

STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

In the Matter of Remedial Action by:

AGREED ORDER

No. DE 93 TC-C465

AAK
TIRE CENTERS, INC.
216 South Second Avenue
Yakima, Washington 98902

AD
TEXACO REFINING AND MARKETING INC.
10 Universal City Plaza
13th Floor
P.O. 7812
Universal City, CA 91608-1097 X

AE
ARCO PRODUCTS COMPANY,
a division of Atlantic Richfield Co.
1055 West Seventh Street
P.O. Box 2570-PAC-1293 X
Los Angeles, CA 90051-0570

AC X
LaVon Philipp
622 San Clemente Avenue
Sunnyside, WA 98944

TO: Tire Centers, Inc.
Texaco Refining and Marketing Inc.
ARCO Products Company,
a division of Atlantic Richfield Company
LaVon Philipp

I.

Jurisdiction

This Agreed Order ("Order") is issued pursuant to the
authority of RCW 70.105D.050(1).

AGREED ORDER

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August 17, 1993

II.

Introduction

1. This Agreed Order is entered into by the Washington State Department of Ecology ("Ecology"), Tire Centers, Inc. ("TCI"), Texaco Refining and Marketing Inc. ("TRMI"), a wholly owned subsidiary of Texaco Inc., ARCO Products Company, a division of Atlantic Richfield Company (ARCO), and LaVon Philipp (Philipp).
2. As set forth below, as of the effective date of this Agreed Order, Ecology has determined that eight persons are potentially liable parties ("PLPs") for the Manhole 34 facility in Sunnyside, Washington.
3. Ecology enters into this Agreed Order with TCI, TRMI, ARCO, and Philipp (four of the persons Ecology has determined are PLPs for the facility). Ecology has determined that it will issue enforcement orders to Time Oil, Inc. ("Time Oil"), Robert C. Mathias ("Mathias"), R.H. Bowles, Inc. ("Bowles"), and Eugene Thompson ("Thompson"), the other four persons whom Ecology has determined are PLPs for the facility. The enforcement orders directed to these four persons will direct each PLP to perform the work described in Section V of this Order, and to comply with all other terms and conditions of the enforcement orders.

III.

Findings of Fact

Ecology makes the following Findings of Fact, without admission of such facts by TCI, TRMI, ARCO, and Philipp.

1. Petroleum releases have contaminated the soils and groundwater in and around the area of 6th Street and Highway 12 in Sunnyside, Washington. In March 1989, phase separated petroleum products (free product) were discovered in Manhole 34, a component of the local storm drain system. Since that time, various studies have confirmed the presence of petroleum in area soils and groundwater. Documentation of the presence of petroleum-contaminated soil and groundwater in the vicinity of 6th Street and Highway 12 in Sunnyside, Washington is contained in the following reports which are on file at the Department of Ecology, Central Regional Office:

- a. Technical Memorandum 02, Time Oil Company, Sunnyside, Washington, Shannon and Wilson, September 1992.
- b. Preliminary Hydrogeologic Investigation, South Sixth Street and Yakima Valley Highway, Sunnyside, Washington, Delta Project No. 40-89-026, Delta Environmental, June 22, 1989.
- c. Preliminary Hydrogeologic Report, Tire Centers, Inc., 612 Yakima Valley Highway, Sunnyside, Washington, Forsgren Associates, March 27, 1990.

d. Phase II Hydrogeologic Investigation, South Sixth Street and Highway 12, Sunnyside, Washington, Delta Project No. 40-89-026, Delta Environmental, January 2, 1990.

e. Washington State Department of Transportation Aerial Photographs, dated 1962 and 1966, and Washington State Department of Natural Resources Aerial Photographs, dated 1972.

2. The facility or site where petroleum-contaminated soils and groundwater have come to be located is within the NE $\frac{1}{4}$, NW $\frac{1}{4}$, Section 25, Township 10 N., Range 22 E., Willamette Meridian. The facility is comprised of parcels of property located in and around the intersection of State Highway 12 and 6th Street in Sunnyside, Washington.

3. Tire Centers, Inc. (TCI) owned a portion of the property located within the Manhole 34 facility at the time Ecology became aware of the presence of contamination at the facility.

