

**STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY**

In the Matter of Remedial Action by:

Rayonier Properties LLC  
Port Angeles Mill Site  
700 North Ennis Street  
Port Angeles, WA 98362

AGREED ORDER

No. DE 6815

TO: Mr. Michael R. Herman  
Rayonier Properties LLC.  
50 N. Laura Street  
Jacksonville, FL 32202-3614

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## I. INTRODUCTION

A. The mutual objective of the State of Washington Department of Ecology (Ecology), and Rayonier Properties LLC (Rayonier) under this Agreed Order (Order), is to provide for remedial action at a portion of a facility where there has been a release or threatened release of hazardous substances. The Site boundaries have not yet been defined. This Order requires Rayonier to complete the first four volumes of an Interim Action Report, which will assist Ecology in developing an Interim Action Plan to address groundwater, freshwater and marine sediments, and the upland soils at a Study Area within the Port Angeles Rayonier Mill Site (Site). Ecology believes the actions required by this Order are in the public interest.

B. This Order supersedes Agreed Order No. DE 02SWFAPSR-4570 dated July 30, 2002, (Marine Order), and Agreed Order No. DE 04SWFAPSR-6025 dated March 11, 2004, (Uplands Order). To the extent there are any remaining obligations under the 1992 Enforcement Order DE 92TC1029, the 1998 Agreed Order DE 98SW-S288, and the 2002 Agreed Order DE 02SWFAPST-4571, this Order also supersedes those obligations. *See* Section V.Q (Findings

of Fact) for more on the history of these orders. This Order focuses on remedial actions to be taken within the Study Area which is only a portion of the Site. This Order focuses on developing an interim action for the Study Area in part because this is an area where the Parties could mutually agree to expedite work without waiting for the full nature and extent of contamination to be defined. This Order does not relieve Rayonier of responsibility to conduct future remedial action at the Site if and to the extent required under the Model Toxics Control Act (MTCA), Chapter 70.105D RCW. Further, by entering into this Order, Ecology is not agreeing to postpone work outside of the Study Area.

## **II. JURISDICTION**

This Order is issued pursuant to the Model Toxics Control Act (MTCA), RCW 70.105D.050(1).

## **III. PARTIES BOUND**

This Order shall apply to and be binding upon the Parties to this Order, and 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. Rayonier agrees to undertake all actions required by the terms and conditions of this Order. No change in ownership or corporate status shall alter Rayonier's responsibility under this Order. Rayonier 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.

## **IV. DEFINITIONS**

Unless otherwise specified herein, the definitions set forth in Chapter 70.105D RCW and Chapter 173-340 WAC shall control the meanings of the terms in this Order.

A. Site: The Site is referred to as the Port Angeles Rayonier Mill Site, and is defined by the extent of contamination caused by the release of hazardous substances at the Site. The

Site boundaries have not been identified yet. Based on current information, the Site includes, but is not limited to, the former Rayonier Mill property and the adjacent marine environment as shown in Exhibit A. This portion of the Site is referred to as the Study Area. The Site constitutes a Facility under RCW 70.105D.020(5).

B. Study Area: For purposes of this Order, the Study Area refers to the former Rayonier Mill property and the adjacent marine environment, as shown in Exhibit A. The upland portion of the Study Area includes the Rayonier Mill property owned or leased by Rayonier, and is generally located at 700 North Ennis Street, Port Angeles, Washington 98362. The marine portion of the Study Area is bounded by a line drawn from the shoreline on the eastern edge of the Rayonier Mill property to sediment sampling station OF-08 to OF-06 to OF-07 to OF-01 to SD-69 to SD-28, then perpendicular to the shoreline, as shown in Exhibit A. Based upon factors currently known to Ecology, the Study Area is only a portion of the Site and its boundaries do not reflect the boundaries of the Site as defined by MTCA.

C. Parties: Refers to the State of Washington Department of Ecology, and Rayonier Properties LLC.

D. Potentially Liable Person (PLP): Refers to Rayonier Properties LLC and Rayonier Inc.

E. Rayonier: Refers to Rayonier Properties LLC, a wholly owned subsidiary of Rayonier, Inc.

F. Rayonier, Inc.: Refers to Rayonier, Inc., also a named PLP, and not a signatory to this Order.

G. 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. The terms “Agreed Order” or “Order” shall include all exhibits to this Order.

H. Agency Review Draft: Refers to a draft of a deliverable prepared by Rayonier for first review by Ecology.

I. Public Review Draft: Refers to a revision of a deliverable that addresses and incorporates the comments made by Ecology on the Agency Review Draft, and that Rayonier proposes to be issued for public review and comment, subject to Ecology's determination that the document is ready for public review.

J. Draft Final: Refers to a revision of a deliverable that addresses and incorporates the revisions deemed necessary by Ecology, and that Rayonier proposes to be issued as the Final Version, subject to Ecology's review and approval.

K. Final Version: Refers to a deliverable that has been approved by Ecology.

L. Environmental Information Management System (EIM): refers to Ecology's environmental monitoring data management system.

## V. FINDINGS OF FACT

Ecology makes the following findings of fact regarding the Port Angeles Rayonier Mill Site, without any express or implied admissions of such facts by Rayonier:

A. Rayonier Properties LLC (Rayonier) owns real property and leases additional property from Washington State Department of Natural Resources located at or near 700 North Ennis Street, Port Angeles, Washington 98362.

B. Rayonier, Inc. owned and operated a dissolving sulfite pulp mill on a portion of the Site from 1930 until early 1997, when Rayonier, Inc. closed the mill and dismantled the mill buildings. During its operation, the mill stacks, machinery used at the mill Site, the mill wastewater outfalls, and the log storage pond released hazardous substances. Hazardous substances released to the environment include, but are not limited to, petroleum hydrocarbons (TPH), carcinogenic polycyclic aromatic hydrocarbons (cPAHs), polychlorinated biphenyls (PCBs), lead, dioxins/furans, and arsenic.

C. On January 1, 2004, Rayonier, Inc. conveyed all of its ownership interest in the property situated at the former mill site in Port Angeles, Washington to Rayonier Properties LLC.

D. In 1997 and 1998, the U.S. Environmental Protection Agency (EPA), through their contractor, Ecology and Environment, Inc., conducted an Expanded Site Inspection (ESI) at the Site. This investigation included sampling of upland soils, groundwater, freshwater sediments, and marine sediments. A report from this investigation entitled, *Rayonier Pulp Mill Expanded Site Inspection TDD: 97-06-0010* was completed in October 1998. EPA determined that the Site was eligible for inclusion on the National Priorities List (NPL). Ecology suggested that EPA defer the listing of the Site. EPA and the Lower Elwha Klallam Tribe entered into a “Deferral Agreement” with Ecology in which EPA agreed to defer listing of the site on the NPL.

E. EPA’s ESI report identified areas of marine sediment, soil, and groundwater contamination that exceed applicable state criteria for the protection of human health and the environment on the Site. Hazardous substances identified during the ESI at levels above applicable state criteria include dioxins/furans, cPAHs, PCBs, and metals. These hazardous substances pose a threat to human health and the environment. Based on these findings, Ecology named Rayonier, Inc. a potentially liable person (PLP) in a letter dated January 11, 2001. Rayonier, Inc. accepted its PLP status in a waiver dated January 23, 2001.

F. As part of the Port Angeles Harbor Wood Waste Study, Science Applications International Corporation, February 1999, wood waste was found at the Site. The accumulation of wood waste in an aquatic environment is known to impose impacts to the biological resources that reside on surface sediments. It smothers organisms that are dependent upon access to overlying water for respiration or food (e.g., clams). It also prevents access to the sediment/water interface necessary for recruitment of new year-classes of animals. As wood waste decays it reduces dissolved oxygen from the sediment porewater and from the overlying layers of water. The resulting anoxia is directly toxic to some organisms. In addition, significant volumes of wood waste accumulation in the marine environment are associated with releases of hazardous substances including but not limited to ammonia, hydrogen sulfide, phenol, 4-methylphenol, and 2, 4-dimethylphenol which all impose additional toxicity both individually and collectively to the benthic community.

G. In 2002, Rayonier, Inc. and Ecology entered into Agreed Order No. DE 02SWFAPSR-4570 (Marine Order) under which Rayonier, Inc. agreed to conduct the RI activities described in: *Management Plans for the Remedial Investigation of the Marine Environment, Former Rayonier Pulp Mill, Port Angeles, Washington: Volume I — Work Plan, Volume II — Sampling and Analysis Plan and Volume III — Quality Assurance Plan* (Marine Management Plans), drafted by Foster Wheeler Environmental Corporation, July 2002. The stated purpose of the Marine Management Plans was “to evaluate the nature and extent of any chemicals of concern (COCs) so that an assessment of the current and future risks to human health and the environment can be determined.” Marine Management Plans at page 1-1.

H. Under the Marine Management Plans, Rayonier submitted three marine investigative reports: *Remedial Investigation for the Marine Environment Near the Former Rayonier Mill Site, Port Angeles, Washington*, prepared by Malcolm Pirnie, Seattle, Washington, Public Review Draft — February 2007; *Phase 2 Addendum Remedial Investigation for the Marine Environment Near the Former Rayonier Mill Site, Port Angeles, Washington*, prepared by Malcolm Pirnie, Seattle, Washington, Agency Review Draft — February 2007; and *Ecological Risk Assessment For The Marine Environment Near The Former Rayonier Mill Site, Port Angeles, Washington*, prepared by Malcolm Pirnie, Seattle Washington, Agency Review Draft — March 2006. These reports are hereinafter referred to as the Marine Investigative Reports. A Human Health Risk Assessment, as described in Section 5.4.1 of the Marine Management Plans, has not been submitted.

I. The Marine Investigative Reports make significant progress towards understanding the nature and extent of contamination at the Site, however, Ecology determined that further remedial investigation was necessary to define the nature and extent of contamination in the marine portion of the Study Area and the Site as a whole.

J. In 2004, Rayonier and Ecology entered into Agreed Order No. DE 04SWFAPSR-6025 (Uplands Order) under which Rayonier agreed to conduct the Remedial Investigation and Feasibility Study (RI/FS) activities described in: *Management Plans for the Remedial*

*Investigation-Feasibility Study of the Uplands Environment, Former Rayonier Mill, Port Angeles, Washington: Volume I — Work Plan, Volume II — Sampling and Analysis Plan, and Volume III — Quality Assurance Project Plan* (Uplands Management Plans), prepared by Integral Consulting and Foster Wheeler Environmental Corporation, March 2004. The stated purpose of the Uplands Management Plans was “to evaluate the nature and extent of any chemicals of concern (COCs) so that an assessment of the current and future risks to human health and the environment they pose can be determined.” Uplands Management Plans at 1-1.

K. Under the Uplands Management Plans, Rayonier submitted two uplands investigative reports: *Remedial Investigation for the Uplands Environment of the Former Rayonier Mill Site, Port Angeles, Washington*, prepared by Integral Consulting, Inc, Mercer Island, Washington, Draft Final Version — March 2007; and *Terrestrial Ecological Evaluation for the Uplands Environment at the Former Rayonier Mill Site, Port Angeles, Washington*, prepared by Malcolm Pirnie, Seattle Washington, Draft Final Version — March 2007. These reports are hereinafter referred to as the Uplands Investigative Reports. A Human Health Risk Assessment and a Feasibility Study, as described in Sections 5.4.1 and 6.6 of the Uplands Management Plans, have not been submitted.

