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March 7, 2023

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

Nicholas Acklam
Eastern Regional Office, Department of Ecology
4601 N. Monroe Street
Spokane, WA 99205

Re: Request for Extension to Negotiate Agreed Order
Site Name: Spokane International Airport PFAS
Cleanup Site ID: 16774
Facility/Site ID: 6332493

Dear Mr. Schmidt and Mr. Acklam:

We are writing to follow up on our meeting with the Department of Ecology ("Ecology") on March 5, 2024, regarding the proposed Agreed Order and Scope of Work. Ecology invited the Spokane Airport Board ("Airport") to propose additional revisions to the "Schedule of Deliverables" that is part of the proposed scope of work. Enclosed are the Airport's proposed revisions to the "Schedule of Deliverables."

We are also writing to encourage Ecology to continue to work with the Airport and the FAA to resolve the issue that currently prevents the Airport from signing the Agreed Order. As the Airport again explained in our meeting on March 5, the proposed Agreed Order conflicts with the Airport's obligations under federal law to comply with the (1) 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 U.S.C. § 47107. In an effort to resolve the conflicts between federal law and proposed requirements in the Agreed Order that were raised by the Airport in November 2023, the Airport arranged for the Federal Aviation Administration to speak with the Airport and Ecology.

Jeremy Schmidt
Nicholas Acklam
Eastern Regional Office, Department of Ecology
March 7, 2024

As you know, the FAA is the federal agency that has jurisdiction over the Airport on the legal issues in conflict with the proposed agreed order. During that discussion on February 28, 2024, with the Airport, Ecology and FAA, the FAA stated that it had the same "concerns" as the Airport about the Agreed Order being in conflict with federal law and that the FAA was undertaking a formal review of those concerns.

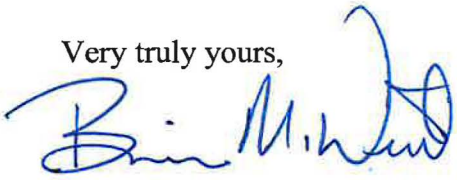
To date, the FAA has not issued any guidance to the Airport or Ecology regarding the conflicts between federal law and the proposed Agreed Order. Nonetheless, Ecology made clear in the meeting on March 5 that it will not wait to try to resolve this critical legal issue and that if the Airport does not sign the Agreed Order by March 11, 2024, Ecology will issue a draft Enforcement Order on March 12, 2024, with a final Enforcement Order to be issued on March 29, 2024.

The Airport respectfully renews its request that Ecology await the FAA's review of the conflicts between federal law and the proposed agreed order. As we clearly explained, this proposed approach by Ecology puts the Airport in an untenable position. Ecology continues to urge the Airport to sign the Agreed Order knowing full well that a federal agency is in the process of reviewing whether that order violates federal law. Ecology is asking the Airport to sign an order that may well put it in legal jeopardy with the federal government. We believe this approach by Ecology is arbitrary, capricious and unlawful.

Therefore, in accordance with WAC 173-340-530(5), the Airport suggests that further discussion of these issues is in the public interest and the Airport requests an extension of the opportunity for the parties to reach an Agreed Order.

Thank you for your consideration.

Very truly yours,



BRIAN M. WERST

BMW:bmw
Attachment
cc: Spokane International Airport

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). ~~,~~ If required or agreed to by Ecology, work for Ecology Required Emergency Interim Actions~~,~~ and Additional Interim Actions will be~~is~~ detailed~~if required or agreed to by Ecology~~. 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.

Commented [KW1]: The goal for this revision is to explicitly clarify that the need for an Emergency Interim Action is still to be determined.

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

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.

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 60 days of submittal.

