

Texaco

F.S.N.

STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

In the Matter of Remedial Action by )  
Texaco Refining and Marketing, Inc. ) Agreed Order  
February 22, 1991 Oil Spill ) 91 - HSI092  
Upland Site )

TO: Mr. Glenn A. Weiss  
Plant Manager  
Texaco Refining and Marketing, Inc.  
Puget Sound Plant  
P. O. Box 622  
Anacortes, WA 98221-0622

JURISDICTION

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

FINDINGS OF FACT

Ecology makes the following Findings of Fact without admission of any such facts by Texaco Refining and Marketing, Inc. (also referred to as Texaco).

1. Texaco Refining and Marketing, Inc., Munks Family, and Burlington Northern Railroad all presently own property on March Point near Anacortes, WA.
2. Studies conducted at the facility have found a release of Alaskan crude oil from a Texaco petroleum pipeline onto Texaco property and adjacent land owners' property.
3. The petroleum contamination is found in the soils and surface water (ditches and trenches) at the site. The contamination is documented in the Phase II Site Assessment and Remedial Action Review Workplan, May 1991, which is attached as Appendix A of this Order.

ECOLOGY DETERMINATIONS

1. The property affected by the release of petroleum, consisting of the Munks property (Figure 1 and Figure 2 - Sector 3), Burlington

Northern railroad bed (Figure 2 - Sector 2), and Texaco pipeline and pump station (Figure 2 - Sector 1), constitutes a "facility" as defined in RCW 70.105D.020(3).

2. Texaco Refining and Marketing, Inc. is an "owner or operator" of a portion of the facility as defined in RCW 70.105D.020(6).
3. Alaskan crude oil is a "hazardous substance" as defined in RCW 70.105D.020(5).
4. The presence of Alaskan crude oil in the soils and surface water at the facility constitutes a "release" as defined in RCW 70.105D.020(10).
5. By a letter dated July 3, 1991, Ecology notified Texaco Refining and Marketing, Inc. of its status as a "potentially liable person" under RCW 70.105D.040.
6. Ecology is requiring this action pursuant to RCW 70.105D.030(1) and .050.

Based on the foregoing facts and in the best interests of the public, Ecology has determined that Texaco Refining and Marketing, Inc. must take remedial actions, as set forth below, at the facility, in accordance with WAC 173-340-530(1).

#### WORK TO BE PERFORMED

Based on the foregoing Facts and Determinations, it is hereby Ordered and Agreed that Texaco Refining and Marketing, Inc. perform the remedial action set forth below. The required remedial action is more fully described in the work plan labeled Phase II Site Assessment and Remedial Action Review Workplan attached to this Order as Exhibit A. Exhibit A is incorporated herein by this reference and is an integral and enforceable part of this Agreed Order. Texaco is required to implement Sections 5, 6, 7, and 8 of Exhibit A (Phase II Site Assessment and Remedial Action Review Workplan) in their entirety. However, certain provisions of Sections 5.0 and 6.0 are amended or superseded by the following paragraphs. Any remedial action at the site, other than that approved by Ecology, is prohibited. The remedial action under this Order consists of three parts:

- I. The first part of this order is an interim cleanup action. This interim action will allow for the rapid cleanup of private property owned by the Munks family. The interim action will clean up the Munks property to Model Toxics Control Act standards for petroleum spills. This action is necessary to reduce the threat of the petroleum spill to human health and the environment.
  1. General conditions concerning Section 5.0 of the Phase II Site Assessment and Remedial Action Review Workplan:

- A. Cleanup activities conducted at the Munks' farm shall be prioritized so that cross contamination between the four farm areas being cleaned up does not occur. The interceptor trench located between the railroad tracks and the Munks property shall remain open during the remedial action to ensure that oil from upgradient areas does not contaminate newly cleaned areas.
- B. Texaco shall ensure that clean fill is placed in the excavated portions of the Munks farm. The new soil shall be compacted to ensure that there is no subsidence at a later time. The areas filled shall be returned to the original grade that existed prior to the spill. The source of the fill material shall be approved by Ecology.
- C. Texaco shall attempt to meet with Mr. Leonard Munks once a week during the remedial action activities to provide a status of the cleanup activities including work to be conducted in the next week.
- D. Texaco shall obtain all necessary local and state permits prior to conducting the remedial action. Texaco shall determine if the proposed remediation complies with local zoning codes.
- E. Texaco shall survey the locations and elevations of Munks' field, buildings, and fence lines to determine the original positions of the structures. This data shall be used to ensure that buildings are returned to their original positions and that restored fields are built up to their original heights.
- F. The State Model Toxics Control Act Cleanup Regulation, Chapter 173-340 WAC, Method A Cleanup Levels of 200 ppm total petroleum hydrocarbons (TPH) and 500 ppb total benzene for the protection of groundwater shall be the cleanup standards in soils for the interim action. EPA Method 418.1, modified shall be used for the analysis of total petroleum hydrocarbons and EPA Method 8020 shall be used for the analysis of benzene.
- G. Vadose zone and groundwater monitoring devices shall be located in the corners of pastures or along fence lines to allow for ease of field maintenance unless the geology of the unit that is to be monitored dictates otherwise.
- H. Petroleum-contaminated soil excavated during the interim action shall be land applied to existing Texaco landfarms or stockpiled in an area on the Texaco Plant site. The more oily soil shall be landfarmed on the hazardous waste portion of the East Land Treatment Field and the less oily portion of the oily soil shall be landfarmed on the non-hazardous

portion of the West Land Treatment Field. The stockpile area shall be approved by Ecology prior to excavation of the soils.

I. When photoionization detection (PID) is used as a screening device, the photoionization detection action level requiring further analysis shall be greater than three ppm organics over background levels.

2. Section 5.1.1. (Pasture located north of house at 1031 March Point Drive - aka northern pasture, Figure 1.) shall be amended to include a backhoe investigation of total petroleum hydrocarbons in the area of sample #7 rather than simple auger sampling. This investigation shall consist of a trench cut north-south through the sample #7 location. The trench shall be visually examined and sampled in two locations. The samples shall be collected from the sidewall at both the surface and at a depth of 20-30 inches. Four additional samples shall be collected in two locations upgradient (east) of Sample #7 at the surface and at a depth of 20-30 inches. All of these samples shall be analyzed for TPH and benzene.

A buried water line that runs west across the field shall also be investigated for TPH and benzene contamination. The area around the water line shall be inspected for petroleum contamination using a photoionization detector to measure organic vapor from soil and then sampled for TPH and benzene as necessary.

Oil seen on the eastern edge of the pasture shall be investigated and included in the soil excavation activities if oil is found. Soil sampling of any excavated area shall be conducted using a photoionization detector and procedures described in amended section 5.1.2. The number of soil samples shall be determined by Ecology and Texaco after the excavation is complete. Soil samples that are analyzed after PID screening shall be analyzed for TPH and benzene. Backfilling of excavated areas shall not begin until Ecology gives approval.

3. Section 5.1.2. (Field located west of Munks' northern home, Figure 1) shall be amended to include soil sampling of the field in front of Munks' farm. This sampling shall be conducted along a grid similar to that used for the original site assessment. After visual examination and the removal of all visible oil, the field shall be resampled using at least 25 random hand augered samples collected at a depth of 0-10 inches. All samples shall be screened using a photoionization detector (PID) to measure organic vapor from the soil. Fourteen samples with the highest readings shall be further analyzed for TPH and benzene. Ecology shall take split samples for analysis from the 14 samples. Backfilling shall not begin until Ecology gives approval.

4. Section 5.1.3. (The Munks' home and outbuildings located north of the Munks' driveway, Figure 1) shall be amended to include

investigation of the septic system, including the tank and drainfield, for oil contamination. Additional sampling and excavation shall be conducted in these areas if oil is found.

After steam cleaning houses and outbuildings, Ecology and Texaco shall conduct soil and air testing. If the house is not moved, Texaco and Ecology shall analyze air in the crawl space below Mr. Munks' home for benzene. Four samples shall be collected using canisters, one background and three under the Munks' house. The samples shall be analyzed on a gas chromatograph in accordance with EPA Method TO-14. The cleanup standard for benzene in air shall be 0.30 micrograms/cubic meter. Ecology and Texaco shall conduct additional confirmational sampling of soils as necessary in the steam cleaned and excavated areas surrounding Mr. Munks' northern home and horse barn. Samples shall be screened using a PID. Samples that have a positive PID reading shall be analyzed for TPH and benzene.