L. In November 2005, while drafting the Uplands Investigative Reports, Rayonier filed a lawsuit challenging Ecology’s application of EPA’s Toxicity Equivalency Factor (TEF) methodology when establishing cleanup levels for mixtures of dioxins/furans. In April 2006, Ecology settled the lawsuit and agreed that Rayonier’s approach was an acceptable interpretation of the February 2001 MTCA regulation in effect at the time. The evaluation of dioxins/furans in the Uplands Investigative Reports reflects the approach agreed upon in the settlement. In June 2006, Ecology initiated a rulemaking process to amend MTCA so as to clarify the policies and procedures for establishing cleanup levels for mixtures of dioxins, furans, polycyclic aromatic hydrocarbons, and polychlorinated biphenyls. In anticipation of the revised MTCA rule and to expedite the process, Ecology published the *Addendum to “Remedial Investigation for the Uplands Environment of the Former Rayonier Mill Site, Port Angeles, Washington”* in December

2006. The addendum evaluates the uplands dioxins/furan results using the criteria in the proposed rule revisions. The Uplands Investigative Reports and Ecology's dioxin addendum have undergone public review and comment. The MTCA rule amendments adopted in November 2007 specify the use of slightly different criteria than those used in the addendum. Hence, the upland dioxin/furan results must be re-evaluated to meet the current requirements of the MTCA Cleanup Regulation, Chapter 173-340 WAC, *see* Section VII.B (Work To Be Performed).

M. The Uplands Investigative Reports make significant progress towards understanding the nature and extent of contamination at the Site, however, Ecology has determined that further remedial investigation is necessary to define the nature and extent of contamination in the uplands portion of the Study Area and the Site as a whole.

N. The Uplands and Marine Investigative Reports confirm the release of hazardous substances at the Site. These hazardous substances pose a threat to human health and the environment. Based on these findings, Ecology named Rayonier a PLP in a letter dated March 16, 2009.

O. The boundaries of the Site have not been determined. This Order does not require Rayonier to complete Site-wide characterization at this time. This Order requires Rayonier to complete the first four volumes of an Interim Action Report, which will assist Ecology in developing an Interim Action Plan to address groundwater, freshwater and marine sediments, and the soils in the Study Area within the Site. By entering into the Order, Rayonier is not relieved of its potential responsibilities under MTCA to complete characterization of the Site as a whole if and to the extent required by MTCA.

P. Ecology is in the process of conducting a preliminary investigation off-property, outside of the uplands portion of the Study Area intended to help determine the magnitude of dioxin/furan contamination in off-property surface soils potentially impacted by airborne emissions from the former Rayonier Mill. Ecology is also conducting a preliminary investigation of the Port Angeles Harbor sediments outside of the marine portion of the Study

Area with the intention of helping to determine sediment impacts harbor-wide and, as Ecology deems appropriate, to identify other PLPs.

Q. In addition to the 2002 Marine and 2004 Uplands Orders, there have been other MTCA enforcement and agreed orders for interim actions on the Site.

1. In 1992, Ecology issued MTCA Enforcement Order DE 92TCI029 requiring Rayonier, Inc. to take interim actions at the Finishing Room. The Enforcement Order required the removal of contaminated soils, control of water run-on and run-off to the Finishing Room area, and blocking of hydraulic oil migration towards Ennis Creek. In 1993, Rayonier, Inc. conducted interim actions in the area of the Finishing Room, including the recording of a restrictive covenant (No. 66926) with Clallam County.

2. In 1998, following removal of the Finishing Room building, Ecology and Rayonier, Inc. entered into Agreed Order DE 98SW-S288 whereby Rayonier, Inc. agreed to undertake additional interim actions in the area of the Finishing Room. The Agreed Order required the removal of contaminated soil and groundwater monitoring. Rayonier, Inc. conducted these additional interim actions in the area of the Finishing Room.

3. In 2002, Ecology and Rayonier, Inc. entered into Agreed Order DE 02SWFAPST-4571 whereby Rayonier, Inc. agreed to undertake additional interim actions in the area of the Finishing Room, Former Fuel Oil Tank No. 2, and the Former Machine Shop. The Agreed Order required: (1) removal of contaminated soil and sediment along the west bank of Ennis Creek (in the area of the Finishing Room) and to restore the area with an inundation area; and, (2) removal of contaminated soil to a depth of six to eight feet below the ground surface in the area of the Former Fuel Oil Tank No. 2 and the Former Machine Shop. Rayonier, Inc. conducted the interim actions in the area of the Finishing Room, Former Fuel Oil Tank No. 2, and the Former Machine Shop. Rayonier, Inc. submitted the *Interim Action Report, Ennis Creek-Finishing Room, Fuel Oil Tank No. 2, Machine Shop, Former Rayonier Mill Site, Port Angeles, Washington,*

prepared by Integral Consulting, Inc., Foster Wheeler Environmental Corporation, Seattle, Washington, Final — March 2003.

4. To the extent there are any remaining obligations under the preceding 1992 Enforcement Order, 1998 and 2002 Interim Action Agreed Orders, the requirements of this Order supersede those obligations. However, by superseding these Orders, Rayonier is not relieved of responsibility to conduct further remedial action at the Site if and to the extent required under the MTCA, Chapter 70.105D RCW, *see* Section VIII.N (Reservation of Rights).

R. In 2006, Rayonier completed an additional independent interim action. This interim action included the removal of contaminated soils in the area of the former Wood Mill and Fuel Oil Tank No. 1. Rayonier submitted the *Interim Action Report, Former Wood Mill and Fuel Oil Tank #1 Areas, Port Angeles Former Mill Site, 700 North Ennis Street, Port Angeles, Washington*, prepared by GeoEngineers, Inc., Redmond, Washington, Final — November 2, 2006.

S. The Site is being overseen by Ecology and work is being done in an expedited manner under the Governor's Puget Sound Initiative. The Initiative focuses on cleaning up contamination as well as restoring Puget Sound. Ecology recognizes that site cleanups can be designed and implemented in a manner that improves habitat values and provides for shoreline restoration in conjunction with remedial actions. While planning the interim action, and making interim action decisions, Ecology and Rayonier will evaluate opportunities to perform remedial actions in a fashion that coincidentally enhances habitat. Elements of the remedial action will be evaluated for restoration opportunities in consultation with Ecology as plans for cleanup are developed.

T. Ecology has developed a Public Participation Plan for the Site.

## VI. ECOLOGY DETERMINATIONS

Ecology makes the following determinations regarding the Site, without any express or implied admissions of such determinations by Rayonier:

A. Rayonier, Inc. is an “owner or operator” as defined at RCW 70.105D.020(17) of a “facility” as defined in RCW 70.105D.020(5).

B. Rayonier Properties LLC is an “owner or operator” as defined at RCW 70.105D.020(17) of a “facility” as defined in RCW 70.105D.020(5).

C. The facility is known as Port Angeles Rayonier Mill Site and is generally located at 700 North Ennis Street, Port Angeles, Washington 98362.

D. The substances found at the facility are “hazardous substances” as defined at RCW 70.105D.020(10).

E. Based upon all factors known to Ecology, a “release” or “threatened release” of “hazardous substance(s)” as defined in RCW 70.105D.020(25) and RCW 70.105D.020(10), respectively, has occurred at the Site. There have been releases or threatened releases of hazardous substances including, but not limited to, TPH, cPAHs, PCBs, lead, dioxins/furans, and arsenic at this Site. Additionally, the Port Angeles Harbor Wood Waste Study, Science Applications International Corporation, February 1999, and the Marine Investigative Reports, both independently confirmed the presence of wood waste within the marine portion of the Study Area. Wood waste has caused or contributed to releases or threatened releases of hazardous substances managed under MTCA including, but not limited to, ammonia, hydrogen sulfide, phenol, 4-methylphenol, and 2, 4-dimethylphenol. EPA’s ESI and the Marine Investigative Reports, each confirm the presence of one or more of these hazardous substances in the marine portion of the Study Area. Additionally, these studies confirmed impacts to the benthic community and bioassay toxicity exceeding Sediment Management Standards (SMS) criteria in the area of the wood waste.

F. Based upon credible evidence, Ecology issued a PLP status letter to Rayonier, Inc. dated January 11, 2001, pursuant to RCW 70.105D.040, -.020(21), and WAC 173-340-500.

By letter dated January 23, 2001, Rayonier, Inc. voluntarily waived its rights to notice and comment, and accepted Ecology's determination that Rayonier, Inc. is a PLP under RCW 70.105D.040.

G. Based upon credible evidence, Ecology issued a PLP status letter to Rayonier dated February 10, 2009, pursuant to RCW 70.105D.040, -.020(21) 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 Rayonier is a PLP under RCW 70.105D.040 and notified Rayonier of this determination by letter dated March 16, 2009.

H. Pursuant to RCW 70.105D.030(1) and .050(1), Ecology may require Rayonier 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.

I. 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, RI/FS, or design of a cleanup action. The interim action contemplated in this Order will expedite cleanup and reduce threats to human health and the environment. Cleanup of the Study Area promotes re-use of a portion of the Site in an area where both Parties agree to expedite work without waiting for the full nature and extent of contamination to be defined. In the context of this Site, these circumstances warrant an interim action consistent with WAC 173-340-430.

## **VII. WORK TO BE PERFORMED**

Based on the Findings of Fact and Ecology Determinations, it is hereby ordered that Rayonier take the following remedial actions at the Site and that these actions be conducted in accordance with Chapter 70.105D RCW and Chapter 173-340 WAC unless otherwise specifically provided for herein. Under this Order, Rayonier shall fully define the nature and extent of contamination in the Study Area, evaluate interim action alternatives for the Study Area, and draft an Interim Action Plan for the Study Area. In so doing, Rayonier shall produce Volumes I through IV of an Interim Action Report (as described in WAC 173-340-430(7)) in a manner that meets with Ecology's approval and that meets the applicable requirements of MTCA and Chapter 173-340 WAC. In fully defining the nature and extent of contamination in the Study Area and in evaluating interim action alternatives, Rayonier shall follow the requirements of WAC 173-340-350 through 370. Once Ecology approves the Final Versions of the work plans required by this Order, they are incorporated into and become integral and enforceable parts of this Order. The work under this Order is focused on the Study Area, which is only a portion of the Site. Any and all Ecology approvals for the work performed pursuant to this Order do not constitute Ecology's agreement that the work performed is sufficient to meet MTCA requirements for the Site as a whole. A schedule of deliverables is included as Exhibit C.

For each draft of all deliverables identified below, Rayonier shall incorporate all comments from Ecology into the next draft of that deliverable.

### **A. Monthly Progress Reports**

During performance of this Order, Rayonier shall submit written monthly progress reports to Ecology. Progress reports shall discuss all work required under this Order. The progress reports shall include the following information regarding the preceding reporting period:

1. A description of the actions which have been taken to comply with the Agreed Order.

2. Summaries of sampling and testing reports and all other data reports received by Rayonier.
3. Summaries of deviations from approved work plans and an explanation of Rayonier's position on whether the deviations constitute minor or substantial changes to the work to be performed, in accordance with Section VIII.L (Amendment of Order).
4. Summaries of contacts with representatives of the local community, public interest groups, press, and federal, state, or tribal governments related to the Site cleanup.
5. Summaries of problems or anticipated problems in meeting the schedule or objectives set forth in the Work To Be Performed and Work Plans.
6. Summaries of solutions developed and implemented or planned to address any actual or anticipated problems or delays.
7. Changes in key personnel.
8. A description of work planned for the next reporting period.

Monthly progress reports will be submitted to Ecology in the format attached hereto as Exhibit D.

**B. Interim Action Report Volume I: Upland Data Summary Report for the Study Area**

Interim Action Report Volume I shall summarize all existing upland data as of the effective date of this Order, and the supplemental upland data to be collected to address the data gaps identified in Exhibit B. Volume I shall fully define the nature and extent of contamination pursuant to WAC 173-340-350 in the upland portion of the Study Area for the purpose of developing and evaluating interim action alternatives for the Study Area.