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

Task 1.A Site Assessment Report for PFAS
Task 1.B Initial Investigation for PFAS
Task 1.C Remedial Investigation and Feasibility Study (RI/FS) Work Plan
Task 2. Remedial Investigation
Task 3.A Remedial Investigation (RI) Report
Task 3.B Feasibility Study (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

Task 1. A. Site Assessment Report for PFAS

The PLP will prepare a Site Assessment Report for PFAS which will consist of 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 for further investigation 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.
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 AFFF relating the brand, quantity, and date.
4. **Suspected Source Areas** or known source areas, including but not limited to:
    - 4.1 Firefighting training areas (historical and current).
    - 4.2 Firefighting equipment testing and maintenance areas.
    - 4.3 Disposal areas.
    - 4.4 Stormwater drainage infrastructure and management areas receiving flows from suspected source areas.
    - 4.5 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.

The PLP will provide Ecology with an Agency Review Draft Site Assessment Report for PFAS. After incorporating Ecology's comments on the Agency Review Draft Site Assessment Report for PFAS and after Ecology approval, the PLP shall prepare and submit to Ecology the Final Site Assessment Report for PFAS.

B. Initial Investigation for PFAS

The PLP will conduct an initial field investigation to provide data to support the development of a comprehensive RI Work Plan. Sampling will consist of in-place groundwater wells and soils in the potential source areas identified during the Site Assessment. A Work Plan 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. Purpose and objectives of the data collection activities.

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

    1.3. Sampling locations and designations, including access considerations.

    1.4. Types of media to be sampled (e.g., soil, groundwater, surface water, catch basin solids, stormwater runoff, seeps, sediment, etc.) and the number of samples of each.

    1.5. Proposed number and location of monitoring wells, soil borings, test pits and other investigative activities.

    1.6. Schedule and task assignments.

    1.7. Supplies and equipment.

1.8. Monitoring well construction requirements.

1.9. Analytical procedures, methods, and detection limits.

1.10. Sample custody procedures, including holding times, containers, and preservation.

1.11. Investigation-derived waste management.

1.12. 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.

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.

4. **Inadvertent Discovery Plan** shall outline procedures to perform in the event of a discovery of archaeological materials or human remains, in accordance with applicable state and federal laws.

The PLP will provide Ecology with an Agency Review Draft Initial Investigation for PFAS Work Plan. After incorporating Ecology's comments on the Agency Review Draft Initial Investigation for PFAS Work Plan and after Ecology approval, the PLP shall prepare and submit to Ecology the Final Initial Investigation for PFAS Work Plan which shall be implemented based on the schedule contained in this Exhibit.

After completion of the Initial Investigation for PFAS field activities, the PLP will provide Ecology with an Agency Review Draft Initial Investigation for PFAS Report. After incorporating Ecology's comments on the Agency Review Draft Initial Investigation for PFAS Report and after Ecology approval, the PLP shall prepare and submit to Ecology the Final Initial Investigation for PFAS Report.

C. 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 be outlined. The Work Plan will utilize information gathered in Tasks 1.A and 1.B of this Scope of Work.

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

- review requirements for the Work Plan.
- plan Remedial Investigation field work.
- Review the information learned from Tasks 1.A and 1.B of this Scope of Work.
- discuss the preliminary Conceptual Site Model.
- 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. **Site History** providing descriptions of historical, current, and future Site activities/operations, and their location.
3. **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. **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 near the vicinity of the Site). All maps will be consistent with the requirements 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. **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 a minimum of one mile extending from the perimeter of the Spokane International Airport, and a summary of well construction details, including top of casing elevations and well screen elevations.
6. **Suspected Source Areas** - locations of all known and suspected source areas, including but not limited to:

6.1. Direct discharges

6.2. Disposal and waste areas.

6.3. Stormwater drainage infrastructure and management areas receiving flows from suspected source areas.

6.4. Tanks, vehicles, equipment, and distribution systems used for storage of hazardous materials.

6.5. Historical grading/construction projects at the Site associated with suspected source areas.

7. **Data Reports** from previous analysis of soils, groundwater, surface water, and sediments along with documentation of any remedial activities if undertaken.
8. **Preliminary Conceptual Site Model** 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.
9. **Sampling and Analysis Plan (SAP)** for use during all Site characterization activities and for SOW Task 6 Quarterly Groundwater Monitoring and Reporting. The plan shall conform to the requirements of WAC 173-340-820 and WAC 173-340-830, and shall generally contain:

    9.1. Purpose and objectives of the data collection activities.

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

    9.3. Sampling locations and designations, including access considerations.

    9.4. 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.

