

**STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY**

In the Matter of Remedial Action by:

**The Port of Everett and the
Weyerhaeuser Company**

AGREED ORDER for
**Interim Action – Weyerhaeuser Mill A
Former Site**

No. DE 13119

TO: Port of Everett
Attention: Les Reardanz
P.O. Box 538
Everett, WA 98206

Weyerhaeuser Company
Attention: Ken Johnson
P.O. Box 9777
Federal Way, WA 98063-9777

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I. INTRODUCTION

The mutual objective of the State of Washington, Department of Ecology (Ecology), Port of Everett (the Port), and Weyerhaeuser Company (Weyerhaeuser) under this Agreed Order (Order) is to provide for remedial action at a facility where there has been a release or threatened release of hazardous substances. This Order requires the Port and Weyerhaeuser (collectively the performing potentially liable persons [Performing PLPs]) to perform an interim remedial action at a facility where there has been a release or threatened release of hazardous substances. The facility is known as the Weyerhaeuser Mill A Former Site (Site). Ecology believes the actions required by this Order are in the public interest.

In August 2012, Ecology, the Port, Weyerhaeuser, and the Washington State Department of Natural Resources (DNR) entered into a separate Order (Order DE 8979) for the Site. Order DE 8979 requires the Port, Weyerhaeuser, and DNR to conduct a Remedial Investigation and Feasibility Study (RI/FS) per WAC 173-340-350 and WAC 173-204-560, and develop a draft Cleanup Action Plan per WAC 173-340-350 through 173-340-380 and WAC 173-204-560 through WAC 173-204-580, addressing both potential upland and in-water (i.e., adjacent marine sediment) contamination for the Site.

II. JURISDICTION

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

III. PARTIES BOUND

This Agreed Order shall apply to and be binding upon the Parties to this Order, their successors and assigns. The undersigned representative of each Party hereby certifies that he or she is fully authorized to enter into this Order and to execute and legally bind such Party to comply with the Order. The Performing PLPs agree to undertake all actions required by the terms and conditions of this Order. No change in ownership or corporate status shall alter the Performing PLPs' responsibility under this Order. The Performing PLPs shall provide a copy of this Order to all agents, contractors, and subcontractors retained to perform work required by this

Order, and shall ensure that all work undertaken by such agents, contractors, and subcontractors complies with this Order.

IV. DEFINITIONS

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

A. Site: The Site (or Facility) is referred to as the Weyerhaeuser Mill A Former Site (the Site) and is generally located at the Port's marine terminal area between Pier 1 and Pigeon Creek Road off Terminal Avenue, Everett, Washington. Part of the Site is owned by the Port and includes the area formerly occupied by Weyerhaeuser's Mill A and a portion of the adjacent tidelands. The final boundaries of the Site will be determined in an RI/FS (required by Ecology Agreed Order No. DE 8979) and the acreage estimates above may increase or decrease based on where contamination is found to be located. The Site is defined by the extent of contamination caused by the release of hazardous substances at the Site and is not limited by property boundaries. The Site includes areas where hazardous substances have been deposited, stored, disposed of, placed, or otherwise come to be located. Based upon factors currently known to Ecology, the Site is more particularly described in **Exhibit A** to this Order, which includes site and tax parcel maps (**Exhibit A**, Figures 1 to 13), a site location description, and property information from the Snohomish County Assessor's Office. Based on the results of previous investigations conducted prior to the entry of Order DE 8979 (*see Attachment A* to this Order), the Site includes both upland and in-water areas (i.e., adjacent marine sediment) as defined below. The Site constitutes a Facility under RCW 70.105D.020(5).

B. Parties: Refers to the State of Washington, Department of Ecology, the Port of Everett and Weyerhaeuser Company (defined below).

C. Potentially Liable Persons (PLPs): Refers to the Port of Everett, Weyerhaeuser Company, and Washington State Department of Natural Resources.

D. Performing PLPs: Refers to the Port of Everett and Weyerhaeuser Company.

E. Agreed Order or Order: Refers to this Order and each of the exhibits and attachments to the Order. All exhibits and attachments are integral parts of this Order. In addition, **Exhibits A** through **D** are integral and enforceable parts of this Order. The terms “Agreed Order” or “Order” shall include all exhibits and attachments to the Order.

F. Upland Area: Refers to areas of the Site that fall outside the In-Water Area, as generally depicted in **Exhibit A**, Figure 9.

G. In-Water Area: Refers to the intertidal (areas exposed to air at low tide) and subtidal (areas always covered by water) parts of the Site associated with adjacent marine waters, as generally depicted in **Exhibit A**, Figure 9. This area contains both privately owned tidelands and State owned aquatic lands.

H. Port Management Agreement (PMA): Refers to the agreement made on September 1, 2002 in which DNR delegated to the Port the management of “State-owned aquatic lands” (*see* **Exhibit A**, Figures 9 to 11). The PMA is effective until August 31, 2032. RCW 79.105.420 authorizes DNR and the port district, upon request of a port district, to enter into an agreement to manage “State-owned aquatic lands” that front property owned or controlled by the port district.

V. FINDINGS OF FACT

Ecology makes the following findings of fact, without any express or implied admissions of such facts by the Performing PLPs:

A. The Site is generally located at the Port’s south marine terminal area between Pacific Terminal and Pigeon Creek Road off Terminal Avenue, Everett, Snohomish County, Washington. The Site location is depicted in the diagrams attached to this Agreed Order as **Exhibit A**. Historical and current (as of 2009) depictions of the facility are presented in **Exhibit A** (Figures 2 to 9 and 12). **Exhibit A** also contains a legal description of the property (located after Figure 12 of **Exhibit A**). The Site is listed on Ecology’s Hazardous Sites List as “Weyerhaeuser Mill A Former.” The Facility Site ID No. is 1884322 and the Cleanup Site ID No. is 2146.

B. The Port is an owner and an operator at the Site, and has owned the Site continuously since 1983.

C. DNR is the manager of the State-owned aquatic lands under constitutional and statutory mandates. Title 79 RCW authorizes DNR to lease state-owned aquatic lands.

D. Information in this paragraph provides a summary of the historical operations at the Site. A more extensive history will be provided as part of the Remedial Investigation produced pursuant to Order DE 8979. Portions of the Site were first developed around 1896 with the construction of the Bell-Nelson sawmill. Other portions of the Site were developed shortly thereafter with a shingle mill, shipyards, and a wire and steel company. In 1901, Weyerhaeuser purchased the Bell-Nelson sawmill. Between 1904 and 1914 Weyerhaeuser purchased the shingle mill and shipyards at the Site, and had expanded its sawmill operations to cover those properties. In 1926, Weyerhaeuser completed its acquisitions at the Site by buying a lumber mill that was located on the old wire and steel company property. Weyerhaeuser continued lumber production on the Site until around 1933, when it closed and dismantled the lumber mill. In 1936, Weyerhaeuser constructed an unbleached sulfite pulp mill (known as Mill A) on the Site, and in 1941 added simple bleaching facilities to the mill. In 1975, Weyerhaeuser converted the mill from a sulfite to a thermomechanical pulping process. Pulping operations at the Site ceased in 1980 and all process buildings, as well as most of the other buildings, were demolished around this time. The Port purchased the property in late 1983 and, in 1987, developed the property for use as a log yard. Log handling operations were performed there until around the mid-2000s. The Site is currently being used as a break bulk cargo terminal and is mostly paved.

E. Weyerhaeuser leased from the State harbor areas fronting the mill for wharves, docks, and other aids to navigation from 1924 to 1984, at which time the leases were assigned to the Port. In 1984, the Port applied to DNR for a PMA pursuant to Ch. 221, Session Laws 1984, and in 2002 the State and the Port entered into a PMA.

F. While Weyerhaeuser operated the sulfite pulp mill, the Weyerhaeuser Mill A facility produced about 300 tons of pulp per day. The pulp was produced by digesting wood chips in a calcium sulfite solution. To produce the cooking liquor, elemental sulfur was burned and the resulting sulfur dioxide absorbed into a lime solution. The pulp was subsequently bleached with a chlorine solution. The thermomechanical pulping process, which began in 1975, manufactured pulp without the use of chemicals. However, the same bleaching process was used as with the sulfite process. These processes were located on privately owned land.

G. Prior to 1951, discharges from the Site included: untreated wastewater from washing, bleaching, and drying processes (Outfalls WT002 and WT003); stormwater runoff and wastewater from limestone cleaning operations including surface drainage from what is known as Mill A Creek (Outfall WT004); and stormwater runoff from other areas of the mill including hydraulic barker effluent (Outfall WT006); *see Exhibit A*, Figure 12. Mill A Creek is located on the eastern portion of the property (*see Exhibit A*, Figures 4 and 12). In addition to normal surface runoff, Mill A Creek reportedly received wastes from various washdown and cleanup operations and from spillages. It was reported in 1949 that approximately 25 million gallons of waste water per day were discharged through Outfalls WT002 and WT003 located between two of the mill's piers. One of these outfalls handled about 12 million gallons of diluted sulfite waste liquor¹ while the other discharged the wastes from the bleaching process. These outfalls were located on privately owned land.

H. On April 6, 1951, the Soundview Pulp Company (predecessor to Scott Paper Company and Kimberly-Clark [K-C]) and Weyerhaeuser placed in operation an underwater disposal line (i.e., deep water diffuser) capable of dispersing 22 million gallons daily of concentrated digester liquor and wash waters. The deep water outfall (i.e., Outfall SW001) extended about 3,000 feet offshore; the terminal one third was a multiple-port diffuser that

¹ Historic reports on the pollution of Everett Harbor including waste discharges for the Mill A facility indicate that the presence of sulphite waste liquor in water results in the reduction of dissolved oxygen and a lower pH, causing the water to be acid. These reports indicate that these conditions, either separately or together, may inhibit the growth and development of salmonoid fish and eggs, and are toxic to oyster and clam larvae.

discharged in depths from about 300 to 340 feet (*see Exhibit A*, Figure 12). Analysis of sediment sampling data collected in 2004 and 2008 indicates that there have been no recent exceedances of contaminants above SMS cleanup levels in the same general area of historic outfall diffuser SW001. Therefore, this deep water diffuser area is not included within the Site.

I. In 1973, it was reported that over 14,000,000 gallons per day of industrial wastes were discharged from Mill A to the waters of Port Gardner through three different outfalls (i.e., WT002, WT003, and WT004) as presented below.

- WT002 and WT003 – A total of about 14 million gallons per day were discharged through Outfalls WT002 and WT003. Wastes discharged at these locations include the salt water used for cooling, wastes from the bleach plant and acid plant, and from the hydraulic log barker.
- WT004 – Outfall WT004 handled surface drainage from what is known as Mill A Creek. Discharges from the creek ranged from 0.5 to 1 million gallons per day as reported in 1973. In 1975, a layer of pulp ½ to 1 inch thick was observed in the beach area around Outfall WT004.

J. In 1975, Outfalls WT002 and WT003 were reportedly sealed and abandoned. After 1975, Outfalls WT004 and WT006 were reportedly used only for stormwater discharge. Current outfalls are identified on **Exhibit A**, Figure 12.