4. Texaco Refining and Marketing Inc. (TRMI) is a past owner or operator of a portion of the property located within the Manhole 34 facility. TRMI held a leasehold interest in a service station located at 601 Highway 12 in Sunnyside, Washington in 1981 when a leak in a product line was reported by TRMI's lessee, retailer Keith Officer.

5. Atlantic Richfield Company (ARCO) is a past owner or operator of a portion of the property located within the

Manhole 34 facility. ARCO owned and operated a bulk petroleum products handling business near Sixth Street and Highway 12 in Sunnyside from July 1937 through December 1977. The aerial photographs referenced in paragraph 1.e. above show isolated areas of dark staining from spills around storage tanks at the ARCO facility.

6. Time Oil, Inc. (Time Oil) is the current owner of a portion of the property located within the Manhole 34 facility.

7. Robert C. Mathias (Mathias) is a current owner of a portion of the property located within the Manhole 34 facility.

8. R.H. Bowles, Inc. (Bowles) is a past owner or operator of a portion of the property located within the Manhole 34 facility.

9. Eugene Thompson (Thompson) is a past owner or operator of a portion of the property located within the Manhole 34 facility.

10. LaVon Philipp (Philipp) is a current owner of a portion of the property located within the Manhole 34 facility. Aerial photographs referenced in paragraph 1.e. above show isolated areas of dark staining from spills around storage tanks on the property now owned by Philipp. During the period August 1957 through September 1978 and prior to acquiring any ownership interest in the Philipp property, LaVon Philipp and her husband, R. L. Philipp, now

deceased, operated the Philipp property selling petroleum products. During that period, R. L. Philipp was a commissioned distributor for ARCO. LaVon and R. L. Philipp purchased the Philipp property in 1978. The Philipp property was sold to TCI in June 1988 and was subsequently reacquired by LaVon Philipp in 1992.

11. The continued presence of petroleum contamination in soils and groundwater at the Manhole 34 facility presents an ongoing threat to human health and the environment.

IV.

Ecology Determinations

1. TCI was an "owner or operator" as defined in RCW 70.105D.020(6) of a facility as defined in RCW 70.105D.020(3).
2. TRMI was an "owner or operator" as defined in RCW 70.105D.020(6) of a facility as defined in RCW 70.105D.020(3).
3. ARCO was an "owner or operator" as defined in RCW 70.105D.020(6) of a facility as defined in RCW 70.105D.020(3).
4. Bowles was an "owner or operator" as defined in RCW 70.105D.020(6) of a facility as defined in RCW 70.105D.020(3).
5. Thompson was an "owner or operator" as defined in RCW 70.105D.020(6) of a facility as defined in RCW 70.105D.020(3).

6. Mathias is an "owner or operator" as defined in RCW 70.105D.020(6) of a facility as defined in RCW 70.105D.020(3).

7. Philipp is an "owner or operator" as defined in RCW 70.105D.020(6) of a facility as defined in RCW 70.105D.020(3).

8. Time Oil is an "owner or operator" as defined in RCW 70.105D.020(6) of a facility as defined in RCW 70.105D.020(3).

9. The facility is known as Manhole 34 and is located in the area within and around the intersection of Sixth Street and Highway 12 in Sunnyside, Washington.

10. The substances found at the facility as described above are "hazardous substances" as defined at RCW 70.105D.020(5).

11. Based on the presence of these hazardous substances at the facility and all factors known to the Department, there is a release or threatened release of hazardous substances from the facility, as defined at RCW 70.105D.020(10).

12. By letter dated May 14, 1992, Ecology notified TCI of its status as a "potentially liable person" under RCW 70.105D.040 after notice and opportunity for comment.

13. By letter dated July 23, 1992, Ecology notified TRMI of its status as a "potentially liable person" under RCW 70.105D.040 after notice and opportunity for comment.

14. By letter dated December 4, 1992, Ecology notified ARCO of its status as a "potentially liable person" under RCW 70.105D.040 after notice and opportunity for comment.

15. By letter dated May 14, 1992, Ecology notified Time Oil of its status as a "potentially liable person" under RCW 70.105D.040 after notice and opportunity for comment.

