Exhibit E

EXHIBIT E – SCOPE OF WORK (SOW)
Skagit County, Prospective Purchaser

PURPOSE

The work under this Prospective Purchasers Consent Decree (CD) involves finalizing a Remedial Investigation (RI) and Feasibility Study (FS), finalizing the Cleanup Action Plan (CAP) and implementing the CAP for the Truck City Truck Stop Site. The purpose of the RI, FS, and draft CAP (DCAP) for the Site is to provide sufficient data, analysis, and evaluations to enable Ecology to select a final cleanup alternative for the Site.

The Prospective Purchaser (Skagit County) shall coordinate with Ecology throughout the finalization of the RI/FS and CAP and shall keep Ecology informed of changes to the Work Plan and other project plans and of issues and problems as they develop.

The SOW is divided into eight major tasks as follows:

Task 1. Finalize Remedial Investigation (RI Report)
Task 2. Finalize Feasibility Study (FS Report)
Task 3. Draft Cleanup Action Plan
Task 4. Public Participation Plan
Task 5. Final Engineering Design Report
Task 6. Implementation of the Cleanup Action Plan
Task 7. As-Built Construction Complete Report
Task 8. Compliance Monitoring

TASK 1. FINALIZE REMEDIAL INVESTIGATION – FINAL RI REPORT

The Prospective Purchaser shall conduct an RI that meets the requirements of WAC 173-340-350(7) according to the Work Plan as approved by Ecology. The RI will determine the nature and extent of contamination exceeding preliminary Model Toxics Control Act (MTCA) cleanup levels, preliminary SMS cleanup standards, and other regulatory requirements. The RI must provide sufficient data and information to define the nature and extent of contamination.

Field sampling and analysis will be completed in general accordance with the Sampling Analysis Plan (SAP) and Quality Assurance Plan (QAPP). Deviation(s) from the approved SAP and QAPP must be communicated to Ecology immediately and documented as required by Ecology.

The Prospective Purchaser shall provide interim data reports and updates to Ecology as new site data and information become available. Laboratory analysis data shall also be provided in electronic format when it has been validated. Raw laboratory data will be provided to Ecology upon request.

The Prospective Purchaser shall compile the results of the Site investigation into an Agency Review Draft RI Report. The Prospective Purchaser shall prepare two (2) copies of the Agency Review Draft RI Report and submit them, including one electronic copy each in Word (.doc) and Adobe (.pdf) formats, to Ecology for review and comment.

After incorporating Ecology's comments on the Agency Review Draft RI Report, The Prospective Purchaser shall prepare three (3) copies of a Public Review Draft RI Report and submit them, including one electronic copy each in Word (.doc) and Adobe (.pdf) formats, to Ecology for distribution and public comment. Electronic survey data for monitoring locations, electronic lab data, and GIS maps of contaminant distribution shall also be provided for both the Agency Review Draft RI Report and Public Review Draft RI Reports. The RI Report will not be considered Final until after a public review and comment period. The Agency Review Draft RI Report and/or Public Review Draft RI Reports may be submitted in conjunction with the Agency Review Draft FS Report and/or Public Review Draft FS Reports, discussed in Task 4 below.

If the data collected during this investigation is insufficient to define the full nature and extent of contamination, an additional phase of investigation shall be conducted to define the extent of contamination.

TASK 2. FINALIZE FEASIBILITY STUDY-FINAL FS REPORT

The Prospective Purchaser shall use the information obtained in the RI to prepare an Agency Review Draft Feasibility Study (FS) Report that meets the applicable requirements of WAC 173-340-350(8) according to the approved Scope of Work and Schedule (Exhibit D).

The Agency Review Draft FS Report will evaluate remedial alternatives for site cleanup, consistent with MTCA and SMS requirements to ensure protection of human health and the environment by eliminating, reducing, or otherwise controlling risk posed through each exposure pathway and migration route.

