limited to legal description of the facility, present owner and/or operator including chronological listing of past owners and/or operators, adjacent property owners, zoning designations of property and adjacent properties, and other pertinent information.~~

~~2.1. Site History providing descriptions of historical, current, and future Site activities/operations, including historical use of Aqueous Film Forming Foam (AFFF), and their location.~~

~~3.4. Facility Access Strategy that describes Site access restrictions, requirements, and strategies to minimize delays due to Site access complications for the duration of the RI/FS work. The Facility Access Strategy shall describe how Site access can be organized to comply with requirements outlined in [WAC 173-340-800](#) and in accordance with applicable law, including but not limited to 49 CFR Part 1542 and 14 CFR Part 139.~~

~~4.5. Site Conditions Map(s) that illustrate relevant current Site features such as property boundaries, proposed facility boundaries, surface topography, surface, and subsurface structures (including the Airport's stormwater management system), utility lines, well locations, and other pertinent information (for example, surface water bodies~~

**Commented [BW21]:** For discussion. Need to include the Army Corps, Air Force, Department of Defense, State of Washington and FAA, all of whom will have some "responsibility and authority."

**Commented [JS22R21]:** This can be fleshed out in the RI/FS Work Plan.

**Commented [LC23R21]:** We take exception to DOE not allowing the Airport to include the history, previous ownership of the site, or previous PLP within the SOW. This will be included within the RI and FS, including listing other parties/PLPs.

**Commented [JS24]:** Accepted.

**Commented [BW25]:** For discussion. The site will initially focus within a 1,000-foot radius on Airport property of the wells with elevated PFAS levels. Per discussions with Ecology, it is the Airport's understanding the SOW and site will be developed following the Order in a collaborative setting

**Commented [JS26R25]:** The Remedial investigation will delineate the extent of contamination. This includes determining source areas and pathways. There is no a priori 1000 ft limited extent of investigation.

near the vicinity of the Site). Past and present locations of fire stations, emergency firefighting activities, fire training areas, and waste disposal areas shall also be identified. All maps will be consistent with the requirements set forth in [WAC 173-340-840\(4\)](#) and be of sufficient detail and accuracy to document all current and future work performed at the Site.

~~5.6. **Site geology and hydrogeology** and a brief discussion of local climate. Should include well logs of known monitoring well locations, groundwater supply wells, and identification of known surface water and other ecological resources within within a minimum of one mile extending from the perimeter of the Spokane International Airport, and off-site in line accordance with their identified in the site CSM as a potential fate and transport pathways. Included is a and a summary of well construction details, including top of casing elevations and well screen elevations will be included.~~

**Commented [JS27]:** Rejected, very standard practice to identify potential receptors.

**Commented [LC28R27]:** See revisions.

~~6.1. **Purchase history** of Aqueous Film Forming Foams (AFFF) relating the brand, amount, and date based on a reasonable review of immediately accessible past records.~~

**Commented [JS29]:** Unnecessary, rejected.

**Commented [LC30R29]:** See revisions.

~~7.1. **Suspected Source Areas** locations of all known and suspected source areas, including but not limited to:~~

~~7.1.1.1. **Firefighting training areas** (historical and current);~~

~~7.2.1.1. **Testing location(s)** for Part 139 Certification;~~

~~7.3.1.1. **Firefighting equipment maintenance areas;**~~

~~7.4.1.1. **Disposal areas;**~~

~~7.5.1.1. **Impacted soils;**~~

~~7.6.1.1. **Drainage and wastewater systems used to contain discharged fire extinguishing materials;**~~

~~7.7.1.1. **Historic and current storage areas for AFFF;**~~

~~7.8.1.1. **Tanks, vehicles, equipment, and distribution systems that were used to store or apply AFFF;**~~

~~7.9.1.1. **Hangars that contain AFFF fire suppression systems (historical and current);**~~

~~7.10.1.1. **Spills;**~~

~~7.11.1.1. **Incident response(s) that used AFFF;**~~

~~8. Data Reports from previous analysis of PFAS in soils, groundwater, surface water, and sediments along with documentation of any remedial activities if undertaken.~~

~~9.7. Refinement of the Preliminary Conceptual Site Model (CSM) will be conducted as part of the RI to further develop an that describes the current understanding of contaminant release, fate, and transport (including migration pathways in all environmental media and identifying potential receptors), and Site-specific concerns such as identification of natural resources and ecological receptors.~~

~~10.8. Sampling and Analysis Plan (SAP) for use during all Site characterization activities and for SOW Task 6.5, Quarterly Groundwater Monitoring and Reporting. The plan SAP shall conform to the requirements of WAC 173-340-820 and WAC 173-340-830, and shall generally contain:~~

~~10.1-8.1. Purpose and objectives of the data collection activities.~~

~~10.2-8.2. Specific sampling methods, including number and type of QA/QC samples. The sampling suite should be guided by historical property use.~~

~~10.3-8.3. Sampling locations and designations, including access considerations.~~

~~10.4-8.4. Types of media to be sampled (e.g., and at a minimum: soil, groundwater, surface water, catch basin solids, stormwater runoff, seeps, sediment, etc.) and the number of samples of each.~~

~~10.5-8.5. Proposed number and location of monitoring wells, soil borings, test pits and other investigative activities.~~

~~10.6-8.6. Schedule and task assignments.~~

~~10.7-8.7. Supplies and equipment.~~

~~10.8-8.8. Monitoring well construction requirements.~~

~~10.9-8.9. Analytical procedures, methods, and detection limits.~~

~~10.10-8.10. Sample custody procedures, including holding times, containers, and preservation.~~

~~10.11-8.11. Investigation-derived waste management.~~

~~10.12-8.12. Shipping and handling arrangements.~~

**Commented [JS31]:** The RI will determine the extent and magnitude of contamination, which may not be limited to PFAS.

**Commented [LC32R31]:** SOW has expanded to explore the site for hazardous materials, including No-Further-Action (NFA) sites. Note this has added more time to the schedule for testing, review, and development of the RI.

