EXHIBIT C

SCOPE OF WORK

AND SCHEDULE

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This Scope of Work, which is an enforceable part of the Agreed Order, contains a program designed to protect public health, welfare, and the environment from the known release, or threatened release, of hazardous substances or contaminants at, on, or from the Evergreen Fuels (Site). Based on the facts and determinations found in the Agreed Order, it is hereby Ordered that the Potentially Liable Persons (PLP's) take the following remedial actions:

1) The PLP's shall carry out the provisions of the Workplan in a manner and time frame as described herein. The term "Workplan" is defined to consist of this Exhibit (Scope of Work and Schedule).

2) The PLP's shall implement the tasks detailed in the Workplan in accordance therewith and within the due dates specified, including, but not limited to, the following deliverables:

WORKPLAN DELIVERABLES:

Task 1 – Draft Engineering Design Report

Due Date: Three (3) Months from Effective Date of Agreed Order

The report shall be prepared by or under the direct supervision of a registered professional engineer and shall be submitted in accordance with WAC 173-340, Sections 400 and 410, including:

a) Goals of the cleanup action, including specific cleanup or performance requirements;

b) General information on the Site, including a summary of information in the remedial investigation/feasibility study updated as necessary to reflect the current conditions;

c) Identification of whom will own, operate, and maintain the Site during and following construction:

d) Facility maps, or minimum dimensions two feet square, showing existing Site conditions and proposed location, including surface water drainage features and storm water conveyances;

e) Location of materials, if any, to be treated or otherwise managed;

f) A schedule for construction of the remedial action and monitoring systems, including a critical timing chart for accomplishment of major milestones. Remedial action construction shall begin in accordance with the Ecology-approved schedule within the Engineering Design Report.

g) A description and conceptual plan of the remaining final cleanup action per the Final Cleanup Action Plan (Exhibit B). The Conceptual Design shall include:

g-1) Description of areas where soil removal is to occur.

g-2) Description of locations within the soil removal area where excavation to 12 feet bgs may be infeasible.

g-3) Description of excavated soil staging, (if applicable) testing and separation, off-Site transport and disposal plans.

g-4) Description of the methodology for placement of ORC.

h) Engineering justification for design parameters, including: design criteria, assumptions, and calculations for all components of the cleanup action; demonstration that the cleanup action will achieve compliance with cleanup requirements.

i) Design features for control of hazardous materials spills and accidental discharge (for example, containment structures, leak detection devices, run-on and run-off controls):

j) Design features to assure long-term safety of workers and local residences as applicable (for example: hazardous substances monitoring devices, wind speed/direction monitors);

k) A discussion of methods for management or disposal of any treatment residue and other waste materials containing hazardous substances generated as a result of the cleanup action;

l) Facility specific characteristics which may affect design, construction, or operation of the selected cleanup action, including: Relationship of the proposed cleanup action to existing area and facility operations, probability of flooding, temperature extremes, planned post-remedial site uses/activities, local planning and development issues;

m) Any information not provided in the remedial investigation/feasibility study needed to fulfill all applicable requirements of the State Environmental Policy Act (Chapter 43.21C RCW), and any additional information needed to address the applicable state, federal, and local requirements;

n) A copy of any required permits;

o) Detailed final construction plans and procedural material specifications necessary for construction of the cleanup system prepared in conformance with currently accepted engineering practices and techniques. This shall include mapping of all new and existing Site wells, remedial action piping and treatment system components, design details of groundwater/petroleum product extraction wells and product-only wells;

p) Specific quality control (QC) tests to be preformed to document the construction as applicable, including specifications for the testing or reference to specific testing methods, frequency of testing, acceptable results, and other documentation methods.

q) A Compliance Monitoring Plan prepared under WAC 173-340-410 describing monitoring to be performed during construction and operation, as applicable, and a sampling and analysis plan meeting the requirements of WAC 173-340-820.

q-1) This section shall include a Protection Monitoring Plan, per WAC 173-340-410(1)(a), to confirm that human health and the environment are protected during cleanup action construction, including monitoring and plans to minimize waste inhalation, skin contact, mud and dust generation, surface water run-off, and waste spillage during construction.

q-2) This section shall also include a Confirmational Monitoring Plan, per WAC 173-340-410(1)(c). This plan will be designed to confirm the long-term effectiveness of the cleanup action. This plan will also include a proposed groundwater monitoring system, including Site groundwater monitoring wells and Site perimeter Point of Compliance wells, per the final cleanup action plan (Exhibit B). This system shall be designed to ensure that compliance with Site groundwater cleanup standards are maintained both within the Site and at the perimeter Points of Compliance. Groundwater monitoring and reporting will occur semi-annually following substantial completion of construction. Semi-annual monitoring and reporting will continue until Site cleanup standards have been attained and maintained for 1 year. The plan shall include proposed or existing well locations and depths, construction, sampling

and analysis methodology and plan per WAC 173-340-820, and sampling frequency. The Confirmation Monitoring Plan will also include a methodology to be used to determine whether an exceedence of groundwater standards has occurred based on Site perimeter points of compliance. The methodology will also identify when or whether a contingency groundwater cleanup action (Task 6 of this Workplan) is needed.

r) Safety and Health Plan per WAC 173-340-810.

