

State of Washington
Department of Ecology

In the Matter of Remedial Action by:
Rayonier A.M. Properties, LLC
DRAFT Agreed Order
No. DE 17992

To: R. Colby Slaughter
Senior Vice President
Rayonier A.M. Properties LLC
1301 Riverplace Blvd., Suite 2300
Jacksonville, FL 32207

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1. Introduction

The mutual objective of the State of Washington, Department of Ecology (Ecology) and Rayonier A.M. Properties LLC (RAMP and with Ecology, the “Parties” and each a “Party”) under this Agreed Order (Order) is to provide for remedial action at a facility where there has been a release or threatened release of hazardous substances. This Order requires RAMP to develop a Remedial Investigation Work Plan, conduct a Remedial Investigation, develop a Remedial Investigation Report, develop a Feasibility Study, and develop a Draft Cleanup Action Plan for the Former Grays Harbor Pulp and Paper Mill facility located at 801 23rd Street, Hoquiam, WA. Ecology believes the actions required by this Order are in the public interest.

2. Jurisdiction

This Order is issued pursuant to the Model Toxics Control Act (MTCA), RCW 70A.305.050(1).

3. Parties Bound

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

4. Definitions

Unless otherwise specified herein, the definitions set forth in RCW 70A.305, WAC 173-204 and WAC 173-340 shall control the meanings of the terms in this Order.

4.1 Site

The Site is referred to as the Former Grays Harbor Pulp and Paper Mill facility. The Site constitutes a facility under RCW 70A.305.020(8). The Site is defined by where a hazardous substance, other than a consumer product in consumer use, has been

deposited, stored, disposed of, or placed, or otherwise come to be located. Based upon factors currently known to Ecology, the Site is generally located in the vicinity of 801 23rd Street, Hoquiam, WA (approximately Latitude 46.97152 and Longitude -1232.87126) as shown in the General Site Location Diagram (Exhibit A). The Site description and remedial action are more fully described in the Scope of Work (Exhibit B).

4.2 Parties

Refers to the State of Washington, Department of Ecology and RAMP.

4.3 Potentially Liable Persons (PLP(s))

Refers to RAMP, Rayonier Advanced Materials Inc. (RYAM), Peter Sing, and Irene Sing.

4.4 Subject PLP(s)

Refers to PLP(s) subject to this Order (RAMP).

4.5 Agreed Order or Order

Refers to this Order and each of the exhibits to this Order. All exhibits are integral and enforceable parts of this Order.

5. Findings of Fact

Ecology makes the following findings of fact, without any express or implied admissions of such facts by RAMP.

5.1

Based upon factors currently known to Ecology, the Site is generally located in the vicinity of 801 23rd Street, Hoquiam, WA (approximately Latitude 46.97152 and Longitude -1232.87126) as shown in the Site Location Diagram (Exhibit A). The Site description and remedial action are more fully described in the Scope of Work (Exhibit B).

5.2

The Site operated as a saw mill in the 1920s and earlier.

5.3

In 1928, RAMP's parent company's predecessor, Grays Harbor Pulp and Paper Company purchased land including Lots 1, 2, 3 and 4 of Tract 2 of the Hoquiam Tide and Shore Lands.

5.4

In 1929, Grays Harbor Pulp and Paper Company completed construction of a pulp mill and adjoining paper mill on Lots 1, 2 and 4 of Tract 2 (as well as other parcels to the east) of the Hoquiam Tidelands Plat.

That same year, Grays Harbor Pulp and Paper Company leased the paper mill and the land upon which it was located for a 35-year term to a joint venture between Hammermill and Grays Harbor Pulp and Paper Company originally called Grays Harbor Corporation and later Grays Harbor Paper Company (Joint Venture). When Hammermill joined the Joint Venture during mill construction, a paper machine built to produce Hammermill grades for the western market was added to the original mill blueprint as a result.

5.5

In 1937, Rainier Pulp & Paper Company, Grays Harbor Pulp and Paper Company, and Olympic Forest Products Company consolidated to create Rayonier Incorporated.

5.6

In 1960, Rayonier Incorporated conveyed a newly divided parcel of land from parts of Lot 2 and Lot 4 of Tract 2 of the Hoquiam Tidelands Plat, subsequently depicted on the City of Hoquiam plat map with the name Tax A-1, to the Joint Venture. A second paper machine was constructed on Tax A-1 and began operation next to the original paper machine in 1962. That same year, another parcel of land approximating the footprint of the still operating original paper machine, named Tax A-2, was divided from Lots 2 and 4 of Tract 2, and conveyed from Rayonier Incorporated to the Joint Venture. The Joint Venture operated the two paper machines until 1993. During some of that time period, Hammermill held the controlling interest in the Joint Venture. From 1961 onward, Rayonier Incorporated held two-thirds of the stock of the Joint Venture. Hammermill, along with its one-third share in the Joint Venture, was acquired by International Paper in 1986.

5.7

In 1968, International Telegraph and Telephone and Rayonier Incorporated merged to form ITT Rayonier. ITT Rayonier operated the pulp mill until 1992.

5.8

The buildings housing the pulp and paper manufacturing machinery at the Site were immediately adjacent to one another and shared common support infrastructure during their entire history. The paper mill and pulp mill shared common electrical infrastructure, utilities, and stormwater and wastewater treatment and discharge locations. Numerous easements and use rights were granted by Rayonier Incorporated and ITT Rayonier to the Joint Venture, and from the Joint Venture to Rayonier Incorporated and ITT Rayonier on their respectively owned parcels. The pulp mill supplied pulp for the adjoining paper

mill during Grays Harbor Pulp and Paper Company's, Rayonier Incorporated's and ITT Rayonier's operation of the pulp mill from 1929 through 1993.

5.9

In 1993, the Joint Venture sold the paper machines and associated assets and leased parcels Tax A-1 and Tax A-2 to Hoquiam Paper Company, LP. Hoquiam Paper Company, LP, subsequently changed its name to Grays Harbor Paper, LP.

5.10

In 1997, Grays Harbor Paper, LP, purchased Tax A-1 and Tax A-2 from GHP Leasing Company, successor to the Joint Venture.

5.11

Grays Harbor Paper, LP leased the pulp mill areas surrounding Tax A-1 and A-2, and the power house, wastewater treatment system and other "support assets" necessary for the continued operation of the paper mill from ITT Rayonier (and subsequently from Rayonier Inc. after its spinoff from ITT Rayonier in 1994) and conducted paper mill operations from 1993 through 2011. Grays Harbor Paper, LP changed its name to Grays Harbor Paper, LLC. In June 2011, Grays Harbor Paper, LLC commenced a receivership action under Washington state law.

5.12

Through the receivership action, Harbor Paper, LLC purchased substantially all of the assets of Grays Harbor Paper, LLC, including the 4-acre paper mill property (Tax A-1 and Tax A-2). Harbor Paper, LLC's purchase of the assets of Grays Harbor Paper, LLC was funded by Elliot Rust Companies, which is owned by Mr. Cesar Scolari. Over Rayonier Inc.'s objection, Grays Harbor Paper, LLC also assigned its lease of the former pulp mill area from the Grays Harbor PUD to Harbor Paper, LLC. Harbor Paper, LLC ran the paper mill operations until February 2013, when it announced it was closing the mill. When operations ceased, either Harbor Paper, LLC or its creditors sold the assets through an auction.

5.13

In 2016, Industrial Asset Corp., doing business as BidItUp Auctions Worldwide, Inc. completed the demolition of the power house, wastewater treatment system, and paper mill's aboveground structures, as part of a privately negotiated asset foreclosure sale by Craft3 Capital Corporation (Harbor Paper, LLC's creditor).

5.14

Peter and Irene Sing purchased the 4-acre paper mill property (Tax A-1 and A-2) at tax deed auction in 2017. The Sings are the current owners of the 4-acre paper mill property

(Sing Property).RAMP currently owns the property on which the pulp mill and support assets were located.

5.15

Operations associated with the pulp mill and paper mill at the Site included an on-site wastewater treatment plant for the treatment and discharge of process wastewater, and a stormwater collection system. The wastewater treatment plant consisted of a primary clarifier, three secondary clarifiers, and an aerated stabilization basin (ASB). Treated effluent was discharged through an outfall pipe into Grays Harbor. Filter backwash and overflow from the fresh water treatment system was also discharged through a different outfall into the mouth of the Hoquiam River.