5. Section 5.1.4. (Munks' pasture and house located south of the driveway, Figure 1.) shall be amended to include three soil borings in an area located between the railroad tracks and Mr. Munks' southern house. These samples shall be collected from continuous borings drilled to a depth of 7.5 feet. Each boring sample shall be taken from a 2.5 foot segment. Each segment shall be screened with a photoionization detector and the sample with the highest reading from each hole shall be analyzed for TPH and benzene. The boring shall be continued in 2.5 foot segments if contamination is discovered by PID screening at the bottom of any hole. These samples shall be used to determine if oil has migrated under the buildings located south of the Munks' driveway.

In the pasture south of Munks' house two test pits shall be dug, one where a surface water drain tile begins (in the northeast corner of the pasture) and one where the drain tile ends (in the southwest corner of the pasture). The test pits shall be tested for hydrocarbons using a photoionization detector. If petroleum is detected, then samples from the pits shall be collected and analyzed for TPH and benzene. In addition to these two test pits, 8 random samples shall be collected within the pasture. The samples shall be collected to a depth of 12 inches. The samples shall be screened with a photoionization detector and the four samples with the highest readings shall be analyzed for TPH and benzene.

The septic system that serves the Munks' southern house shall be investigated for oil contamination. Additional sampling and excavation shall be conducted in the area around the septic system if oil is found.

6. In the diagonal drainage ditch found south of Munks' southern pasture (aka the blackberry ditch) and drainage ditch found east of the railroad tracks, three composite samples shall be taken and



analyzed for TPH. Each sample shall consist of a composite of one ditch sidewall sample (0-3 inches) and one ditch bottom sample (0-3 inches). Three sample locations shall be identified with one sample taken west of the railroad tracks and two samples taken along the drainage ditch along the southern boundary of the site.

7. The cleanup standard for the interim action shall be Model Toxics Control Act Chapter 173-340-720(2), -730(2), -740(2), and -750(2) or (3). The interim action shall commence within two weeks of the effective date of this signed Order and be completed by December 31, 1991.

II. The second part of the remedial action required by this Order is to bioremediate stockpiled non-hazardous oily soil that is found in the roadways between plots of the East Land Treatment Field and on a storage pad south of the East Land Treatment Field. The stockpiled material can be treated at the north and south plots of the temporary Flare Land Treatment Field (FLTF) subject to the following conditions:

1. Only non-hazardous oily soil can be treated at the north and south temporary FLTF. The treatment fields are temporary and not permanent facilities. Prior to the application of oily soil the following shall be accomplished:
  - A. Texaco shall obtain necessary local permits and/or approvals for the land treatment plots.
  - B. Texaco shall install two lysimeters below the treatment zone in the north plot of the FLTF.
  - C. Texaco shall determine the current TPH concentrations in the zone of incorporation (ZOI) in the north and south plots of the FLTF.
2. Oily soil shall be applied to the FLTF only when existing material on the field has less than 200 ppm TPH. Oily soil shall be applied each time in six inch lifts. The plots shall be tilled twice weekly with each tilling event consisting of at least two passes.
3. Lysimeters shall be monitored quarterly. Lysimeter samples shall be analyzed for BTEX using EPA Method 8240 and chromium, nickel, and vanadium shall be analyzed using EPA Method 6010.
4. ZOI sampling shall consist of one discrete sample per plot and one composite sample consisting of five random samples from each plot for a total of ten random samples. ZOI samples shall be collected quarterly. Soil amendments shall be made when analytical results indicate that pH should be adjusted or that the actual nitrogen or phosphorus levels are less than the desired amount. Specific

amounts needed shall be calculated in accordance with Permit Condition III.B.3. of the Texaco Dangerous Waste Treatment Permit.

5. By November 1, 1991 Texaco Marketing and Refining shall install one monitoring well east of each temporary plot of the ILTF. The wells shall be screened in the first aquifer.