The work to be performed for Volume I includes two tasks: (1) Rayonier shall collect additional soil and groundwater data to address the data gaps identified in Exhibit B; (2) Rayonier shall develop Interim Action Report Volume I: Upland Data Summary Report for the Study Area, by taking the steps described below. Completing these two tasks in accordance

with the terms of this Order will create the deliverable to be entitled Interim Action Report Volume I: Upland Data Summary Report for the Study Area.

**Task 1 – *Conduct Supplemental Upland Data Collection for Upland Portion of the Study Area***

Rayonier shall identify additional soil and groundwater data necessary to address the data gaps identified in Exhibit B. Rayonier shall develop a Work Plan detailing the sampling design and methods for Ecology review and approval. Rayonier shall implement the Final Work Plan. Rayonier shall summarize the sampling results in a Supplemental Upland Data Collection Technical Memorandum for Ecology review and comment. The information from the Technical Memorandum, revised to incorporate Ecology's comments, will be integrated into Interim Action Report Volume I under Task 2.

**Task 1a – *Agency Review Draft Work Plan***

Rayonier shall develop an Agency Review Draft Work Plan detailing the additional sample collection and schedule for Ecology review and comment.

The Agency Review Draft Work Plan shall include a Sampling and Analysis Plan, a Quality Assurance Project Plan, and a Health and Safety Plan that collectively meet the requirements of WAC 173-340-810 through 840. The Agency Review Draft Work Plan shall also include a revised Conceptual Site Model and a schedule of work to be performed. The Conceptual Site Model shall describe the conceptual understanding of the Site, as set out in WAC 173-340-200 to identify potential or suspected sources of hazardous substances, types and concentrations of hazardous substances, potentially contaminated media, and actual and potential exposure pathways and receptors. Rayonier shall use all existing information about the Site as a whole up to the date of execution of this Order, including but not limited to information collected in the upland and marine portions of the Study Area to prepare the revised Conceptual Site Model. Rayonier shall include the data gaps identified in Exhibit B in the revision of the Conceptual Site Model.

In developing the Agency Review Draft Work Plan, Rayonier shall evaluate applicable federal, state, and local requirements, including any requirements to obtain necessary permits, except as provided in RCW 70.105D.090. Rayonier must meet the substantive requirements of any local permits or approvals Ecology determines are exempt under RCW 70.105D.090. In identifying these substantive requirement, Rayonier shall consult with federal, state, and local agencies, obtain written documentation from the consulted agencies regarding the substantive requirements of the exempt permits or approvals, and provide such written documentation to Ecology (WAC 173-340-710(9)(d)(i)). To the extent possible, the written documentation from the consulted agencies shall be included in the Agency Review Draft Work Plan.

The Agency Review Draft Work Plan shall also include Cultural Resource Protocols for the upland sampling, which shall comply with federal, state and local laws and regulations in accordance with Section VIII.P (Compliance with Applicable Laws).

The supplemental sampling data must be submitted to Ecology in both printed form and an electronic form capable of being transferred into Ecology's data management system as provided in WAC 173-340-840(5). Proper submission of data through EIM meets Ecology's requirement of submitting such data in an electronic format. The Agency Review Draft Work Plan shall note this requirement.

Schedule: Rayonier shall submit the Agency Review Draft Work Plan for Ecology review and comment within 45 calendar days of the effective date of this Order. Rayonier and Ecology shall endeavor to meet within 14 calendar days of Ecology's receipt of the Draft Work Plan to review and discuss the Draft Work Plan. Ecology shall endeavor to review and provide comments within 45 calendar days of receipt of the Agency Review Draft Work Plan. Rayonier and Ecology shall endeavor to meet within 14 calendar days of Ecology providing comments to review and discuss Ecology's comments on the Draft Work Plan.

**Task 1b – *Draft Final Work Plan***

Rayonier shall revise the Agency Review Draft Work Plan incorporating Ecology's comments. Rayonier shall submit the revised document as the Draft Final Work Plan. Rayonier

shall not commence the supplemental upland data collection prior to Ecology's approval of the Draft Final Work Plan.

Schedule: Rayonier shall submit the Draft Final Work Plan for Ecology review and approval within 60 calendar days of receipt of comments from Ecology on the Agency Review Draft Work Plan.

**Task 1c – *Implement Final Work Plan***

Upon Ecology's approval of the Draft Final Work Plan, Rayonier shall conduct field sampling in accordance with the Final Work Plan.

Schedule: As detailed in the Final Work Plan.

**Task 1d – *Draft Supplemental Upland Data Collection Technical Memorandum***

Rayonier shall summarize the supplemental upland data collected in a Draft Supplemental Upland Data Collection Technical Memorandum for Ecology review and comment. The Technical Memorandum shall describe the work conducted to collect the supplemental upland data including a summary of the sampling design, sampling method, and sampling results.

Schedule: Rayonier shall submit for Ecology review and comment the Draft Supplemental Upland Data Collection Technical Memorandum within 60 calendar days of receipt of validated lab data. Rayonier and Ecology shall endeavor to meet within 14 calendar days of Ecology's receipt of the Draft Technical Memorandum to review and discuss the Draft Technical Memorandum. Ecology shall endeavor to review and provide comments within 45 calendar days of receipt of the Draft Supplemental Upland Data Collection Technical Memorandum. Rayonier and Ecology shall endeavor to meet within 14 calendar days of Ecology providing comments to review and discuss Ecology's comments on the Draft Technical Memorandum.

**Task 2 – *Prepare and Submit Interim Action Report Volume I: Upland Data Summary Report for the Study Area***

Rayonier shall prepare the Interim Action Report Volume I: Upland Data Summary Report for the Study Area by: (1) revising the Uplands Investigative Reports to address and incorporate Ecology's comments as described below; and (2) integrating the Supplemental Upland Data collected in Task 1, including incorporation of Ecology comments on the Draft Supplemental Upland Data Collection Technical Memorandum. The revisions to the Uplands Investigative Reports shall include, but not be limited to, an evaluation of the uplands dioxin/furan results that meets the requirements of the MTCA Cleanup Regulation, Chapter 173-340 WAC.

**Task 2a - *Draft Table of Contents (Volume I)***

Rayonier shall submit the Draft Table of Contents for Interim Action Report Volume I: Upland Data Summary Report for Ecology review and comment. The Draft Table of Contents shall clearly identify where the supplemental upland data will be integrated into the Uplands Investigative Reports.

Schedule: At time of submittal of the Draft Supplemental Upland Data Collection Technical Memorandum, Rayonier shall submit for Ecology review and comment the Draft Table of Contents for Interim Action Report Volume I: Upland Data Summary Report. Ecology shall endeavor to review and provide comments within 7 calendar days of receipt of the Draft Table of Contents.

**Task 2b – *Agency Review Draft (Volume I)***

Rayonier shall submit the Agency Review Draft of Interim Action Report Volume I. Volume I shall fully define the nature and extent of contamination pursuant to WAC 173-340-350 in the upland portion of the Study Area for the purpose of developing and evaluating interim action alternatives for the Study Area.

Schedule: Rayonier shall submit the Agency Review Draft of Interim Action Report Volume I for Ecology review within 105 calendar days of receipt of comments from Ecology on the Draft Supplemental Upland Data Collection Technical Memorandum. Rayonier and Ecology

shall endeavor to meet within 14 calendar days of Ecology's receipt of the Agency Review Draft to review and discuss the Agency Review Draft. Ecology shall endeavor to review and provide comments within 45 calendar days of receipt of the Agency Review Draft of Interim Action Report Volume I. Rayonier and Ecology shall endeavor to meet within 14 calendar days of Ecology providing comments to review and discuss Ecology's comments on the Agency Review Draft.

**Task 2c – *EIM Data Submittal***

Rayonier shall submit all data collected by Rayonier for the Uplands Investigative Reports, and the supplemental upland data to Ecology in both printed form and an electronic form capable of being transferred into Ecology's data management system as provided in WAC 173-340-840(5). This requirement for electronic submittal shall be complete when Ecology confirms all data are properly submitted into EIM.

Schedule: Rayonier shall submit all data collected for the Uplands Investigative Reports, and the supplemental upland data to Ecology at the time of submittal of the Agency Review Draft of Interim Action Report Volume I.

**Task 2d – *Public Review Draft (Volume I)***

Rayonier shall revise the Agency Review Draft of Interim Action Report Volume I incorporating Ecology's comments. Rayonier shall submit the revised document as the Public Review Draft of Interim Action Report Volume I for Ecology review and comment, and for Ecology's determination that the document is ready for public review.

Schedule: Rayonier shall submit the Public Review Draft of Interim Action Report Volume I for Ecology review and comment within 75 calendar days of receipt of comments from Ecology on the Agency Review Draft of Interim Action Report Volume I. Rayonier and Ecology shall endeavor to meet within 14 calendar days of Ecology's receipt of the Public Review Draft to review and discuss the Public Review Draft.

**Task 2e – *Draft Final (Volume I)***

Rayonier shall revise the Public Review Draft of Interim Action Report Volume I incorporating revisions deemed necessary by Ecology after public comment. Rayonier shall submit the revised document as the Draft Final Interim Action Report Volume I for Ecology review and approval.

Schedule: Ecology will provide Rayonier the revisions it deems necessary after public comment. Rayonier and Ecology shall endeavor to meet within 14 calendar days of Rayonier's receipt of Ecology's proposed revisions. Rayonier shall submit the Draft Final Interim Action Report Volume I for Ecology review and approval within 75 calendar days of receipt of revisions deemed necessary by Ecology after public comment.

**C. Interim Action Report Volume II: Marine Data Summary Report for the Study Area**

Interim Action Report Volume II shall summarize all existing marine data as of the effective date of this Order, and the 2008/2009 data collected by Ecology from the marine portion of the Study Area, as documented in the Port Angeles Harbor Sediment Characterization Study. Volume II shall fully define the nature and extent of contamination pursuant to WAC 173-340-350 and the Sediment Management Standards, Chapter 173-204 WAC, in the marine portion of the Study Area for the purpose of developing and evaluating interim action alternatives for the Study Area.

The work to be performed for Volume II includes one task: Rayonier shall revise the Marine Investigative Reports to address and incorporate Ecology's comments, and integrate the 2008/2009 data collected by Ecology. Completing this task in accordance with the terms of this Order will create the deliverable to be entitled Interim Action Report Volume II: Marine Data Summary Report for the Study Area.

**Task 3 – *Prepare and Submit Interim Action Report Volume II: Marine Data Summary Report for the Study Area***

Rayonier shall prepare and submit the Interim Action Report Volume II: Marine Data Summary Report for the Study Area by: (1) combining the Marine Investigative Reports into a

single document; (2) revising the Marine Investigative Reports to address and incorporate Ecology's comments; and (3) integrating the 2008/2009 data collected by Ecology from the marine portion of the Study Area, as documented in the Port Angeles Harbor Sediment Characterization Study.

Volume II shall include, but shall not be limited to, a discussion of chemistry, bioassay, and tissue results in comparison to the Sediment Management Standards, Chapter 173-204 WAC, and background screening values from Ecology's Port Angeles Harbor Sediment Characterization Study.

**Task 3a - *Draft Table of Contents (Volume II)***

Rayonier shall submit the Draft Table of Contents for Interim Action Report Volume II: Marine Data Summary Report for Ecology review and comment. The Draft Table of Contents shall clearly identify how the Marine Investigative Reports will be combined, and how the 2008/2009 data collected by Ecology will be integrated.

Schedule: Within 30 calendar days of the effective date of this Order, Rayonier shall submit for Ecology review and comment the Draft Table of Contents for Interim Action Report Volume II: Marine Data Summary Report. Ecology shall endeavor to review and provide comments within 7 calendar days of receipt of the Draft Table of Contents.