5.16

Main areas of the pulp and paper mills included, but were not limited to, the boneyard area, filter plant, pulp mill, paper mill, powerhouse area, finishing area, boilers, maintenance shops, silvichemical area, office, oil storage area, ash ponds, cooling pond, warehouses, wood chip storage area, hog fuel storage area, log yard area, dock for loading/unloading operations, and wastewater treatment plant. Demolition of the pulp mill's aboveground structures was completed in 1993. Demolition of the powerhouse, paper mill, and wastewater treatment system's aboveground structures was completed in 2016.

5.17

The former pulp and paper mill areas are near the Hoquiam River and Grays Harbor. Operations during RYAM's predecessors' operation of the pulp mill included occasionally pumping spent sulfite liquor from the mill, via a submerged pipeline beneath the waterway between the mill and Rennie Island, for storage in an impoundment on Rennie Island. Rennie Island is approximately 300-acres and is located south of the former pulp and paper mills in Grays Harbor. Sometime in the 1980s, ITT Rayonier ceased the occasional use of Rennie Island to store spent sulfite liquor and began using the island to store solids from the pulp mill clarifier.

5.18

Rayonier Inc. conducted independent investigations and remedial actions at the Site, including on both the paper mill and pulp mill properties, beginning in 1993. Records show that there have been releases of hazardous substances at the Site to soil and groundwater that present a threat to human health or the environment.

5.19

The "Silvichemical Area" is located east of the maintenance shops and south of the administrative offices. ITT Rayonier performed an investigation of this area based on the

handling of chrome lignosulfonate. Samples of soil and groundwater were analyzed for total chromium, hexavalent chromium (soil), and dissolved chromium (groundwater). Sample concentrations were less than the 1993 MTCA cleanup levels. Ecology issued a “no further action” letter to ITT Rayonier on December 15, 1993 regarding the Silvichemical area. The no further action letter stated that levels of chromium VI in the upper aquifer were unknown at the time of the issuance of the letter. The investigation ITT Rayonier performed was not under a consent decree with Ecology. No further action letters do not constitute a settlement between a PLP and the Department of Ecology as stated in the December 15, 1993, letter.

5.20

The “Boneyard Area” on the western end of the Site was used to store dredged sediment, wood waste, and construction debris. Soil sampling was performed from 1992-1995. Testing of the soil samples indicated that concentrations of total petroleum hydrocarbons (TPH), polychlorinated biphenyls (PCBs), and lead exceeded the 1993 MTCA Method A industrial cleanup levels. Polycyclic aromatic hydrocarbons (PAHs) were also detected. After independent clean-up occurred, Ecology issued a no further action letter to Rayonier Inc. regarding the boneyard area on October 21, 1996. The investigation Rayonier Inc. performed was not under a consent decree with Ecology. No further action letters do not constitute a settlement between a PLP and the Department of Ecology as stated in the December 21, 1996 letter.

5.21

The “Former Log Yard Area” is located on the east side of the Site, south of the former Hog Fuel Storage Area. Beginning in the 1930s, this area was filled with dredged sediment, wood waste, and construction debris. After the area was filled it was graded and a dirt cap was applied. After the cap was applied, the area was used to store logs used for pulping. Later, Rayonier Inc. investigated the area in 1994 and 1995. Soil samples and groundwater samples were analyzed for lead, chromium, TPH, PCBs, and PAHs. Some soil sample concentrations exceeded the 1993 MTCA Method A industrial cleanup levels for lead. After the removal of approximately 80 cubic yards of lead-contaminated soil from this area, Ecology issued a no further action letter to Rayonier Inc. on October 23, 1996 regarding the Former Log Area. The investigation Rayonier Inc. performed was not under a consent decree with Ecology. No further action letters do not constitute a settlement between a PLP and the Department of Ecology as stated in the October 23, 1996, letter.

5.22

The “Finishing Area” on the west end of the Site, adjacent to the southeast corner of the paper machine area was investigated in 1994 based on the historical use of hydraulic oil in the area. Samples showed that soil was contaminated with concentrations of total

petroleum hydrocarbons exceeding 1993 MTCA Method A industrial cleanup levels. Groundwater samples contained TPH, lead, and chromium exceeding 1993 MTCA clean up levels. PCBs and PAHs were also detected in groundwater. Excavations were completed in the area. On October 31, 1996, Ecology issued a no further action letter to Rayonier Inc. regarding the Finishing Area). The investigation Rayonier Inc. performed was not under a consent decree with Ecology. No further action letters do not constitute a settlement between a PLP and the Department of Ecology as stated in the October 31, 1996, letter.

5.23

A December 5, 1994, report documented a supplemental investigation that occurred at the "Landfill Base Area." The Landfill Base Area occupies a small portion of the north-central area of the pulp facility, where a large pulping liquor storage tank was previously located. PAHs, lead, chromium, TPH, and BTEX (benzene, toluene, ethylbenzene, and xylene) were detected during a soil sampling event that occurred in 1993. The 1994 report indicated that TPH levels exceeded cleanup standards at the time the report was written.

5.24

A September 1994 Sediment Studies Report documented contaminated sediment near the site's wastewater outfalls. The report found that levels of one or more of the samples taken in 1993 exceeded state sediment cleanup standards required at the time the report was written for mercury and PCBs. Sediments which exceeded the cleanup standards for mercury and PCBs were used for acute bioassay testing with *Mytilus galloprovincialis* and did not pass the larval confirmatory biological test.

5.25

The Gasoline and Maintenance Area is located north of the Powerhouse Area and east of the Paper Mill Building. According to the 2017 "Current Environmental Conditions Report" for the site, in 1993, benzene concentrations in soil near this area exceeded screening values which may be representative of MTCA Method A industrial cleanup levels for soil required in 2017. Chromium, lead, TPH, toluene, ethylbenzene, and xylenes were also detected in soils during the 1993 sampling event. TPH (gasoline, diesel, and oil range), benzene, and lead in some of the groundwater samples taken in 1992 through 1995 exceeded screening values which may be representative of MTCA Method A groundwater cleanup levels required in 2017. Chromium, toluene, ethylbenzene, xylenes, PCBs, acetone, 2-butanone, chloromethane, 1,1,1-trichloroethane, phenol, and benzoic acid were also detected in the samples.

5.26

According to the 2017 “Current Environmental Conditions Report” for the site, in 1992, No. 6 fuel oil was released from a ruptured oil line to soil and backfill material in the Utility Chase Area. The Fuel Oil/Utility Chase Area is on the north end of the Site, located north of the Silvichemical Area. The contaminated soil was excavated. Soil sampling outside of the remediated area exceeded screening values which may be representative of MTCA Method A industrial cleanup levels for TPH (diesel range) required in 2017. Benzene, toluene, ethylbenzene, xylene and various PAHs have also been detected in soil samples. Groundwater concentrations of TPH (diesel and oil range), PAHs, and chromium measured in groundwater from 1992 to 1995 exceeded screening values which may be representative of MTCA Method A groundwater cleanup levels required in 2017. Acetone was detected in groundwater at one well in this area during a sampling event. Ecology’s database identifies a no further action letter was issued for this area, but no documentation is available in RAMP’s or Ecology’s records. No further action letters do not constitute a settlement between a PLP and the Department of Ecology.

5.27

According to the 2017 “Current Environmental Conditions Report” for the site, 1992 sampling of soil at the Powerhouse area showed concentrations of TPH (diesel and oil ranges), benzene, xylenes, and carcinogenic PAHs above screening values which may be representative of MTCA Method A industrial cleanup levels required in 2017. Chromium, ethylbenzene, and toluene were also detected during sampling events. A 2016 investigation of the Powerhouse Area during demolition activities indicated that No.6 fuel oil contamination under the Powerhouse Area is present in an area approximately 80 x 120 feet at a maximum depth of 13 below ground surface. Groundwater monitoring conducted 1993-1995 at the Powerhouse Area had concentrations of TPH (diesel and oil range) above screening values which may be representative of MTCA Method A groundwater cleanup levels required in 2017. Chromium, total PAHs, and acetone were also detected during some sampling events.

5.28

According to the 2017 “Current Environmental Conditions Report” for the Site, chromium, lead, and TPH were detected in soil samples taken in 1993 from the wood chip storage area.

5.29

According to the 2017 “Current Environmental Conditions Report” for the Site, chromium, lead, TPH (diesel and oil ranges), and PCBs were detected in soils near the Warehouse area in 1993. Chromium, lead, and TPH (diesel and oil ranges) were detected in a groundwater sample taken at the Warehouse area in 1993.