16. By letter dated May 14, 1992, Ecology notified R.H. Bowles of its status as a "potentially liable person" under RCW 70.105D.040 after notice and opportunity for comment.

17. By letter dated May 14, 1992, Ecology notified Eugene Thompson of his status as a "potentially liable person" under RCW 70.105D.040 after notice and opportunity for comment.

18. By letter dated May 14, 1992, Ecology notified Robert Mathias of his status as a "potentially liable person" under RCW 70.105D.040 after notice and opportunity for comment.

19. By letter dated January 29, 1993, Ecology notified LaVon Philipp of her status as a "potentially liable person" under RCW 70.105D.040 after notice and opportunity for comment.

20. Pursuant to RCW 70.105D.030(1) and 70.105D.050, the Department may require potentially liable persons to investigate or conduct other remedial actions with respect

to the release or threatened release of hazardous substances, whenever it believes such action to be in the public interest.

21. Based on the foregoing facts, Ecology believes the remedial action required by this Order is in the public interest.

V.

Work to be Performed

Based on the foregoing facts and determinations, it is hereby Ordered and Agreed that TCI, TRMI, ARCO, and Philipp perform the following remedial actions and that these actions be conducted in accordance with Chapter 173-340 WAC unless otherwise specifically provided for herein.

1. TCI, TRMI, ARCO, and Philipp will perform the Remedial Investigation/Feasibility Study ("RI/FS") actions set forth and described in the attached Work Plan and Schedule. The Work Plan and Schedule are attached to this Order as Exhibit A. Exhibit A is incorporated by this reference and is an integral and enforceable part of this Order.

The RI/FS will collect, develop, and evaluate sufficient information regarding the site to enable the selection of a cleanup action. To collect sufficient information, the Work Plan will consist of general facility information, field investigations of surface water and sediments, soils, geology and groundwater system

characteristics, air, land use, natural resources and Ecology, as well as work plans. The RI/FS will be implemented to meet the requirements of WAC 173-340-350 (State Remedial Investigation and Feasibility Study).

2.a. According to the attached Schedule of Work, TCI, TRMI, ARCO, and Philipp will develop and submit to Ecology for approval a Quality Assurance/Quality Control (QA/QC) Plan in accordance with the Ecology Guidelines and Specifications for Preparing Quality Assurance Project Plans (May 1991). No sampling may be conducted prior to Ecology approval of the QA/QC Plan.

2.b. Results from sampling shall be provided to Ecology's project coordinator upon receipt from the laboratory.

2.c. Written progress reports shall be submitted to Ecology on behalf of TCI, TRMI, ARCO, and Philipp on a timely basis during the RI phase of the investigation. If Ecology determines that the reports are not being submitted on a timely basis, Ecology will verbally notify the PLP's project coordinator. Thereafter, if the timeliness of subsequent reporting does not satisfy Ecology, Ecology may in writing direct a specific frequency for reporting.

TCI, TRMI, ARCO, and Philipp shall immediately notify Ecology by telephone of any unexpected delays in construction.

3. In accordance with WAC 173-340-840(5), ground water sampling data shall be submitted according to Exhibit B: GROUND WATER SAMPLING DATA SUBMITTAL REQUIREMENTS. Exhibit B is incorporated by this reference and is an integral and enforceable part of this Order. These submittals shall be provided to Ecology as required under the schedule established in Exhibit A.

VI.

Terms and Conditions of Order

1. Definitions.

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

2. Public Notices.

WAC 173-340-600(10)(c) requires a 30 day public comment period before this Agreed Order on a state RI/FS becomes effective. 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 the Order is inadequate or improper in any respect. In the event that Ecology modifies or withdraws any provisions of this Order pursuant to this paragraph, and TCI, TRMI, ARCO, and Philipp do not concur with such modifications or withdrawals, TCI, TRMI, ARCO, and Philipp reserve the right to withdraw their consent to this Order.