**Task 3b - *Agency Review Draft (Volume II)***

Rayonier shall submit the Agency Review Draft of Interim Action Report Volume II. Volume II shall fully define the nature and extent of contamination pursuant to WAC 173-340-350 and the Sediment Management Standards, Chapter 173-204 WAC, in the marine portion of the Study Area for the purpose of developing and evaluating interim action alternatives for the Study Area.

Schedule: Rayonier shall submit the Agency Review Draft of Interim Action Report Volume II for Ecology review within 90 calendar days of receipt of Ecology's Port Angeles Harbor Sediment Characterization Study. Rayonier and Ecology shall endeavor to meet within 14 calendar days of Ecology's receipt of the Agency Review Draft to review and discuss the

Agency Review Draft. Ecology shall endeavor to review and provide comments within 75 calendar days of receipt of the Agency Review Draft of Interim Action Report Volume II. Rayonier and Ecology shall endeavor to meet within 14 calendar days of Ecology providing comments to review and discuss Ecology's comments on the Agency Review Draft.

**Task 3c – *EIM Data Submittal***

Rayonier shall verify that all data collected by Rayonier for the Marine Investigative Reports has been submitted to Ecology in both printed form and an electronic form capable of being transferred into Ecology's data management system as provided in WAC 173-340-840(5). This requirement for electronic submittal shall be complete when Ecology confirms all data are properly submitted into EIM.

Schedule: Rayonier shall ensure that all of the marine data collected by Rayonier has been submitted to Ecology as provided in WAC 173-340-840(5) by the time of submittal of the Agency Review Draft of Interim Action Report Volume II.

**Task 3d – *Public Review Draft (Volume II)***

Rayonier shall revise the Agency Review Draft of Interim Action Report Volume II incorporating Ecology's comments. Rayonier shall submit the revised document as the Public Review Draft of Interim Action Report Volume II for Ecology review and comment, and for Ecology's determination that the document is ready for public review.

Schedule: Rayonier shall submit the Public Review Draft of Interim Action Report Volume II for Ecology review and comment within 75 calendar days of receipt of comments from Ecology on the Agency Review Draft of Interim Action Report Volume II. Rayonier and Ecology shall endeavor to meet within 14 calendar days of Ecology's receipt of the Public Review Draft to review and discuss the Public Review Draft.

**Task 3e – *Draft Final (Volume II)***

Rayonier shall revise the Public Review Draft of Interim Action Report Volume II incorporating revisions deemed necessary by Ecology after public comment. Rayonier shall

submit the revised document as the Draft Final Interim Action Report Volume II for Ecology review and approval.

Schedule: Ecology will provide Rayonier the revisions it deems necessary after public comment. Rayonier and Ecology shall endeavor to meet within 14 calendar days of Rayonier's receipt of Ecology's proposed revisions. Rayonier shall submit the Draft Final Interim Action Report Volume II for Ecology review and approval within 75 calendar days of receipt of the revisions deemed necessary by Ecology after public comment.

**D. Interim Action Report Volume III: Interim Action Alternatives Evaluation Report for the Study Area**

The purpose of Interim Action Report Volume III is to develop and evaluate remedial alternatives for the Study Area, including both the upland and marine environments, which will enable interim actions to be selected for the upland and marine portions of the Study Area. Volume III shall meet the requirements of WAC 173-340-350 through 370 for the Study Area and include, at a minimum: (1) the identification of applicable local, state, and federal requirements; (2) the preliminary cleanup standards for the Study Area; (3) the development of interim action alternatives; and (4) the detailed evaluation of the interim action alternatives for the Study Area that meets the requirements of WAC 173-340-360. In proposing the preliminary cleanup standards, Rayonier shall use the preliminary cleanup levels set by Ecology for the marine environment for the Port Angeles Harbor, as determined by Ecology based on the Port Angeles Harbor Sediment Characterization Study and other relevant information.

The work to be performed for Volume III includes one task: Rayonier shall develop an Interim Action Alternatives Evaluation Report. To expedite Ecology's review of the report and to ensure the report will meet Ecology's expectations, Rayonier shall provide the Preliminary Cleanup Standards Section and the Development of Interim Action Alternatives Section to Ecology for review and comment prior to full development of the report. Rayonier shall revise these sections incorporating Ecology's comments and submit as part of the Agency Review Draft of Interim Action Report Volume III.

**Task 4 – *Develop Interim Action Report Volume III: Interim Action Alternatives Evaluation Report for the Study Area***

Rayonier shall develop an Interim Action Alternatives Evaluation report for the Study Area. The report shall develop and evaluate a range of alternatives for interim remedial actions for the Study Area, including both the upland and marine environments. While evaluating remedial alternatives for the Study Area, Rayonier shall evaluate opportunities to perform remedial actions in a fashion that coincidentally enhances habitat. Rayonier shall develop remedial alternatives for cleanup of the Study Area which: (1) do not foreclose reasonable alternatives for the ultimate cleanup action for the Site as a whole; and (2) meet the minimum requirements found in WAC 173-340-360(2).

In developing Volume III, Rayonier shall identify all applicable local, state, and federal requirements (ARARs) applicable to the identified alternatives in accordance with Section VIII.P (Compliance with Applicable Laws). Rayonier shall consider cultural resource issues, such as the cost of additional cultural resource assessment and monitoring needed by each alternative. In addition, Rayonier shall develop preliminary cleanup standards for the Study Area (*see* Task 4a) as described in this Order, and Rayonier shall develop and screen interim action alternatives (*see* Task 4b). Based on Ecology's review of the Development of Interim Action Alternatives Section, Ecology shall make the final determination of which alternatives must be evaluated in the Interim Action Alternatives Evaluation Report.

Rayonier shall evaluate the alternatives as determined by Ecology for an interim remedial action of the Study Area. Each alternative shall be evaluated on the basis of the requirements and the criteria specified in WAC 173-340-350 through 370. Rayonier's evaluation of alternatives may include a recommendation for the selection of an interim action alternative for Ecology's consideration.

**Task 4a – *Draft Preliminary Cleanup Standards for the Study Area (Section of Volume III)***

Utilizing the preliminary cleanup levels set by Ecology for the marine environment for the Port Angeles Harbor, as determined by Ecology based on the Port Angeles Harbor Sediment

Characterization Study and other relevant information, Rayonier shall propose the preliminary cleanup standards for the Study Area as described in this Order. Rayonier shall submit this draft section of the Interim Action Report Volume III for Ecology review and comment. Rayonier shall then revise this section of the Interim Action Report Volume III incorporating Ecology's comments and submit as part of the Agency Review Draft of Interim Action Report Volume III (*see* Task 4c).

Rayonier shall review and revise the conceptual site model based on the results for the upland and marine portions of the Study Area as summarized in Volumes I and II, respectively. The conceptual site model shall consider all existing information about the Site as a whole. Using the conceptual site model, Rayonier shall propose for Ecology's review and comment, preliminary cleanup standards for use in the Interim Action Plan for the Study Area. Ecology intends to set the preliminary cleanup standards applicable to the interim action in the Final Interim Action Plan outside the scope of this Order. However, the Parties recognize that all cleanup standards shall remain preliminary and draft until they are set by Ecology in the future in the Final Cleanup Action Plan for the Site as a whole, not just for the Study Area Interim Action.

The purpose of the preliminary cleanup standards shall be to best estimate, based on all existing information, the cleanup standards that Ecology will ultimately set pursuant to MTCA for the Site as a whole for protection of human health and the environment. Rayonier shall follow the procedures described in Chapter 173-340 WAC for selection of cleanup standards. This shall include, but not be limited to, the following: (1) Screen uplands and marine data to determine indicator hazardous substances. (2) Propose preliminary cleanup levels for each indicator hazardous substance based on protection of all pathways and all relevant media at the Site; use preliminary cleanup levels set by Ecology for the marine environment for the Port Angeles Harbor, as determined by Ecology based on the Port Angeles Harbor Sediment Characterization Study and other relevant information. (3) Adjust preliminary cleanup levels downward to ensure the total excess cancer risk does not exceed  $1 \times 10^{-5}$  and the hazard index does not exceed one. (4) Propose preliminary points of compliance for use in the interim action.

(5) Identify and incorporate additional applicable or relevant and appropriate regulatory requirements (ARARs).

Schedule: Rayonier shall submit the Draft Preliminary Cleanup Standards Section for Ecology review and comment within 45 calendar days of submittal of both the Supplemental Upland Data Collection Technical Memorandum (Section VII.B (Work To Be Performed)) and the Agency Review Draft of Interim Action Report Volume II. Rayonier and Ecology shall endeavor to meet within 14 calendar days of Ecology's receipt of the Draft Preliminary Cleanup Standards Section to review and discuss the Draft Section. Ecology shall endeavor to review and provide comments within 45 calendar days of receipt of the Draft Preliminary Cleanup Standards Section. Rayonier and Ecology shall endeavor to meet within 14 calendar days of Ecology providing comments to review and discuss Ecology's comments on the Draft Section.

**Task 4b – *Draft Development of Interim Action Alternatives for the Study Area (Section of Volume III)***

Rayonier shall develop and screen interim action alternatives for the Study Area as described in WAC 173-340-350(8)(b). Rayonier shall submit this draft section of Interim Action Report Volume III for Ecology review and comment. Rayonier shall then revise this section of the Interim Action Report volume III incorporating Ecology's comments and submit as part of the Agency Review Draft of Interim Action Report Volume III (*see* Task 4c).

Rayonier shall identify the range of potentially applicable cleanup technologies for remediation of soils, groundwater, surface water, and sediment in the Study Area. Rayonier shall screen the cleanup technologies for technical implementability, and develop a range of alternatives for detailed evaluation. Ecology shall make the final determination of which alternatives must be evaluated in the Interim Action Alternatives Evaluation Report.

Schedule: Rayonier shall submit the Draft Development of Interim Action Alternatives Section for Ecology review and comment within 120 calendar days of submittal of both the Public Review Draft of Interim Action Report Volume I and the Public Review Draft of Interim Action Report Volume II. Rayonier and Ecology shall endeavor to meet within 14 calendar days

of Ecology's receipt of the Draft Interim Action Alternatives Section to review and discuss the Draft Section. Ecology shall endeavor to review and provide comments within 45 calendar days of receipt of the Draft Development of Interim Action Alternatives Section. Rayonier and Ecology shall endeavor to meet within 14 calendar days of Ecology providing comments to review and discuss Ecology's comments on the Draft Section.

**Task 4c – Agency Review Draft (Volume III)**

Rayonier shall submit the Agency Review Draft of Interim Action Report Volume III. Volume III shall meet the requirements of WAC 173-340-350 through 370, and include, at a minimum: (1) the identification of applicable local, state, and federal requirements; (2) the preliminary cleanup standards for the Study Area; (3) the development of interim action alternatives; and (4) the detailed evaluation of the interim action alternatives for the Study Area that meets the requirements of WAC 173-340-360.

In producing Volume III, Rayonier shall revise the Draft Preliminary Cleanup Standards Section and the Draft Development of Interim Action Alternatives Section, incorporating Ecology's comments. The revised sections shall be incorporated into Volume III.

Schedule: Rayonier shall submit the Agency Review Draft of Interim Action Report Volume III for Ecology review within 105 calendar days of receipt of comments from Ecology on the Draft Preliminary Cleanup Standards Section or the Draft Development of Interim Action Alternatives Section, whichever set of Ecology comments is provided later in time. Rayonier and Ecology shall endeavor to meet within 14 calendar days of Ecology's receipt of the Agency Review Draft to review and discuss the Agency Review Draft. Ecology shall endeavor to review and provide comments within 45 calendar days of receipt of the Agency Review Draft of Interim Action Report Volume III. Rayonier and Ecology shall endeavor to meet within 14 calendar days of Ecology providing comments to review and discuss Ecology's comments on the Agency Review Draft.