5.30

According to the 2017 “Current Environmental Conditions Report” for the Site, chromium and lead have been detected in the soils sampled near the Hog Fuel Storage Area in 1993. Groundwater sampling near the Hog Fuel Storage Area have historically exceeded screening values which may be representative of MTCA groundwater cleanup levels for TPH (diesel and oil ranges) required in 2017. Chromium, lead, and acetone have been detected in groundwater near the Hog Fuel Storage Area during sampling events from 1992 through 1995.

5.31

According to the 2017 “Current Environmental Conditions Report” for the Site, groundwater monitoring conducted in wells along the central and eastern shoreline areas in 1992 through 1995 have shown concentrations of TPH (oil and diesel ranges) and lead exceeding screening values which may be representative of MTCA Method A groundwater cleanup levels required in 2017. Chromium, PCBs, acetone, 2-butanone, chloromethane, 1,1,1-trichloroethane, chloroform, phenol, and benzoic acid were also detected in groundwater monitoring wells along the shoreline during the sampling from 1992 through 1995.

5.32

According to the 2017 “Current Environmental Conditions Report” for the Site, an environmental investigation that ITT Rayonier undertook in 1992 and 1993 indicated that the soil concentrations near the Paper Machine Area exceeded the 1993 MTCA cleanup levels for TPH (diesel range), TPH (oil range), and PCBs. ITT Rayonier excavated a portion of the contaminated soil. ITT Rayonier petitioned Ecology to issue a No Further Action letter. Ecology did not issue a No Further Action letter. A 1995 sampling event indicated that soils left in place exceed screening values which may be representative of MTCA Method A cleanup levels for TPH (diesel and oil ranges) and PCBs required in 2017.

5.33

A list of known releases identified by Ecology is presented in Exhibit E.

6. Ecology Determinations

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

6.1

RAMP is an “owner or operator” as defined in RCW 70A.305.020(22) of a “facility” as defined in RCW 70A.305.020(8). RAMP’s parent company’s predecessors were owners or operators at the Site at the time of hazardous substances releases. RAMP’s parent

company's predecessors are Grays Harbor Pulp and Paper Company, Rayonier Incorporated, ITT Rayonier, Rayonier Inc. (following its spinoff from ITT in 1994 until the spinoff of RYAM from Rayonier Inc. in 2014), and Rayonier Properties, LLC.

6.2

Based upon all factors known to Ecology, a "release" or "threatened release" of "hazardous substance(s)" as defined in RCW 70A.305.020(32), (13), respectively, has occurred at the Site.

6.3

Based upon credible evidence, Ecology issued a PLP status letter to RAMP and RYAM dated March 25, 2023, pursuant to RCW 70A.305.040, .020(26), and WAC 173-340-500. After providing for notice and opportunity for comment, reviewing any comments submitted, and concluding that credible evidence supported a finding of potential liability, Ecology issued a determination that RAMP is a PLP under RCW 70A.305.040 and notified RAMP of this determination by letter dated June 5, 2023. Ecology issued a determination that RYAM is a PLP under RCW 70A.305.040 and notified RYAM of this determination by letter dated December 12, 2023. RYAM is not a party to this Agreed Order.

6.4

Peter and Irene Sing are an "owner or operator" as defined in RCW 70.105D.020(22) of a "facility" as defined in RCW 70.105D.020(8).

6.5

Based upon credible evidence, Ecology issued a PLP status letter to Peter and Irene Sing dated March 25, 2023, pursuant to RCW 70A.305.040, .020(26), and WAC 173-340-500. After providing for notice and opportunity for comment, reviewing any comments submitted, and concluding that credible evidence supported a finding of potential liability, Ecology issued a determination that Peter and Irene Sing are PLPs under RCW 70A.305.040 and notified Peter and Irene Sing of this determination by letters dated June 5, 2023 and June 13, 2023. Peter and Irene Sing are not parties to this Agreed Order.

6.6

Pursuant to RCW 70A.305.030(1), .050(1), Ecology may require RAMP to investigate or conduct other remedial actions with respect to any release or threatened release of hazardous substances, whenever it believes such action to be in the public interest. Based on the foregoing facts, Ecology believes the remedial actions required by this Order are in the public interest.

7. Work to be Performed

Based on the Findings of Fact and Ecology Determinations, it is hereby ordered that RAMP take the following remedial actions at the Site. These remedial actions must be conducted in accordance with WAC 173-340 and 173-204:

7.1

RAMP will develop a Data Gaps Identification, develop a Remedial Investigation Work Plan, conduct a Remedial Investigation, develop a Remedial Investigation Report, develop a Feasibility Study, and develop a Draft Cleanup Action Plan in accordance with the schedule and terms of the Scope of Work, Exhibit B; and Schedule of Deliverables, Exhibit C; and all other requirements of this Order.

7.2

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

7.3

RAMP shall submit to Ecology written quarterly Progress Reports that describe the actions taken during the previous quarter to implement the requirements of this Order. All Progress Reports shall be submitted by the tenth (10th) day of the month in which they are due after the effective date of this Order (i.e., April 10th for the first quarter, July 10th for the second quarter, October 10th for the third quarter, and January 10th for the fourth quarter). Unless otherwise specified by Ecology, Progress Reports and any other documents submitted pursuant to this Order shall be sent by certified mail, return receipt requested, to Ecology's project coordinator. The Progress Reports shall include the following:

7.3.1

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

7.3.2

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

7.3.3

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

7.3.4

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

7.3.5

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

7.3.6

A list of deliverables for the upcoming quarter.

7.4

All plans or other deliverables submitted by RAMP for Ecology's review and approval under the Scope of Work (Exhibit B) and Schedule of Deliverables (Exhibit C) shall, upon Ecology's approval, become integral and enforceable parts of this Order. RAMP shall take any action required by such deliverable.

7.5

Under WAC 173-340-430, an interim action is a remedial action that is 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, that corrects a problem that may become substantially worse or cost substantially more to address if the remedial action is delayed, or that is needed to provide for completion of a site hazard assessment, remedial investigation/feasibility study, or design of a cleanup action plan. Any Party may propose an interim action under this Order. If the Parties are in agreement concerning the interim action, RAMP shall prepare and submit to Ecology an Interim Action Work Plan, including a scope of work and schedule, by the date determined by Ecology. Ecology will provide public notice and opportunity to comment on the Interim Action Work Plan in accordance with WAC 173-340-600(16). RAMP shall not conduct the interim action until Ecology approves the Interim Action Work Plan. Upon approval by Ecology, the Interim Action Work Plan becomes an integral and enforceable part of this Order, and RAMP is required to conduct the interim action in accordance with the approved Interim Action Work Plan. If the Parties are not in agreement, Ecology reserves its authority to require interim action(s) under a separate order or other enforcement action under RCW 70A.305, or to undertake the interim action itself.

7.6

If Ecology determines that RAMP has failed to make sufficient progress or failed to implement the remedial action, in whole or in part, Ecology may, after notice to RAMP

perform any or all portions of the remedial action or at Ecology's discretion allow RAMP opportunity to correct. In an emergency, Ecology is not required to provide notice to RAMP, or an opportunity for dispute resolution. RAMP shall reimburse Ecology for the costs of doing such work in accordance with Section VIII.A (Payment of Remedial Action Costs). Ecology reserves the right to enforce requirements of this Order under Section 10 (Enforcement).

7.7

Except where necessary to abate an emergency situation or where required by law, RAMP shall not perform any remedial actions at the Site outside those remedial actions required by this Order to address the contamination that is the subject of this Order, unless Ecology concurs, in writing, with such additional remedial actions pursuant to Section 8.11 (Amendment of Order). In the event of an emergency, or where actions are taken as required by law, RAMP must notify Ecology in writing of the event and remedial action(s) planned or taken as soon as practical but no later than within twenty-four (24) hours of the discovery of the event.

8. Terms and Conditions

8.1 Payment of Remedial Action Costs

RAMP shall pay to Ecology costs incurred by Ecology pursuant to this Order and consistent with WAC 173-340-550(2). These costs shall include work performed by Ecology or its contractors for, or on, the Site under RCW 70A.305, including remedial actions and Order preparation, negotiation, oversight, and administration. These costs shall include work performed both prior to and subsequent to the issuance of this Order. Ecology's costs shall include costs of direct activities and support costs of direct activities as defined in WAC 173 340 550(2). Ecology has accumulated \$68,723.28 in remedial action costs related to this Site as of January 31, 2024. For all Ecology costs incurred, RAMP shall pay the required amount within thirty (30) days of receiving from Ecology an itemized statement of costs that includes a summary of costs incurred, an identification of involved staff, and the amount of time spent by involved staff members on the project. A general statement of work performed will be provided upon request. Itemized statements shall be prepared quarterly. Pursuant to WAC 173-340-550(4), failure to pay Ecology's costs within ninety (90) days of receipt of the itemized statement of costs will result in interest charges at the rate of twelve percent (12%) per annum, compounded monthly.