III. The third part of the remedial action required by this Order is to implement a workplan that will finish the site assessment of the oil spill area and conduct a remedial investigation and feasibility study (RI/FS) on the contaminated property at the site. The completed RI/FS shall describe the different remedial action options and present a preferred action. Ecology shall determine which remedial action will be used in the final cleanup of the site. The changes in the following items supersede Sections 6.2.2, 6.2.3, 6.2.4 introduction, 6.2.4.2, and 6.2.5 of the Phase II Site Assessment and Remedial Action Review Workplan. Soil samples shall be collected in accordance with Section 6.2.4.1 (misidentified as Section 6.2.2.4 in the plan) and Appendix B of the workplan. The RI/FS shall consist of characterization of the surface soils, surface water, subsurface geology, and hydrology.

The site shall be divided into three sectors as shown in Figure 2. The first sector consists of a triangular shaped area around the pump station, pipeline and catchment basin. The northern boundary of the sector is North Texas Road and the eastern boundary of the sector is the Burlington Northern Railroad. The second sector contains the Burlington Northern Railroad tracks and roadbed. The third sector consists of the Munks farm and surrounding pasture. This sector is located west of the Burlington Northern Railroad.

1. The geologic and hydrologic investigation of the site shall consist of the boring of three east-west drill holes to collect information on soil type and groundwater elevations. The three borings shall be located along North Texas Road in Munks' north pasture, near the pump station, and east of the pump station. The borings shall be advanced five feet past the first aquifer or to a total depth of 40 feet if no water bearing unit is encountered. The top 5 feet (0-30 inch and 30-60 inch segments) of sample in each hole shall be analyzed with a photoionization detector. The data collected in the investigation shall be used to propose a groundwater or vadose zone monitoring system, describe the near surface and subsurface geology of the site, and describe the surface drainage patterns of the site.

Texaco shall determine in which aquifer the Munks' water well located north of North Texas is screened. Texaco shall analyze the water for TPH and benzene. This data shall be used in the groundwater characterization.

2. Soil samples analyzed for total petroleum hydrocarbons shall use EPA Method 418.1, modified and EPA Method 8020 for benzene. When the PID is used as a screening device, the PID action level for

further required chemical analysis shall be a reading greater than three ppm organics over background levels.

3. The characterization of the surface soils of the site shall consist of the following items:

- A. Sector 1. The characterization of the Sector 1 (pump and pipeline area) shall consist of soil sampling to determine the existence of oil contaminated sediments. Initial sampling shall consist of surface analysis of TPH and subsurface screening with a photoionization detector. If PID screening indicates subsurface hydrocarbon contamination, deeper sampling at two foot intervals shall be required. Sampling plans for individual areas are described below.

Pipeline Area. Three surface samples (0-3 inches) and three subsurface samples (24-30 inches) shall be collected spaced approximately every 150 feet along the pipeline right-of-way. The surface samples shall be analyzed for TPH using EPA Method 418.1, modified. The subsurface samples shall be screened with a PID and analyzed for TPH if there is an indication of hydrocarbons.

Railroad Area. Along the east side of the railroad right-of-way three surface samples (0-3 inches) and three subsurface samples (24-30 inches) shall be collected every 200 feet. The surface samples shall be analyzed for TPH. The subsurface samples shall be screened with a PID and analyzed for TPH if there is an indication of hydrocarbons.

Pump Area. At the pump station one surface sample and one subsurface sample shall be collected in a heavily oiled area. The surface sample (0-3 inches) shall be tested for TPH. The subsurface sample (24-30) shall be screened with a PID and analyzed for TPH if there is an indication of hydrocarbons.

Catchment Basin. At the basin located south of the pump station samples shall be collected from the pond sidewalls and bottom. Two surface sidewall (0-3 inches) samples and one bottom surface sample (0-3 inches) shall be collected and analyzed for TPH. Two subsurface sidewall samples (24-30 inches) and one bottom subsurface sample (24-30 inches) shall be screened using a PID and analyzed for TPH if there is an indication of hydrocarbons.

- B. Sector 2. Railroad right-of-way. Characterization of the Burlington Northern roadbed shall focus on collection of data needed to complete treatability studies outlined in the Feasibility Study. One sample of heavily oiled roadbed



material shall be tested for TPH using EPA Method 418.1 modified.