11.9. **Health and Safety Plan** to cover the level of chemical protection, hazard evaluation, waste characteristics and special considerations and emergency information in accordance with [WAC 173-340-810](#).

12.10. **Quality Assurance Project Plan (QAPP)** to include field ~~quality assurance/quality control~~ (QA/QC) methods, chain of custody procedures, laboratory QA/QC methods, and electronic data management, archival, and transmittal protocols.

13.11. **Groundwater Monitoring Plan**, to include:

13.1.11.1. Description of groundwater monitoring activities in compliance with [WAC 173-340-410\(3\)](#).

13.2.11.2. Groundwater sampling equipment, description and rationale for pump intake placement, and sampling protocols.

13.3.11.3. Description of field parameter measurements and instrumentation.

13.4.11.4. Sample collection, handling, packaging, and transport requirements.

13.5.11.5. Required method detection limits and reporting limits.

13.6.11.6. Monitoring locations (existing and proposed) and well construction logs.

13.7.11.7. Analytical methods for an analytical suite that shall be sufficiently broad to encompass ~~PFAS contaminants~~ known or found to be present in ~~potential source area soils~~ and groundwater at the Site, ~~such as EPA Method 1633~~.

13.8.11.8. Quarterly reporting procedures developed in accordance with SOW Task ~~65~~, Groundwater Monitoring.

13.9.11.9. The Groundwater Monitoring Plan shall reference the SAP and QAPP whenever possible to reduce redundancy between those and the Groundwater Monitoring Plan.

Commented [JS33]: Rejected, see above

The PLP will provide Ecology with an Agency Review Draft RI/~~FS~~ Work Plan. After ~~evaluating and~~ ~~And reaching agreement with regard to~~ incorporating Ecology's comments on the Agency Review Draft Work Plan and after Ecology approval, the PLP shall prepare and submit to Ecology the Final RI/~~FS~~ Work Plan which shall be implemented based on ~~the estimated schedule~~ contained in this Exhibit.

Commented [JS34]: Rejected. Ecology is charged with determining the acceptability of documents required by the Order.

Commented [JS35]: Rejected.

#### Remedial Investigation

~~Upon approval of the RI Work Plan~~ The PLP shall conduct an RI that meets the requirements of [WAC 173-340-350](#) and [WAC 173-204-550](#) according to the Work Plan as ~~mutually agreed to by~~

approved by PLP and Ecology. The RI will determine the nature and extent of PFAS contamination exceeding preliminary Model Toxics Control Act (MTCA) cleanup levels, preliminary Sediment Management Standards (SMS) cleanup standards, and other regulatory requirements. The RI must provide sufficient data and information to define the nature and extent of contamination.

The RI shall include the following elements:

1. **Site Characterization** to conduct representative sampling and testing to assess the nature and extent of contamination. Conduct analytical tests on groundwater, soil, and other potentially contaminated media in the vicinity of the Site. Data must be sufficient to delineate the sources, type, depth, concentration, mass, and areal extent of contaminants, along with information that addresses the rate and direction of contaminant movement.
2. **Groundwater**
  - 2.1. Install new groundwater monitoring wells, background wells, and soil borings where needed and comply with the resource protection well requirements of [WAC 173-160](#).
  - 2.2. Generate well logs such that regional stratigraphy may be characterized.
  - 2.3. Characterize Site-specific stratigraphy and lithology based on well logs, maps, and any other information available.
  - 2.4. Estimate hydrogeologic parameters such as hydraulic conductivity and porosity.
  - 2.5. Measure water levels in all wells and new borings.
  - 2.6. Collect quarterly groundwater samples at Site monitoring wells so that seasonal fluctuations are captured and report results in accordance with SOW Task 6, Groundwater Monitoring and Reporting.
  - 2.7. Analyze groundwater samples for a PFAS contaminant suite guided by historical property use.
  - 2.8. Collect data sufficient to estimate contaminant mass degradation rates in both the saturated and vadose zones.
  - 2.9. Generate maps and/or figures showing water levels and regional/Site hydrogeology.
3. **Soils**

**Commented [JS36]:** Rejected.

**Commented [JS37]:** Rejected.

**Commented [BW38]:** For discussion-broad and undefined. What does this mean?

**Commented [JS39R38]:** For discussion, but for example, waste disposal requirements, water treatment standards, solid waste regulations, etc.

**Commented [ML40]:** We discuss wastewater earlier, should we include here?

**Commented [BW41]:** For discussion. Monitoring should be limited to findings of ongoing PFAS contamination. If non-detect occurs, monitoring should cease.

**Commented [JS42R41]:** We should discuss. One ND will not result in never sampling a location again.

**Commented [JS43]:** Reject

3.1. Install soil borings and/or excavate test pits and collect representative soil samples for the characterization of lithology, subsurface conditions, and PFAS contaminant concentrations.