In addition to other available relief, pursuant to RCW 19.16.500, Ecology may utilize a collection agency and/or, pursuant to RCW 70A.305.060, file a lien against real property subject to the remedial actions to recover unreimbursed remedial action costs.

8.2 Designated Project Coordinators

The project coordinator for Ecology is:

Emily Toffol, P.E.
PO Box 47600
Olympia, WA 98504-7600
(360) 790-8363
emily.toffol@ecy.wa.gov

The project coordinator for RAMP is:

Warren Snyder, P.E.
1301 Riverplace Blvd., Suite 2300
Jacksonville, FL 32207
(904) 357-3768
warren.snyder@ryam.com

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

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

8.3 Performance

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

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

All construction work performed pursuant to this Order shall be under the direct supervision of a professional engineer or a qualified technician under the direct

supervision of a professional engineer. The professional engineer must be registered by the State of Washington, except as otherwise provided for by RCW 18.43.130.

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

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

8.4 Access

Ecology or any Ecology authorized representative shall have access to enter and freely move about all property at the Site that RAMP either owns, controls, or has access rights to at all reasonable times for the purposes of, inter alia: inspecting records, operation logs, and contracts related to the work being performed pursuant to this Order; reviewing RAMP's progress in carrying out the terms of this Order; conducting such tests or collecting such samples as Ecology may deem necessary; using a camera, sound recording, or other documentary type equipment to record work done pursuant to this Order; and verifying the data submitted to Ecology by RAMP. Ecology or any Ecology authorized representative shall give reasonable notice before entering any Site property owned or controlled by RAMP unless an emergency prevents such notice. All persons who access the Site pursuant to this section shall comply with any applicable health and safety plan(s). Ecology employees and their representatives shall not be required to sign any liability release or waiver as a condition of Site property access.

RAMP shall make best efforts to secure access rights for those properties within the Site not owned or controlled by RAMP where remedial activities or investigations will be performed pursuant to this Order. As used in this Section, "best efforts" means the efforts that a reasonable person in the position of RAMP would use so as to achieve the goal in a timely manner, including the cost of employing professional assistance and the payment of reasonable sums of money to secure access and/or use restriction agreements, as required by this Section. If, within 60 days after the effective date of this Order, RAMP is unable to accomplish what is required through "best efforts," they shall notify Ecology, and include a description of the steps taken to comply with the requirements. If Ecology deems it appropriate, it may assist RAMP, or take independent action, in obtaining such access and/or use restrictions. Ecology reserves the right to seek payment from RAMP for all costs, including cost of attorneys' time, incurred by Ecology in obtaining such access or agreements to restrict land, water, or other resource use.

8.5 Sampling, Data Submittal, and Availability

With respect to the implementation of this Order, RAMP shall make the results of all sampling, laboratory reports, and/or test results generated by it or on its behalf available to Ecology. Pursuant to WAC 173-340-840(5), all sampling data shall be submitted to Ecology in both printed and electronic formats in accordance with Section 7 (Work to be Performed), Ecology's Toxics Cleanup Program Policy 840 (Data Submittal Requirements), and/or any subsequent procedures specified by Ecology for data submittal.

If requested by Ecology, RAMP shall allow Ecology and/or its authorized representative to take split or duplicate samples of any samples collected by [RAMP pursuant to implementation of this Order. RAMP shall notify Ecology seven (7) days in advance of any sample collection or work activity at the Site. Ecology shall, upon request, allow RAMP and/or its authorized representative to take split or duplicate samples of any samples collected by Ecology pursuant to the implementation of this Order, provided that doing so does not interfere with Ecology's sampling. Without limitation on Ecology's rights under Section 8.4 (Access), Ecology shall notify RAMP prior to any sample collection activity unless an emergency prevents such notice.

In accordance with WAC 173-340-830(5), all hazardous substance analyses shall be conducted by a laboratory accredited under WAC 173-50 for the specific analyses to be conducted, unless otherwise approved by Ecology.

8.6 Public Participation

Ecology shall maintain the responsibility for public participation at the Site. However, RAMP shall cooperate with Ecology, and shall:

8.6.1

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

8.6.2

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

interested public and local governments. For all press releases, fact sheets, meetings, and other outreach efforts by RAMP that do not receive prior Ecology approval, RAMP shall clearly indicate to its audience that the press release, fact sheet, meeting, or other outreach effort was not sponsored or endorsed by Ecology.

8.6.3

When requested by Ecology, participate in public presentations on the progress of the remedial action at the Site. Participation may be through attendance at public meetings to assist in answering questions or as a presenter; provided, however, if Ecology seeks RAMP's attendance as a presenter, it will provide RAMP at least thirty (30) days' notice before the public meeting to allow RAMP to obtain all internal approvals related to the publication of company information to third parties.

8.6.4

When requested by Ecology, arrange and maintain a repository to be located at:

- a. Hoquiam Timberland Library
420 7th Street
Hoquiam, WA 98550
(360) 532-1710

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

8.7 Access to Information

RAMP shall provide to Ecology, upon request, copies of all records, reports, documents, and other information (including records, reports, documents, and other information in electronic form) (hereinafter referred to as "Records") within RAMP's possession or control or that of their contractors or agents relating to activities at the Site or to the implementation of this Order, including, but not limited to, sampling, analysis, chain of custody records, manifests, trucking logs, receipts, reports, sample traffic routing, correspondence, or other documents or information regarding the work. RAMP shall also make available to Ecology, for purposes of investigation, information gathering, or testimony, their employees, agents, or representatives with knowledge of relevant facts concerning the performance of the work.

Nothing in this Order is intended to waive any right RAMP may have under applicable law to limit disclosure of Records protected by the attorney work-product privilege

and/or the attorney-client privilege. If RAMP withholds any requested Records based on an assertion of privilege, RAMP shall provide Ecology with a privilege log specifying the Records withheld and the applicable privilege. No Site-related data collected pursuant to this Order shall be considered privileged, including: (1) any data regarding the Site, including, but not limited to, all sampling, analytical, monitoring, hydrogeologic, scientific, chemical, radiological, biological, or engineering data, or the portion of any other record that evidences conditions at or around the Site; or (2) the portion of any Record that Respondents are required to create or generate pursuant to this Order.

Notwithstanding any provision of this Order, Ecology retains all of its information gathering and inspection authorities and rights, including enforcement actions related thereto, under any other applicable statutes or regulations.

8.8 Retention of Records

During the pendency of this Order, and for ten (10) years from the date of completion of the work performed pursuant to this Order, RAMP shall preserve all records, reports, documents, and underlying data in its possession relevant to the implementation of this Order and shall insert a similar record retention requirement into all contracts with project contractors and subcontractors.

8.9 Resolution of Disputes

8.9.1

In the event that RAMP elects to invoke dispute resolution RAMP must utilize the procedure set forth below.

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

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

8.9.1.3 RAMP may then request Ecology's Industrial Section's management review of the dispute. RAMP must submit this request (Formal Dispute Notice) in writing to the Industrial Section Manager within seven (7) calendar days of receipt of Ecology's Informal Dispute Decision. The Formal Dispute Notice shall include a written statement of dispute setting forth: the nature of the dispute; RAMP's position with respect to the dispute; and the information relied upon to support its position.

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

8.9.2

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

8.9.3

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

8.9.4

In case of a dispute, failure to either proceed with the work required by this Order or timely invoke dispute resolution may result in Ecology's determination that insufficient progress is being made in preparation of a deliverable, and may result in Ecology undertaking the work under Section 7.1 (Work to be Performed) or initiating enforcement under Section 10 (Enforcement).

8.10 Extension of Schedule

8.10.1

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

8.10.1.1 The deadline that is sought to be extended.

8.10.1.2 The length of the extension sought.

8.10.1.3 The reason(s) for the extension.

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

8.10.2

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

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

8.10.2.2 A mandatory shelter in place, or work stoppage mandated by federal, state or local government order due to public health and safety emergencies.

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

8.10.2.4 Endangerment as described in Section 8.12 (Endangerment).

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

8.10.3

Ecology shall act upon RAMP's written request for extension in a timely fashion. Ecology shall give RAMP written notification of any extensions granted pursuant to this Order. A requested extension shall not be effective until approved by Ecology. Unless the extension is a substantial change, it shall not be necessary to amend this Order pursuant to Section 8.11 (Amendment of Order) when a schedule extension is granted.