3. Remedial Action Costs.

TCI, TRMI, ARCO, and Philipp shall pay to Ecology costs incurred by Ecology pursuant to this Order. These costs shall include work performed by Ecology or its contractors for investigations, remedial actions, and Order preparation, oversight and administration. Ecology costs shall include costs of direct activities; e.g., employee salary, laboratory costs, travel costs, contractor fees, and employee benefit packages; and indirect costs of direct activities. TCI, TRMI, ARCO, and Philipp shall pay the required amount within 90 days of receiving from Ecology an itemized statement of costs that includes a summary of costs incurred, an identification of involved staff, and the amount of time spent by involved staff members on the project. A general description of work performed will be provided. Itemized statements shall be prepared quarterly. Failure to pay Ecology's costs within 90 days of receipt of an itemized statement of costs may result in interest charges. All recipients of this Agreed Order and the companion Enforcement Order will receive quarterly invoices. If the total amount of payment(s) received by Ecology from any of the eight PLPs is more than 100% of the amount billed, the overpayment will be reflected on future invoices.

4. Designated Project Coordinators.

The project coordinator for Ecology is:

Donald W. Abbott
106 South 6th Avenue
Yakima, WA 98902-3387

The lead project coordinator for TCI, TRMI, ARCO, and

Philipp is:

Anita Burke
3400 180th Street S.W., Suite 630
Lynnwood, WA 98037

The alternate project coordinator for TCI, TRMI, ARCO,

and Philipp is:

Brad Jones
ARCO Products Company
Room 1287
P.O. Box 2570
Los Angeles, CA 90051-0570

The project coordinator(s) shall be responsible for overseeing the implementation of this Order. To the maximum extent possible, communications between Ecology and TCI, TRMI, ARCO, and Philipp, 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 coordinator(s). Should Ecology or TCI, TRMI, ARCO, and Philipp change project coordinator(s), written notification shall be provided to Ecology or TCI, TRMI, ARCO, and Philipp at least ten (10) calendar days prior to the change. The alternate project coordinator shall act as project coordinator in the absence or unavailability of the lead

project coordinator. The alternate project coordinator and TCI shall receive copies of all written correspondence and documents generated by Ecology's project coordinator and the lead project coordinator.

5. Performance.

All work performed pursuant to this Order shall be under the direction and supervision, as necessary, of a professional engineer or hydrogeologist, or similar expert, with appropriate training, experience and expertise in hazardous waste site investigation and cleanup. TCI, TRMI, ARCO, and Philipp shall notify Ecology as to the identity of such engineer(s) or hydrogeologist(s), and of any contractors and subcontractors to be used in carrying out the terms of this Order, in advance of their involvement at the site.

Subject to an Ecology determination pursuant to Paragraph No. 9 (Dispute Resolution) and except where necessary to abate an emergency situation, TCI, TRMI, ARCO, and Philipp shall not perform any remedial actions at Manhole 34 outside that required by this Order unless Ecology concurs, in writing, with such additional remedial actions.

WAC 173-340-400(7)(b)(i) requires that "construction" performed on the site must be under the supervision of a professional engineer registered in Washington.

6. Access.

Ecology or any Ecology authorized representative shall have the authority to enter and freely move about the site, subject to all federal and state health and safety requirements and to any applicable health and safety plan, 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 the progress in carrying out the terms of this Order; conducting such tests or collecting samples as Ecology or the project coordinator may deem necessary; using a camera, sound recording, or other documentary type equipment to record work done pursuant to this Order; and verifying the data submitted to Ecology by TCI, TRMI, ARCO, and Philipp. By signing this Agreed Order, TCI, TRMI, ARCO, and Philipp agree that this Order constitutes reasonable notice of access, and agree to allow access to the site at all reasonable times for purposes of overseeing work performed under this Order. Ecology shall allow split or replicate samples to be taken by TCI, TRMI, ARCO, and Philipp during an inspection unless doing so interferes with Ecology's sampling. TCI, TRMI, ARCO, and Philipp shall allow split or replicate samples to be taken by Ecology and shall provide seven (7) days notice before any sampling activity.

TCI, TRMI, and ARCO do not own or control any of the parcels of property which comprise the Manhole 34 facility.