Commented [JS44]: Reject

3.2. Characterize soil samples using the Unified Soil Classification System (USCS).

3.3. Generate logs for each boring and/or test pit.

3.4. Analyze soil samples for a PFAS contaminant suite guided by historical property use.

Commented [JS45]: Reject

#### 4. Sediments

4.1. If the potential for sediment impact is found, analyze sediment samples for the applicable PFAS contaminant suite.

Commented [JS46]: Reject

#### 5. Surface Water

5.1. If the potential for surface water impact is found, analyze surface water samples for the applicable PFAS contaminant suite.

Commented [JS47]: Reject

6. **Potential Receptor Information** for collection of data on the surrounding human and ecological populations that may be in contact with contaminants and potential routes of exposure for those populations in support of the Feasibility Study.

6.1. Public Use/Site Access – Potential uses of the affected properties and the presence or absence of controls on Site access.

6.2. Potential Groundwater/Surface Water Uses – Any consumptive, recreational, or other use of groundwater and surface water in the area, and by which populations.

6.3. Environmental Receptors – Information on the presence of endangered or threatened species, potential habitats, and ecological environments.

Field sampling and analysis will be completed in general accordance with the SAP and QAPP. Deviation(s) from the approved SAP and QAPP must be communicated to Ecology immediately and documented as required by Ecology.

Commented [ML48]: and Groundwater Monitoring Plan?

The PLP shall provide interim data reports and updates to Ecology as new Site data and information become available. Laboratory analysis data shall also be provided in electronic format when it has been validated. Raw laboratory data that support data reports and updates sent to Ecology will be provided to Ecology upon request. Periodic reporting shall occur in accordance with SOW Task 76, Progress Reports.

Commented [JS49]: All data collected at the site, including raw lab data, must be provided to Ecology.

#### Task 2. Remedial Investigation and Feasibility Study (RI/FS) Report



The PLP shall use the information obtained in the RI to prepare an Agency Review Draft RI/~~FS~~ Report that meets the applicable requirements of [WAC 173-340-350\(7\)](#) and [WAC 173-340-350\(8\)](#) and shall be submitted according to the Schedule in this Exhibit. ~~The Feasibility Study will evaluate remedial alternatives for Site cleanup, consistent with MTCA and SMS requirements to ensure protection of human health and the environment by eliminating, reducing, or otherwise controlling risk posed through each exposure pathway and migration route.~~

The RI/~~FS~~ Report shall include the following elements:

**1. Remedial Investigation**

- 1.1. Background Information
  - 1.1.1. Site History.
  - 1.1.2. Previous Studies.
- 1.2. Nature and Extent of Contamination - The PLPs will prepare an assessment and description of the degree and extent of contamination. This should include:
  - 1.2.1. Data Analysis – Analyze all data collected during Task 2 and prepare supporting maps and tables.
  - 1.2.2. Lab reports, previous investigations, well and boring logs, and any other documentation of characterization activities must be included.
- 1.3. ARARs Analysis - Identify Applicable local, State and Federal Laws for cleanup of the Site in accordance with [WAC 173-340-710](#).
- 1.4. Cleanup Levels/Risk Assessment Analysis - Perform a baseline ~~Model Toxics Cleanup Act (MTCA)~~ cleanup levels analysis/baseline risk assessment characterizing the current and potential threats to public health and the environment that may be posed by ~~PFAS hazardous substances~~ at the facility. The assessment will integrate cleanup standards and risk assessment as required by [WAC 173-340-357](#) and [WAC 173-340-708](#).
- 1.5. Discussion and Recommendations
  - 1.5.1. Interpret and discuss data to determine the nature and extent of the ~~PFAS~~ contamination and to support final recommendations for the Site.

Commented [JS50]: Reject

Commented [JS51]: Reject

1.5.2. A summary of all possible and suspected PFAS source areas of contamination based on the data collected will be included.

Commented [JS52]: Reject

1.5.3. Any known or potential risks to the public health, welfare, and the environment should be discussed.

Commented [JS53]: Reject

1.5.4. Recommendations should be provided identifying additional data requirements.

Commented [BW54]: For discussion. What does this mean?

Prior to submittal of the Agency Review Draft RI Report, a Key Project Meeting will be held. During the RI Pre-Report Check-In, Ecology and the PLP will review available data, an updated conceptual site model(CSM), and discuss the content and organization of the Draft RI Report.

After evaluating and reaching mutual agreement with on incorporating Ecology's comments on the Agency Review Draft RI Report, the PLP shall submit the Public Review Draft RI Report to Ecology for distribution and public comment. Electronic survey data for monitoring locations, electronic laboratory data, and GIS maps of contaminant distribution shall also be provided for both the Agency Review Draft RI Report and Public Review Draft RI Reports either in the report or as attachments. The RI Report will not be considered Final until after a public review and comment period.

Commented [JS55]: Reject

#### Task 4. Feasibility Study (FS)

The Feasibility Study will evaluate remedial alternatives for Site cleanup, consistent with MTCA and SMS requirements to ensure protection of human health and the environment by eliminating, reducing, or otherwise controlling risk posed through each exposure pathway and migration route. The FS Report shall include the following elements:

~~2.~~

2.1.1. Identification of PFAS contamination to be remediated.

Commented [JS56]: Reject

2.2.2. Identification and initial screening of treatment technologies.

2.3.3. Proposed remedial alternatives and evaluation with respect to MTCA criteria.

The remedial alternatives will be evaluated for compliance with the applicable requirements of [WAC 173-340-360](#) and [WAC 173-204-570](#).

2.4.4. Recommended alternative.

Commented [BW57]: For discussion. What does this mean?