C. Sector 3. Munks Farm. The interim cleanup shall provide the data necessary for any further characterization of Munks farm.

2. The RI/FS report shall be submitted to Ecology for approval by December 31, 1991.

#### TERMS AND CONDITIONS OF ORDER

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.

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 the Order is inadequate or improper in any respect.

Remedial Action Costs. Texaco Refining and Marketing, Inc. agrees to pay to Ecology costs incurred by Ecology pursuant to this Agreed Order that are reasonably attributable to the site. These costs shall include work performed by Ecology or its contractors for investigations, remedial actions, and Order preparation, negotiations, 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 agency indirect costs of direct activities. Texaco Refining and Marketing, Inc. agrees to 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. Failure to pay Ecology's costs within 90 days of receipt of the itemized statement of costs may result in interest charges.

Designated Project Coordinators. The project coordinator for Ecology is:

Mr. Paul Skillingstad  
Department of Ecology  
Industrial Section  
Mail Stop PV-11  
Olympia, WA 98504-8711

Telephone (206) 586-0583

The project coordinators for Texaco Refining and Marketing, Inc. are:

Mr. Larry Padgett and Mr. Joe Haley  
Texaco Refining & Marketing, Inc.  
Puget Sound Plant  
P. O. Box 622  
Anacortes, WA 98221

Telephone (206) 293-0867

The project coordinators shall be responsible for overseeing the implementation of this Order. To the maximum extent possible, communications between Ecology and Texaco Refining and Marketing, Inc., 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 Mr. Paul Skyllingstad as Ecology's project coordinator and Mr. Glenn A. Weiss as Texaco Puget Sound Plant Manager. Should Ecology or Texaco Refining and Marketing, Inc. change project coordinators, written notification shall be provided to Ecology or Texaco Refining and Marketing, Inc. at least ten (10) calendar days prior to the change.

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. Texaco Refining and Marketing, Inc. 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.

Access. Ecology or any Ecology authorized representative shall have the authority to enter and freely move about the site 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 Texaco Refining and Marketing, Inc.

By signing this Agreed Order, Texaco Refining and Marketing, Inc. agrees that this Order constitutes reasonable notice of access, and agrees to allow access to the site at all reasonable times for the purposes of overseeing work performed under this Order. Ecology shall provide Texaco Refining and Marketing, Inc. an opportunity to split any samples taken during an inspection unless doing so interferes with Ecology's sampling. Texaco Refining and Marketing, Inc. shall allow split or replicate samples to be taken by Ecology and shall provide seven (7) days notice before any sampling activity. All Ecology or Ecology-authorized representatives entering portions of the site owned by Texaco shall abide by Texaco's health and safety plan and by rules relating to health and safety.

Public Participation. Ecology shall maintain the responsibility for public participation at the site. Ecology shall assist Texaco Refining and

Marketing, Inc. in preparing a public participation plan for the site. Texaco Refining and Marketing, Inc. shall help coordinate and implement public participation for the site.

Retention of Records. Texaco Refining and Marketing, Inc. 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 its possession relevant to this Order. Should any portion of the work performed hereunder be undertaken through contractors or agents of Texaco Refining and Marketing, Inc., then Texaco Refining and Marketing, Inc. agrees to include in their contract with such contractors or agents a record retention requirement meeting the terms of this paragraph. Texaco reserves the right to review any referenced documents or written materials, including business records, obtained by Ecology personnel or contractors to determine whether it believes the documents or written materials are confidential. If Texaco believes that any documents or written materials are confidential, then it may request that Ecology maintain their confidentiality pursuant to RCW 43.21A.160. By agreeing to this, Texaco does not waive its rights with respect to the confidentiality of any documents or written materials.

Dispute Resolution. Texaco Refining and Marketing, Inc. 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 head of Ecology's Toxics Cleanup Program - Site Cleanup Section. Ecology resolution of the dispute shall be binding and final. Texaco Refining and Marketing, Inc. is not relieved of any requirement of this Order during the pendency of the dispute and remains responsible for timely compliance with the terms of the Order unless otherwise provided by Ecology in writing.