TCI, TRMI, ARCO, and Philipp shall identify what property they require access to for performance of the remedial activities identified in Section V, Work To Be Performed. Thereafter, TCI, TRMI, ARCO, and Philipp shall use reasonable efforts to obtain rights of access to property identified. If, after reasonable efforts, TCI, TRMI, ARCO, and Philipp are unable to obtain access to a site property not owned or controlled by them, Ecology will assist in gaining such access. The enforcement orders referred to in paragraph II.3, will include provisions directing the current owners of the site properties to allow access for performance of the remedial activities identified in Section V, Work to be Performed.

7. Public Participation.

TCI, TRMI, ARCO, and Philipp shall prepare a public participation plan for the site according to the schedule included in Exhibit A. The Public Participation Plan shall be developed consistent with the outline attached to this Order as Exhibit C. By September 1, 1993, a public relations consultant will be hired to handle the logistics of plan development and implementation on behalf of TCI, TRMI, ARCO, and Philipp. By September 30, 1993, Step I of the Public Participation Plan development shall be completed. Ecology will retain final responsibility for approval of the public participation plan and implementation of public participation responsibilities at the site.

TCI, TRMI, ARCO, and Philipp shall help coordinate and implement public participation for the site.

8. Retention of Records.

TCI, TRMI, ARCO, and Philipp shall preserve in a readily retrievable fashion, during the pendency of this Order and for ten (10) years from the date of completion of the work performed pursuant to this Order, all records, reports, documents, and underlying data in their possession relevant to this Order. Should any portion of the work performed hereunder be undertaken through contractors or agents of TCI, TRMI, ARCO, and Philipp, then TCI, TRMI, ARCO, and Philipp agree to include in their contract with such contractors or agents a record retention requirement meeting the terms of this paragraph.

9. Dispute Resolution.

TCI, TRMI, ARCO, and Philipp may request Ecology to resolve disputes which may arise during the implementation of this Order. Such request shall be in writing and directed to the signatory to this Order. Ecology resolution of the dispute shall be binding and final. TCI, TRMI, ARCO, and Philipp are not relieved of any requirement of this Order during the pendency of the dispute and remain responsible for timely compliance with the terms of the Order unless otherwise provided by Ecology in writing.

10. Ecology's Reservation of Rights/No Settlement.

This Agreed Order is not a settlement under ch. 70.105D RCW. Ecology's signature on this Order in no way constitutes a covenant not to sue or a compromise of any Ecology rights or authority. Ecology will not, however, bring an action against TCI, TRMI, ARCO, and Philipp to recover remedial action costs paid to and received by Ecology under this Agreed Order. In addition, Ecology will not take additional enforcement actions against TCI, TRMI, ARCO, and Philipp to require those remedial actions required by this Agreed Order, provided TCI, TRMI, ARCO, and Philipp comply with this Agreed Order.

Ecology reserves the right, however, to require additional remedial actions at the site should it deem such actions necessary provided, however, this reservation by Ecology does not constitute an agreement by TCI, TRMI, ARCO, or Philipp to perform such additional actions.

Ecology also reserves all rights regarding the injury to, destruction of, or loss of natural resources resulting from the releases or threatened releases of hazardous substances from the Manhole 34 facility.

In the event Ecology determines that conditions at the site are creating or have the potential to create a danger to the health or welfare of the people on the site or in the surrounding area or to the environment, Ecology may order

TCI, TRMI, ARCO, and Philipp to stop further implementation of this Order for such period of time as needed to abate the danger.

11. TCI's, TRMI's, ARCO's, and Philipp's Reservation of Rights.

By entering into this Agreed Order, TCI, TRMI, ARCO, and Philipp do not admit or deny the accuracy of any factual statement or legal conclusion contained in this Order. TCI, TRMI, ARCO, and Philipp believe that any contamination at the Manhole 34 facility was caused in whole or in part by persons not parties to this Order. By entering into this Order, TCI, TRMI, ARCO, and Philipp: (a) each reserves its respective rights to enforce any claims it may have by means of a cost recovery action, a contribution action, or otherwise against any entity that may be responsible for the presence of any contamination at the Manhole 34 facility, and (b) do not admit any liability and this Order shall not be construed as an admission of liability.