    9.5. Proposed number and location of monitoring wells, soil borings, test pits and other investigative activities.

    9.6. Schedule and task assignments.

    9.7. Supplies and equipment.

9.8. Monitoring well construction requirements.

9.9. Analytical procedures, methods, and detection limits.

9.10. Sample custody procedures, including holding times, containers, and preservation.

9.11. Investigation-derived waste management.

9.12. Shipping and handling arrangements.

10. **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.
11. **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.
12. **Inadvertent Discovery Plan** shall outline procedures to perform in the event of a discovery of archaeological materials or human remains, in accordance with applicable state and federal laws.
13. **Groundwater Monitoring Plan**, to include:

    13.1. Description of groundwater monitoring activities in compliance with WAC 173-340-410(3).

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

    13.3. Description of field parameter measurements and instrumentation.

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

    13.5. Required method detection limits and reporting limits.

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

    13.7. Analytical methods for an analytical suite that shall be sufficiently broad to encompass contaminants known or found to be present in soil and groundwater at the Site.

    13.8. Quarterly reporting procedures developed in accordance with SOW Task 6, Groundwater Monitoring.

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

The PLP will provide Ecology with an Agency Review Draft RI/FS Work Plan. After 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 schedule contained in this Exhibit.

Task 2. Remedial Investigation

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 approved by Ecology. The RI will determine the nature and extent of contamination exceeding preliminary Model Toxics Control Act (MTCA) cleanup levels, preliminary Sediment Management Standards (SMS) cleanup standards, and other regulatory requirements for chemicals with historical MTCA exceedances. 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.

~~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 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 contamination and to support final recommendations for the Site.

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

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

1.5.4. Recommendations should be provided identifying additional data requirements.

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

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

After 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 lab 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.

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

B. Feasibility Study (FS) Report

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:

1. **Feasibility Study**

1.1. Identification of contamination to be remediated.

1.2. Identification and initial screening of treatment technologies.

1.3. 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.

1.4. Recommended alternative.

Prior to submittal of the Agency Review Draft FS Report, a Key Project Meeting will be held. During the Feasibility Study Pre-Report Check-In, Ecology and the PLP will review available data, an updated conceptual site model, ARARs, potential remedial alternatives, proposed points of compliance, and discuss the content and organization of the Draft FS Report.

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

After incorporating Ecology's comments on the Agency Review Draft FS Report, the PLP shall submit the Public Review Draft 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 FS Report and Public Review Draft FS Reports either in the report or as attachments. The FS Report will not be considered Final until after a public review and comment period.

Task 4. Ecology Required Emergency Interim Actions

Remedial actions that may be implemented prior to completion of the RI/FS and after the Site Assessment and Preliminary Investigation detailed in Task 1 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.

2.7. Analyze groundwater samples for a 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**

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

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 contaminant suite guided by historical property use.

4. **Sediments**

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

5. **Surface Water**

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

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.

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 will be provided to Ecology upon request. Periodic reporting shall occur in accordance with SOW Task 7, Progress Reports.

Task 3. A. Remedial Investigation (RI) Report

The PLP shall use the information obtained in the RI to prepare an Agency Review Draft RI Report that meets the applicable requirements of WAC 173-340-350 and shall be submitted according to the Schedule in this exhibit.