Prior to submittal of the Agency Review Draft RI/FS Report, a Key Project Meeting will be held. During the Remedial Investigation/Feasibility Study Pre-Report Check-In, Ecology and the PLP will review available data, ~~the an updated conceptual site model(CSM)~~, ARARs, potential

Commented [JS58R57]: The recommended alternatives is the PLP's proposed cleanup alternative.

remedial alternatives, proposed points of compliance, and discuss the content and organization of the Draft RI/FS Report.

The PLP shall compile the identified elements into an Agency Review Draft RI/FS Report and submit an electronic copy to Ecology for review and comment.

After ~~evaluating and reaching mutual agreement with incorporating on incorporating~~ Ecology's comments on the Agency Review Draft RI/FS Report, the PLP shall submit the Public Review Draft RI/FS Report to Ecology for distribution and public comment. Electronic survey data for monitoring locations, electronic lab data, and GIS maps of contaminant distribution shall also be provided for both the Agency Review Draft RI/FS Report and Public Review Draft RI/FS Reports either in the report or as attachments. The RI/FS Report will not be considered Final until after a public review and comment period.

Commented [JS59]: Reject

If the data collected during this investigation is insufficient to define the nature and extent of ~~PFAS~~ contamination, and/or to select a cleanup action plan an additional phase of investigation shall be conducted to define the extent of contamination.

Commented [JS60]: Reject

### Task 3. ~~Ecology Required Emergency Interim Actions~~

~~Remedial actions implemented prior to completion of the RI/FS that will be considered interim actions include those that:~~

- ~~• are technically necessary to reduce a threat to human health or the environment by eliminating or substantially reducing one or more pathways for exposure to a PFAS hazardous substance.~~
- ~~• correct a problem that may become substantially worse or cost substantially more to address if the remedial action is delayed.~~
- ~~• are needed to provide for completion of the remedial investigation/feasibility study or design of the cleanup action.~~

Commented [JS61]: Reject

~~Emergency interim actions will be implemented in accordance with WAC 173-340-430, WAC 173-340-880, and the AO, and will be designed in a manner that will not foreclose reasonable alternatives for any final cleanup action that may be required. Remedial actions for contaminated sediments will be designated partial cleanup actions and will be implemented pursuant to WAC 173-204-550(3)(d).~~

Commented [BW62]: For discussion. The Airport will need to understand the cost assigned to an action in order to get Airport Board approval for such expenditure.

Commented [JS63R62]: We can talk about potential emergency interim actions and SIA can make estimates. The extent of the RI is currently unknown as well, not really too different at this point as interim action costs.

Commented [LC64R62]: Will be implemented by amendment to the AO, if needed throughout the process.

~~If required by Ecology, the PLP will implement one or more of the following emergency interim action(s):~~

- ~~1. Soil or sediment removal, if determined through analytical investigation that the Airport is the source of the PFAS release.~~

Commented [JS65]: Reject

Commented [LC66R65]: See revisions.

2. ~~Groundwater remediation, if determined through analytical investigation that the Airport is the source of the PFAS release.~~
3. ~~Repair, slip lining, replacement, or closure of stormwater conveyances or other structures such as conduit, vaults, catch basins, etc.~~
4. ~~Removal of underground storage tanks and pipes~~
5. ~~Removal of old drain fields or former surface impoundments~~
6. ~~Proper abandonment of old wells~~
7. ~~Removal of contaminated building or other structural material~~  
~~Construction of a treatment facility~~
8. ~~Shoreline stabilization such as bulkhead repair, erosion or seepage control, and grading or clearing.~~
9. ~~Provision of clean drinking water and/or installation of treatment systems for impacted residences or businesses.~~

Commented [JS67]: Reject. These are simply examples.

Commented [LC68R67]: See revisions.

Commented [JS69]: Reject

If an emergency interim action is required to be performed, Ecology will notify the PLP in writing. In accordance with the Schedule, the PLP will prepare and submit for Ecology approval an Agency Review Draft Emergency Interim Action Work Plan (IAWP) with detail commensurate with the work to be performed. The Agency Review Draft Emergency IAWP shall include, as appropriate:

- ▲ Description of the interim action including its purpose, general requirements, and relationship to the (final) cleanup action (to the extent known).
- ▲ Summary of relevant RI/FS information, including at a minimum existing Site conditions and alternative interim actions considered.
- ▲ Information regarding design and construction requirements, including a proposed schedule and personnel roles and responsibilities.
- ▲ Compliance Monitoring Plan.
- ▲ SAP/QAPP.
- ▲ Permits required.

The PLP shall submit an electronic copy of the Health and Safety Plan for the emergency interim action. The PLP will be responsible for complying with the State Environmental Policy Act (SEPA) Rules including preparing and submitting an environmental checklist for the emergency interim action and will assist Ecology with presentations at any additional meetings or hearings that might be necessary for SEPA compliance or as part of the Public Participation Plan.

The PLP shall submit the Agency Review Draft Emergency IAWP to Ecology for review. After incorporating Ecology's comments, the PLP shall submit the Public Review Draft Emergency IAWP Plan to Ecology. Ecology will approve the Emergency IAWP (if appropriate) and the document will be considered Final. Once approved by Ecology, the PLP will implement the emergency interim action according to the approved schedule.

Concurrent with the execution of work outlined in the Final Emergency IAWP, Ecology will present the document and SEPA determination for public review and comment.

Upon successful completion of the work, an Agency Review Draft Emergency Interim Action Completion Report (Emergency IACR) will be prepared as a separate deliverable. The PLP shall submit the Agency Review Draft Emergency IACR to Ecology for review and approval. After incorporating Ecology's comments on the Agency Review Draft Emergency IACR and after Ecology approval, the PLP shall submit the Final Emergency IACR to Ecology.