The Agency Review Draft FS Report will provide a detailed analysis of each remedial alternative according to the applicable requirements of WAC 173-340-350, MTCA Remedial Investigation and Feasibility Study, and WAC 173-204-560, SMS Cleanup Study. The remedial alternatives will be evaluated for compliance with the applicable requirements of WAC 173-340-360, Selection of Cleanup Actions, including a detailed evaluation of remedial alternatives relative to the following criteria:

- Compliance with Cleanup Standards and Applicable Laws
- Protection of Human Health
- Protection of the Environment
- Provision for a Reasonable Restoration Time Frame
- Use of Permanent Solutions to the Maximum Extent Practicable
- The Degree to which Recycling, Reuse, and Waste Minimization are Employed
- Short-Term Effectiveness

- Long-Term Effectiveness
- Net Environmental Benefit
- Implementability
- Provision for Compliance Monitoring
- Cost-Effectiveness
- Prospective Community Acceptance

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

The Prospective Purchaser shall prepare two (2) copies of the Agency Review Draft FS Report and submit them, including one electronic copy in Word (.doc) and Adobe (.pdf) formats, to Ecology for review.

After incorporating Ecology's comments on the Agency Review Draft FS Report, the Prospective Purchaser shall prepare three (3) copies of the Public Review Draft FS Report and submit them, including one electronic copy each in Word (.doc) and Adobe (.pdf) formats, to Ecology for distribution and public comment. The FS Report will not be considered Final until after a public review and comment period.

TASK 3. FINAL DRAFT CLEANUP ACTION PLAN

Upon Ecology approval of the Public Review Draft Remedial Investigation and Public Review Draft Feasibility Study Report, the Prospective Purchaser shall prepare an Agency Review preliminary Draft Cleanup Action Plan (DCAP) in accordance with WAC 173-340-380 that provides a proposed remedial action to address the contamination present on the Site. Where contaminated sediments are included in the remedial action, the cleanup plan will comply with WAC 173-204-580, in addition to the MTCA requirements cited above. The Agency Review preliminary DCAP shall include a general description of the proposed remedial actions, cleanup standards developed from the Remedial Investigation/Feasibility Study and rationale regarding their selection, a schedule for implementation, description of any institutional controls proposed, and a summary of applicable local, state, and federal laws pertinent to the proposed cleanup actions.

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

TASK 4. PUBLIC PARTICIPATION

The Prospective Purchaser shall assist Ecology to prepare a draft Public Participation Plan that complies with the provisions of WAC 173-340-600(9).

The Prospective Purchaser shall support Ecology in presenting the Public Review Draft RI and Public Review Draft FS Reports, the Draft Cleanup Action Plan (DCAP) and SEPA evaluations at one public meeting or hearing. The Prospective Purchaser will assist Ecology with presentations at any additional meetings or hearings that might be necessary for SEPA compliance or as part of the Public Participation Plan.

After the public comment period is completed, Ecology may request the Prospective Purchaser prepare a Draft Responsiveness Summary that addresses public comments and after Ecology review and comment prepare the Final RI/FS and the Final CAP that addresses public comments.

After incorporating Ecology's comments and after Ecology approval, The Prospective Purchaser shall prepare three (3) copies of the Final Responsiveness Summary, the Final RI/FS and the Final CAP after public comments are incorporated and submit them to Ecology for distribution, including one electronic copy each in Word (.doc) and Adobe (.pdf) formats.

TASK 5. FINAL ENGINEERING DESIGN REPORT

Upon Ecology approval of the CAP the Prospective Purchaser shall prepare detailed working documents suitable for construction of the cleanup action. The Prospective Purchaser shall prepare a Draft Engineering Design Report (EDR), which outlines fundamental engineering concepts and design criteria to be used in preparing plans and specifications (WAC 173-340-400 (4)(a)). The EDR shall contain sections that address the construction work itself (safety, scheduling, performance monitoring, quality control, waste material disposal, neighborhood constraints, etc). Once Ecology approves the Draft EDR, the Prospective Purchaser shall prepare the Final EDR (WAC 173-340-400 (4)(a)).