K. During sediment investigations conducted in 1992 as part of the Port's Marine Terminal Improvement Program, a deposit of sawdust was found adjacent to the former Mill A facility (*see Exhibit A*, Figure 12.). The historical operations of sawmill and pulp facilities at the Site resulted in the deposition of sawdust, wood chips, and rafting debris over native sediments in the in-water area at the Site. This deposit is located in the vicinity of the former cargo dock adjacent to the west bulkhead of the former Mill A facility. Additional information on the sawdust deposit is located in **Attachment A** to this Order.

L. In accordance with a final Cleanup Action Decision issued by Ecology in September 1996 and two suitability determinations issued by Ecology, and the Corps of Engineers and the United States Environmental Protection Agency in 1994 and 1996, the Port remediated contaminated sediment in the berthing areas of Piers 1 and 3. These areas were listed

on Ecology's Contaminated Sediment Site List published in 1996. The project included dredging contaminated sediment and creating a confined disposal facility in the historic log pond area, now known as the Pacific Terminal. The Port performed the work in accordance with the final Cleanup Action Decision. In 2008, following 10 years of post construction monitoring at the confined disposal facility, Ecology issued a No Further Action Letter to the Port's environmental consultant for the project.

M. Environmental investigations at the Site have documented the presence of hazardous substances in various media including soil, groundwater, and marine sediments. Compounds identified in these investigations as exceeding published MTCA cleanup levels and/or Sediment Management Standards (SMS) for Puget Sound Marine sediments (WAC chapter 173-204) include (*see Exhibit B and Attachment A* for more details):

- **Soil** – Carcinogenic polycyclic aromatic hydrocarbons (cPAHs), naphthalene, and total petroleum hydrocarbons in the gasoline range (TPH-Gasoline).
- **Groundwater** – Metals, cPAHs, TPH-Gasoline, bis(2-ethylhexyl)phthalate, and carbazole.
- **Sediment** – Metals, polychlorinated biphenyls (PCBs), PAHs, other semi-volatile organic compounds (SVOCs), and dioxins/furans. Exceedances of SMS biological standards have also been documented (WAC 173-204-520(3)).

N. The following is a listing of primary environmental characterization investigations that have been conducted at the Mill A area and in the general vicinity of the historical Mill A area:

1. Dames & Moore, 1987. *Sediment Sampling and Analysis Program, Hewitt Avenue and South Terminal Projects, Everett, Washington*. June 8, 1987.
2. PTI and Tetra Tech. 1988. *Everett Harbor Acton Program: Analysis of Toxic Problem Areas*. Final Report. Prepared for U.S. Environmental Protection Agency Region X. TC-3338-26. September 1988.
3. Pentec, 1991. *Sampling and Analysis Plan for Partial Characterization of Sediments for South Terminal Expansion Port of Everett, Washington*. December 24, 1991.
4. Pentec, 1992. *Site Characterization Report. South Terminal Expansion Project*. October 22, 1992.
5. Pentec, 1993. *Sediment Management Study Plan for South Terminal Expansion Project, Port of Everett, Washington*. DMMO Ref. 91-2-00014. May 14, 1993.

6. Anchor, 2004. *Sampling and Analysis Report, Outfall 100 Baseline Sediment Sampling for NPDES Permit #WA-00062-01 and Associated Permits*. June, 2004.
7. Geomatrix, 2007. *Data Report Former Mill A MTCA Support Sample Collection Everett, Washington*. Project No. 13116.000. November 2007.
8. GeoEngineers 2010. *Stage 1 Upland Source and Groundwater Investigation Data Report, Port of Everett South Terminal, Weyerhaeuser Mill A Former Site, 3500 Terminal Avenue, Everett, Washington*. Prepared by GeoEngineers, March 24, 2010.
9. GeoEngineers 2015. *Final Dredged Material Characterization Report. Weyerhaeuser Mill A Former Cleanup Site Interim Action Dredging Project Everett, Washington*. June 19, 2015.

VI. ECOLOGY DETERMINATIONS

Ecology makes the following determinations, without any express or implied admissions of such determinations by the Performing PLPs:

A. The Port is an “owner or operator” as defined in RCW 70.105D.020(17) of a “facility” as defined in RCW 70.105D.020(5).

B. Weyerhaeuser Company is a former “owner or operator” RCW 70.105D.020(17) of a “facility” as defined in RCW 70.105D.020(5).

C. Based upon all factors known to Ecology, a “release” or “threatened release” of “hazardous substance(s)” as defined in RCW 70.105D.020(25) and RCW 70.105D.020(10), respectively, has occurred at the Site.

D. Based upon credible evidence, Ecology issued a PLP status letter to the Port and Weyerhaeuser, dated June 21, 2011, pursuant to RCW 70.105D.040, RCW 70.105D.020(21), and WAC 173-340-500. After providing for notice and opportunity for comment, reviewing any comments submitted, and concluding that credible evidence supported a finding of potential liability, Ecology issued a determination that the Port and Weyerhaeuser are PLPs under RCW 70.105D.040. Ecology notified the Port and Weyerhaeuser of this determination by letters dated July 28, 2011.

E. Pursuant to RCW 70.105D.030(1) and RCW 70.105D.050(1), Ecology may require the PLPs to investigate or conduct other remedial actions with respect to any release or threatened release of hazardous substances, whenever it believes such action to be in the public

interest. Based on the foregoing facts, Ecology believes the remedial actions required by this Order are in the public interest.

F. Under WAC 173-340-430, an interim action is a remedial action that is technically necessary to reduce a threat to human health or the environment by eliminating or substantially reducing one or more pathways for exposure to a hazardous substance, that corrects a problem that may become substantially worse or cost substantially more to address if the remedial action is delayed, or that is needed to provide for completion of a site hazard assessment, remedial investigation/feasibility study, or design of a cleanup action plan. An interim action is necessary at the Site to remove identified contaminated sediment and wood debris and increase navigational access to the Port's Pacific Terminal. This project will achieve both expedited cleanup of contaminated sediment in the aquatic environment and increased navigational safety and capacity for the Pacific Terminal. Based on these circumstances, Ecology has determined that an interim action is warranted under WAC 173-340-430.

VII. WORK TO BE PERFORMED

Based on the Findings of Fact and Ecology Determinations, it is hereby ordered that the Performing PLPs take the following remedial actions at the Site, and that these actions be conducted in accordance with Chapters 173-340 and 173-204 WAC unless otherwise provided for herein:

A. Within the interim action area, contaminated and clean sediment will be removed to a depth of -42 feet Mean Lower Low Water (MLLW) with a 1-foot over dredging allowance (or as approved by the authorizing agencies). The resulting depths will generally coincide with the adjacent Pacific Terminal navigation areas to the north. The dredging will extend to clean native material except for portions of the temporary transition slope described in the Interim Action Work Plan (**Exhibit B**). The total area of the proposed dredge prism will be approximately 1.7 acres. The estimated dredge volume for the navigation area and transition slope is up to 40,000 cubic yards (CY). The interim action will be subject to review and approval by Ecology to ensure compliance with MTCA/Sediment Management Standard (SMS)

requirements and dredge material will be disposed of according to the strict requirements of Ecology, U.S. Environmental Protection Agency (EPA), and DNR.

B. The interim action scope of work and schedule are fully described in the Interim Action Work Plan which is included as **Exhibit B** to this Order.

C. All plans or other deliverables submitted by the Performing PLPs for Ecology's review and approval under the Scope of Work and Schedule contained in the Interim Action Work Plan (**Exhibit B**) shall, upon Ecology's approval, become integral and enforceable parts of this Order.

D. If Ecology determines that the Performing PLPs have failed to make sufficient progress or failed to implement the remedial action, in whole or in part, Ecology may, after notice to the Performing PLPs, perform any or all portions of the remedial action or at Ecology's discretion allow the Performing PLPs opportunity to correct. The Performing PLPs shall reimburse Ecology for the costs of doing such work in accordance with Section VIII.A (Remedial Action Costs). Ecology reserves the right to enforce requirements of this Order under Section X (Enforcement).

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

VIII. TERMS AND CONDITIONS OF ORDER

A. Remedial Action Costs

The Performing PLPs shall pay to Ecology costs incurred by Ecology pursuant to this Order and consistent with WAC 173-340-550(2). These costs shall include work performed by Ecology or its contractors for, or on, the Site under Chapter 70.105D RCW, including remedial actions and Order preparation, negotiation, oversight, and administration. These costs shall include work performed both prior to and subsequent to the issuance of this Order. Ecology's costs shall include costs of direct activities and support costs of direct activities as defined in WAC 173-340-550(2). The Performing PLPs shall pay the required amount within thirty (30)

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 statement of work performed will be provided upon request. Itemized statements shall be prepared quarterly. Pursuant to WAC 173-340-550(4), failure to pay Ecology's costs within ninety (90) days of receipt of the itemized statement of costs will result in interest charges at the rate of twelve percent (12%) per annum, compounded monthly.

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

B. Implementation of Remedial Action

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

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

C. Designated Project Coordinators

The project coordinator for Ecology is:

Andy Kallus
Toxics Cleanup Program
PO Box 47600, Olympia, WA 98504
Phone: 360-407-7259
E-Mail: akal461@ecy.wa.gov

The project coordinator for the Port and Weyerhaeuser is:

Erik Gerking
Port of Everett
P.O. Box 538
Everett, Washington 98206
Phone: 425-259-3164
E-Mail: erikg@portofeverett.com

Each project coordinator shall be responsible for overseeing the implementation of this Order. Ecology's project coordinator will be Ecology's designated representative for the Site. To the maximum extent possible, communications between Ecology and the Performing PLPs, and all documents, including reports, approvals, and other correspondence concerning the activities performed pursuant to the terms and conditions of this Order shall be directed through the project coordinators. The project coordinators may designate, in writing, working-level staff contacts for all or portions of the implementation of the work to be performed required by this Order.

Any party may change its respective project coordinator. Written notification shall be given to the other party at least ten (10) calendar days prior to the change.

D. Performance

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

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

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

Any documents submitted containing geologic, hydrologic or engineering work shall be under the seal of an appropriately licensed professional as required by Chapter 18.220 RCW or RCW 18.43.130.

The project coordinator(s) for the Performing PLPs is identified in Section VIII.C above. The project coordinator shall direct work under this Order; the Performing PLPs shall notify Ecology in writing of the identity of any other engineer(s), geologist(s), contractor(s), or subcontractor(s) to be used in carrying out the terms of this Order, in advance of their involvement at the Site. Ecology has received the current list of contractors and consultants.

E. Access

Subject to the terms of this paragraph, Ecology or any Ecology authorized representative shall have the full authority to enter and freely move about all property at the Site that the Performing PLPs either own, control, or have access rights to at all reasonable times for the purposes of, *inter alia*: inspecting records, operation logs, and contracts related to the work being performed pursuant to this Order; reviewing the Performing PLPs' progress in carrying out the terms of this Order; conducting such tests or collecting such samples as Ecology may deem necessary; using a camera, sound recording, or other documentary type equipment to record work done pursuant to this Order; and verifying the data submitted to Ecology by the Performing PLPs. The Performing PLPs shall make all reasonable efforts to secure access rights for those properties within the Site not owned or controlled by the Performing PLPs where remedial activities or investigations will be performed pursuant to this Order. Ecology or any Ecology authorized representative shall give reasonable notice (at least 72 hours) by email and phone to both the project coordinator and Site access coordinator for the Performing PLPs, before entering any Site property owned or controlled by the Performing PLPs unless an emergency prevents such notice. All persons who access the Site pursuant to this Section shall comply with any applicable Site security, health and safety requirements. Ecology employees and their representatives shall not be required to sign any liability release or waiver as a condition of Site property access.