Reservation of Rights/No Settlement. This Agreed 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 Ecology rights or authority. Ecology will not, however, bring an action against Texaco Refining and Marketing, Inc. 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 Texaco Refining and Marketing, Inc. to require those remedial actions required by this Agreed Order, provided Texaco Refining and Marketing, Inc. complies with this Agreed Order. Ecology reserves the right, however, to require additional remedial action at the Site should it deem such actions necessary.

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 Texaco Refining and Marketing, Inc. to stop further implementation of this Order for such period of time as needed to abate the danger. In such event, the Work to Be Performed section of this Order shall be stayed.

Transference of Property. No voluntary or involuntary conveyance or relinquishment of title, easement, leasehold, or other interest in any portion of the site owned by Texaco shall be consummated by Texaco Refining and

Marketing, Inc. 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 Texaco Refining and Marketing, Inc. may have in the site or any portions thereof, Texaco Refining and Marketing, Inc. 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, Texaco Refining and Marketing, Inc. shall notify Ecology of the contemplated transfer.

Compliance with Other Applicable Laws. All actions carried out by Texaco Refining and Marketing, Inc. pursuant to this Order shall be done in accordance with all applicable federal, state, and local requirements.

Modification. This Agreed Order is intended to embody all of the terms and provisions agreed to by the parties with respect to the remedial actions specified herein. Ecology and Texaco Refining and Marketing, Inc. may modify this Order by mutual written agreement.

#### SATISFACTION OF THIS ORDER

The provisions of this Order shall be deemed satisfied upon Texaco Refining and Marketing, Inc.'s receipt of written notice from Ecology that Texaco Refining and Marketing, Inc. has satisfactorily 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.

#### ENFORCEMENT

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

1. The Attorney General may bring an action to enforce this Order in a state or federal court.
2. The Attorney General may seek, by filing an action, if necessary, to recover amounts spent by Ecology for investigative and remedial actions and orders related to the site.
3. In the event Texaco Refining and Marketing, Inc. refuses, without sufficient cause, to comply with any term of this Order, Texaco Refining and Marketing, Inc. will be liable for:
  - A. Up to three times the amount of any costs incurred by the state of Washington as a result of its refusal to comply; and



B. Civil penalties of up to \$25,000.00 per day for each day it refuses to comply.

4. 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.