The RI 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/site-specific risk assessment characterizing the current and potential threats to public health and the environment that may be posed by hazardous substances at the facility. The assessment will integrate cleanup standards and site-specific risk assessment as required by WAC 173-340-357, WAC 173-340-702 and WAC 173-340-708.~~Cleanup Levels/Risk Assessment Analysis - Perform a baseline Model~~

- 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.

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

1. **Soil or sediment removal**
2. **Groundwater remediation**
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**
8. **Construction of a treatment facility**
9. **Shoreline stabilization** such as bulkhead repair, erosion or seepage control, and grading or clearing.
10. **Provision of clean drinking water** and/or installation of treatment systems for impacted residences or businesses.

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 and 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. 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 5. 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 substantiated and factually proven pathways for exposure to a contaminant for which there has been a documented historical release~~hazardous substance~~.
- correct a problem that has been proven by the collected data to have come from the PLP 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. 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).
- 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.

Task 6. 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.
    - 8.3. Data Validation Reports.

Task 7. 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.

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 and may require revision if the extent of the work or effort is expanded or further information triggers additional work. 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.~~ Within the regulatory requirements governing airport operations and/or security.

Task	Deliverables or Actions	Completion Times
1.A	PLP to Submit Draft Site Assessment Report for PFAS	60 days after the effective date of the Order
1.A	PLP to Submit revised Site Assessment Report for PFAS	14 days after PLP receives Ecology's comments on Draft Document
1.B	PLP to Submit Draft Work Plan for the Initial Investigation of PFAS, Sampling and Analysis Plan, Health and Safety Plan, and Inadvertent Discovery Plan	30 days after Ecology's approval of the Site Assessment Report for PFAS
1.B	PLP to Submit Revised Work Plan for the Initial Investigation of PFAS, Sampling and Analysis Plan, Health and Safety Plan, and Inadvertent Discovery Plan	30 days after PLP receives Ecology's comments on Draft Documents
1.B	PLP to complete all field activities for the Initial Investigation for PFAS	60 days after Ecology's approval of the Work Plan for the Initial Investigation of PFAS

1.B	PLP to Submit Draft Initial Investigation for PFAS Report	30 days after final validated laboratory data has been received
1.B	PLP to Submit Revised Initial Investigation for PFAS Report	30 days after PLP receives Ecology's comments on Draft Document
1.C	PLP to Submit Agency Review Draft RI/FS Work Plan, Sampling and Analysis Plan, Health and Safety Plan, and Inadvertent Discovery Plan	60 days after Ecology's approval of the Initial Investigation for PFAS Report
1.C	PLP to Submit Revised RI/FS Work Plan, Sampling and Analysis Plan, Health and Safety Plan, and Inadvertent Discovery Plan	30 days after PLP receives Ecology's comments on Draft Documents
1.C	PLP to Submit Final RI/FS Work Plan, Sampling and Analysis Plan, and Health and Safety Plan	14 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.A	PLP to submit Agency Review Draft RI Report	90 days following completion of RI Field Work
3.A	PLP to submit Revised Public Review Draft RI Report	30 days after PLP receives Ecology's comments on Draft RI Report
3.A	PLP to submit Final RI Report	~~7~~ 30 days after receipt of any final Ecology comments and/or Ecology's approval of Public Review Draft RI Report
3.B	PLP to submit Agency Review Draft FS Report	160 days after PLP receives Ecology's approval of Public Review Draft RI Report
3.B	PLP to submit Revised Public Review Draft FS Report	30 days after PLP receives Ecology's comments on Draft FS Report

3.B	PLP to submit Final FS Report	~~7~~ 30 days after receipt of any final Ecology comments and/or Ecology's approval of Public Review Draft 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~~
~~5~~	~~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

Commented [KW2]: By comparison to other AOs for MTCA sites, interim actions are not required in this table. The time needed for any action is dependent on the IA needed so setting a schedule is premature. In addition, the schedule proposed is not feasible for most of the IA listed in the SOW.