8.10.4

At RAMP's request, an extension shall only be granted for such period of time as Ecology determines is reasonable under the circumstances. Ecology may grant

schedule extensions exceeding ninety (90) days only as a result of one of the following:

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

8.10.4.2 Other circumstances deemed exceptional or extraordinary by Ecology.

8.10.4.3 Endangerment as described in Section 8.12 (Endangerment).

8.11 Amendment of Order

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

Except as provided in Section 8.13 (Reservation of Rights), substantial changes to the work to be performed shall require formal amendment of this Order. This Order may only be formally amended by the written consent of both Ecology and RAMP. Ecology will provide its written consent to a formal amendment only after public notice and opportunity to comment on the formal amendment.

When requesting a change to the Order, RAMP shall submit a written request to Ecology for approval. Ecology shall indicate its approval or disapproval in writing and in a timely manner after the written request is received. If Ecology determines that the change is substantial, then the Order must be formally amended. Reasons for the disapproval of a proposed change to this Order shall be stated in writing. If Ecology does not agree to a proposed change, the disagreement may be addressed through the dispute resolution procedures described in Section 8.9 (Resolution of Disputes).

8.12 Endangerment

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

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

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

If Ecology concurs with or orders a work stoppage pursuant to this section, RAMP's obligations with respect to the ceased activities shall be suspended until Ecology determines the danger is abated, and the time for performance of such activities, as well as the time for any other work dependent upon such activities, shall be extended in accordance with Section 8.10 (Extension of Schedule) for such period of time as Ecology determines is reasonable under the circumstances.

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

8.13 Reservation of Rights

This Order is not a settlement under RCW 70A.305. Ecology's signature on this Order in no way constitutes a covenant not to sue or a compromise of any of Ecology's rights or authority. Ecology will not, however, bring an action against RAMP to recover remedial action costs paid to and received by Ecology under this Order. In addition, Ecology will not take additional enforcement actions against RAMP regarding remedial actions required by this Order, provided RAMP complies with this Order.

Ecology nevertheless reserves its rights under RCW70A.305, including the right to require additional or different remedial actions at the Site should it deem such actions necessary to protect human health or the environment, and to issue orders requiring such remedial actions. Ecology also reserves all rights regarding the injury to, destruction of, or loss of natural resources resulting from the release or threatened release of hazardous substances at the Site.

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

8.14 Transfer of Interest in Property

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

Prior to RAMP's transfer of any interest in all or any portion of the Site, and during the effective period of this Order, RAMP shall provide a copy of this Order to any prospective

purchaser, lessee, transferee, assignee, or other successor in said interest; and, at least thirty (30) days prior to any transfer, RAMP shall notify Ecology of said transfer. Upon transfer of any interest, RAMP shall notify all transferees of the restrictions on the activities and uses of the property under this Order and incorporate any such use restrictions into the transfer documents.

8.15 Compliance with Applicable Laws

8.15.1 Applicable Laws

All actions carried out by RAMP pursuant to this Order shall be done in accordance with all applicable federal, state, and local requirements, including requirements to obtain necessary permits or approvals, except as provided in RCW 70A.305.090. The permits or specific federal, state, or local requirements that the agency has determined are applicable and that are known at the time of the execution of this Order have been identified in Exhibit D. RAMP has a continuing obligation to identify additional applicable federal, state, and local requirements which apply to actions carried out pursuant to this Order, and to comply with those requirements. As additional federal, state, and local requirements are identified by Ecology or RAMP, Ecology will document in writing if they are applicable to actions carried out pursuant to this Order, and RAMP must implement those requirements.

8.15.2 Relevant and Appropriate Requirements.

All actions carried out by RAMP pursuant to this Order shall be done in accordance with relevant and appropriate requirements identified by Ecology. At this time, no relevant and appropriate requirements have been identified as being applicable to the actions required by this Order. If additional relevant and appropriate requirements are identified by Ecology or RAMP, Ecology will document in writing if they are applicable to actions carried out pursuant to this Order and RAMP must implement those requirements.

8.15.3

Pursuant to RCW 70A.305.090(1), RAMP may be exempt from the procedural requirements of RCW 70A.15, 70A.205, 70A.300, 77.55, 90.48, and 90.58 and of any laws requiring or authorizing local government permits or approvals. However, RAMP shall comply with the substantive requirements of such permits or approvals. For permits and approvals covered under RCW 70A.305.090(1) that have been issued by local government, the Parties agree that Ecology has the non-exclusive ability under this Order to enforce those local government permits and/or approvals. At this time, no state or local permits or approvals have been identified as being applicable but procedurally exempt under this section.

8.15.4

RAMP has a continuing obligation to determine whether additional permits or approvals addressed in RCW 70A.305.090(1) would otherwise be required for the remedial action under this Order. In the event either Ecology or RAMP determines that additional permits or approvals addressed in RCW 70A.305.090(1) would otherwise be required for the remedial action under this Order, it shall promptly notify the other Party of its determination. Ecology shall determine whether Ecology or RAMP shall be responsible to contact the appropriate state and/or local agencies. If Ecology so requires, RAMP shall promptly consult with the appropriate state and/or local agencies and provide Ecology with written documentation from those agencies of the substantive requirements those agencies believe are applicable to the remedial action. Ecology shall make the final determination on the additional substantive requirements that must be met by RAMP and on how RAMP must meet those requirements. Ecology shall inform RAMP in writing of these requirements. Once established by Ecology, the additional requirements shall be enforceable requirements of this Order. RAMP shall not begin or continue the remedial action potentially subject to the additional requirements until Ecology makes its final determination.

Pursuant to RCW 70A.305.090(2), in the event Ecology determines that the exemption from complying with the procedural requirements of the laws referenced in RCW 70A.305.090(1) would result in the loss of approval from a federal agency that is necessary for the state to administer any federal law, the exemption shall not apply and RAMP shall comply with both the procedural and substantive requirements of the laws referenced in RCW 70A.305.090(1), including any requirements to obtain permits or approvals.

8.16 Periodic Review

So long as remedial action continues at the Site, the Parties agree to review the progress of remedial action at the Site, and to review the data accumulated as a result of monitoring the Site as often as is necessary and appropriate under the circumstances. Unless otherwise agreed to by Ecology, at least every five (5) years after the initiation of cleanup action at the Site the Parties shall confer regarding the status of the Site and the need, if any, for further remedial action at the Site. At least ninety (90) days prior to each periodic review, RAMP shall submit a report to Ecology that documents whether human health and the environment are being protected based on the factors set forth in WAC 173 340 420(4). Ecology reserves the right to require further remedial action at the Site under appropriate circumstances. This provision shall remain in effect for the duration of this Order.

8.17 Indemnification

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

9. Satisfaction of Order

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

10. Enforcement

Pursuant to RCW 70A.305.050, this Order may be enforced as follows:

10.1

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

10.2

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

10.3

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

10.3.1

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

10.3.2

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

10.4

This Order is not appealable to the Washington Pollution Control Hearings Board. This Order may be reviewed only as provided under RCW 70A.305.070.

Effective date of this Order: _____

Rayonier A.M. Properties LLC

State of Washington
Department of Ecology

R. Colby Slaughter
Senior Vice President
1301 Riverplace Blvd., Suite 2300
Jacksonville, FL 32207
904-357-3768

James DeMay, P.E.
Industrial Section Manager
Solid Waste Management Program
360-407-6868

EXHIBIT A – General Site Location Diagram



Figure 1. General Site Location Diagram

EXHIBIT B - Scope of Work

PURPOSE

The work under this Agreed Order (AO) involves completing a Data Summary Report, developing a Remedial Investigation (RI) Work Plan, conducting a RI, developing a RI Report, conducting interim actions if required or agreed to by Ecology, developing a Feasibility Study (FS), and developing a preliminary Draft Cleanup Action Plan (DCAP) to select cleanup alternatives. The purpose of the Data Summary Report, RI, FS, and preliminary DCAP for the Site is to provide sufficient data, analysis, and evaluations to enable Ecology to select appropriate cleanup alternatives for the Site.