F. Sampling, Data Submittal, and Availability

With respect to the implementation of this Order, the Performing PLPs shall make the results of all sampling, laboratory reports, and/or test results generated by it or on its behalf available to Ecology. Pursuant to WAC 173-340-840(5), all sampling data shall be submitted to Ecology in both printed and electronic formats in accordance with Section VII (Work to be Performed), Ecology's Toxics Cleanup Program Policy 840 (Data Submittal Requirements), and/or any subsequent procedures specified by Ecology for data submittal. Attached as **Exhibit C** is Ecology Policy 840, Data Submittal Requirements.

If requested by Ecology, the Performing PLPs shall allow Ecology and/or its authorized representative to take split or duplicate samples of any samples collected by the Performing PLPs pursuant to implementation of this Order. The PLPs shall notify Ecology seven (7) days in advance of any sample collection or work activity at the Site. Ecology shall, upon request, allow the Performing PLPs and/or its authorized representative to take split or duplicate samples of any samples collected by Ecology pursuant to the implementation of this Order, provided that doing so does not interfere with Ecology's sampling. Without limitation on Ecology's rights under Section VIII.E (Access), Ecology shall notify the Performing PLPs prior to any sample collection activity unless an emergency prevents such notice.

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

G. Public Participation

A required Public Participation Plan has been developed for this Site; this Plan is attached as **Exhibit D**. Ecology shall review any existing Public Participation Plan to determine its continued appropriateness and whether it requires amendment.

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

1. If agreed to by Ecology, develop appropriate mailing list, prepare drafts of public notices and fact sheets at important stages of the remedial action, such as the submission of work plans, remedial investigation/feasibility study reports, cleanup action plans, and engineering design reports. As appropriate, Ecology will edit, finalize, and distribute such fact sheets and prepare and distribute public notices of Ecology's presentations and meetings.

2. Notify Ecology's project coordinator prior to the preparation of all press releases and fact sheets, and before major meetings with the interested public and local governments. Likewise, Ecology shall notify Performing PLPs prior to the issuance of all press releases and fact sheets, and before major meetings with the interested public and local governments. For all press releases, fact sheets, meetings, and other outreach efforts by the Performing PLPs with respect to activities included under this Order that do not receive prior Ecology approval, the Performing PLPs shall clearly indicate to its audience that the press release, fact sheet, meeting, or other outreach effort was not sponsored or endorsed by Ecology.

3. When requested by Ecology and subject to reasonable notice, participate in public presentations on the progress of the remedial action at the Site. Participation may be through attendance at public meetings to assist in answering questions or as a presenter.

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

- a. Everett Public Library
2702 Hoyt Ave
Everett, WA 98201
- b. Department of Ecology
Toxics Cleanup Program
Headquarters Office
300 Desmond Drive SE
Olympia, Washington 98504-7600

At a minimum, copies of all public notices, fact sheets, and documents relating to public comment periods shall be promptly placed in these repositories. A copy of all documents related

to this site shall be maintained in the repository at Ecology's Headquarters in Lacey, Washington.

H. Retention of Records

During the pendency of this Order, and for ten (10) years from the date of completion of work performed pursuant to this Order, the Performing PLPs shall preserve all records, reports, documents, and underlying data in its possession relevant to the implementation of this Order and shall insert a similar record retention requirement into all contracts with project contractors and subcontractors. Upon request of Ecology, the Performing PLPs shall make all records available to Ecology and allow access for review within a reasonable time.

Nothing in this Order is intended to waive any right the PLPs may have under applicable law to limit disclosure of documents protected by the attorney work-product privilege and/or the attorney-client privilege. If a Performing PLP withholds any requested records based on an assertion of privilege, that Performing PLP shall provide Ecology with a privilege log specifying the records withheld and the applicable privilege. No Site-related data collected pursuant to this Order shall be considered privileged.

I. Resolution of Disputes

1. In the event that a PLP(s) elects to invoke dispute resolution, the PLP(s) must utilize the procedure set forth below.

a. Upon the triggering event (receipt of Ecology's project coordinator's written decision or an itemized billing statement), the PLP(s) has fourteen (14) calendar days within which to notify Ecology's project coordinator in writing of its dispute ("Informal Dispute Notice").

b. The Parties' project coordinators shall then confer in an effort to resolve the dispute informally. The parties shall informally confer for up to seven (7) calendar days from receipt of the Informal Dispute Notice. If the project coordinators cannot resolve the dispute within those seven (7) calendar days, then within seven (7) calendar days Ecology's project coordinator shall issue a written decision ("Informal Dispute

Decision”) stating: the nature of the dispute; the PLP’s position with regards to the dispute; Ecology’s position with regards to the dispute; and the extent of resolution reached by informal discussion.

c. The PLP(s) may then request regional management review of the dispute. This request (“Formal Dispute Notice”) must be submitted in writing to the Headquarters Land and Aquatic Lands Cleanup Section Region Toxics Cleanup Section Manager within seven (7) calendar days of receipt of Ecology’s Informal Dispute Decision. The Formal Dispute Notice shall include a written statement of dispute setting forth: the nature of the dispute; the disputing Party’s position with respect to the dispute; and the information relied upon to support its position.

d. The Section Manager shall conduct a review of the dispute and shall issue a written decision regarding the dispute (“Decision on Dispute”) within thirty (30) calendar days of receipt of the Formal Dispute Notice. The Decision on Dispute shall be Ecology’s final decision on the disputed matter.

2. The Parties agree to only utilize the dispute resolution process in good faith and agree to expedite, to the extent possible, the dispute resolution process whenever it is used.

3. Implementation of these dispute resolution procedures shall not provide a basis for delay of any activities required in this Order, unless Ecology agrees in writing to a schedule extension.

4. In case of a dispute, failure to either proceed with the work required by this Order or timely invoke dispute resolution may result in Ecology’s determination that insufficient progress is being made in preparation of a deliverable, and may result in Ecology undertaking the work under Section VII.E (Work to be Performed) or initiating enforcement under Section X (Enforcement).

J. Extension of Schedule

1. An extension of schedule shall be granted only when a request for an extension is submitted in a timely fashion, generally at least twenty (20) days prior to expiration of the

deadline for which the extension is requested, and good cause exists for granting the extension.

All extensions shall be requested in writing. The request shall specify:

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

2. The burden shall be on the Performing PLPs to demonstrate to the satisfaction of Ecology that the request for such extension has been submitted in a timely fashion and that good cause exists for granting the extension. Good cause may include, but may not be limited to:

- a. Circumstances beyond the reasonable control and despite the due diligence of the Performing PLPs including delays caused by unrelated third parties or Ecology, such as (but not limited to) delays by Ecology in reviewing, approving, or modifying documents submitted by the Performing PLPs;
- b. Acts of God, including fire, flood, blizzard, extreme temperatures, storm, or other unavoidable casualty;
- c. Endangerment as described in Section VIII.L (Endangerment).

However, neither increased costs of performance of the terms of this Order nor changed economic circumstances shall be considered circumstances beyond the reasonable control of the Performing PLPs.

3. Ecology shall act upon any written request for extension in a timely fashion. Ecology shall give the Performing PLPs written notification of any extensions granted pursuant to this Order. A requested extension shall not be effective until approved by Ecology. Unless the extension is a substantial change, it shall not be necessary to amend this Order pursuant to Section VIII.K (Amendment of Order) when a schedule extension is granted.

4. An extension shall only be granted for such period of time as Ecology determines is reasonable under the circumstances. Ecology may grant schedule extensions exceeding ninety (90) days only as a result of:

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

K. Amendment of Order

The project coordinators may verbally agree to minor changes to the work to be performed without formally amending this Order. Minor changes will be documented in writing by Ecology within seven (7) days of verbal agreement.

Except as provided in Section VIII.M (Reservation of Rights), substantial changes to the work to be performed shall require formal amendment of this Order. This Order may only be formally amended by the written consent of both Ecology and the Performing PLPs. If the Performing PLPs propose an amendment, the PLPs shall submit a written request for amendment to Ecology for approval. Ecology shall indicate its approval or disapproval in writing and in a timely manner after the written request for amendment is received. If the amendment to this Order represents a substantial change, Ecology will provide public notice and opportunity to comment. Reasons for the disapproval of a proposed amendment to this Order shall be stated in writing. If Ecology does not agree to a proposed amendment, the disagreement may be addressed through the dispute resolution procedures described in Section VIII.I (Resolution of Disputes).

L. Endangerment

In the event Ecology determines that any activity being performed at the Site under this Order is creating or has the potential to create a danger to human health or the environment on or surrounding the Site, Ecology may direct the Performing PLPs to cease such activities for such

period of time as it deems necessary to abate the danger. The Performing PLPs shall immediately comply with such direction.

In the event the Performing PLPs determines that any activity being performed at the Site under this Order is creating or has the potential to create a danger to human health or the environment, the Performing PLPs may cease such activities. The Performing PLPs shall notify Ecology's project coordinator as soon as possible, but no later than twenty-four (24) hours after making such determination or ceasing such activities. Upon Ecology's direction the Performing PLPs shall provide Ecology with documentation of the basis for the determination or cessation of such activities. If Ecology disagrees with the Performing PLPs' cessation of activities, it may direct the Performing PLPs to resume such activities.

If Ecology concurs with or orders a work stoppage pursuant to this section, the Performing PLPs' obligations with respect to the ceased activities shall be suspended until Ecology determines the danger is abated, and the time for performance of such activities, as well as the time for any other work dependent upon such activities, shall be extended in accordance with Section VIII.J (Extension of Schedule) for such period of time as Ecology determines is reasonable under the circumstances.

Nothing in this Order shall limit the authority of Ecology, its employees, agents, or contractors to take or require appropriate action in the event of an emergency.

M. Reservation of Rights

This Order is not a settlement under Chapter 70.105D RCW. Ecology's signature on this Order in no way constitutes a covenant not to sue or a compromise of any of Ecology's rights or authority. Ecology will not, however, bring an action against the Performing PLPs to recover remedial action costs paid to and received by Ecology under this Order. In addition, Ecology will not take additional enforcement actions against the Performing PLPs regarding remedial actions required by this Order, provided the Performing PLPs complies with this Order.

Ecology nevertheless reserves its rights under Chapter 70.105D RCW, including the right to require additional or different remedial actions at the Site should it deem such actions

necessary to protect human health and the environment, and to issue orders requiring such remedial actions. Ecology also reserves all rights regarding the injury to, destruction of, or loss of natural resources resulting from the release or threatened release of hazardous substances at the Site.

By entering into this Order, the Performing PLPs do not admit to any liability for the Site. Although the Performing PLPs are committing to conducting the work required by this Order under the terms of this Order, the Performing PLPs expressly reserve all rights available under law, including but not limited to the right to seek cost recovery or contribution against third parties, and the right to assert any defenses to liability in the event of enforcement.