~~Task 4.Task 1. Additional Interim Actions (if required)~~

~~Remedial actions implemented prior to completion of the RI/FS that will be considered interim actions include those that:~~

- ~~are technically necessary to reduce a threat to human health or the environment by eliminating or substantially reducing one or more pathways for exposure to a hazardous substance;~~
- ~~correct a problem that may become substantially worse or cost substantially more to address if the remedial action is delayed;~~
- ~~are needed to provide for completion of the remedial investigation/feasibility study or design of the cleanup action;~~

~~Interim actions will be implemented in accordance with WAC 173-340-430 and the AO, and will be designed in a manner that will not foreclose reasonable alternatives for any final cleanup action that may be required. Remedial actions for contaminated sediments will be designated partial cleanup actions and will be implemented pursuant to WAC 173-204-550(3)(d). An interim action may be required by Ecology, or may be requested by the PLP and approved by Ecology.~~

~~If an interim action is to be performed, the PLP will prepare and submit for Ecology approval an Agency Review Draft Interim Action Work Plan (IAWP) with detail commensurate with the work to be performed. The Agency Review Draft IAWP shall include, as appropriate:~~

- ~~Description of the interim action including its purpose, general requirements, and relationship to the (final) cleanup action (to the extent known);~~

**Commented [BW70]:** For discussion. The Airport will need to understand the cost assigned to an Action in order to get Airport Board approval for such expenditure.

**Commented [JS71R70]:** See above.

- ~~• Summary of relevant RI/FS information, including at a minimum existing Site conditions and alternative interim actions considered.~~
- ~~• Information regarding design and construction requirements, including a proposed schedule and personnel roles and responsibilities.~~
- ~~• Compliance Monitoring Plan.~~
- ~~• SAP/QAPP.~~
- ~~• Permits required.~~

~~The PLP shall submit an electronic copy of the Health and Safety Plan for the interim action. The PLP will be responsible for complying with the State Environmental Policy Act (SEPA) Rules including preparing and submitting an environmental checklist for the interim action and will assist Ecology with presentations at any additional meetings or hearings that might be necessary for SEPA compliance or as part of the Public Participation Plan.~~

~~The PLP shall submit the Agency Review Draft IAWP to Ecology for review. After incorporating Ecology's comments on the Agency Review Draft IAWP, the PLP shall submit the Public Review Draft IAWP to Ecology. After incorporating Ecology's comments, the PLP shall submit the Public Review Draft IAWP Plan to Ecology. After a public notice and comment period for the Public Review Draft IAWP (and SEPA determination), Ecology will approve the IAWP (if appropriate) and the document will be considered Final. Once approved by Ecology, the PLP will implement the interim action according to the approved schedule.~~

~~Upon successful completion of the work, an Agency Review Draft Interim Action Completion Report (IACR) will be prepared as a separate deliverable. The PLP shall submit the Agency Review Draft IACR to Ecology for review and approval. After incorporating Ecology's comments on the Agency Review Draft IACR and after Ecology approval, the PLP shall submit the Final IACR to Ecology.~~

#### Task 5. Quarterly Groundwater Monitoring and Reporting

Quarterly groundwater monitoring shall occur in compliance with the Groundwater Monitoring Plan developed as part of the RI/FS Work Plan. The Groundwater Monitoring Plan will describe the groundwater monitoring activities to be implemented during the period of performance of the AO and shall be a living document which is updated as necessary (e.g., change in conditions, monitoring points added or removed, etc.). Quarterly Groundwater Monitoring Reports shall include, but not be limited to, the following:

1. **Groundwater monitoring and sample collection methodology.**
2. **Description of the groundwater monitoring network.**
3. **Analytical methods**

#### 4. Findings

##### 4.1. Groundwater Elevation Data

4.1.1. Evaluation of groundwater flow rates and directions.

4.1.2. Evaluation of vertical gradients.

##### 4.2. Ground Water Quality Data

4.2.1. Well stabilization parameters.

4.2.2. Results summary.

4.2.3. Description of vertical and lateral contaminant distribution.

#### 5. Investigative derived waste generation and handling documentation

6. Tables that include groundwater elevation data, method detection and reporting limits, stabilization parameter results, and analytical results.

7. Figures that include a vicinity map, monitoring locations, sample results, potentiometric surface maps, and an estimated extent of contamination

#### 8. Appendices with:

8.1. Chain of custody forms.

8.2. Raw laboratory analytical results if requested by Ecology.

8.3. Data Validation Reports.

**Commented [BW72]:** For discussion. What does this mean?

**Commented [JS73R72]:** IDW is waste generated during investigation, such as soil cuttings or purge water from groundwater sampling.

**Commented [JS74]:** Reject, see above.

#### Task 6. Progress Reports

Progress reports shall be completed monthly and contain:

1. Site-related activities that have taken place during the reporting period, including progress on upcoming deliverables.
2. Detailed descriptions of any deviations from required tasks.
3. Detailed descriptions of any deviations from this SOW and schedule or from enforceable deliverables for the current reporting period and any planned deviations for the upcoming reporting period.
4. For any deviations in the schedule, a plan for maintaining compliance with the schedule.

5. All raw data (including laboratory analyses) received during the previous month together with a detailed description of the underlying samples collected.
6. A list of deliverables and activities for the upcoming reporting period.

Ecology Required Emergency Interim Actions (To be implemented by amendment to the original AO, if required throughout the process.)