Rayonier AM Properties LLC (RAMP) shall coordinate with Ecology throughout the development of the Data Summary Report, RI, interim actions, FS, and preliminary DCAP 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 Scope of Work (SOW) is divided into eight major tasks as follows:

- Task 1. Data Summary Report
- Task 2. Remedial Investigation Work Plan
- Task 3. Remedial Investigation
- Task 4. Interim Action(s) (if required)
- Task 5. Feasibility Study
- Task 6. SEPA Compliance
- Task 7. Public Participation
- Task 8. Draft Cleanup Action Plan

Section 504 of the Rehabilitation Act published in the United State Code at 29 U.S.C. §794 requires non-discrimination and Washington State's digital accessibility Office of the Chief Information Officer Policy 188 requires that electronic documents produced by state agencies be accessible. This Order requires that documents submitted to Ecology be formatted using modern and widely available Word (.docx) and Adobe (.pdf) formats that make it accessible to people who use text-to-speech software, are color blind, or have other needs for reviewing public notice documents. RAMP must provide all deliverables in the Schedule of Deliverables (Exhibit C) in Ecology approved accessible formats.

TASK 1. Data Summary Report

RAMP shall prepare a Data Summary Report that describes general facility information, history and conditions, past investigations including data collection and results, preliminary conceptual contaminant migration pathways, ecological receptors, hazardous substances sources, etc. The Data Summary Report will include data in tabular and figure form, and will indicate exceedances of industrial and residential screening levels.

TASK 2. Remedial Investigation Work Plan

RAMP shall prepare a Remedial Investigation Work Plan (Work Plan). The Work Plan shall include an overall description and schedule of all RI activities. The Work Plan shall clearly describe the project management strategy for implementing and reporting on RI activities. The responsibility and authority of all organizations and key personnel involved in conducting the RI will be outlined.

A Remedial Investigation Planning Meeting will be held prior to submittal of the Work Plan. The purpose of the Remedial Investigation Planning Meeting is to review requirements for the Work Plan and plan RI field work, discuss the preliminary Conceptual Site Model, and identify project data needs and possible interim actions.

Historical Site Review and Conceptual Site Model

The Work Plan shall describe general facility information; site history and conditions; including previous operations; past field investigations, including any data collection and analysis of soils, air, groundwater, surface water, and sediments; a conceptual site model showing contaminants, migration pathways in all environmental media, and potential receptors; geology and groundwater system characteristics; past, current, and future land use; identification of natural resources and ecological receptors; hazardous substances and their sources, etc., in compliance with WAC 173-340-350 and WAC 173-204-550. The Work Plan must cover these requirements for the following areas, at a minimum: former pulp and paper mill areas, Rennie Island impoundments, and areas in proximity to Outfalls 1 and 2 (see DNR Lease 51-080843-A and 51-080843-B for locations), and areas within the Hoquiam River and Grays Harbor where the Site history and the conceptual site model indicate that contaminants of concern from the operation of the pulp and paper mill may be present.

Data Gap Identification

As part of the project background, existing environmental data on site soil, groundwater, surface water, and sediments will be compiled and evaluated for data gaps. The data gaps will be used as the basis for conducting additional site investigations, if necessary. The Work Plan will also identify specific data collection procedures in a Sampling and Analysis Plan (SAP) and

Quality Assurance Project Plan (QAPP) as part of the Work Plan in compliance with WAC 173-340-820 and WAC 173-204-600 for defining the nature and extent of contamination. RAMP will also submit a copy of the Health and Safety Plan (HASP) for the project.

Sampling and Analysis Plan (SAP) and Quality Assurance Project Plan (QAPP)

The SAP identifies the proposed number and location of all environmental samples and methods, including soil borings, groundwater monitoring wells, soil, groundwater, stormwater, seep, catch basin and sediment samples, approximate depths, and includes a quality assurance project plan. The SAP will describe the sampling objectives, the rationale for the sampling approach (based upon the identified data gaps), and plans for data use, and shall provide a detailed description of sampling tasks. The SAP shall describe specifications for sample identifiers; sampling equipment; the type, number, and location of samples to be collected; the analyses to be performed; descriptions of sampling equipment and methods to be used; sample documentation; sample containers, collection and handling; data and records management; and schedule. If a second phase of RI sampling is necessary, then an addendum to the SAP will be prepared to identify the proposed number, locations, and approximate depths of samples that are necessary to meet the objectives of the RI.

The QAPP and any addendum to the QAPP (if a second phase of the RI is necessary) will be prepared in accordance with the Guidance for Preparation of Quality Assurance Project Plans, EPA Region 10, Quality Data Management Program, QA/R-5 and requirements of the EPA Contract Laboratory Program. The QAPP will also follow Ecology's Guidelines for Preparing Quality Assurance Project Plans for Environmental Studies (July 2004, or as revised)¹ and Sediment Cleanup User's Manual II (SCUM II) (December 1991, or as revised)². Laboratories must meet the accreditation standards established in WAC 173-50. Data quality objectives will reflect the criteria or threshold values used for the source control evaluation.

The SAP, including the QAPP, will be submitted to Ecology for review and approval. As with all environmental work at the site, work may not begin without written approval from Ecology. The plan shall provide seven (7) days' notice to Ecology prior to beginning sampling. Ecology may obtain split samples.

RAMP or their contractors shall submit all new sampling data generated under this SAP and any other recently collected data 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. Only validated data will be entered into the EIM database within 30 days of submittal.

¹ Found at <https://fortress.wa.gov/ecy/publications/summarypages/0403030.html>

² Found at <https://fortress.wa.gov/ecy/publications/SummaryPages/1209057.html>

RI Work Plan Tasks

The Work Plan tasks and subtasks will include the following:

- Sampling and analysis of soil, groundwater, surface water, and seeps;
- Sampling and analysis of surface and subsurface sediments;
- Sampling and analysis of stormwater and catch basin solids to determine whether the stormwater system is a source of contamination to sediments;
- Evaluate the potential to contaminate or recontaminate sediments, including analysis of the following pathways:
 - Direct discharges
 - Stormwater discharges
 - Overland flow
 - Groundwater discharges and seeps
 - Soil erosion
 - Site operations
 - Spills, dumping, leaks, housekeeping, and management practices

RAMP will provide Ecology with an Agency Review Draft Work Plan. Once Ecology reviews and approves the Work Plan, it will be considered the Final Work Plan. The Work Plan shall not be implemented until approved by Ecology. Once approved by Ecology, RAMP will implement the Final Work Plan according to the schedule contained in Exhibit C.

RAMP shall prepare two (2) paper copies, one (1) electronic copy in Word (.docx) form, and one (1) electronic copy in Adobe (.pdf) form, of the Agency Review Draft Work Plan and any subsequent addendum documents and submit them to Ecology for review and comment. After incorporating Ecology's comments on the Agency Review Draft Work Plan or any subsequent addendum documents and after Ecology approval, RAMP shall prepare two (2) paper copies, one (1) electronic copy in Word (.docx) form, and one (1) electronic copy in Adobe (.pdf) form of the Final Work Plan and submit them to Ecology.

TASK 3. Remedial Investigation

RAMP 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, 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.

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.

RAMP 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.

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

RAMP shall compile the results of the Site investigation into an Agency Review Draft RI Report. RAMP shall prepare two (2) paper copies, one electronic copy in Word (.docx), one electronic copy in Adobe (.pdf) form and submit them to Ecology for review and comment.

After incorporating the agreed upon Ecology comments on the Agency Review Draft RI Report, RAMP shall prepare three (3) paper copies, one electronic copy in Word (.docx) form, and one electronic copy in Adobe (.pdf) form, of a Public Review Draft RI Report and submit them 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 full nature and extent of the contamination, an additional phase of investigation shall be conducted to define the nature and extent of the contamination. RAMP shall submit a Work Plan Addendum that addresses the next phase of RI sampling. The Work Plan Addendum will include an SAP, QAPP, and HASP. After submittal of the Work Plan Addendum, RAMP shall incorporate Ecology's

comments on the Work Plan Addendum and implement the plan according to the Schedule of Deliverables (Exhibit C). Information received from implementation of the Work Plan Addendum will be incorporated in the Agency Review Draft RI Report.

TASK 4. Interim Action(s) (if required)

Remedial actions implemented prior to completion of the RI and FS, including 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; or
- Are needed to provide for completion of the remedial investigation/feasibility study or design of the cleanup action

will be considered interim actions, will be implemented in accordance with WAC 173-340-430 and the Agreed Order, and will be designed in a manner that will not foreclose reasonable alternatives for any final cleanup action that may be required.

As detailed in the Agreed Order, if required by Ecology, or if proposed by RAMP and approved by Ecology, RAMP will implement an interim action. Based upon information in the Agency Review Draft RI Report, interim action(s) may be needed to expedite control of releases to sediments or other environmental media pursuant to WAC 173-340-430.