**Task 4d – *Public Review Draft (Volume III)***

Rayonier shall revise the Agency Review Draft of Interim Action Report Volume III incorporating Ecology's comments. Rayonier shall submit the revised document as the Public Review Draft of Interim Action Report Volume III for Ecology review and comment, and for Ecology's determination that the document is ready for public review.

Schedule: Rayonier shall submit the Public Review Draft of Interim Action Report Volume III for Ecology review and comment within 75 calendar days of receipt of comments from Ecology on the Agency Review Draft of Interim Action Report Volume III. Rayonier and Ecology shall endeavor to meet within 14 calendar days of Ecology's receipt of the Public Review Draft to review and discuss the Public Review Draft.

**Task 4e – *Draft Final (Volume III)***

Rayonier shall revise the Public Review Draft of Interim Action Report Volume III incorporating revisions deemed necessary by Ecology after public comment. Rayonier shall submit the revised document as the Draft Final Interim Action Report Volume III for Ecology review and approval.

Schedule: Ecology will provide Rayonier the revisions it deems necessary after public comment. Rayonier and Ecology shall endeavor to meet within 14 calendar days of Rayonier's receipt of Ecology's proposed revisions. Rayonier shall submit the Draft Final Interim Action Report Volume III for Ecology review and approval within 75 calendar days of receipt of the revisions deemed necessary by Ecology after public comment.

**E. *Interim Action Report Volume IV: Draft Interim Action Plan for the Study Area***

The purpose of the Draft Interim Action Plan is to document the Proposed Interim Action for the Study Area. Rayonier shall produce the first draft of the Draft Interim Action Plan.

**Task 5 – *Develop Draft Interim Action Plan for the Study Area***

Rayonier shall produce an Agency Review Draft of an Interim Action Plan for the Study Area in accordance with WAC 173-340-430. The Draft Interim Action Plan shall at a minimum include: (1) a description of the Proposed Interim Action; (2) a summary of the rationale for

selecting the Proposed Interim Action; (3) a summary of other alternatives evaluated; (4) the Preliminary Cleanup Standards proposed for the Study Area; (5) the proposed schedule for implementing the Proposed Interim Action; (6) any required institutional controls as part of the Proposed Interim Action; (7) any applicable state and federal laws for the Proposed Interim Action, including cultural resource requirements as appropriate; (8) a description of the types, levels, and amounts of hazardous substances that will remain in the Study Area if the Proposed Interim Action involves containment.

Schedule: Rayonier shall submit the Agency Review Draft of Interim Action Report Volume IV for Ecology review within 60 calendar days of Ecology's approval of Volumes I, II, and III.

**F. Progress**

If, at any time after the first exchange of comments on draft deliverables, Ecology determines that insufficient progress is being made in the preparation of any of the deliverables required by this Section, Ecology reserves its right to take action under WAC 173-340-510(4) to complete and issue the final deliverable.

**VIII. TERMS AND CONDITIONS OF ORDER**

**A. Public Notice**

RCW 70.105D.030(2)(a) requires that, at a minimum, this Order be subject to concurrent public notice. Ecology shall be responsible for providing such public notice and reserves the right to modify or withdraw any provisions of this Order should public comment disclose facts or considerations which indicate to Ecology that this Order is inadequate or improper in any respect.

**B. Remedial Action Costs**

Rayonier 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 Chapter 70.105D RCW, 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). Excluding costs attributable to planning and carrying out the recent Ecology-led work in the off property and marine areas of the Site, Ecology has accumulated \$28,853.19 as of November 30, 2009 in unpaid remedial action costs under Agreed Order No. DE 02SWFAPSR-4570 and Agreed Order No. DE 04SWFAPSR-6025, and in recent Order preparation, negotiation, oversight, and administration of this Order. On December 15, 2009, Ecology invoiced \$17,164.54 of this unpaid amount which Rayonier shall pay, in accordance with the invoice, by March 15, 2010. Payment for the remaining unpaid amount totalling \$11,688.65 shall be submitted within thirty (30) days of the effective date of this Order. For all costs incurred subsequent to November 30, 2009, excluding costs attributable to planning and carrying out the recent Ecology-led work in the off property and marine areas of the Site, Rayonier shall pay the required amount, except any amounts that Rayonier disputes, within thirty (30) days of receiving from Ecology an itemized statement of costs that includes a summary of costs incurred, a general description of the work performed, an identification of involved staff, and the amount of time spent by involved staff members on the project. Itemized statements shall be prepared quarterly. Pursuant to WAC 173-340-550(4), failure to pay Ecology's costs, other than disputed 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. Rayonier shall pay any disputed costs that remain after completion of the dispute resolution process set forth below within thirty (30) days of Ecology's final determination including interest accruing ninety (90) days from receipt of the original itemized statement from Ecology.

The Parties agree that Ecology's costs incurred in planning and carrying out the recent Ecology-led work in the off property and marine areas of the Site are not within the scope of cost recovery for this Order. However, Ecology anticipates addressing those costs as part of a future

Consent Decree or Agreed Order, and by signing this Order Ecology is not waiving its rights to seek recovery of any and all remedial action costs incurred at the Site.

In addition to other available relief, pursuant to RCW 19.16.500, Ecology may utilize a collection agency and/or, pursuant to RCW 70.105D.055, file a lien against real property subject to the remedial actions to recover unreimbursed remedial action costs.

**C. Implementation of Remedial Action**

If Ecology determines that Rayonier has failed without good cause to implement the remedial action, in whole or in part, Ecology may, after notice to Rayonier, perform any or all portions of the remedial action that remain incomplete to the extent authorized under MTCA. If Ecology performs all or portions of the remedial action because of Rayonier's failure to comply with its obligations under this Order, Rayonier shall reimburse Ecology for the costs of doing such work in accordance with Section VIII. B (Remedial Action Costs) provided that Rayonier is not obligated under this Section to reimburse Ecology for costs incurred for work inconsistent with or beyond the scope of this Order.

Except where necessary to abate an emergency situation, Rayonier shall not perform any remedial actions at the Site outside those remedial actions required by this Order, unless Ecology concurs, in writing, with such additional remedial actions.

**D. Designated Project Coordinators**

The project coordinator for Ecology is:

Marian Abbett P.E.  
Southwest Regional Office  
P.O. Box 47775  
Olympia, WA 98504-47775

The project coordinator for Rayonier is:

Warren Snyder, P.E.  
Manager, Environmental Engineering  
Rayonier  
P.O. Box 728  
1901 Island Walkway  
Fernandina Beach, FL 32035

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 Rayonier, 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. When possible, written notification shall be given to the other party at least ten (10) calendar days prior to the change.

#### **E. Performance**

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

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

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

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

**F. Access**

Ecology or any Ecology authorized representative shall have the full authority to enter and freely move about all property at the Site that Rayonier 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 Rayonier'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. Rayonier shall make all reasonable efforts to secure access rights for those properties within the Site not owned or controlled by Rayonier where remedial activities or investigations will be performed pursuant to this Order. Ecology or any Ecology authorized representative shall give reasonable notice before entering any Site property owned or controlled by Rayonier 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.

**G. Sampling, Data Submittal, and Availability**

With respect to the implementation of this Order, Rayonier 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 VII (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, Rayonier shall allow Ecology and/or its authorized representative to take split or duplicate samples of any samples collected by Rayonier pursuant to implementation of this Order. Rayonier shall notify Ecology seven (7) days in advance of any sample collection or work activity at the Site. Ecology shall, upon request, allow Rayonier

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 VIII.F (Access), Ecology shall endeavor to notify Rayonier seven (7) days prior to any sample collection activity unless an emergency prevents such notice.

In accordance with WAC 173-340-830(2)(a), all hazardous substance analyses shall be conducted by a laboratory accredited under Chapter 173-50 WAC for the specific analyses to be conducted, unless otherwise approved by Ecology.

#### **H. Public Participation**

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

1. Assist Ecology with developing appropriate mailing lists, and preparing 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.

2. Excluding financial disclosures required by law or by the rules of any stock exchange on which Rayonier's shares are listed, notify Ecology's project coordinator prior to any of the following, if and to the extent they concern the remedial action required by this Order: the preparation of all press releases and fact sheets, and major meetings with the interested public and local governments. Likewise, Ecology shall notify Rayonier prior to the issuance of all press releases and fact sheets, and before major meetings with the interested public and local governments, if and to the extent they concern the remedial action required by this Order. For all press releases, fact sheets, meetings, and other outreach efforts by Rayonier concerning the remedial action required by this Order that do not receive prior Ecology approval, Rayonier shall clearly indicate to its audience that the press release, fact sheet, meeting, or other outreach effort was not sponsored or endorsed by Ecology.

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.

4. When requested by Ecology, arrange and/or continue information repositories to be located at the following locations:

- a. Port Angeles Library  
2210 South Peabody Street  
Port Angeles, WA 98362
- b. Peninsula College Library  
1502 Lauridsen Blvd.  
Port Angeles, WA 98362
- c. Ecology's SWRO Regional Office  
300 Desmond Drive  
Lacey, WA 98503

At a minimum, copies of all public notices, fact sheets, and press releases; all quality assured monitoring data; remedial action plans and reports, supplemental remedial planning documents, and all other similar documents relating to performance of the remedial action required by this Order shall be promptly placed in these repositories.

#### **I. Retention of Records**

During the pendency of this Order, and for ten (10) years from the date of completion of work performed pursuant to this Order, Rayonier 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. Upon request of Ecology, Rayonier shall make all records available to Ecology and allow access for review within a reasonable time.

#### **J. Resolution of Disputes**

1. In the event a dispute arises as to an approval, disapproval, proposed change, or other decision or action by Ecology's project coordinator, or an itemized billing statement under

Section VIII.B (Remedial Action Costs), the Parties shall utilize the dispute resolution procedure set forth below.

a. Upon receipt of Ecology's project coordinator's written decision or the itemized billing statement, Rayonier has fourteen (14) days within which to notify Ecology's project coordinator in writing of its objection to the decision or itemized statement.

b. The Parties' project coordinators shall then confer in an effort to resolve the dispute. If the project coordinators cannot resolve the dispute within fourteen (14) days, Ecology's project coordinator shall issue a written decision.

c. Rayonier may then request regional management review of the decision. This request shall be submitted in writing to the Southwest Region Toxics Cleanup Section Manager (Section Manager) within seven (7) days of receipt of Ecology's project coordinator's written decision.

d. The Section Manager shall conduct a review of the dispute. The Section Manager's review of the dispute shall include informal consultation with the Office of the Attorney General (AGO) and with the Section Manager of Ecology's Policy and Information Section of the Toxics Cleanup Program (Policy and Information Section Manager). The commitment to seek informal consultation with the AGO in no way changes the role of the AGO in advising Ecology, the nature of protected communications between the AGO and Ecology, or in any way waives attorney client and/or work product privilege applicable to legal advice sought or received. The Section Manager shall also hold a meeting which includes, at a minimum, Rayonier, an attorney from the AGO, and the Policy and Information Section Manager, prior to making the final decision, in which Rayonier may present its position on the dispute. The Section Manager shall endeavor to issue a written decision regarding the dispute within thirty (30) days of Rayonier's request for review. The Section Manager's decision shall be Ecology's final decision on the disputed matter.

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.

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.

**K. Extension of Schedule**

1. An extension of schedule shall be granted only when a request for an extension is submitted in a timely fashion, generally at least twenty one (21) 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:

- a. The deadline that is sought to be extended;
- b. The length of the extension sought;
- c. The reason(s) for the extension; and
- d. Any related deadline or schedule that would be affected if the extension were granted.

2. The burden shall be on Rayonier 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 is not limited to:

- a. Circumstances beyond the reasonable control and despite the due diligence of Rayonier 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 Rayonier;
- b. Acts of God, including fire, flood, blizzard, extreme temperatures, storm, or other unavoidable casualty; or
- c. Endangerment as described in Section VIII.M (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 Rayonier.