Task 2 – Final Engineering Design Report

Due Date: Three (3) weeks after issuance of Ecology's comments on the draft report.

The PLPs shall submit a final Engineering Design Report which amends the draft Engineering Design Report to satisfy all written comments submitted by Ecology regarding the draft report.

Task 3 – Construction of Remedial Action

Due Date: Substantial completion of construction by three (3) months from Ecology's approval of the Final Engineering Design Report.

Construction shall be performed in accordance with, and shall execute the requirements of, the Ecology-approved Engineering Design Report and Construction Plans and Specifications.

All aspects of construction shall be performed under the supervision of a professional engineer registered in the State of Washington or a qualified technician, under the direct supervision of a professional engineer registered in the State of Washington. During construction, detailed records shall be kept of all aspects of the work performed, including construction techniques and materials used, items installed, tests, and measurements performed.

Photographic documentation of all major and critical construction phases shall be performed by the PLP's. An *extra copy of the photos* shall be submitted to Ecology along with the project record drawings.

Task 4 – Confirmational Monitoring and Reporting

Due Date: Reports are due one (1) month after each January-June and July-December monitoring period.

Confirmational monitoring shall be performed in accordance with the Ecology approved Confirmational Monitoring Plan. Reports shall be due semi-annually, until Ecology affirms in writing that Site groundwater monitoring wells and Site perimeter Point of Compliance monitoring wells maintain compliance with Site Clean-up levels. Reports shall include conformational monitoring results of the last monitoring period; a tabular presentation of benzene and gasoline and diesel range organics concentrations and product thickness (if any) for each well for all past monitoring periods; a map showing benzene, gasoline and diesel range organics concentrations and product thickness for each well; data showing whether the remedial action has complied with the requirements of this Agreed Order.

Task 5 – Project Record Drawings

Due Date: Two (2) months after completion of cleanup action construction.

At the completion of construction of the product removal and groundwater remediation systems, the engineer responsible for the supervision of construction shall prepare Project Record Drawings and a report documenting all aspects of Site construction work, including those portions of the final remedial action which had been constructed prior to the issuance of this decree. With respect to those portions of the final remedial action which were constructed prior

to the issuance of this Agreed Order, schematic drawings of generally as-built conditions, using the best information reasonably available, may be utilized upon written approval from Ecology.

The report shall also contain an opinion from the project manager and the engineer, based on the testing results and inspections, as to whether the cleanup action has been completed in substantial compliance with the project record drawings and related documents.

Task 6 – Contingency Groundwater Cleanup/Containment Action Plan

Due Date: Within two (2) months of the discovery of an exceedence of groundwater standards at perimeter Point of Compliance wells, using the decision methodology in the Confirmational Monitoring Plan.

This plan shall describe how and when the PLPs shall design and implement, with Ecology oversight and approval, a contingency groundwater cleanup/containment action in the event that an exceedence of surface water cleanup standards is discovered via the decision methodology included in the Confirmational Monitoring Plan. The Contingency groundwater Cleanup Action Plan shall include a listing of potential contingency groundwater cleanup technologies feasible for most foreseeable exceedences along with a listing of applicabilities and limitations for each technology.

Task 7 - Implementation of Contingency Groundwater Cleanup/Containment Action Plan

Due Date: Within one (1) month of issuance Ecology approval of the draft plan.

The PLPs shall implement the Contingency Groundwater Cleanup Action Plan as modified and approved by Ecology. Disagreements relating to any Ecology plan modifications shall be settled in accordance with the consent decree “Resolution of Disputes” Section (Section XIV).

Task 8 – Declaration of Restrictive Covenants

Due Date: Within one (1) month of the effective date of this decree.

1) The Declaration of Restrictive Covenants, Exhibit D, shall be signed by the PLPs, and filed with the property deed within twenty (20) days of completion of the final remedial action, and the PLPs shall provide Ecology notice of this filing within two (2) weeks of filing.

3) The PLPs agree not to perform any remedial actions outside the scope of this Agreed Order unless the parties agree to amend the scope of work to cover these actions. All work conducted under this Agreed Order shall be done in accordance with Ch. 173-340 WAC unless otherwise provided herein.