Effective date of this Order: July 30, 1991

TEXACO REFINING AND MARKING, INC.  
PUGET SOUND PLANT

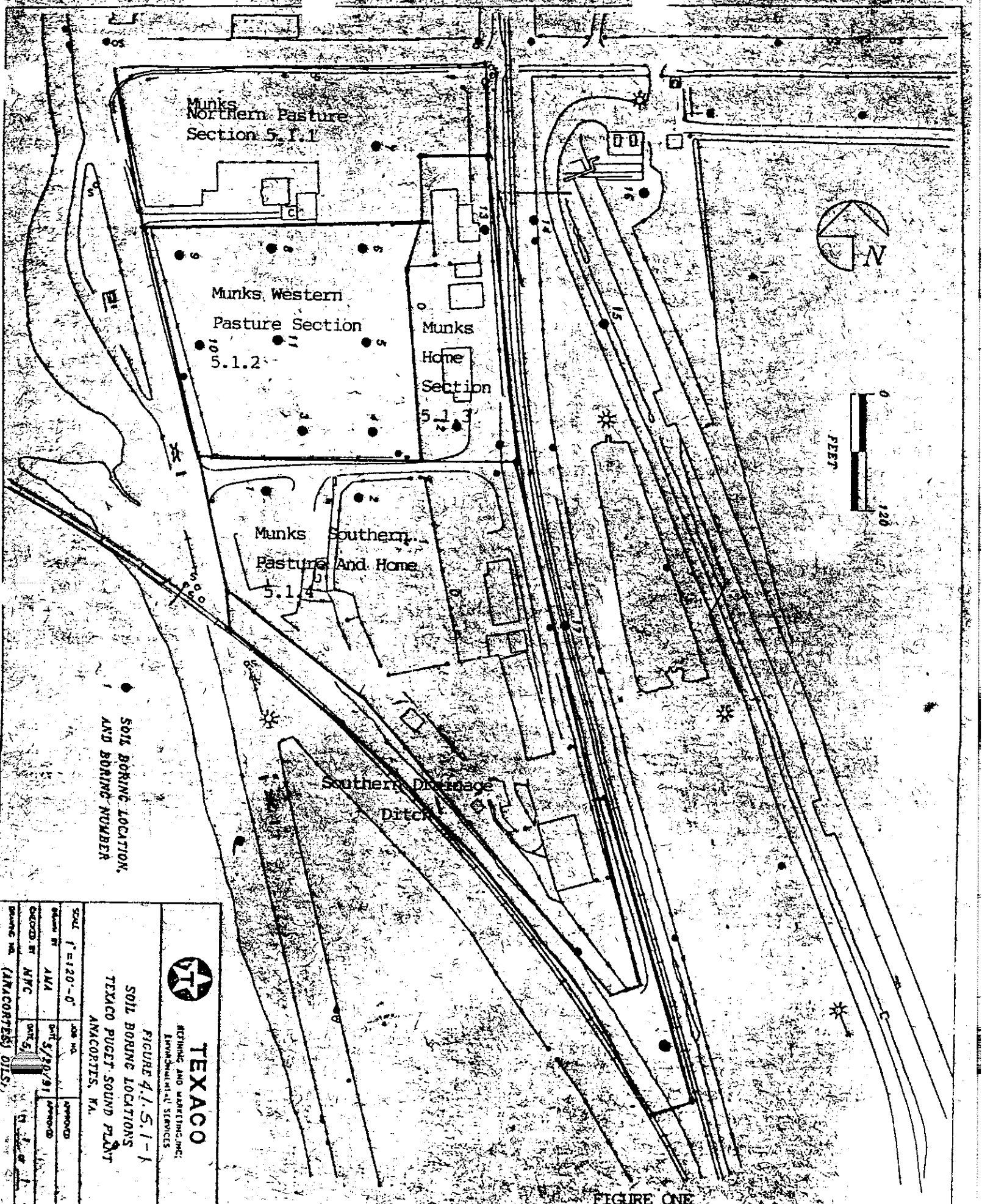
STATE OF WASHINGTON DEPARTMENT OF  
ECOLOGY