By entering into this Order, TCI, TRMI, ARCO, and Philipp agree not to petition Ecology for reimbursement of costs incurred complying with this Order. This agreement does not constitute a waiver of any right of action that TCI, TRMI, ARCO, or Philipp may have against any person other than Ecology. This agreement is not intended to affect or prejudice any such right(s) of action. To the extent that a court determines that this agreement does

affect or prejudice any such right(s), this agreement is null and void.

12. Transference of Property.

No voluntary or involuntary conveyance or relinquishment of title, easement, leasehold, or other interest in any portion of the site shall be consummated by TCI, TRMI, ARCO, and Philipp 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 transfer of any legal or equitable interest TCI, TRMI, ARCO, and Philipp may have in the site or any portions thereof, TCI, TRMI, ARCO, and Philipp shall serve a copy of this Order upon any prospective purchaser, lessee, transferee, assignee, or other successor in such interest. At least thirty (30) days prior to finalization of any transfer, TCI, TRMI, ARCO, and Philipp shall notify Ecology of the contemplated transfer.

13. Compliance with Other Applicable Laws.

All actions carried out by TCI, TRMI, ARCO, and Philipp pursuant to this Order shall be done in accordance with all applicable federal, state, and local requirements.

In implementing this Order for purposes such as sampling, it is contemplated that TCI, TRMI, ARCO and Philipp will remove limited quantities of soil, groundwater and other materials (collectively "Materials") from real

property within or adjacent to the Manhole 34 facility. Any removal shall be done in compliance with all applicable laws as required by paragraph 13 above. It is agreed that any disposition of the Material, by TCI, TRMI, ARCO, and Philipp, including documents generated pursuant to such disposition, shall not be deemed to be an admission by such parties of liability for purposes of the Model Toxics Control Act.

VII.

Satisfaction of this Order

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

VIII.

Enforcement

1. 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 TCI, TRMI, ARCO, and Philipp refuse, without sufficient cause, to comply with any term of this Order, TCI, TRMI, ARCO, and Philipp will be liable for:

- (1) up to three times the amount of any costs incurred by the state of Washington as a result of their refusal to comply; and
- (2) civil penalties of up to \$25,000 per day for each day they refuse to comply.

D. This Order is not appealable to the Washington Pollution Control Hearings Board. This Order may be reviewed only as provided under Section 6 of ch. 70.105D RCW.

SEP 28 1993

Effective date of this Order: _____

TIRE CENTERS, INCORPORATED

TEXACO REFINING AND MARKETING
INCORPORATED

LK

By _____

By John A. Price

ARCO PRODUCTS COMPANY,
A Division of
Atlantic Richfield Company

LaVON PHILIPP

By _____

By _____

STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

By [Signature]
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AGREED ORDER

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August 18, 1993

C. In the event TCI, TRMI, ARCO, and Philipp refuse, without sufficient cause, to comply with any term of this Order, TCI, TRMI, ARCO, and Philipp will be liable for:

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Effective date of this Order: SEP 28 1993

TIRE CENTERS, INCORPORATED

TEXACO REFINING AND MARKETING
INCORPORATED

By Larry C. Howell

By _____

ARCO PRODUCTS COMPANY,
A Division of
Atlantic Richfield Company

LAVON PHILIPP

By _____

By _____

STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

By [Signature]
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AGREED ORDER

-22-

August 18, 1993

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TIRE CENTERS, INCORPORATED

TEXACO REFINING AND MARKETING
INCORPORATED

By _____

By _____

ARCO PRODUCTS COMPANY,
A Division of
Atlantic Richfield Company

LAVON PHILIPP

By John R. Alexander

By _____

REG. ENGR. & ADM.

STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

By [Signature]

t4:tiretex.rdl

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August 18, 1993

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Effective date of this Order: SEP 28 1993

TIRE CENTERS, INCORPORATED

By _____

**ARCO PRODUCTS COMPANY,
A Division of
Atlantic Richfield Company**

By _____

**TEXACO REFINING AND MARKETING
INCORPORATED**

By _____

LAVON PHILIPP

By Lavon Philipp

**STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY**

By [Signature]
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AGREED ORDER

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August 18, 1993