The scope of the interim actions may include, but not be limited to, typical source control or containment elements such as:

- Soil or sediment removal
- Groundwater remediation
- Repair, slip lining, replacement, or closure of stormwater conveyances or other structures such as conduit, vaults, catch basins
- Removal of underground storage tanks and pipes
- Removal of old drain fields or former surface impoundments
- Proper abandonment of old wells
- Removal of contaminated building or other structural material

- Construction of a treatment facility
- Shoreline stabilization such as bulkhead repair, erosion or seepage control, and grading or clearing.

If an interim action is to be performed, RAMP 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; and
- Permits required.

RAMP will also submit a copy of the Health and Safety Plan for the project. RAMP 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.

RAMP shall prepare two paper (2) copies, one electronic copy in Word (.docx) format, and one electronic copy in Adobe (.pdf) format of the Agency Review Draft IAWP and submit them to Ecology for review. RAMP shall incorporate Ecology's comments and then prepare two (2) paper copies, one electronic copy in Word (.docx) format, and one electronic copy in Adobe (.pdf) format of the Public Review Draft IAWP and submit them 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. RAMP shall prepare three (3) paper copies, one electronic copy in Word (.docx) format, and one electronic copy in Adobe (.pdf) format of the Final IAWP and submit them to Ecology. Once approved by Ecology, RAMP will implement the interim action according with the approved schedule.

Upon successful completion of the work, an Agency Review Draft Interim Action Report will be prepared as a separate deliverable. RAMP shall prepare two paper (2) copies, one electronic copy in Word (.docx) format, and one electronic copy in Adobe (.pdf) format of the Agency Review Draft Interim Action Report and submit them to Ecology for review and approval. After incorporating Ecology's agreed upon comments on the Agency Review Draft Interim Action Report and after Ecology approval, RAMP shall prepare three paper (3) copies, one electronic copy in Word (.docx) format, and one electronic copy in Adobe (.pdf) format of the Final Interim Action Report and submit them to Ecology.

TASK 5. Feasibility Study

RAMP shall use the information obtained in the RI to prepare an Agency Review Draft Feasibility Study (FS) that meets the applicable requirements of WAC 173-340-351 according to the schedule in Exhibit C. The Agency Review Draft FS 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.

Prior to beginning the FS, a Draft Feasibility Study Meeting will be held to review applicable or relevant and appropriate requirements (ARARs), potential remedial alternatives, and establish points of compliance.

The Agency Review Draft FS will provide a detailed analysis of each remedial alternative according to the applicable requirements of WAC 173-340-350 and WAC 173-204-550. The remedial alternatives will be evaluated for compliance with the applicable requirements of WAC 173-340-360 and WAC 173-204-570.

The remedial alternative that is judged to best satisfy the evaluation criteria will be identified. Justification for the selection will be provided, and the recommended remedial alternative further developed, in the FS Report.

RAMP shall prepare two (2) paper copies, one electronic copy in Word (.docx) format, and one electronic copy in Adobe (.pdf) format of the Agency Review Draft FS and submit them, to Ecology for review. After addressing Ecology's comments on the Agency Review Draft FS, RAMP shall prepare three (3) paper copies, one electronic copy in Word (.docx) format, and one electronic copy in Adobe (.pdf) format of the Public Review Draft FS and submit them to Ecology for distribution and public comment. The FS will not be considered Final until after a public review and comment period.

TASK 6. SEPA Compliance

RAMP shall be responsible for complying with the State Environmental Policy Act (SEPA) Rules including preparing and submitting an environmental checklist. If the result of the threshold determination is a determination of significance (DS), RAMP shall be responsible for the preparation of draft and final environmental impact statements. RAMP shall assist Ecology with coordinating SEPA public involvement requirements with MTCA public involvement requirements whenever possible, such that public comment periods and meetings or hearings can be held concurrently.

TASK 7. Public Participation

RAMP shall support Ecology in presenting the Public Review Draft RI Report and the Public Review Draft FS Report at one public meeting or hearing. RAMP 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.

After the public comment periods are completed, RAMP will prepare an Agency Review Draft Responsiveness Summary that addresses public comments. RAMP shall prepare two (2) paper copies, one electronic copy in Word (.doc) format, and one electronic copy in Adobe (.pdf) formats of the Agency Review Draft Responsiveness Summary and submit them to Ecology for review and approval.

After addressing Ecology's comments and after Ecology approval, RAMP shall prepare five (5) paper copies of the Final Responsiveness Summary, one electronic copy in Word (.doc) format, and one electronic copy in Adobe (.pdf) formats, to Ecology.

TASK 8. Preliminary Draft Cleanup Action Plan

Upon Ecology approval of the Public Review Draft Remedial Investigation Report and Public Review Draft Feasibility Study, a Cleanup Action Plan Meeting will be held regarding the Draft Cleanup Action Plan. The Cleanup Action Plan Meeting will be used to review plans for developing the Agency Review preliminary Draft Cleanup Action Plan (DCAP).

RAMP shall prepare an Agency Review preliminary DCAP in accordance with WAC 173-340-380 that provides a proposed remedial action to address the contamination present on the Site. The Agency Review preliminary DCAP shall include a general description of the proposed remedial actions, cleanup standards developed from the RI and FS and rationale regarding their selection, a schedule for implementation, description of any institutional controls proposed, and a summary of applicable local, state, and federal laws pertinent to the proposed cleanup actions. Where contaminated sediments are included in the remedial action, the Agency

Review preliminary DCAP will comply with WAC 173-204-575, in addition to the MTCA requirements cited above.

RAMP will submit an Agency Review preliminary DCAP for Ecology's review and approval. The Agency Review preliminary DCAP will include, but not be limited to, the information listed under WAC 173-340-380. RAMP shall prepare two (2) paper copies, one electronic copy in Word (.docx) format, and one electronic copy in Adobe (.pdf) format of the Agency Review preliminary DCAP and submit them to Ecology for review and approval.

After receiving Ecology's comments on the Agency Review preliminary DCAP, if any, RAMP shall revise the Agency Review preliminary DCAP to address Ecology's comments and submit five (5) paper copies of the Public Review DCAP, one electronic copy in Word (.docx) format, and one electronic copy in and Adobe (.pdf) format.

EXHIBIT C- Schedule of Deliverables

The schedule for deliverables described in the Agreed Order and the Scope of Work is presented below. 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 RAMP received such notification, comments, or approval by certified mail, return receipt requested, unless otherwise noted below. Where triggered by Ecology receipt of a deliverable, the starting date for the period shown is the date Ecology receives the deliverable by certified mail, return receipt requested, or the date of Ecology signature on a hand-delivery form.

Table 1. Schedule of Deliverables

Deliverable/Task	Date
Progress Reports	10 th of each month following a quarter following effective date of the Agreed Order
Data Summary Report	60 calendar days following the effective date of the Agreed Order
Agency Review Draft Work Plan	Within 60 calendar days following effective date of the Agreed Order
Final Work Plan	Within 30 calendar days following receipt of Ecology comments on Agency Review Draft Work Plan
Completion of RI Field Work	Within 12 months following Ecology approval of the Final Work Plan (and Work Plan Addendum if needed) including the SAP, QAPP, and HSP
Agency Review Draft RI Report	Within 90 calendar days following receipt of laboratory data

Deliverable/Task	Date
Work Plan Addendum, including SAP, QAPP, HASP (if needed)	Within 60 calendar days following Ecology's written notification that a Work Plan Addendum is necessary and identifying data gaps in the RI
Initiate implementation of Work Plan Addendum (if needed)	Within 30 days following Ecology approval of Work Plan Addendum
Revised Agency Review Draft RI Report incorporating Work Plan Addendum RI field activities (if needed)	Within 60 days of completing Work Plan Addendum RI field activities
Public Review Draft RI Report	If Work Plan Addendum is not required: Within 45 calendar days following receipt of Ecology comments on Agency Review Draft RI Report If Work Plan Addendum is required: Within 45 calendar days following receipt of Ecology comments on Revised Agency Review Draft RI Report
Agency Review Draft FS	Within 90 calendar days following Ecology approval of Public Review Draft RI Report
Public Review Draft FS	Within 45 calendar days following receipt of Ecology's comments on the Agency Review Draft FS
Draft Interim Action Work Plan (if needed)	Within 60 calendar days following Ecology's written notification that an Interim Action is necessary
Final Interim Action Work Plan (if needed)	Within 45 calendar days following receipt of Ecology's comments on the Draft Interim Action Work Plan
Initiate implementation of Interim Action Work Plan (if needed)	Within 30 days following Ecology approval of the Final Interim Action Work Plan

Deliverable/Task	Date
Documentation whether human health and the environment are being protected based on the factors set forth in WAC 173-340-420(4)	90 days prior to each periodic review
Agency Review preliminary DCAP	Within 90 calendar days following Ecology approval of the Public Review Draft FS

EXHIBIT D- Applicable Permits and Regulatory Requirements

Chapter 70A.305 RCW (Model Toxics Control Act), and Chapter 173-340 WAC (MTCA Regulations);

Chapter 90.48 RCW (State Water Pollution Control Act);

Chapter 70.95 RCW (Solid Waste Management – Reduction and Recycling);

Chapter 173-204 WAC (Sediment Management Regulations);

Chapter 173-160 WAC (Minimum Standards for Construction and Maintenance of Wells);

Chapter 43.21C RCW (State Environmental Policy Act), and Chapter 197-11 WAC (State Environmental Policy Act Rules);

Washington Industrial Safety and Health Act (WISHA);

Grays Harbor County Code (excavation and grading);

Grays Harbor County Environmental Health Division (solid waste).