By Glenn A. Weiss

Mr. Glenn A. Weiss  
Plant Manager

By Richard A. Burkhalter

Mr. Richard A. Burkhalter, P.E.  
Supervisor, Industrial Section

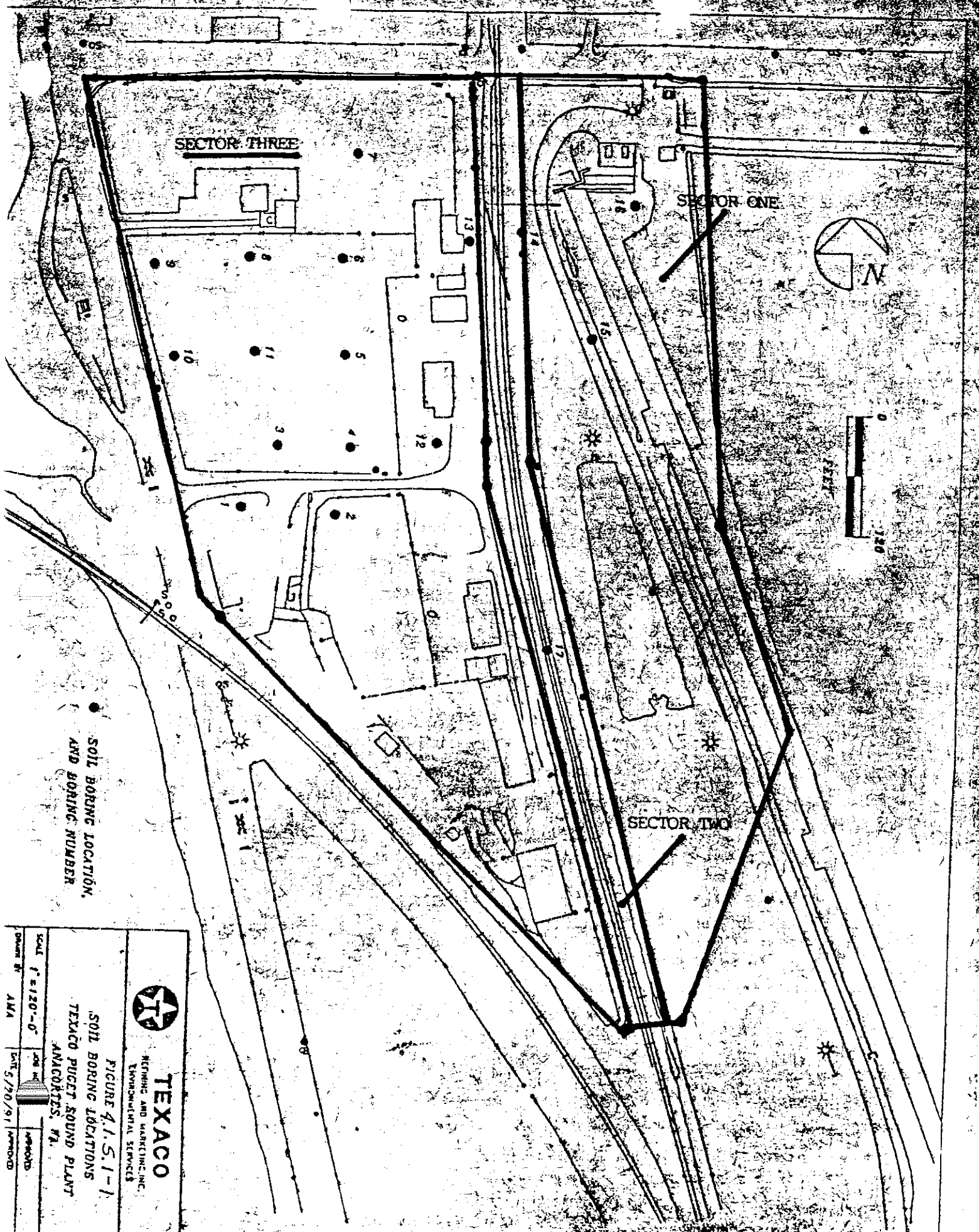


**TEXACO**  
 METHLEN AND WAREING INC.  
 ENVIRONMENTAL SERVICES

**FIGURE 4.1.5.1-1**  
 SOIL BORING LOCATIONS  
 TEXACO PUEBT SOUND PLANT  
 ANACOSTIA, VA.

SCALE 1" = 120'-0"	JOB NO.	APPROVED
DRAWN BY A/A	DATE 5/20/91	APPROVED
CHECKED BY M/C	DATE 5/20/91	
BORING NO. (ANACOSTIA) OILS,		

FIGURE ONE



SOIL BORING LOCATION,  
AND BORING NUMBER


 <b>TEXACO</b> REFINING AND MARKETING, INC. ENVIRONMENTAL SERVICES	
<b>FIGURE 4.1.5.1-1</b> SOIL BORING LOCATIONS TEXACO PUCET SOUND PLANT ANACORTES, WA.	
SCALE 1" = 120'-0" DRAWN BY: A/A	JOB NO. [ ] DATE: 5/20/91 APPROVED: [ ]

FIGURE TWO



AUG 2 1991

FILE COPY

A Weiss  
Plant Manager

Texaco Refining and Marketing Inc  
Puget Sound Plant

P O Box 622  
Anacortes WA 9821-0622

July 29, 1991

AIR  
WATER/SOLID  
HAZ. WASTE  
HWCU



Richard A. Burkhalter  
State of Washington  
Department of Ecology  
Mail Stop PV-11  
Olympia WA 98504-8711

Texaco - Enforcement  
File

Dear Mr. Burkhalter:

Enclosed is the signed original of the Agreed Order for the interim remedial action to be conducted as a result of the Texaco February 22, 1991 oil spill.

If you have any further questions concerning this, please contact our Mr. Joe Haley at 293-1517.

Very truly yours,

TEXACO REFINING AND MARKETING INC.

*Glen A. Weiss*

JMH:MAG

cc: Paul Skyillingstad, WDOE  
Kimberly Anderson, WDOE

Enclosure