N. Transfer of Interest in Property

No voluntary conveyance or relinquishment of title, easement, leasehold, or other interest in any portion of the Site shall be consummated by the Performing PLPs 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 the Performing PLPs' transfer of any interest in all or any portion of the Site, and during the effective period of this Order, the Performing PLPs shall provide a copy of this Order to any prospective purchaser, lessee, transferee, assignee, or other successor in said interest; and, at least thirty (30) days prior to any transfer, the Performing PLPs shall notify Ecology of said transfer. Upon transfer of any interest, the Performing PLPs shall assure that the transfer mechanism prohibits uses and activities inconsistent with this Order and notifies all transferees of the restrictions on the use of the property.

O. Compliance with Applicable Laws

1. All actions carried out by the Performing PLPs pursuant to this Order shall be done in accordance with all applicable federal, state, and local requirements, including requirements to obtain necessary permits, except as provided in RCW 70.105D.090. At this time, other than stormwater permits under 90.48 RCW, no federal, state, or local requirements have been identified as being applicable to the actions required by this Order.

2. Pursuant to RCW 70.105D.090(1), the Performing PLPs are exempt from the procedural requirements of Chapters 70.94, 70.95, 70.105, 77.55, 90.48, and 90.58 RCW and of any laws requiring or authorizing local government permits or approvals. However, the Performing PLPs shall comply with the substantive requirements of such permits or approvals. At this time, no state or local permits or approvals have been identified as being applicable but procedurally exempt under this Section.

The Performing PLPs have a continuing obligation to determine whether additional permits or approvals addressed in RCW 70.105D.090(1) would otherwise be required for the remedial action under this Order. In the event either Ecology or the Performing PLPs determines that additional permits or approvals addressed in RCW 70.105D.090(1) would otherwise be required for the remedial action under this Order, it shall promptly notify the other party of its determination. Ecology shall determine whether Ecology or the Performing PLPs shall be responsible to contact the appropriate state and/or local agencies. If Ecology so requires, the Performing PLPs shall promptly consult with the appropriate state and/or local agencies and provide Ecology with written documentation from those agencies of the substantive requirements those agencies believe are applicable to the remedial action. Ecology shall make the final determination on the additional substantive requirements that must be met by the Performing PLPs and on how the Performing PLPs must meet those requirements. Ecology shall inform the Performing PLPs in writing of these requirements. Once established by Ecology, the additional requirements shall be enforceable requirements of this Order. The Performing PLPs shall not begin or continue the remedial action potentially subject to the additional requirements until Ecology makes its final determination.

3. Pursuant to RCW 70.105D.090(2), in the event Ecology determines that the exemption from complying with the procedural requirements of the laws referenced in RCW 70.105D.090(1) would result in the loss of approval from a federal agency that is necessary for the State to administer any federal law, the exemption shall not apply and the

Performing PLPs shall comply with both the procedural and substantive requirements of the laws referenced in RCW 70.105D.090(1), including any requirements to obtain permits.

P. Indemnification

The Performing PLPs agree to indemnify and save and hold Ecology, its employees, and agents harmless from any and all claims or causes of action for death or injuries to persons or for loss or damage to property to the extent arising from or on account of acts or omissions of the Performing PLPs, their officers, employees, agents, or contractors in entering into and implementing this Order. However, the Performing PLPs shall not indemnify Ecology nor save nor hold its employees and agents harmless from any claims or causes of action to the extent arising out of the negligent acts or omissions of Ecology, or the employees or agents of Ecology, in entering into or implementing this Order.

IX. SATISFACTION OF ORDER

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

X. ENFORCEMENT

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

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

B. The Attorney General may seek, by filing an action, if necessary, to recover amounts spent by Ecology for investigative and remedial actions and orders related to the Site.

C. A liable party, who refuses without sufficient cause to comply with any term of this Order, will be liable for:

a. Up to three (3) times the amount of any costs incurred by the State of Washington as a result of its refusal to comply; and

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

D. This Order is not appealable to the Washington Pollution Control Hearings Board.

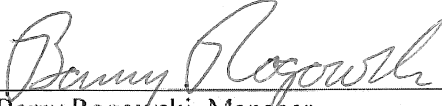
This Order may be reviewed only as provided under RCW 70.105D.060.

Effective date of this Order: April 14, 2016


THE PORT OF EVERETT

Les Reardanz
Chief Administrative Officer
The Port of Everett
P.O. Box 538
Everett, Washington 98206
(425) 259-3164

**STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY**


Barry Rogowski, Manager
Land and Aquatic Lands Cleanup Section
Toxics Cleanup Program
Headquarters Office
300 Desmond Drive Southeast
Lacey, Washington 98503
(360) 407-7226

WEYERHAEUSER COMPANY


~~Kristen Sawin~~ Kathleen S. Sims
Vice President - ~~Corporate and Governmental Affairs~~
P.O. Box 9777
Federal Way, WA 98477-9777
~~(253) 924-4154~~ 206-467-3732

Environmental Affairs,
Sustainability and
Corporate Responsibility

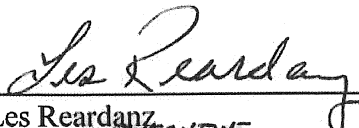
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Effective date of this Order: April 14, 2016

THE PORT OF EVERETT



Les Reardanz
Chief Executive Officer
The Port of Everett
P.O. Box 538
Everett, Washington 98206
(425) 259-3164

**STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY**



Barry Rogowski, Manager
Land and Aquatic Lands Cleanup Section
Toxics Cleanup Program
Headquarters Office
300 Desmond Drive Southeast
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(360) 407-7226

WEYERHAEUSER COMPANY

Kristen Sawin
Vice President - Corporate and Governmental Affairs
P.O. Box 9777
Federal Way, WA 98477-9777
(253) 924-4154

EXHIBIT A

**SITE LOCATION AND PROPERTY LOCATION
INFORMATION**

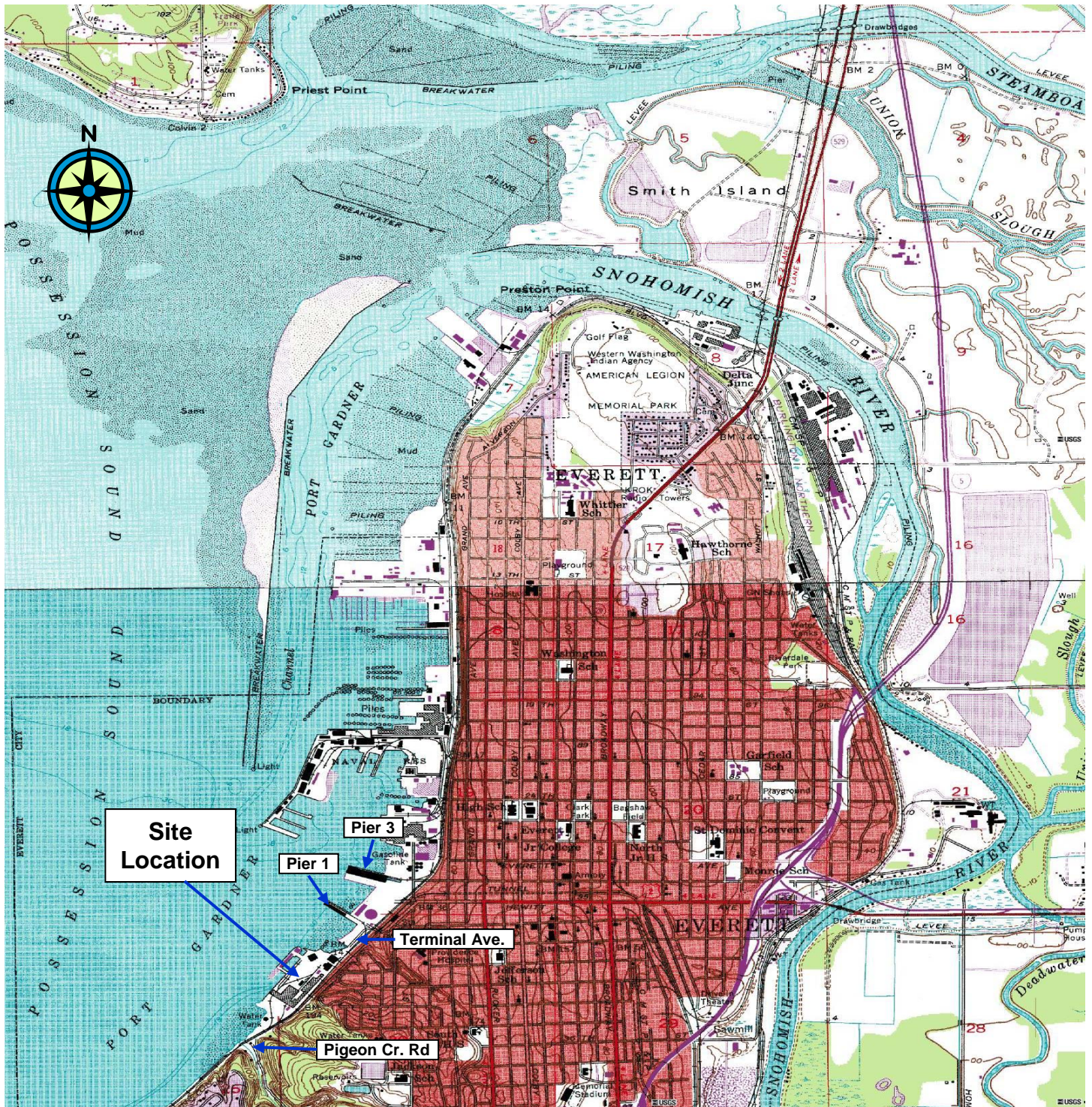
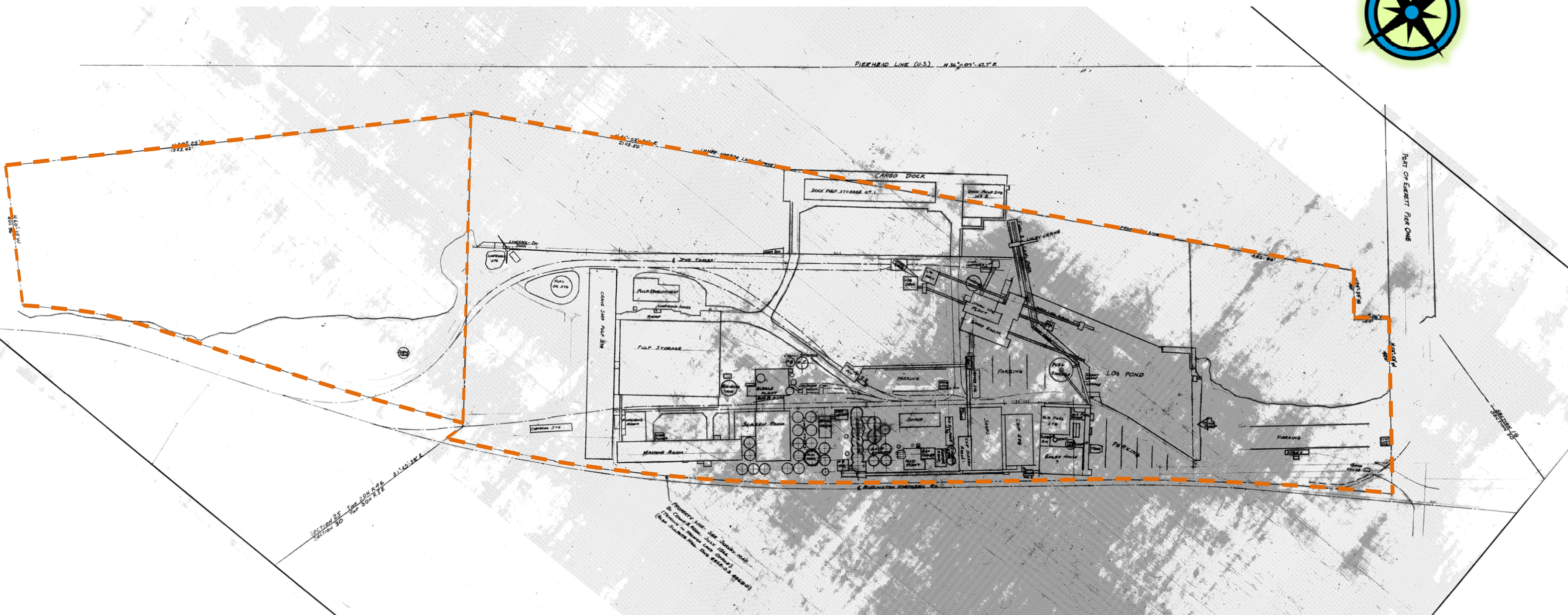