3. Ecology shall act upon any written request for extension in a timely fashion. Ecology shall give Rayonier 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 VIII.L (Amendment of Order) when a schedule extension is granted.

4. 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:

- a. Delays in the issuance of a necessary permit which was applied for in a timely manner;
- b. Other circumstances deemed exceptional or extraordinary by Ecology; or
- c. Endangerment as described in Section VIII.M (Endangerment).

**L. 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 VIII.N (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 Rayonier. Rayonier shall submit a written request for amendment to Ecology for approval. Ecology shall indicate its approval or disapproval in writing and in a timely manner after the written request for amendment is received. If the amendment to this Order represents a substantial change, Ecology will provide public notice and opportunity to comment. Reasons for the disapproval of a proposed amendment to this Order shall be stated in writing. If Ecology does not agree to a proposed

amendment, the disagreement may be addressed through the dispute resolution procedures described in Section VIII. J (Resolution of Disputes).

**M. Endangerment**

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

In the event Rayonier determines that any activity being performed at the Site is creating or has the potential to create a danger to human health or the environment, Rayonier may cease such activities. Rayonier 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 Rayonier shall provide Ecology with documentation of the basis for the determination or cessation of such activities. If Ecology disagrees with Rayonier's cessation of activities, it may direct Rayonier to resume such activities. If Rayonier disagrees with Ecology's direction to resume, it may commence dispute resolution in accordance with Section VIII.J (Resolution of Disputes).

If Ecology concurs with or orders a work stoppage pursuant to Section VIII.M (Endangerment), Rayonier'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 for a period of time equivalent to the time work was stopped pursuant to this section.

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.

**N. Reservation of Rights**

This Order is not a settlement under Chapter 70.105D RCW. 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 Rayonier to recover remedial

action costs paid to and received by Ecology under this Order. In addition, Ecology will not take additional enforcement actions against Rayonier regarding remedial actions required by this Order, provided Rayonier complies with this Order.

Ecology nevertheless reserves its rights under Chapter 70.105D RCW, including the right to require additional or different remedial actions at the Site should it deem such actions necessary to protect human health and the environment, and to issue orders requiring such remedial actions. Ecology's reservation of rights also includes, but is not limited to, Ecology's reservation of rights to seek cost recovery for its unreimbursed remedial action costs incurred at the Site, and Ecology's reservation of rights to require Rayonier to perform remedial action as defined in RCW 70.105D.020(26) at the Site, within and/or beyond the boundaries of the Study Area if and to the extent remedial action is required by MTCA. 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 Agreed Order, Rayonier does not admit any liability for the Site. Although Rayonier is committing to perform the work required by this Order under the terms of this Order, Rayonier 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.

**O. 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 Rayonier 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 Rayonier's transfer of any interest in all or any portion of the Site, and during the effective period of this Order, Rayonier 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, Rayonier shall notify Ecology of said transfer. Upon transfer of any

interest, Rayonier shall restrict uses and activities to those consistent with this Order and notify all transferees of the restrictions on the use of the property.

**P. Compliance with Applicable Laws**

1. All actions carried out by Rayonier pursuant to this Order shall be done in accordance with all applicable federal, state, and local requirements, including requirements to obtain necessary permits, except as provided in RCW 70.105D.090. At this time, no federal, state or local requirements have been identified as being applicable to the actions required by this Order. In the Work Plan for the Supplemental Upland Data Collection and as part of analyzing alternatives in the Evaluation of Alternatives Report, Rayonier shall evaluate if there are any applicable federal, state, and local requirements, including the need to obtain federal, state, or local government permits and approvals.

2. Pursuant to RCW 70.105D.090(1), Rayonier is exempt from the procedural requirements of Chapters 70.94, 70.95, 70.105, 77.55, 90.48, and 90.58 RCW and of any laws requiring or authorizing local government permits or approvals. However, Rayonier shall comply with the substantive requirements of such permits or approvals. At this time, no state or local permits or approvals have been identified as being applicable but procedurally exempt under this Section. In the Work Plan for the Supplemental Upland Data Collection and as part of analyzing alternatives in the Evaluation of Alternatives Report, Rayonier shall evaluate if there are any state or local government permits or approvals that are applicable, but procedurally exempt under this Section.

Rayonier has a continuing obligation to determine whether additional permits or approvals addressed in RCW 70.105D.090(1) would otherwise be required for the remedial action under this Order. In the event either Ecology or Rayonier determines that additional permits or approvals addressed in RCW 70.105D.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 Rayonier shall be responsible to contact the appropriate state and/or local agencies. If Ecology so requires, Rayonier 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 Rayonier and on how Rayonier must meet those requirements. Ecology shall inform Rayonier in writing of these requirements. Once established by Ecology, the additional requirements shall be enforceable requirements of this Order. Rayonier shall not begin or continue the remedial action potentially subject to the additional requirements until Ecology makes its final determination.

3. Pursuant to RCW 70.105D.090(2), in the event Ecology determines that the exemption from complying with the procedural requirements of the laws referenced in RCW 70.105D.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 Rayonier shall comply with both the procedural and substantive requirements of the laws referenced in RCW 70.105D.090(1), including any requirements to obtain permits.

**Q. Indemnification**

Rayonier 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 for death or injuries to persons or for loss or damage to property to the extent arising from or on account of acts or omissions of Rayonier, its officers, employees, agents, or contractors in entering into and implementing this Order. However, Rayonier 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.

**IX. SATISFACTION OF ORDER**

The provisions of this Order shall be deemed satisfied upon Rayonier's receipt of written notification from Ecology that Rayonier has completed the remedial activity required by this

Order, as amended by any modifications, and that Rayonier has complied with all other provisions of this Agreed Order.

### X. ENFORCEMENT

Pursuant to RCW 70.105D.050, this Order may be enforced as follows:

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

B. 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.

C. In the event Rayonier refuses, without sufficient cause, to comply with any term of this Order, Rayonier will be liable for:

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; and

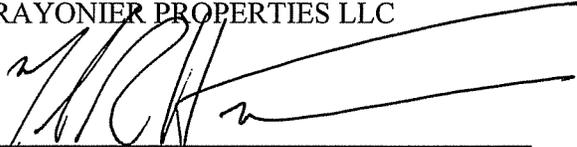
2. Civil penalties of up to twenty-five thousand dollars (\$25,000) per day for each day it refuses to comply.

D. This Order is not appealable to the Washington Pollution Control Hearings Board. This Order may be reviewed only as provided under RCW 70.105D.060.

E. In accordance with Section VIII.N (Reservation of Rights), Rayonier reserves all rights and defenses in any enforcement action that Ecology may bring.

Effective date of this Order: 3/25/2010

RAYONIER PROPERTIES LLC

  
Michael R. Herman  
Rayonier Properties LLC  
50 N. Laura Street  
Jacksonville, FL 33202-3614  
904-357-9100

JANUARY 19, 2010

STATE OF WASHINGTON,  
DEPARTMENT OF ECOLOGY

  
Rebecca S. Lawson P.E., LHG  
Regional Section Manager  
Toxics Cleanup Program  
Southwest Regional Office  
360-407-6241



**Legend**

-  Study Area (Former Rayonier Mill)
-  Stations

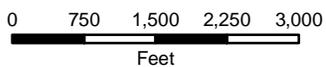


Exhibit A  
 Port Angeles Rayonier Mill  
 Study Area  
 DE 6815



**EXHIBIT B**  
**Uplands Data Gaps & Investigation Activities**

Ecology has identified data gaps in defining the nature and extent of contamination in the upland portion of the Study Area. Fully defining the nature and extent of contamination in the upland portion of the Study Area is necessary for the purpose of developing and evaluating interim action alternatives for the Study Area.

Rayonier shall develop a Supplemental Upland Data Collection Work Plan (Work Plan) detailing the sampling design and methods for Ecology review and approval. Rayonier shall not commence the data collection until Ecology has reviewed and approved the Work Plan. The Work Plan shall be developed in accordance with the Agreed Order, including but not limited to Section VII.B.

The supplemental data collection may need to be phased. Rayonier shall propose in the draft Work Plan, for Ecology review and approval, the potential phases and criteria for determining if a next phase is necessary.

Based on review of the Uplands Investigative Reports, Ecology identified the data gaps listed in the following table. Rayonier shall include these data gaps in the development of the Conceptual Site Model, to be included in the Work Plan, as described in the Order, Section VII.B (Task1). In addition, Ecology identified investigation activities to address the data gaps listed in the following table. Rayonier shall include the investigation activities in the Work Plan.

Based on the evaluation of existing information, Rayonier may present information which supports altering the data gaps and investigation activities as identified by Ecology for Ecology review and approval. If approved by Ecology, the changes will be captured in the Work Plan, and as appropriate, addressed through the procedures described in the Order, Section VIII.L (Amendment of Order).

<b>Data Gap</b>	<b>Investigation Activity</b>
1. Groundwater to surface water/sediment pathway (both fresh and marine) is not adequately characterized.	<p><u>Rayonier shall complete characterization of groundwater to surface water/sediment pathway.</u></p> <p><u>Rayonier shall:</u></p> <ul style="list-style-type: none"> <li>• Conduct reconnaissance within the Study Area along the upper portion of the intertidal zone during low tide to look for visual evidence of groundwater seeps.</li> <li>• If seeps are observed: <ul style="list-style-type: none"> <li>○ Compare locations of seeps to potential upland source areas (e.g., areas with known or suspected soil contamination (where soil contaminants exceed screening criteria for protection of groundwater (soil contaminants of potential concern, or soil COPCs)) and/or</li> </ul> </li> </ul>

**EXHIBIT B (cont.)**

<b>Data Gap</b>	<b>Investigation Activity</b>
	<p>areas where groundwater contaminants exceed surface water criteria (groundwater COPCs)). <i>Note: Table 1 (attached) is a list of preliminary soil and groundwater COPCs.</i></p> <ul style="list-style-type: none"> <li>○ At locations where seeps are observed downgradient of potential upland source areas, collect representative samples of groundwater/pore water from intertidal zone sediments in the vicinity of observed seeps. It is anticipated that groundwater/pore water samples will be collected using temporary, pre-packed well points.</li> <li>○ Analyze groundwater/pore water samples collected from intertidal zone sediments. The initial baseline sampling will include all soil and groundwater parameters as listed in Table 2. The Work Plan will provide criteria for potentially narrowing the list of analytes for subsequent analysis.</li> <li>○ To evaluate trends, develop and implement a quarterly seep monitoring program for one year using the pre-packed wells screens. The analyte list will be consistent with the groundwater monitoring program (see Data Gap #10).</li> </ul> <ul style="list-style-type: none"> <li>● If seeps are not observed, evaluate the adequacy of the shoreline monitoring coverage. Install new monitoring wells as described in the Work Plan.</li> <li>● Regardless of whether seeps are observed, collect surface water samples in Ennis Creek downgradient of the Finishing Room area. Analyze for groundwater COPCs.</li> </ul>
<p>2. Sources of groundwater contamination are not adequately characterized. For example, the potential sources of pesticide contamination in groundwater throughout the property, and sources of phenol contamination in MW-23 have not been clearly identified.</p>	<p><u>Rayonier shall complete characterization of the sources of groundwater contamination.</u></p> <p><u>Rayonier shall:</u></p> <ul style="list-style-type: none"> <li>● Evaluate potential sources to groundwater contamination from on-property soil contamination. The evaluation, to be documented in the Work Plan, shall include, but not be limited to: <ul style="list-style-type: none"> <li>○ Reviewing existing soil data in areas where groundwater COPCs exceed groundwater screening criteria to determine if soil contamination is an ongoing source: <ul style="list-style-type: none"> <li>▪ compare existing soil chemistry data</li> </ul> </li> </ul> </li> </ul>