TASK 6. IMPLEMENTATION of the CLEANUP ACTION PLAN

Soil and groundwater beneath the Truck City Truck Stop Site contains concentrations of gasoline-range petroleum hydrocarbons; diesel-range petroleum hydrocarbons; benzene, toluene, ethylbenzene, and xylenes at concentrations exceeding the applicable cleanup levels.

Excavation of on-property petroleum contaminated soil, dewatering of the excavation pits, in-situ bioremediation, and compliance monitoring is the preferred alternative for the Site. The cleanup will be conducted in accordance with the Department of Ecology's Model Toxics Control Act (MTCA) regulation (Chapter 173-340 WAC).

Fuel System Removal

All underground storage tanks (USTs) and associated fuel lines on the property will be decommissioned and a UST site assessment will be conducted under the oversight of a Washington State-certified UST site assessor, and the USTs will be removed in accordance with the Guidance for Site Checks and Site Assessment for Underground Storage Tanks (Ecology 2003), and Underground Storage Tank Regulations (WAC 173-360). Demolition of the convenience store structure at the property (including, but not limited to, the removal of a potential closed in place heating oil tank under the convenience store building) will also take place during this phase of work.

Contaminated Soil Excavation and Sampling

Excavate impacted soil at the four residual localized impacted areas (including in the vicinity of borings TCBH-1 and TCBH-3 and monitoring well TC-5, and the east side of the truck scale) to approximately 14 feet bgs. Remove the truck scale and associated concrete pad prior to excavation activities. Characterize each area of excavation by collecting soil samples throughout the excavation to assess the lateral and vertical extent of impact. Collect confirmation soil samples from each area of excavation. Collect representative stockpile soil samples and dispose of impacted soil at a permitted disposal facility. The initial area of excavation will be determined based on field screening results. The final excavation area will be determined by confirmation sampling of the excavation sidewalls and base of the excavation pit. Over excavation of petroleum-contaminated soil below the ground water table, in the smear zone, is necessary to remove the impacted zone.

Because the ground water is shallow, each excavation pit will be dewatered. Impacted water will be contained in an appropriately sized tank and will be remediated by cycling of water through granular activated carbon filters and sediment filters. Water samples will be collected from the storage tank and submitted for analysis of TPH and BTEX as well as measurement of the treated water's turbidity to ensure water quality prior to discharging water into the Property's stormwater system. A permit for discharge to the City of Mount Vernon's stormwater system will be obtained prior to discharge

Backfill the excavation area with clean, imported fill to existing ground surface elevation and compact consistent with construction specifications associated with the jail.

The second phase of the remedial action involves using enhanced aerobic biodegradation to expedite the biodegradation of TPH and VOCs in soil and ground water by adding oxygen (as an electron acceptor). An industry standard oxygen release compound will be added as a soil amendment (dry powder) to the backfill material and applied to each excavation area. Installation of the backfill-mixed oxygen release material will account for the anticipated ground water smear zone. Installation of a bioremediation product that releases oxygen in the dissolved phase when it is hydrated will provides terminal electron acceptors to support the oxidative biodegradation of petroleum hydrocarbons and VOCs. It is anticipated that generous application of a bioremediation product throughout the smear zone at each localized residual impacted area will remediate both residual saturated soil and ground water contamination.

TASK 8. As-Built Construction Complete Report

The As-Built Report is the key site document that provides people with an understanding of the condition of the site at the end of cleanup construction.

An As-Built Report must be prepared at the completion of construction by the responsible engineer. The As-Built Report must contain an opinion from the engineer, based on testing results and inspections, as to whether the cleanup action has been constructed in substantial compliance with the plans and specifications and related documents (WAC 173-340-400(6)(b)(ii)).

The As-Built Report must be specific about what was done. The boundaries of all excavations must be shown on maps with a survey grid. The coordinates of significant points should be labeled on the maps.

The location and nature of any containment systems, caps, or barriers must be clear. Their construction details must be presented. The locations must be shown on a map with a survey grid and coordinate labels shown at significant points of the containment system boundaries.