Exhibit A – Figure 1 Site Location Map

Source: USGS 7.5 Minute Quadrangle Maps (Everett and Marysville Quadrangle Maps; Photo Revised – 1968 and 1973)





----- Former Weyerhaeuser Mill A Property Boundary

Exhibit A – Figure 2
Weyerhaeuser Mill A Former
1972 Weyerhaeuser Site Drawing

TABLE OF REVISIONS			DATE	DESCRIPTION	BY

NOT COMPLETED

Weyerhaeuser Company
Pulp Division
Everett Sulphite Mill

MILL SITE
EVERETT SULPHITE MILL
UNDERGROUND WATER LINES

DRAWN BY: DJH DRAWING NO. **5041 D**
APPROVED: _____
DATE: NOV. 22, 1972
SCALE: 1" = 100'

PORT GARDNER BAY



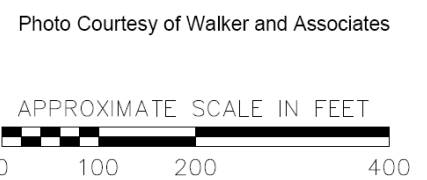
OUTER HARBOR LINE

FOOTPRINT OF CURRENT PIER

WEST BULKHEAD

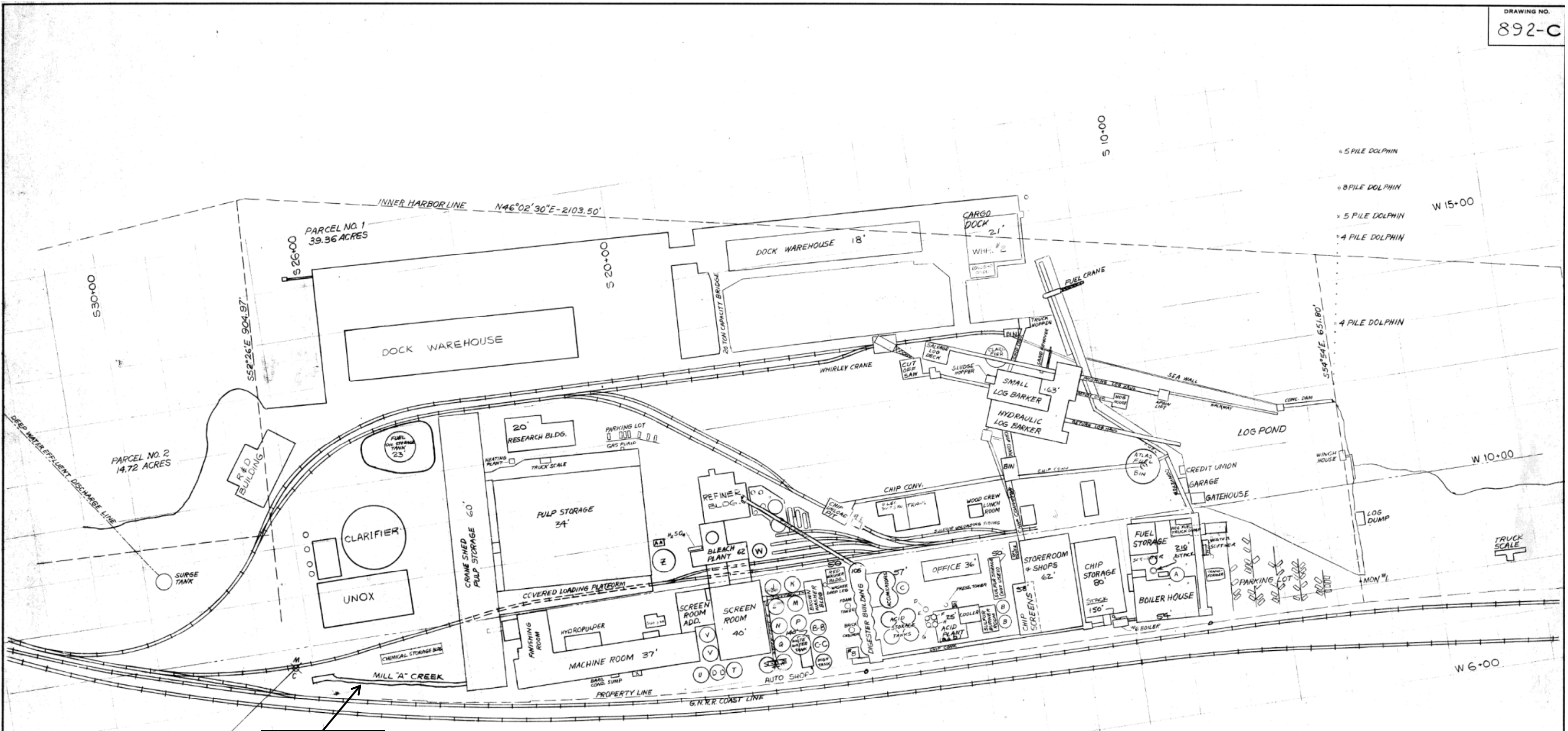
PIER NO. 1

Exhibit A – Figure 3
Weyerhaeuser Mill A Former
1947 Aerial Photograph
(Geomatrix, 2007)



— 2007 Approximate Shoreline
Geomatrix 2007. *Data Report. Former Mill A MTCA Support Sample Collection.* Everett, Washington. November 2007.

1947 SOUTH TERMINAL VICINITY
Former Mill A MTCA Support Sample Collection
Everett, Washington



Mill A Creek

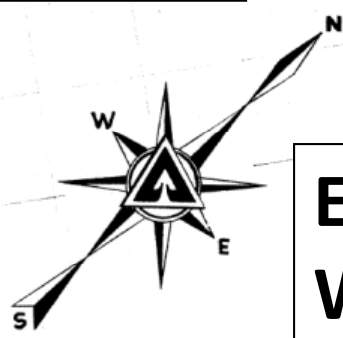


Exhibit A – Figure 4 Weyerhaeuser Mill A Former 1965 Plot Plan

(Source: Port of Everett – File POE_Mill_A-061726.pdf)

	ELEV.		ELEV.	NOTE	
A FIRE PROTECTION WATER TANK	100'	N SCREEN BLENDING TANK	32'	ELEVATIONS ABOVE GROUND LEVEL NOTED FOR PROMINENT STRUCTURES. GROUND LEVEL APPROX. 18 1/2' ABOVE LOWER LOW WATER LEVEL.	
B SULFUR STORAGE TANKS	20'	P HIGH FIBER TANK NO 2	32'		
C RED LIQUOR TANK		Q SCREEN ACCEPTS NO 2	32'		
D NUISANCE TOWER	84'	R BROKE HOLDING TANK	52'		
E ROCK RECOVERY TOWER	117'	S LONG FIBER STORAGE	52'		
F JENSSEN TOWER	117'	T PRIMARY SCREEN REJECTS	32'		
G TILE RECOVERY TOWER	117'	U BROKE STORAGE	24'		
H JENSSEN TOWER	117'	V MACHINE CHESTS	32'		
J DISC FILTER FILTRATE	32'	W DISC FILTER STOCK TANK	94'		
K EFFLUENT COLLECTION LOW FIBER TANK	32'	X TRANSFORMER			
L SCREEN ACCEPTS NO. 1	32'	Z BLENDING TANK			
M HIGH FIBER TANK NO. 1	32'				
					D-D LONG FIBER HOLDING TANK
					C-C REFINED STOCK TANK NO 2
				B-B REFINED STOCK TANK NO. 1	
				A-A MOTOR CONTROL-SUB STA.	

NOT USED
ACID PLANT (NOT USED)

DATE	DESCRIPTION	BY
1-5-65	REDRAWN TO BRING UP TO DATE	L.A.K.
1-24-66	ADDED MOTOR STOR., FINISH RM. ADIT., WASH B.	S.P.C.
2-2-66	ADDED #8 DIG. & WATER SOFTENER	C.A.B.
11-5-67	ADDED ADDN. TOLUENE DICK	S.A.C.
11-5-67	SKELETAL WEST END CANALS THRU	S.A.C.