**EXHIBIT B (cont.)**

Data Gap	Investigation Activity
	<p>to soil concentrations protective of groundwater which discharges to nearby marine surface water, calculated using Ecology's 3-phase partitioning model (referred to herein as protection of groundwater criteria); and</p> <ul style="list-style-type: none"> <li>▪ evaluate existing soil sample depths for adequacy in determining potential soil contamination impacts to groundwater.</li> </ul> <ul style="list-style-type: none"> <li>○ Reviewing all existing soil data for the upland portion of the Study Area to determine potential sources to groundwater contamination: <ul style="list-style-type: none"> <li>▪ compare all existing soil chemistry data to protection of groundwater criteria;</li> <li>▪ evaluate existing soil sample depths for adequacy in determining potential soil contamination impacts to groundwater; and</li> <li>▪ evaluate if groundwater monitoring network is adequate in areas of soil contamination.</li> </ul> </li> <li>○ Providing the results of this evaluation, including the need for additional soil and/or groundwater sampling in the Work Plan.</li> </ul> <ul style="list-style-type: none"> <li>● For groundwater COPCs that do not appear to be related to past mill operations (e.g., pesticides): <ul style="list-style-type: none"> <li>○ assess if the COPCs are related to past mill operations by researching available mill records and interviewing key personnel with direct knowledge of historical facility operations; and</li> <li>○ research potential current or historical off-property, upgradient sources (e.g., golf courses, orchards, etc.).</li> <li>○ Install upgradient monitoring wells to assess potential on-property migration of COPCs from off-property sources.</li> </ul> </li> </ul>
<p>3. Soil contamination near process piping has not been adequately characterized. By process piping, Ecology is</p>	<p><u>Rayonier shall complete characterization of soil contamination near identified process piping.</u></p> <p><u>Rayonier shall:</u></p>

**EXHIBIT B (cont.)**

<b>Data Gap</b>	<b>Investigation Activity</b>
<p>referring to any and all piping used historically and/or presently to carry or transport hazardous substances within the Study Area.</p>	<ul style="list-style-type: none"> <li>• Overlay historical underground process piping layout on Study Area base map to compare piping locations to existing soil and groundwater sampling locations.</li> <li>• Based on available information, identify pipe construction materials (e.g., concrete, metal, plastic, etc.) and use/contents of piping for possible hazardous substances, as defined by MTCA.</li> <li>• Using the above-referenced piping overlay, collect and analyze direct-push groundwater grab samples at appropriate intervals to be determined in the Work Plan adjacent to piping runs to screen for potential releases of hazardous substances from the piping, except in areas where existing soil and/or groundwater data can be used to screen for piping releases. Groundwater samples from direct-push borings will be analyzed for the possible hazardous substances carried by the piping including, but not limited to, the potential breakdown products associated with the hazardous substances handled in the piping.</li> <li>• Where groundwater grab sampling results indicate possible piping releases, conduct targeted “pot-holing” excavations using a backhoe, excavator, or vactor truck to expose sections of piping that could potentially contain hazardous substances in those areas where releases are suspected; collect and analyze samples of pipe contents (if present) for the possible hazardous substances carried by the piping.</li> <li>• Where groundwater grab sampling results indicate possible piping releases, conduct targeted soil sampling and analysis as necessary to fill any remaining data gaps following characterization of pipe contents. Soil samples will be analyzed for the possible hazardous substances carried by the piping including, but not limited to, the potential breakdown products associated with hazardous substances handled in the piping or detected in groundwater.</li> <li>• Research available mill decommissioning records for documentation of pipe draining/flushing activities and provide the results of this research in the Work Plan.</li> <li>• Excavate to expose piping previously encountered at sampling location SR23; collect and analyze a sample of the pipe contents (referred to in the RI as “black liquid”) for the possible hazardous substances carried by the piping.</li> </ul>

**EXHIBIT B (cont.)**

<b>Data Gap</b>	<b>Investigation Activity</b>
<p>4. The extent of residual soil contamination remaining after the interim actions in the Interim Action Areas (Ennis Creek-Finishing Room Area, Fuel Oil Tank No. 1, Hog Fuel Pile, Fuel Oil Tank No. 2, Machine Shop, and Wood Mill) is not clearly delineated.</p>	<p><u>Rayonier shall complete delineation of residual contamination remaining after previously conducted interim actions in the Interim Action Areas.</u></p> <p><u>Rayonier shall:</u></p> <ul style="list-style-type: none"> <li>• Overlay interim action verification sampling locations on the Study Area base map to compare locations of soil verification samples to locations of characterization (RI and ESI) soil samples.</li> <li>• At the expected edges of interim action excavation areas, conduct subsurface exploration and soil sampling/analysis to assess the extent of residual contamination beyond the interim action areas; use test pits, direct-push borings, and/or other investigative methods to be defined in the Work Plan as appropriate (except for the Ennis Creek Finishing Room Area, as discussed below). Analyses will be detailed in the Work Plan.</li> <li>• In areas where residual soil contamination appears to be limited in extent (i.e., less than 100 cy total for all areas based on observations during subsurface exploration), remove and appropriately store or dispose of readily accessible contamination during exploration activities (e.g., at utility pole near former Fuel Oil Tank No. 1).</li> <li>• Where indicated by the results of soil sampling, conduct additional groundwater characterization to assess the extent of local groundwater impacts. Groundwater samples will be analyzed for COPCs detected in adjacent soils.</li> <li>• In the Ennis Creek Finishing Room Area, collect additional soil samples to define the volume of petroleum and PCB contaminated soil remaining at the foot of the bridge. Soil boring data from new monitoring wells to be installed downgradient of the Finishing Room Area (see Data Gap #7) may be sufficient to define the volume of residual contamination.</li> </ul>
<p>5. The characterization of lateral and vertical groundwater contamination downgradient of the Fuel Oil Tank #2 and Hog Fuel Pile Interim Action Areas is inadequate.</p>	<p><u>Rayonier shall adequately characterize groundwater laterally and vertically downgradient of the Fuel Oil Tank #2 and Hog Fuel Pile Interim Action Areas.</u></p> <p><u>Rayonier shall:</u></p> <ul style="list-style-type: none"> <li>• Install two groundwater monitoring wells downgradient of the Fuel Oil Tanks #1 and #2, and the Hog Fuel Pile</li> </ul>

**EXHIBIT B (cont.)**

Data Gap	Investigation Activity
	<p>Interim Action Areas. Locate one well south of MW28. Locate the second well near the shoreline between MW52 and MW28. These locations will provide more complete coverage for groundwater monitoring downgradient of Fuel Oil Tanks #1 and #2, and provide groundwater flow direction and elevation. Monitoring wells will be screened to the top of the glacial till with screen interval not to exceed 20 feet.</p> <ul style="list-style-type: none"> <li>• Sample and analyze the new monitoring wells as detailed in Data Gap #10.</li> </ul>
<p>6. The characterization of lateral and vertical groundwater contamination in the vicinity of MW-11 is inadequate as MW-11 was removed during the 2001 interim action at former Fuel Oil Tank No. 2. Free product was previously observed in this well.</p>	<p><u>Rayonier shall adequately characterize groundwater laterally and vertically in the vicinity of the prior well location MW-11.</u></p> <p><u>Rayonier shall:</u></p> <ul style="list-style-type: none"> <li>• Dig a test pit excavation at the location of former well MW-11 to assess soil contamination in the unsaturated zone and shallow saturated zone immediately below the water table. If visible petroleum contamination, collect soil samples for analysis.</li> <li>• Conduct limited removal with appropriate storage or disposal of petroleum contaminated soil and free product if encountered in this area and backfill the excavation with clean fill.</li> <li>• If contaminated soil is encountered, install a monitoring well downgradient of the excavation to document post-removal groundwater quality near the location of former MW-11. The monitoring well will be screened to the top of the glacial till with screen interval not to exceed 20 feet.</li> <li>• If petroleum contaminated soil is not encountered, use existing wells MW-23, MW-28, and MW-29 to monitor groundwater immediately downgradient of former MW-11.</li> </ul>
<p>7. Groundwater characterization in the area and immediately downgradient of the Finishing Room is inadequate.</p>	<p><u>Rayonier shall adequately characterize groundwater laterally and vertically in the area and immediately downgradient of the Finishing Room.</u></p> <p><u>Rayonier shall:</u></p> <ul style="list-style-type: none"> <li>• Install one to two groundwater monitoring wells, as determined in the Work Plan, between the upland Finishing Room interim action area and marine surface water.</li> <li>• Sample and analyze the new monitoring wells as detailed in Data Gap #10.</li> </ul>

**EXHIBIT B (cont.)**

<b>Data Gap</b>	<b>Investigation Activity</b>
<p>8. The characterization of lateral and vertical groundwater contamination downgradient of the Fuel Oil Tank #1 is inadequate.</p>	<p><u>Rayonier shall adequately characterize groundwater laterally and vertically downgradient of the Fuel Oil Tank #1.</u></p> <ul style="list-style-type: none"> <li>• The monitoring wells to be installed to address Data Gap #5 are anticipated to be sufficient to address this data gap.</li> <li>• Sampling and analysis is detailed in Data Gap #10.</li> </ul>
<p>9. Well construction information has not been evaluated for adequacy to detect dense non-aqueous phase liquids (DNAPLs).</p>	<p><u>Rayonier shall evaluate well construction information for adequacy to detect DNAPLs.</u></p> <p><u>Rayonier shall:</u></p> <ul style="list-style-type: none"> <li>• Determine the depth and competency of the “glacial till” layer by: <ul style="list-style-type: none"> <li>○ installing a boring near MW13 to the till layer; and</li> <li>○ reviewing available data and literature regarding the competency and continuity of the till layer.</li> </ul> </li> <li>• Collect a series of groundwater samples at various depths during boring installation for VOC analysis.</li> <li>• If the till layer is deeper than expected, or if VOCs are detected above groundwater screening levels, then further investigations will be evaluated. The Work Plan shall detail potential follow-up evaluations and decision criteria for Ecology review and approval.</li> <li>• If the till layer is at the expected depth and the dissolved groundwater concentrations are below the groundwater screening levels, then no further investigation is anticipated.</li> </ul>
<p>10. Groundwater data is no longer current (last data collected in 2003), nor sufficient for evaluating trends.</p>	<p><u>Rayonier shall begin quarterly monitoring of groundwater from all existing and new wells.</u></p> <p><u>Rayonier shall:</u></p> <ul style="list-style-type: none"> <li>• Redevelop and sample existing and new monitoring wells. Groundwater samples will be collected using low-flow sampling techniques.</li> <li>• In the initial baseline sampling, include all soil and groundwater parameters as listed in Table 2. The Work Plan will provide the criteria for potentially narrowing the list of analytes for subsequent analysis.</li> <li>• The Work Plan shall specify the analytical methods to be used such that the practical quantitation limits (PQLs) do not exceed the screening criteria. Consistent with WAC 173-340-830(2)(e), Ecology may require</li> </ul>

**EXHIBIT B (cont.)**

<b>Data Gap</b>	<b>Investigation Activity</b>
	<p>modifications to the standard analytical methods to provide lower quantitation limits, improved accuracy, greater precision, or to address methods appropriate for the site, the media being analyzed, the hazardous substances being analyzed for, or the anticipated use of the data. Table 2 provides a preliminary list of analytical methods and routine PQLs. The laboratories shall achieve the lowest sample-specific quantitation limits (also referred to as method reporting limits) consistent with the method and any analytical constraints imposed by the sample matrix.</p> <ul style="list-style-type: none"><li>• Use data from the baseline sampling, as well as historical groundwater data, to develop and implement a groundwater monitoring program for the Study Area which considers seasonal trends and tidal fluctuations.</li></ul>