TASK 9. Operations and Maintenance (O&M) and Compliance Monitoring Plans

As described in the CAP, there are no foreseen requirements for Engineering or Institutional Controls. Therefore the O&M and Compliance Monitoring Plans may be combined. The Prospective Purchaser shall prepare the Compliance Monitoring Plan upon Ecology's approval of the preliminary CAP.

Compliance Monitoring

Compliance monitoring includes conducting a baseline ground water sampling event at the Property's monitoring wells before initiating the in situ bioremediation task. Up to two years of consecutive quarterly ground water monitoring events will be conducted, as necessary, to meet the following objectives: (1) confirm effectiveness of the bioremediation treatment; (2) collect the necessary data for compliance with consent decree, based on compliance with CULs; and (3) confirm that petroleum-hydrocarbon-impacted ground water is not migrating past the Point ofCompliance or downgradient of the property boundary. Throughout this monitoring period, selected ground water samples will be analyzed for geochemical parameters (including nitrate, manganese, ferrous iron, sulfate, and methane) to continue assessment of the presence of electron acceptors during the biodegradation process and to evaluate the biodegradation of TPH and selected VOCs.

Exhibit F

Table 1

Schedule for Submission of Major Deliverables

	Deliverable	***Due Date***[a]
1.	Agency Review Draft Remedial Investigation (RI) Work Plan	July 7, 2014 [b]
2.	Final Remedial Investigation Work Plan	July 8, 2014 [b]
3.	Remedial Investigation Field Investigations Completed	July 21, 2014 [b]
4.	Agency Review Draft Remedial Investigation Report	September 26, 2014 [b]
5.	Public Review Draft Remedial Investigation Report	October 6, 2014
6.	Final Remedial Investigation Report	30 days after receipt of Ecology comments, subsequent to public comment[c]
7.	Agency Review Draft Feasibility Study Report	September 26, 2014 [b]
8.	Public Review Draft Feasibility Study Report	October 6, 2014
9.	Final Feasibility Study Report	30 days after receipt of Ecology comments, subsequent to public comment[c]
10.	Agency Review preliminary Draft Cleanup Action Plan (DCAP)	October 6, 2014
11.	Public Review Draft Cleanup Action Plan	November 12, 2014, Ecology document
12.	Final Cleanup Action Plan	30 days after receipt of Ecology comments, subsequent to public comment[c]
13.	SEPA Check List	October 6, 2014[c]
14.	Agency Review Draft Engineering Design Report	January 15, 2014
15.	Final Engineering Design Report	90 days after effective date of Propospective Purchaser Consent Decree

EXHIBIT F (Continued) – SCHEDULE OF DELIVERABLES
Skagit County, Prospective Purchaser

The schedule for notifications to Ecology or submission of major deliverables to Ecology for this SOW is described below. If the date for submission of any item or notification required by this SOW occurs on a weekend, state or federal holiday, the date for submission of that item or notification is extended to the next business day following the weekend or holiday. Where a deliverable due date is triggered by Ecology notification, comments or approval, the starting date for the period shown is the date Skagit County received such notification, comments or approval by certified mail, return receipt requested, unless otherwise noted below. Where triggered by Ecology receipt of a deliverable, the starting date for the period shown is the date Ecology receives the deliverable by certified mail, return receipt requested, or the date of Ecology signature on a hand-delivery form.

Table 1 - Schedule for Submission of Major Deliverables

16.	As-Built Construction Complete Report	90 days after completion of Remedial Action

[a] *Due dates shown are for initial draft and final deliverables. This schedule assumes only a single revised document will be submitted following receipt of comments from Ecology. Documents become final only upon approval by Ecology.*

[b] *Activities initiated as an independent action.*

[c] *These public comment periods can be combined.*

Exhibit G

EXHIBIT G
LIST OF REQUIRED PERMITS OR APPROVALS

APPLICABLE PERMITS OR APPROVALS & REQUIREMENTS

The cleanup action to be performed at the Site requires the following permit and environmental review process:

NPDES Construction Stormwater General Permit

The cleanup action will require a National Pollution Discharge Elimination System (NPDES) Construction Stormwater General Permit. Ecology administers the federal NPDES regulations in Washington State. All construction permits that disturb more than 1 acre during construction must obtain a NPDES construction stormwater permit. The NPDES permit program is delegated to Washington State by the federal Environmental Protection Agency under the federal Clean Water Act, § 1251 et seq. Pursuant to RCW 70.105D.090(2), Ecology has determined that the procedural requirements of an NPDES permit are not exempt for MTCA actions. The Cleanup Action will be conducted under the requirements of an NPDES Construction Stormwater General Permit issued separately by Ecology.

NPDES Waste Discharge Permit

It is anticipated that management of Site stormwater and construction-related dewatering water will be routed to an appropriately sized tank for containment and subsequent treatment by cycling of water through granular activated carbon filters and sediment filters. Water samples will be collected from the storage tank and submitted for the necessary laboratory analyses to ensure that water quality standards are met prior to discharging water into the Property's stormwater system. A permit for discharge to the City of Mount Vernon's stormwater system will be obtained prior to discharge. If necessary, the County will comply with all requirements of the NPDES Waste Discharge permit and any subsequent modifications.

State Environmental Policy Act Integrated Compliance (RCW 43.21C.036 and WAC 197-11-250 through 259)

Compliance with SEPA, Chapter 43.21C RCW, will be achieved by conducting SEPA review in accordance with applicable regulatory requirements, including WAC 197-11-268, and Ecology guidance as presented in Ecology Policy 130A (Ecology 2004). SEPA review will be conducted concurrent with public review of the Cleanup Action Plan. In coordination with Skagit County as the SEPA lead agency for the jail construction project, Ecology will be the co-lead agency for the remedial actions performed under RCW 70.105D and WAC 173-340.

Exhibit H

EXHIBIT H
APPLICABLE SUBSTANTIVE REQUIREMENTS OF PROCEDURALLY EXEMPT PERMITS OR APPROVALS

APPLICABLE PERMITS OR APPROVALS & REQUIREMENTS

The cleanup action to be performed at the Site is exempt from the procedural requirements of the following permits and approvals but must meet the substantive requirements:

City of Mount Vernon Fill and Grade Permit (Title 15 Ordinance 1516)

Pursuant to the City of Mount Vernon Grading Ordinance (Title Ordinance 1516), a Major Grading permit is required from the City for grading projects that involve more than 500 cubic yards of grading. The City grading ordinance identifies a number of standards and requirements for obtaining a grading permit. The City standards and requirements will be integrated into the construction plans and specifications where applicable for the cleanup action to insure it complies with the substantive requirements of the City grading ordinance. Those substantive requirements include: staking and flagging property corners and lines when near adjacent properties, location and protection of potential underground hazards, proper vehicle access point to prevent transport of soil off-site, erosion control, work hours and methods compatible with weather conditions and surrounding property uses, prevention of damage or nuisance, maintaining a safe and stable work site, compliance with noise ordinances and zoning provisions, development of a traffic plan when utilizing City streets, and written permission when grading from legal property owner.

City of Mount Vernon Construction Stormwater Permit (Title 15 Ordinance Code 1333 - Stormwater)

Pursuant to the City of Mount Vernon Stormwater Management ordinance (Title 15 Ordinance Code 1333 - Stormwater), the cleanup action must meet the requirements of a City Stormwater Permit. The substantive requirements include preparation of a stormwater site plan, preparation of a construction stormwater pollution prevention plan, source control of pollution, preservation of natural drainage systems and outfalls, on-site stormwater management, run off treatment, flow control, and system operations and maintenance.

City of Mount Vernon Right of Way Permit (Street Sidewalk Public Works Title 12 – Right of Way)

Pursuant to the City of Mount Vernon Right of Way ordinance (Street Sidewalk Public Works Title 12), the cleanup action must meet the requirements of a City Right of Way Permit. The substantive requirements include preparation of site plan and delineation of work within the City's a Right of Way and providing a traffic control plan.