DATE	DESCRIPTION	BY
1/10/77	BROUGHT TO DATE	PCK

Weyerhaeuser Company
Pulp and Paperboard Division
Everett Sulphite Mill

**EVERETT SULPHITE MILL
PLOT PLAN**

DRAWN BY: KNUITSEN
APPROVED: L.A.K.
DATE: 1-5-65
SCALE: 1" = 100'

DRAWING NO. 892-C

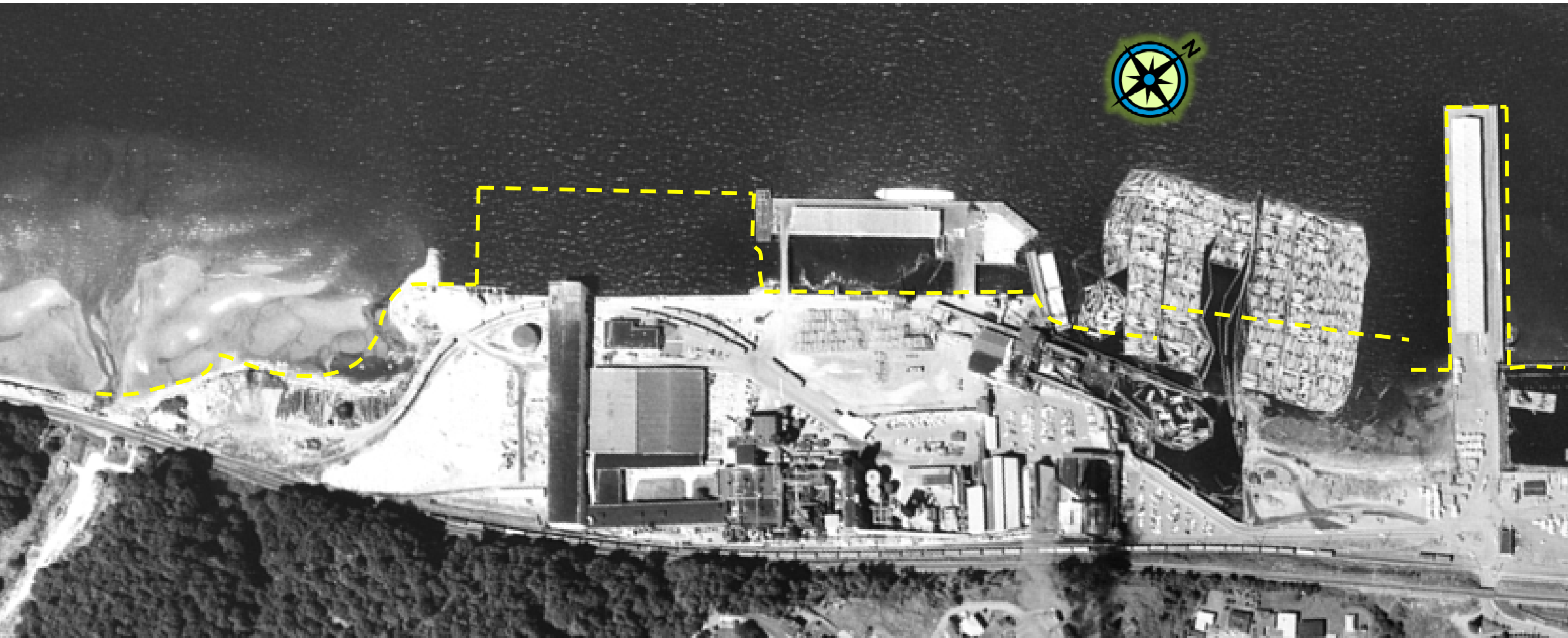


Exhibit A – Figure 5
Weyerhaeuser Mill A Former
1966 Aerial Photograph



2009 Approximate Shoreline

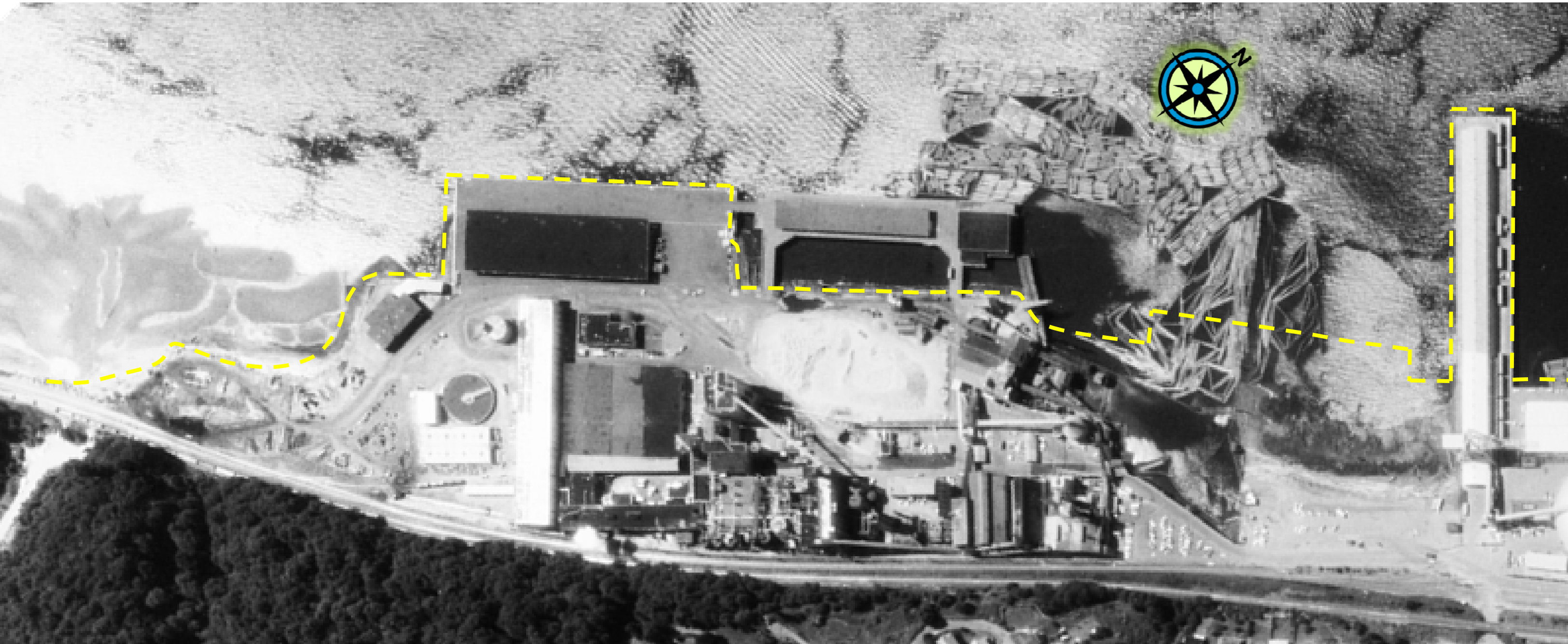


Exhibit A – Figure 6
Weyerhaeuser Mill A Former
1979 Aerial Photograph

 2009 Approximate Shoreline



Exhibit A – Figure 7
Weyerhaeuser Mill A Former
1985 Aerial Photograph



2009 Approximate Shoreline

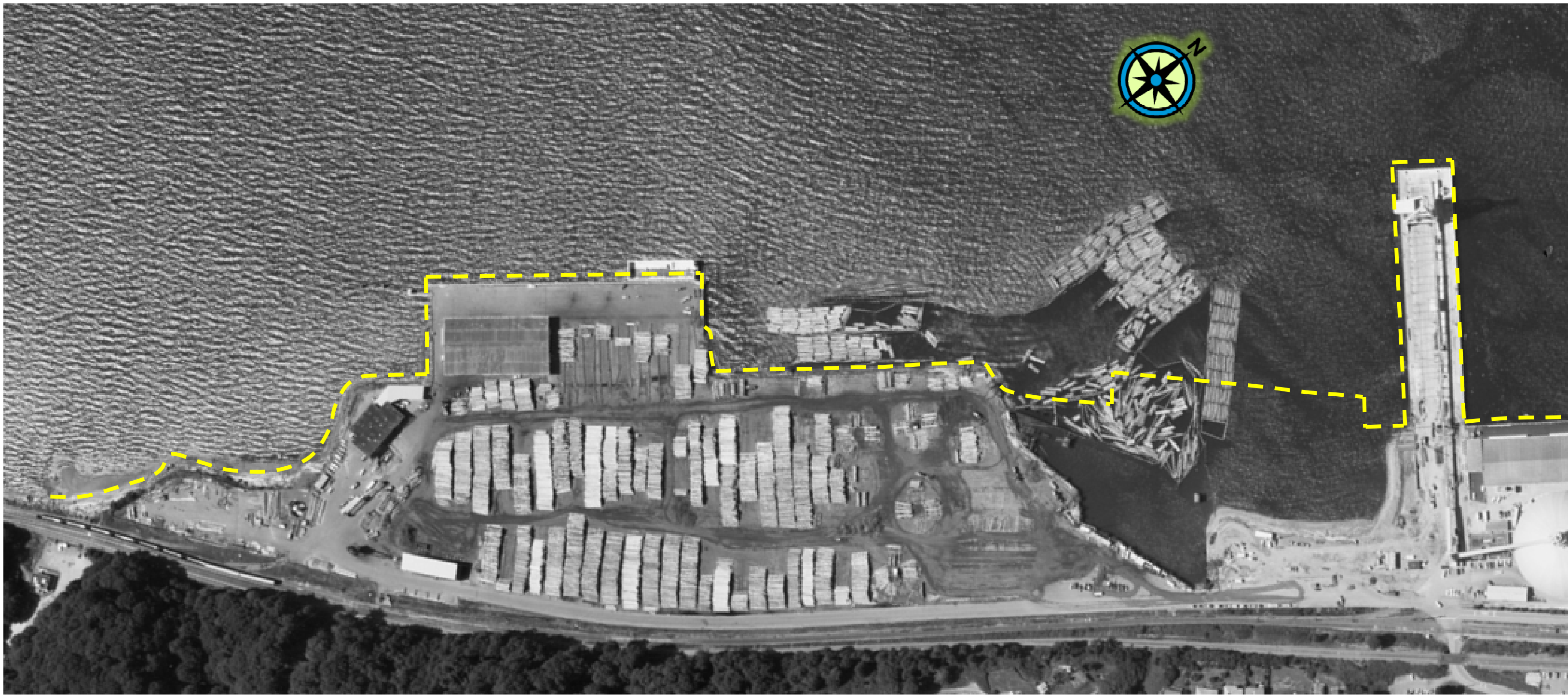


Exhibit A – Figure 8
Weyerhaeuser Mill A Former
1992 Aerial Photograph



2009 Approximate Shoreline



Exhibit A – Figure 9
Weyerhaeuser Mill A Former
2009 Aerial Photograph

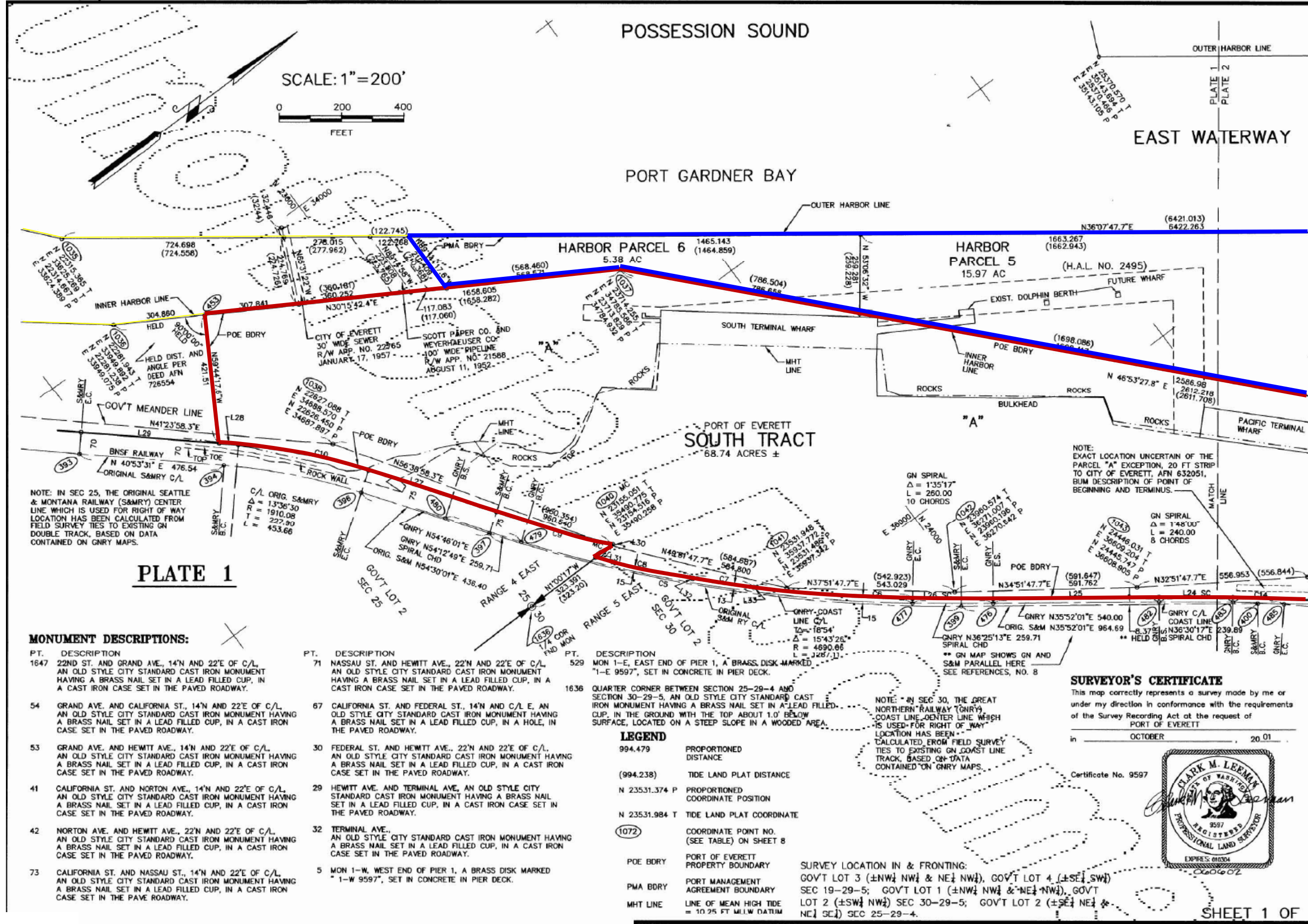
BDRY = Boundary

PMA = Port Management Agreement with DNR

POE = Port of Everett

— — — — Former Weyerhaeuser Mill A Property Boundary

Source: 11/22/72 Weyerhaeuser Company Mill Site Drawing (Drawing No. 5041 D)



— PMA Boundary (State-Owned Aquatic Lands)

— Port of Everett Boundary

PMA = Port Management Area

Source: Port Management Agreement 20-080027. September 1, 2002.

Exhibit A – Figure 10
 Weyerhaeuser Mill A Former
 Port Management Agreement Survey
 (Map 1 of 2)



CLARK M. LEE MAN LAND SURVEYING
 3216 Wetmore Ave, Everett, WA 98201 (425) 259-6072

AUD. FILE NO. 200209195004
RECORDING CERTIFICATE
 Filed for record this 19 day of September
 2002, at 2:54 P.M. in Volume _____
 of Surveys at page _____ at the request of
 Rob Tenwilliger
 SNOHOMISH COUNTY AUDITOR DEPUTY COUNTY AUDITOR

PORT OF EVERETT SURVEY
 FOR PORT MANAGEMENT AGREEMENT NO. 20-80027
 IN & FRONTING SEC 19 AND 30, T29N, R5E WM
 & SEC 25, T29N, R4E WM
 EVERETT, WASHINGTON

DRAWN: VEE OCTOBER 2001 ACAD: 823P003R JOB NO.: 199823

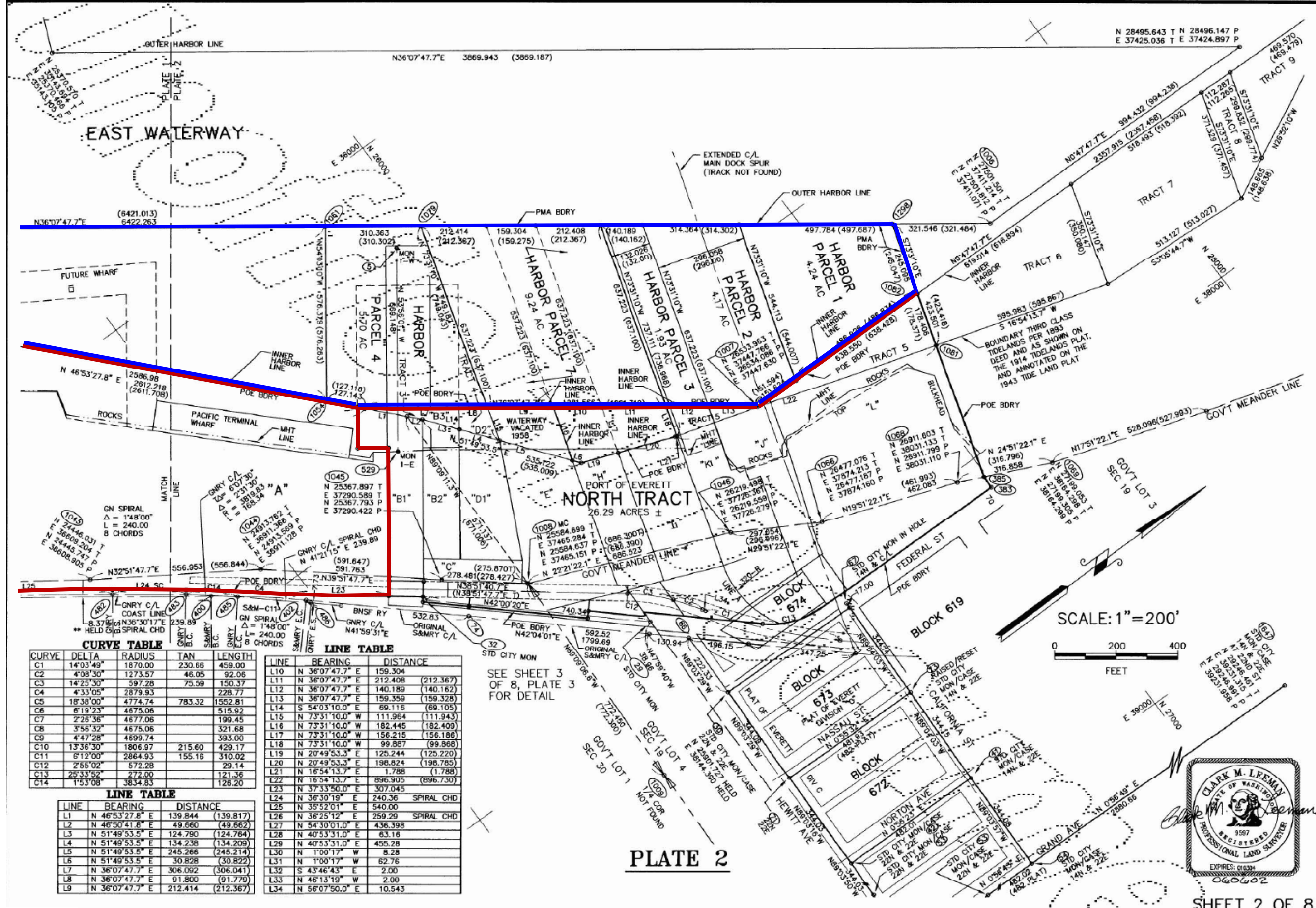


Exhibit A – Figure 11
 Weyerhaeuser Mill A Former
 Port Management Agreement Survey
 (Map 2 of 2)

CLARK M. LEEMAN LAND SURVEYING
 3216 Wetmore Ave, Everett, WA 98201 (425) 259-6072

AUD. FILE NO. 200209195004
RECORDING CERTIFICATE
 Filed for record this _____ day of _____
 20____, at _____ M. in Volume _____
 of Surveys at page _____ at the request of _____





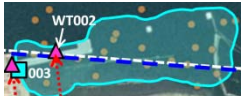








PORT OF EVERETT SURVEY
 FOR PORT MANAGEMENT AGREEMENT NO. 20-80027
 IN & FRONTING SEC 19 AND 30, T29N, R5E WM
 & SEC 25, T29N, R4E WM
 EVERETT, WASHINGTON