**EXHIBIT B (cont.)**

**Table 1. Preliminary Constituents of Potential Concern (COPCs) for Soil and Groundwater\***

<b>CHEMICAL NAME</b>	<b>SOIL COPC</b>	<b>GROUNDWATER COPC</b>
<b>PCDD/Fs</b> Total PCDD/Fs (2,3,7,8-TCDD toxic equivalent concentration [TEC])	X	
<b>PCBs</b> Total PCBs (sum of seven Aroclors**)	X	X
<b>SVOCs</b> Total cPAHs (benzo[a]pyrene TEC) Bis(2-ethylhexyl)phthalate 2,4,6-Trichlorophenol Pentachlorophenol	X X	X  X X
<b>Organochlorinated Pesticides</b> 4,4'-DDD 4,4'-DDE 4,4'-DDT Aldrin Alpha-BHC Alpha-Chlordane Dieldrin Endosulfan II Endrin Heptachlor Heptachlor Epoxide Toxaphene	X X X X  X X X X X X X	X X X MRL MRL X X MRL X X X MRL MRL
<b>Inorganics</b> Arsenic Chromium(VI) Copper Lead Nickel Mercury Manganese	X X X X X X	X X X X X X X
<b>Total Petroleum Hydrocarbons (TPH) and BTEX</b> Diesel-range TPH Heavy oil-range TPH BTEX	X X X	X X X
<b>VOCs</b>		

**EXHIBIT B (cont.)**

<b>CHEMICAL NAME</b>	<b>SOIL COPC</b>	<b>GROUNDWATER COPC</b>
Tetrachloroethene		X
Trichloroethene		X
1,2-DCE		X
Vinyl Chloride		X
<b>Conventional</b>		
N-Ammonia (un-ionized)		X

**Notes:**

\*Based on information contained in Former Rayonier Mill Site Uplands RI Report, and preliminary screening of existing soil data against soil concentrations protective of groundwater as marine surface water (calculated using MTCA fixed parameter three-phase partitioning model).

\*\*Aroclor 1016, Aroclor 1221, Aroclor 1232, Aroclor 1242, Aroclor 1248, Aroclor 1254, and Aroclor 1260 MRL: Analyte was not positively detected above the method reporting limit (MRL), but the MRL exceeded the screening criteria.

**Table 2. Preliminary Analytical Methods and Reporting Limits for COPCs\***

Chemical Name	Soil		Groundwater	
	PQL***	Method	PQL***	Method
<b>PCDD/Fs</b> Total PCDD/Fs (2,3,7,8-TCDD toxic equivalent concentration [TEC])	ng/kg 0.5 to 5	Analyze for and report WAC 173-340-900, Table 708-1 dioxin/furan congeners using EPA Method 1613	ng/l 0.005 to 0.05	Analyze for and report WAC 173-340-900, Table 708-1 dioxin/furan congeners using EPA Method 1613
<b>PCBs</b> Total PCBs (seven Aroclors**)	mg/kg 0.033	Analyze for and report all standard target analyte list (TAL) PCB Aroclors using EPA SW-846 Method 8082	ug/l 0.1	Analyze for and report all standard TAL PCB Aroclors using EPA SW-846 Method 8082
<b>SVOCs</b> Total cPAHs (benzo[a]pyrene TEC) Bis(2-ethylhexyl)phthalate 2,4,6-Trichlorophenol Pentachlorophenol	ug/kg 5.0 67 330 330	Analyze for and report all standard TAL SVOCs using EPA SW-846 Method 8270	ug/l 0.01 1.0 5.0 5.0	Analyze for and report all standard TAL SVOCs using EPA SW-846 Method 8270 or 8270 SIM or 8310
<b>Organochlorinated Pesticides</b> 4,4'-DDD 4,4'-DDE 4,4'-DDT Aldrin Alpha-BHC Alpha-Chlordane Dieldrin Endosulfan II Endrin Heptachlor Heptachlor Epoxide Toxaphene	ug/kg 3.3 3.3 3.3 1.7 1.7 1.7 3.3 3.3 3.3 1.7 1.7 170	Analyze for and report all standard TAL pesticides using Method 8081	ug/l 0.0016 0.0016 0.0016 0.0008 0.0008 0.0008 0.0016 0.0016 0.0016 0.0008 0.0008 0.08	Analyze for and report all standard TAL pesticides using Method 8081
<b>Inorganics</b> Arsenic	mg/kg 0.2	Analyze for and report inorganics COPCs using EPA Methods	mg/l 0.0002	Analyze for and report inorganics COPCs using EPA Methods

**EXHIBIT B (cont.)**

Chemical Name	Soil		Groundwater	
	PQL***	Method	PQL***	Method
Chromium(VI)	0.5	6010/6020/7000	0.0005	6010/6020/7000
Copper	0.5		0.0005	
Lead	1.0		0.0010	
Nickel	0.5		0.0005	
Mercury	0.05		0.0001	
Manganese	0.5		0.0005	
<b>Total Petroleum Hydrocarbons (TPH) and BTEX</b>	<b>mg/kg</b>	Analyze for and report diesel- and heavy oil-range TPH and BTEX using method NWTPH-Dx and EPA 8021	<b>mg/l</b>	Analyze for and report diesel- and heavy oil-range TPH and BTEX using method NWTPH-Dx and EPA 8021
Diesel-range TPH	5.0		0.25	
Heavy oil-range TPH	10		0.5	
BTEX	0.025		1.0	
<b>VOCs</b>	<b>ug/kg</b>	Analyze for and report all standard TAL volatile organic compounds using EPA SW-846 Method 8260	<b>ug/l</b>	Analyze for and report all standard TAL volatile organic compounds using EPA SW-846 Method 8260
Tetrachloroethene	1.0		0.2	
Trichloroethene	1.0		0.2	
1,2-DCE	1.0		0.2	
Vinyl Chloride	1.0		0.2	
<b>Conventionals</b>	<b>mg/kg</b>	EPA Method 350.1	<b>mg/l</b>	EPA Method 350.1
N-Ammonia (un-ionized)	0.1		0.01	

Notes:

\*Based on information contained in Former Rayonier Mill Site Uplands RI Report, and preliminary screening of existing soil data against soil concentrations protective of groundwater as marine surface water (calculated using MTCA fixed parameter three-phase partitioning model).

\*\*Aroclor 1016, Aroclor 1221, Aroclor 1232, Aroclor 1242, Aroclor 1248, Aroclor 1254, and Aroclor 1260

\*\*\*some routine PQLs listed exceed screening criteria. Consistent with WAC 173-340-830(2)(e), Ecology may require modifications to the standard analytical methods to provide lower quantitation limits, improved accuracy, greater precision, or to address methods appropriate for the site, the media being analyzed, the hazardous substances being analyzed for, or the anticipated use of the data.

PQL = Practical Quantitation Limit. Routine PQLs are shown for the COPCs listed in Table 1. Routine PQLs for the full list of Standard TAL chemicals to be analyzed are similar to those shown. In some cases, the sample-specific quantitation limit (also referred to as method reporting limit) for a particular constituent may be higher than the routine PQL due to analytical constraints imposed by the sample matrix.

MRLs for dioxins/furans were obtained from Frontier Analytical Services, El Dorado, CA, and for other chemicals were obtained from Analytical Resources Inc. (ARI), Seattle, WA.

**EXHIBIT B (cont.)**

mg/kg = milligrams per kilogram  
ug/kg = micrograms per kilogram

mg/l = milligrams per liter  
ug/l = micrograms per liter

ng/kg = nanograms per kilogram  
ng/l = nanograms per liter

Exhibit C - Schedule of Deliverables

Schedule (Days = Calendar Days)	Deliverable	Volume	Task
Within 30 days of effective date of Order	Table of Contents for Marine Data Summary Report for Study Area	II	3a
Within 45 days of effective date of Order	Agency Review Draft Work Plan - Supplemental Upland Data Collection	I	1a
Within 60 days of receipt of comments from Ecology on Agency Review Draft Work Plan - Supplemental Upland Data Collection	Draft Final Work Plan - Supplemental Upland Data Collection	I	1b
As detailed in Final Work Plan - Supplemental Upland Data Collection	Implement Final Work Plan - Supplemental Upland Data Collection	I	1c
Within 90 days of receipt of Ecology's Port Angeles Harbor Sediment Characterization Study	Agency Review Draft Marine Data Summary Report for Study Area	II	3b
At time of submittal of Agency Review Draft of Marine Data Summary Report for Study Area	Marine data to EIM	II	3c
Within 60 days of receipt of validated data from lab	Draft Supplemental Upland Data Collection Tech Memo	I	1d
At time of submittal of Draft Supplemental Upland Data Collection Tech Memo	Table of Contents for Upland Data Summary Report for the Study Area	I	2a
Within 75 days of receipt of comments from Ecology on Agency Review Draft of Marine Data Summary Report for Study Area	Public Review Draft Marine Data Summary Report for Study Area	II	3d
Within 45 days of submittal of both the Draft Supplemental Upland Data Collection Tech Memo and the Agency Review Draft of the Marine Data Summary Report for the Study Area	Draft Preliminary Cleanup Standards Section	III	4a
Within 105 days of receipt of comments from Ecology on the Draft Supplemental Upland Data Collection Tech Memo	Agency Review Draft Upland Data Summary Report for the Study Area	I	2b
At time of submittal of Agency Review Draft of Upland Data Summary Report for the Study Area	Upland data to EIM	I	2c
Within 75 days of receipt of comments from Ecology on Agency Review Draft of Upland Data Summary Report for the Study Area	Public Review Draft Upland Data Summary Report for the Study Area	I	2d
Within 120 days of submittal of both the Public Review Draft of Upland Data Summary Report and the Public Review Draft of the Marine Data Summary Report	Draft Preliminary Development of Interim Action Alternatives Section	III	4b
Within 105 days of receipt of comments from Ecology on the Draft Preliminary Cleanup Standards and Draft Preliminary Development of Alternatives Sections	Agency Review Draft Interim Action Alternatives Evaluation Report for the Study Area	III	4c
Within 75 days of receipt of comments from Ecology on Agency Review Draft of Interim Action Alternatives Evaluation Report for the Study Area	Public Review Draft Interim Action Alternatives Evaluation Report for the Study Area	III	4d
<b>Ecology anticipated Public Comment Period</b>			
Within 75 days of receipt of revisions needed from Ecology on Public Review Draft of Upland Data Summary Report for the Study Area	Draft Final Upland Data Summary Report for the Study Area	I	2e
Within 75 days of receipt of revisions needed from Ecology on Public Review Draft of Marine Data Summary Report for Study Area	Draft Final Marine Data Summary Report for Study Area	II	3e
Within 75 days of receipt of revisions needed from Ecology on Public Review Draft of Interim Action Alternatives Evaluation Report for the Study Area	Draft Final Interim Action Alternatives Evaluation Report for the Study Area	III	4e
Within 60 days of approval of Volumes I, II, and III	Agency Review Draft Interim Action Plan for Study Area	IV	5
Volume I - Upland Data Summary Report for Study Area	Volume III - Interim Action Alternatives Evaluation Report for Study		
Volume II - Marine Data Summary Report for Study Area	Volume IV - Draft Interim Action Plan for Study Area		

## Progress Report

Project: Port Angeles Rayonier Mill Site – Study Area Investigation & Interim Action

Plan Development

Agreed Order # 6815

Date:

Reporting Period:

Prepared by:

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1. Actions taken during the reporting period
  
2. Sampling
  - a. samples collected
  - b. status of analysis/schedule
  - c. results
  
3. Communications
  - a. Correspondence
  - b. Meetings and conference calls with Ecology
  - b. Documents submitted
  - c. Contacts with local community and government agencies
  
4. Upcoming Deliverables and Events
  - a. schedule of activities for next reporting period
  - b. deviations from existing schedules and proposed resolutions
  
5. Changes in key personnel