EXHIBIT E- List of Known Releases

1. A Department of Ecology memorandum dated July 12, 1971 stated that on July 6, 1971 a spill of Bunker "C" type oil occurred due to a pencil-size hole in a transfer line from a storage tank to a boiler house. Oil spilled onto the ground, into a storm drain, and directly into Grays Harbor. An estimated 10 barrels was spilled. The letter stated that straw and commercial absorbent was used to cleanup the spill once it was discovered. The letter stated that a crane and grab bucket was used to remove oil-covered debris on land.
2. A May 16, 1972 letter from the Department of Ecology to Grays Harbor Paper company indicates that Grays Harbor Paper Company was permitted to discharge untreated paper waste into Grays Harbor for a two-week period not to extend beyond June 5, 1972.
3. An Ecology-issued penalty (docket 73-200) dated November 27, 1973 stated that ITT Rayonier discharged approximately 750 gallons of green sulfite waste liquor into Grays Harbor on October 18, 1973.
4. An internal Ecology letter dated July 3, 1974, states that Ecology received a complaint on June 18, 1974 that stated that a "dark red color was entering the water at the mouth of the Hoquiam River ditch, which originated at ITT Rayonier". The letter stated that a "caustic extract" caused foam to overflow a manhole and spill onto the ground. Hoses were used to wash away the overflow and carried the material into a ditch and then out to the Hoquiam River. The letter stated that Ecology received a similar complaint on June 26, 1974. Investigation of the facility found a red stream of water coming out from underneath the wet end of the "paper company's building".
5. An internal Ecology letter dated February 11, 1975 stated that a spill of two gallons of bunker "C" oil was discharged to the river from sewer "G" on January 31, 1975. The letter stated that the Ecology inspector observed a minor sheen of oil over a distance of 500 feet between the sewer outfall and an absorbent boom. The Ecology inspector observed no visible oil on the shoreline.
6. A letter from Ecology to ITT Rayonier dated March 7, 1975, stated that an oil spill from the D1 sewer caused by a ruptured flexible oil hose in the power house flowed into a floor drain and into the river on January 31, 1975. A letter from the US Coast Guard to Ecology dated April 11, 1975 also described this incident. The US Coast Guard observed an oil slick approximately 30 feet by 100 feet in size in the north shore of the Chehalis River. The March 7, 1975 letter stated that ITT Rayonier initiated containment and

cleanup efforts after the spill. References to the "Chehalis River" in these documents are likely in reference to the waterway located between the mill and Rennie Island.

7. An internal Ecology letter dated April 22, 1975 stated that 1 gallon of oil was spilled from the power house on January 31, 1975. The letter also stated that a separate spill occurred on February 3, 1975.
8. An Ecology letter to ITT Rayonier dated July 1, 1975 stated that ITT Rayonier failed to report oil spills to Ecology on February 3 or 4 and June 18, 1975. The February 3, 1975 spill was reported to the U.S. Coast Guard, as described in a letter from the US Coast Guard to Ecology dated April 11, 1975.
9. A letter dated August 29, 1975 from ITT Rayonier to the Department of Ecology stated that on August 22, 1975, a 45 foot diameter by 42 feet high concrete pulp storage tank collapsed. The collapse of the tank also tore out piping from a tank filled with bleached pulp stock. Bleached pulp stock "covered a wide area with substantial amounts flowing into surface drains, under structures, and finding its way into the river".
10. An internal Ecology memorandum dated January 5, 1981, stated that on January 4, 1981 an expansion joint broke which resulted in approximately 1,000 gallons of weak liquor flowing into a ditch southeast of the site along the property line. The pH of the spill was corrosive at 2.2 standard units.
11. An internal Ecology memorandum dated September 8, 1981 stated that due to an emergency shutdown of ITT Rayonier's recovery furnace, sulfite waste liquor was stored in a lagoon on Rennie Island. Plans for the lagoon dated December 30, 1974 indicate that the storage lagoon was constructed from earth dikes.
12. An internal Ecology memorandum dated October 21, 1981 stated that since 1978 the mill had been discharging an average of 10,000 lbs/day waste activated sludge to avoid landfill costs.
13. A May 7, 1982 letter from Ecology to ITT Rayonier stated that stormwater runoff caused lime waste material to run to Outfall 009. Outfall 009 measured a pH of 12.9 at the pipe outfall during an inspection.
14. An internal Ecology memorandum dated February 25, 1983 stated that wastewater impounded on Rennie island, including spent sulfite waste liquor, was discharged from Rennie Island per agreed-upon conditions between Ecology and ITT Rayonier (Enforcement Docket No. DE 80-696).

15. A memorandum from ITT Rayonier to Ecology dated March 30, 1983 stated that ITT Rayonier spilled 1,000 gallons of concentrated vanillin black liquor to the Chehalis estuary on March 17, 1983. The concentrated vanillin black liquor was highly caustic with a pH of 12.5 – 13.0 standard units.
16. A letter from ITT Rayonier dated October 7, 1983 to Ecology stated that sulfur material had discharged from a sulfur railcar unloading site and was deposited on the street and riverbank. The letter also stated fiber had been lost to Outfall 010 due to storage tank overflows.
17. A letter from ITT Rayonier to Ecology dated March 26, 1990 states that approximately 80 gallons of hydraulic oil was spilled to the ITT Rayonier Grays Harbor Port Dock. on March 14, 1990. Some of the oil flowed through troughs on the dock and into the Chehalis River. References to the “Chehalis River” in these documents are likely in reference to the waterway located between the mill and Rennie Island.
18. A letter from ITT Rayonier to Ecology dated June 25, 1992 stated that a No.6 fuel oil leak was discovered on the floor of the fuel oil containment area on June 21, 1992. An excavation of the roadway discovered a hole in the oil return line. ITT Rayonier reclaimed approximately 12,500 gallons of oil.
19. A letter from Rayonier dated October 23, 1992 stated that on October 20, 1992 ITT Rayonier discovered a hole in the containment dike around a 50% sodium hydroxide tank storage. The letter estimated that less than 30 gallons of a caustic flowed into Grays Harbor along with approximately 10 gallons per minute dilution water.
20. According to Environmental Reporting and Tracking System (ERTS) Report No. 103166, on April 13, 1996 from 13:00 to 15:10 hours, untreated wastewater and pulp fibers were discharged into the Chehalis River due to pump station failure. The total estimated discharge was 600,000 gallons. References to the “Chehalis River” in these documents are likely in reference to the waterway located between the mill and Rennie Island.
21. According to ERTS Report No. 106584, on February 8, 1998, a pipe carrying wastewater from the mill to the wastewater treatment plant broke. Approximately 100,000 gallons of wastewater spilled to “a swampy area on the northeast corner of the facility”. The ERTS report stated that the tide will wash the wastewater out to the Chehalis River/Grays Harbor. References to the “Chehalis River” in these documents are likely in reference to the waterway located between the mill and Rennie Island.
22. According to ERTS Report No. 633094, on or about April 2, 2012, approximately 2,700 lbs of precipitated calcium carbonate (PCC) solution seeped under the roadway and to

the swale between the north fence of the plant property boundary. The PCC was deposited “mostly in the swale between the fence and the tracks and slight amount in the slough on the north side of the tracks”. An Ecology spills report from April 5, 2012 indicates that some material was washed away due to the tides.

23. According to ERTS Report No. 654774, on February 14, 2015, demolition workers at the Site were emptying clarifier wastewater to ground prior to demolishing the clarifier. The wastewater in the clarifier contained oil. Oil sheen was observed in Grays Harbor, the Chehalis River, and a drainage culvert on the Site. References to the “Chehalis River” in these documents are likely in reference to the waterway located between the mill and Rennie Island.