Exhibit A – Figure 12¹ Weyerhaeuser Mill A Former Historical and Current Outfalls

¹The base map was obtained from Ecology's EIM Database.

²Geomatrix 2007. *Data Report. Former Mill A MTCA Support Sample Collection.* Everett, Washington. November 2007.

	Current Deep Water Outfall 100 Source: Anchor, 2004. <i>Sampling and Analysis Report, Outfall 100 Baseline Sediment Sampling For NPDES Permit #WA00062-01 and Associated Permits.</i> June 2004.		Major Structures (1947)
	Historic Deep Water Outfall SW001 Sources: 11/22/72 Weyerhaeuser Company Mill Site Drawing (Drawing No. 5041 D). CH2MHILL, 1998. <i>Technical Memorandum. Kimberly Clark Everett Outfall Replacement Project: Analysis of Sediment Chemistry Database of Stations Located in Port Gardner.</i> April 28, 1998.		 Sawdust Deposit – Estimated Boundary. Geomatrix, 2007 ²
	Layout of historic sewer system and outfalls. Source: USDI, 1967. <i>Pollutional Effects of Pulp and Paper Mill Wastes in Puget Sound. A Report on Studies Conducted by the Washington State Enforcement Project.</i> March 1967.		Historical Industrial Outfall
	Former Combined Sewer Outfall (CSO)		Current CSO
	Former Stormwater Outfall		Current Stormwater Outfall
	Former Weyerhaeuser Mill A Property Boundary Source: 11/22/72 Weyerhaeuser Company Mill Site Drawing (Drawing No. 5041 D)		PMA = Port Management Agreement Source: PMA No. 20-080027 between DNR, POE, and WA State
			POE = Port of Everett

WEYERHAEUSER MILL A FORMER SITE

SITE/PROPERTY LOCATION INFORMATION

The Weyerhaeuser Mill A Former Site is generally located at the Port of Everett's marine terminal area between Pier 1 and Pigeon Creek Road off Terminal Avenue, Everett, Washington. Site coordinates, a legal description, and county assessor's parcel numbers are provided below. Additional property information from the Snohomish County Tax Assessor's Office is attached.

Coordinates: Latitude: 47°58'24.62" North; Longitude: -122°13'37.78" West.

Latitude/Longitude Reference Point: Approximate center of the former Weyerhaeuser Mill A Pulp Storage Building (see red circle on the figure below for approximate location).



Legal Description: The Site encompasses portions of the following:

- NW Quarter of Section 30, Township 29 North, Range 5 East.
- NE Quarter of Section 25, Township 29 North, Range 4 East.

County Assessor's Parcel Numbers (Port of Everett Property): Tax account numbers corresponding to the Weyerhaeuser Mill A Former Site include 29042500400200, 29053000201800, 29053000203400, 29053000201700, 29053000201200, and 290530002022000.