Remedial actions implemented prior to completion of the RI/FS that will be considered interim actions include those that:

- are technically necessary to reduce a threat to human health or the environment by eliminating or substantially reducing one or more pathways for exposure to chemicals for which there is evidence of an unmitigated release.
- correct a problem that may become substantially worse or cost substantially more to address if the remedial action is delayed.
- are needed to provide for completion of the remedial investigation/feasibility study or design of the cleanup action.

Emergency interim actions will be implemented in accordance with WAC 173-340-430, WAC 173-340-880, and the AO, and will be designed in a manner that will not foreclose reasonable alternatives for any final cleanup action that may be required. Remedial actions for contaminated sediments will be designated partial cleanup actions and will be implemented pursuant to WAC 173-204-550(3)(d).

If required by Ecology, the PLP will implement one or more of the following emergency interim action(s).

1. Soil or sediment removal, if determined through analytical investigation that the Airport is the source of the PFAS release.
2. Groundwater remediation, if determined through analytical investigation that the Airport is the source of the PFAS release.
3. Proper abandonment of old wells

If an emergency interim action is required to be performed, Ecology will notify the PLP in writing. The PLP will prepare and submit for Ecology approval an Agency Review Draft Emergency Interim Action Work Plan (IAWP) with detail commensurate with the work to be performed. The Agency Review Draft Emergency IAWP shall include, as appropriate:

**Commented [BW75]:** For discussion. The Airport will need to understand the cost assigned to an action in order to get Airport Board approval for such expenditure.

**Commented [JS76R75]:** We can talk about potential emergency interim actions and SIA can make estimates. The extent of the RI is currently unknown as well, not really too different at this point as interim action costs.

**Commented [LC77R75]:** Will be implemented by amendment to the AO, if needed throughout the process.

**Commented [JS78]:** Reject

**Commented [LC79R78]:** See above and revised SOW.

**Commented [JS80]:** Reject. These are simply examples.

**Commented [LC81R80]:** See above and revised SOW.

**Commented [JS82]:** Reject

**Commented [LC83R82]:** See above and revised SOW.



- Description of the interim action including its purpose, general requirements, and relationship to the (final) cleanup action (to the extent known).
- Summary of relevant RI/FS information, including at a minimum existing Site conditions and alternative interim actions considered.
- Information regarding design and construction requirements, including a proposed schedule and personnel roles and responsibilities.
- Compliance Monitoring Plan.
- SAP/QAPP.
- Permits and any access agreements required.
- The PLP shall submit an electronic copy of the Health and Safety Plan for the emergency interim action.

The PLP will be responsible for complying with the State Environmental Policy Act (SEPA) Rules including preparing and submitting an environmental checklist for the emergency interim action and will assist Ecology with presentations at any additional meetings or hearings that might be necessary for SEPA compliance or as part of the Public Participation Plan.

The PLP shall submit the Agency Review Draft Emergency IAWP to Ecology for review within 30 calendar days. After incorporating Ecology's comments, the PLP shall submit the Public Review Draft Emergency IAWP Plan to Ecology. Ecology will approve the Emergency IAWP (if appropriate) and the document will be considered Final. Once approved by Ecology, the PLP will implement the emergency interim action according to the approved schedule.

Concurrent with the execution of work outlined in the Final Emergency IAWP, Ecology will present the document and SEPA determination for public review and comment.

Upon successful completion of the work, an Agency Review Draft Emergency Interim Action Completion Report (Emergency IACR) will be prepared as a separate deliverable. The PLP shall submit the Agency Review Draft Emergency IACR to Ecology for review and approval. After incorporating Ecology's comments on the Agency Review Draft Emergency IACR and after Ecology approval, the PLP shall submit the Final Emergency IACR to Ecology.

Additional Interim Actions (To be implemented by amendment to the original AO, if required throughout the process.)

Remedial actions implemented prior to completion of the RI/FS that will be considered interim actions include those that:

- are technically necessary to reduce a threat to human health or the environment by eliminating or substantially reducing one or more pathways for exposure to a

**Commented [BW84]:** For discussion. The Airport will need to understand the cost assigned to an Action in order to get Airport Board approval for such expenditure.

**Commented [JS85R84]:** See above.

hazardous substance for which there has been evidence of a release on airport grounds.

- correct a problem that may become substantially worse or cost substantially more to address if the remedial action is delayed.
- are needed to provide for completion of the remedial investigation/feasibility study or design of the cleanup action.

Interim actions will be implemented in accordance with WAC 173-340-430 and the AO, and will be designed in a manner that will not foreclose reasonable alternatives for any final cleanup action that may be required. Remedial actions for contaminated sediments will be designated partial cleanup actions and will be implemented pursuant to WAC 173-204-550(3)(d). An interim action may be required by Ecology, or may be requested by the PLP and approved by Ecology.

If an interim action is to be performed, the PLP will prepare and submit for Ecology approval an Agency Review Draft Interim Action Work Plan (IAWP) with detail commensurate with the work to be performed within 30 calendar days. The Agency Review Draft IAWP shall include, as appropriate:

- Description of the interim action including its purpose, general requirements, and relationship to the (final) cleanup action (to the extent known).
- Summary of relevant RI/FS information, including at a minimum existing Site conditions and alternative interim actions considered.
- Information regarding design and construction requirements, including a proposed schedule and personnel roles and responsibilities.
- Compliance Monitoring Plan.
- SAP/QAPP.
- Permits and access agreements required.

The PLP shall submit an electronic copy of the Health and Safety Plan for the interim action. The PLP will be responsible for complying with the State Environmental Policy Act (SEPA) Rules including preparing and submitting an environmental checklist for the interim action and will assist Ecology with presentations at any additional meetings or hearings that might be necessary for SEPA compliance or as part of the Public Participation Plan.

The PLP shall submit the Agency Review Draft IAWP to Ecology for review. After incorporating Ecology's comments on the Agency Review Draft IAWP, the PLP shall submit the Public Review Draft IAWP to Ecology. After incorporating Ecology's comments, the PLP shall submit the Public Review Draft IAWP Plan to Ecology. After a public notice and comment period for the Public Review Draft IAWP (and SEPA determination), Ecology will approve the IAWP (if appropriate)

and the document will be considered Final. Once approved by Ecology, the PLP will implement the interim action according to the approved schedule.

Upon successful completion of the work, an Agency Review Draft Interim Action Completion Report (IACR) will be prepared as a separate deliverable. The PLP shall submit the Agency Review Draft IACR to Ecology for review and approval. After incorporating Ecology's comments on the Agency Review Draft IACR and after Ecology approval, the PLP shall submit the Final IACR to Ecology.

## Schedule of deliverables

The schedule for deliverables described in the Agreed Order and the Scope of Work is presented below. References to days in the schedule are calendar days. If the date for submission of any item or notification required by this Schedule of Deliverables occurs on a weekend, state or federal holiday, the date for submission of that item or notification is extended to the next business day following the weekend or holiday. Where a deliverable due date is triggered by Ecology notification, comments or approval, the starting date for the period shown is the date the PLP received such notification, comments or approval. Where triggered by Ecology receipt of a deliverable, the starting date for the period shown is the date Ecology receives the deliverable.

If applicable, the schedule for emergency or any additional Interim Actions will be set in conjunction with Ecology and in consideration of the needed of the action and airport operations and any needed FAA permissions.

| <u>Task</u> | <u>Deliverables or Actions</u>  | <u>Completion Times</u>   |
|-------------|---|---|
| <u>1</u>    | <u>PLP to submit a Draft Site Assessment Report – Desktop Review (historical data and local hydrogeology; identify potential PFAS sources areas on-airport; prioritize analyte list; develop preliminary conceptual site model (CSM))</u> | <u>60 days after the effective date of the Agreed Order</u>     |
| <u>1</u>    | <u>Ecology to review Draft Site Assessment Report (Desktop Review)</u>  | <u>90 days</u>  |
| <u>1</u>    | <u>PLP to submit final Site Assessment Report (Desktop Review)</u>  | <u>14 days after receipt of Ecology’s comments</u>              |
| <u>2</u>    | <u>PLP to submit Draft Work Plan for Initial Investigation of PFAS in Support of the Remedial Work Plan Development (Sampling and Analysis Plan, QAPP, and Health and Safety Plan)</u>  | <u>30 days after finalization of the Site Assessment Report</u> |
| <u>2</u>    | <u>Ecology to review Draft Initial Investigation Work Plan</u>  | <u>90 days after receipt of the work plan</u>                   |

**Commented [BW86]:** For discussion. Airport has numerous questions regarding the schedule and its feasibility. Per discussions with Ecology, it is the Airport's understanding, the scope of work and actual deliverables will be determined after the Order is finalized. Therefore all of the deliverables, including determination of test locations, occurrences, durations/schedule and completion times will be determined at a later date once our consultants can provide recommendations

**Commented [JS87R86]:** We should discuss. The Scope of work and Schedule are enforceable components of the Agreed Order and not subject to further revision, except as allowed by amendment or extension of schedule. The RI/FS Work Plan will provide far more detail regarding sampling locations and methods.

|          |  |  |
|----------|--|--|
| <u>2</u> | <u>PLP to submit Final Work Plan for Initial Investigation in the Support of the Remedial Work Plan Development</u>            | <u>30 days after receipt of comments from Ecology</u>  |
| <u>2</u> | <u>PLP to complete all field activities related to the Initial Investigation</u>   | <u>60 days after approval from Ecology for the Initial Investigation Work Plan</u>                           |
| <u>2</u> | <u>PLP to submit Initial Investigation Report to Ecology</u>   | <u>60 days after final validated laboratory data has been received</u>                                       |
| <u>2</u> | <u>Ecology to review Initial Investigation Report</u>  | <u>90 days</u>   |
| <u>2</u> | <u>PLP to submit final Initial Investigation Report</u>  | <u>30 days after receipt of Ecology comments</u>   |
| <u>3</u> | <u>PLP to Submit Agency Review Draft Work Plan for PFAS focused RI, Sampling and Analysis Plan, and Health and Safety Plan</u> | <u>60 days after the finalization of Initial Investigation Report</u>  |
| <u>3</u> | <u>Ecology to review RI Work Plan</u>  | <u>90 days</u>   |
| <u>3</u> | <u>PLP to Submit Revised RI Work Plan, Sampling and Analysis Plan, QAPP, and Health and Safety Plan</u>                        | <u>30 days after PLP receives Ecology's comments on Draft Documents</u>                                      |
| <u>3</u> | <u>PLP to Submit Final RI Work Plan, Sampling and Analysis Plan, and Health and Safety Plan</u>                                | <u>30 days after receipt of any final Ecology comments and/or Ecology's approval of Revised RI Work Plan</u> |
| <u>3</u> | <u>PLP to begin RI Field Work</u>  | <u>30 days after PLP receives Ecology's</u>  |

|          |  |   |
|----------|--|---|
|          |  | <u>approval of Revised RI Work Plan and any needed access rights and/or approvals (e.g., FAA) are granted</u>         |
| <u>3</u> | <u>PLP to complete RI Field Work</u>                               | <u>12 months after RI Field Work began</u>  |
| <u>3</u> | <u>PLP to submit Draft RI Report to Agency for review</u>          | <u>90 days after final validated laboratory data has been received</u>  |
| <u>3</u> | <u>Agency Review of Draft RI Report</u>                            | <u>90 days prior to receipt of the draft report from the PLP</u>  |
| <u>3</u> | <u>Ecology to submit Revised Draft RI Report for Public Review</u> | <u>30 days after PLP receives Ecology's comments on Draft RI Report</u>   |
| <u>3</u> | <u>PLP to submit Final RI Report</u>                               | <u>30 days after receipt of any final Ecology comments and/or Ecology's approval of Public Review Draft RI Report</u> |
| <u>4</u> | <u>PLP to submit Agency Review Draft FS Report</u>                 | <u>160 days</u>   |
| <u>4</u> | <u>Ecology to review Agency Draft FS Report</u>                    | <u>90 days</u>  |
| <u>4</u> | <u>Ecology to submit Revised FS Report for Public Review</u>       | <u>30 days</u>  |
| <u>4</u> | <u>PLP to submit Final FS Report</u>                               | <u>45 days after receipt comments</u>   |
| <u>5</u> | <u>Quarterly Groundwater Monitoring</u>                            | <u>Every 3 months</u>   |
| <u>5</u> | <u>Quarterly Groundwater Monitoring Reports</u>                    | <u>Quarterly, 2 months after the end of the applicable quarter or</u>   |

|          |                         |   |
|----------|-------------------------|---|
|          |                         | <u>after the validated data has been received</u>       |
| <u>6</u> | <u>Progress Reports</u> | <u>Monthly, on the 10th day of each following month</u> |

Should emergency interim actions or interim actions be amended into the AO, the schedule will be revised and resubmitted to incorporate into the original schedule.

| <b>Task</b> | <b>Deliverables or Actions</b>  | <b>Completion Times</b>  |
|-------------|---|--|
| 1           | PLP to Submit Agency Review Draft RI/FS Work Plan, Sampling and Analysis Plan, and Health and Safety Plan | 60 days after the effective date of the Order  |
| 1           | PLP to Submit Revised RI/FS Work Plan, Sampling and Analysis Plan, and Health and Safety Plan             | 30 days after PLP receives Ecology's comments on Draft Documents   |
| 1           | PLP to Submit Final RI/FS Work Plan, Sampling and Analysis Plan, and Health and Safety Plan               | 7 days after receipt of any final Ecology comments and/or Ecology's approval of Revised RI/FS Work Plan          |
| 2           | PLP to begin RI Field Work  | 30 days after PLP receives Ecology's approval of Revised RI/FS Work Plan   |
| 2           | PLP to complete RI Field Work   | 12 months after RI Field Work began  |
| 3           | PLP to submit Agency Review Draft RI/FS Report  | 90 days following completion of RI Field Work  |
| 3           | PLP to submit Revised Public Review Draft RI/FS Report  | 30 days after PLP receives Ecology's comments on Draft RI/FS Report  |
| 3           | PLP to submit Final RI/FS Report  | 7 days after receipt of any final Ecology comments and/or Ecology's approval of Public Review Draft RI/FS Report |

|   |  |  |
|---|--|--|
| 4 | PLP to submit Agency Review Draft Emergency IAWP | 14 days after PLP receives Ecology's written notice that an Interim Action is required                       |
| 4 | PLP to submit Final Emergency IAWP               | 7 days after PLP receives Ecology's comments on Draft IAWP   |
| 4 | PLP to execute Emergency Interim Action          | 7 days after PLP receives Ecology's approval of Final Emergency IAWP   |
| 4 | PLP to submit Agency Review Draft Emergency IACR | 30 days after completion of Emergency Interim Action   |
| 4 | PLP to submit Revised Draft Emergency IACR       | 30 days after PLP receives Ecology's comments on Agency Review Draft Emergency IACR                          |
| 4 | PLP to submit Revised Final Emergency IACR       | 7 days after receipt of any final Ecology comments and/or Ecology's approval of Revised Draft Emergency IACR |
| 5 | PLP to submit Agency Review Draft IAWP           | 30 days after PLP receives Ecology's written notice that an Interim Action is required or agreed to          |
| 5 | PLP to submit Revised IAWP                       | 30 days after PLP receives Ecology's comments on Agency Review Draft IAWP                                    |
|   | PLP to submit Final IAWP                         | 7 days after receipt of any final Ecology comments and/or Ecology's approval of Revised Draft IAWP           |
| 5 | PLP to execute Interim Action                    | 30 days after PLP receives Ecology's approval of Final IAWP  |
| 5 | PLP to submit Agency Review Draft IACR           | 30 days after completion of Emergency Interim Action   |
| 5 | PLP to submit Revised Draft IACR                 | 30 days after PLP receives Ecology's comments on Agency Review Draft IACR                                    |



|   |  |   |
|---|--|---|
| 5 | PLP to submit Revised Final IACR         | 7 days after receipt of any final Ecology comments and/or Ecology's approval of Revised Draft IACR                |
| 6 | Quarterly Groundwater Monitoring         | Every 3 months  |
| 6 | Quarterly Groundwater Monitoring Reports | Quarterly, 2 months after the end of the applicable quarter (e.g., Q1 is due June 1, Q2 is due September 1, etc.) |
| 7 | Progress Reports                         | Monthly, on the 10th day of each following month  |