QUARTER	SECTION	TOWNSHIP N.W.B.L.	RANGE E.W.M.
NE	25	29	04

QUARTER	SECTION	TOWNSHIP N.W.B.L.	RANGE E.W.M.
NW	30	29	5

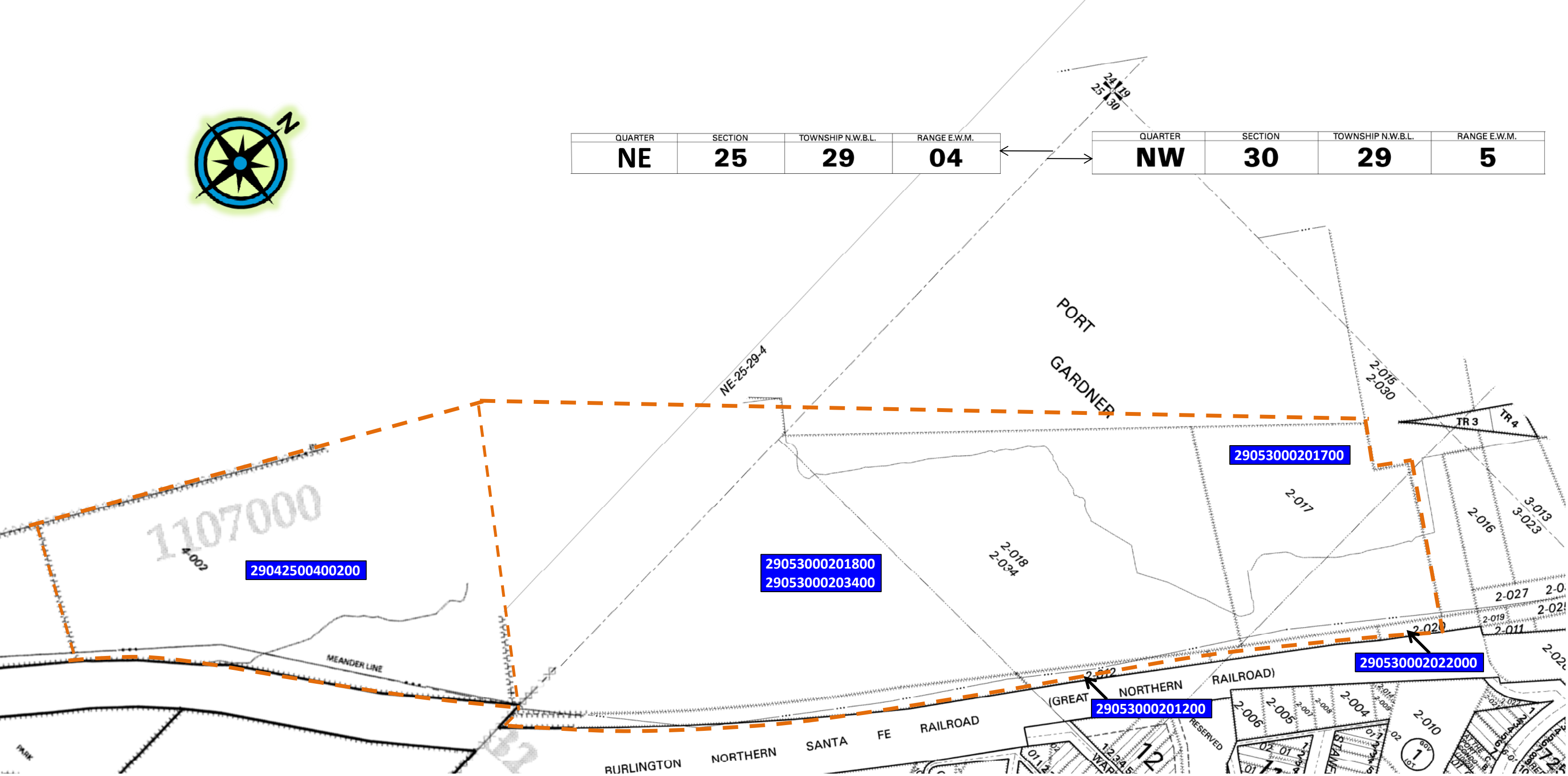


Exhibit A – Figure 13
Weyerhaeuser Mill A Former
Snohomish County Assessor’s
Office Tax Parcel Map
 (Printed April 2010)

--- Former Weyerhaeuser Mill A Property Boundary
 Source: 11/22/72 Weyerhaeuser Company Mill Site Drawing (Drawing No. 5041 D)

29053000201700 Parcel Number

EXHIBIT B

INTERIM ACTION WORK PLAN

EXHIBIT C

**ECOLOGY POLICY 840 – DATA SUBMITTAL
REQUIREMENTS**



Toxics Cleanup Program Policy

Policy 840

Resource Contact: Policy and Technical Support Staff *Effective:* August 1, 2005

References: WAC 173-340-840(5) *Revised:* September 9, 2005

<http://www.ecy.wa.gov/eim/>

<http://www.ecy.wa.gov/programs/tcp/smu/sedqualfirst.htm>

<http://www.ecy.wa.gov/biblio/0309043.html>

Replaces: Procedure 840

Policy 840: Data Submittal Requirements

Purpose: Contaminated site investigations and cleanups generate a large volume of environmental monitoring data that need to be properly managed to facilitate regulatory decisions and access to this data by site owners, consultants, and the general public. The purpose of this policy is to describe the requirements for submitting environmental monitoring data generated/collected during the investigation and cleanup of contaminated sites under the Model Toxics Control Act (MTCA) and the Sediment Management Standards.

Application: This policy applies to Ecology staff, potentially liable parties, prospective purchasers, state and local agencies, and Ecology contractors that investigate or manage the cleanup of contaminated sites.

1. Unless Otherwise Specified by Ecology, all Environmental Monitoring Data Generated during Contaminated Site Investigations and Cleanups shall be Required to be Submitted to Ecology in both a Written and Electronic Format.

Environmental monitoring data include biological, chemical, physical, and radiological data generated during site investigations and cleanups under the Model Toxics Control Act Cleanup Regulation (WAC 173-340) and the Sediment Management Standards (WAC 173-204).

Data generated/collected during site investigations and cleanups conducted under an order, agreed order or consent decree, permit, grant, loan, contract, interagency agreement, memorandum of understanding or during an independent remedial action, are considered environmental monitoring data under this policy.

Data generated/collected for non site-specific studies, site hazard assessments that result in no further action and initial site investigations are not considered environmental monitoring data under this policy.

2. Orders, Agreed Orders, Consent Decrees, or Permits Issued After the Effective Date of this Policy Shall Include a Condition that Site-Specific Data be Submitted in Compliance with this Policy.

Reports on such work that do not include documentation that the data have been submitted in compliance with this policy shall be deemed incomplete and a notice of such provided to the

submitter. These reports generally should not be reviewed until that information is provided. The assistant attorney general assigned to the site should be consulted in these situations.

3. Reports on Independent Remedial Actions Submitted for Review After October 1, 2005, Under Ecology's Voluntary Cleanup Program Shall Not be Reviewed Until the Data Have Been Submitted in Compliance with this Policy.

Such reports shall be deemed incomplete, and a notice to this effect provided to the submitter.

4. Grants, Contracts, Interagency Agreements or Memoranda of Understanding Issued After the Effective Date of this Policy Shall Include a Condition that Site-Specific Data be Submitted in Compliance with this Policy.

Reports on such work shall not be accepted as complete until the data have been submitted in compliance with this policy. If a payment or transfer of funds is involved in the transaction, the relevant payment or transfer shall be withheld until this requirement has been met.

Example language to include in these documents is attached in Appendix A.

5. Data Generated During Upland Investigations and Cleanups Shall be Submitted Electronically Using Ecology's Environmental Information Management System (EIM).

EIM is Ecology's main database for environmental monitoring data. Proper submission of data through this system meets the requirement of submitting such data in an electronic format. Electronic data shall be submitted to Ecology simultaneously with the accompanying printed report.

Additional information on EIM, including instructions for data submittal, can be found on Ecology's EIM web site at <http://www.ecy.wa.gov/eim/>. TCP's EIM Coordinator also is available for technical assistance to site managers and consultants using EIM.

6. Data Submitted Electronically Using EIM Shall be Checked by the Toxics Cleanup Program's EIM Coordinator Prior to Loading the Data into EIM.

Normally, notice that data have been submitted through EIM will come to TCP's EIM Coordinator. Upon receipt of such a notice the EIM Coordinator should notify the site manager. Similarly, if the Ecology site manager receives a notice of an EIM submittal, they should notify TCP's EIM Coordinator. Upon receipt of the data, TCP's EIM Coordinator reviews the submittal for quality control and officially loads the data into the system.

7. Data Generated During Sediment Investigations and Cleanups shall be Submitted Electronically Using Ecology's Sediment Quality Information System (SEDQUAL).

SEDQUAL is Ecology's data management system for sediment-related data. Proper submission of data through this system meets the requirement of submitting such data in an electronic format. Electronic data shall be submitted to Ecology simultaneously with the accompanying printed report.

8. Sediment Sampling Data Shall be Submitted to Ecology Using the SEDQUAL Data Entry Templates.

At a minimum, the following SEDQUAL data entry templates must be completed:

1. **Reference & Bibliography:** Describes lab reports and publications that relate to the data being entered;
2. **Survey:** Sample number;
3. **Station:** Specifies geographic location of the sediment sample. Sample latitude/longitude coordinates must be entered using the North American Datum of 1983 in U.S. Survey feet (NAD 83, U.S. feet);
4. **Sample:** Describes sample characteristics such as depth; and
5. **Sediment Chemistry:** Reports chemical concentration data in dry weight units.

The following additional templates must also be completed where these measurements/observations have been made:

1. **Bioassay:** Bioassay test results;
2. **Bioassay Control:** Bioassay control test results;
3. **Benthic Infauna:** Species abundance & diversity;
4. **Tissue:** Describes the organism collected;
5. **Bioaccumulation:** Reports tissue chemical concentrations; and
6. **Histopathology:** Reports tissue pathology such as tumors or lesions.

9. Electronic Data Formats Shall be Verified to be Compatible with SEDQUAL Prior to Submittal.

Because SEDQUAL uses ASCII protocol and comma delimited text files, data format verification shall be conducted prior to submittal to Ecology. Data shall be verified by downloading the SEDQUAL database, importing the data into the database, correcting errors, and then exporting the corrected templates.

For additional information on sediment sampling and analysis plan requirements, see Ecology publication 03-09-043 "Sediment Sampling and Analysis Plan Appendix", April, 2003. A copy of this document can be obtained from Ecology's publication office or downloaded from the following web site: <http://www.ecy.wa.gov/biblio/0309043.html>

Additional information on SEDQUAL can be found at:

<http://www.ecy.wa.gov/programs/tcp/smu/sedqualfirst.htm>. ICP's SEDQUAL Coordinator is also available for technical assistance to site managers and consultants using SEDQUAL.

10. Sediment Sampling Data Shall Also be Submitted to Ecology in a Printed Report.

Printed reports shall present the data in both dry weight and total organic carbon normalized units in data tables that compare the results to applicable state regulatory criteria.

11. Data Submitted Electronically Using SEDQUAL Shall be Checked by the Toxics Cleanup Program's SEDQUAL Coordinator Prior to Loading the Data into SEDQUAL.

Normally, SEDQUAL data submittals will come to TCP's SEDQUAL Coordinator. Upon receipt of a submittal, the Coordinator should notify the site manager. Similarly, if the Ecology site manager receives a SEDQUAL submittal, they should notify TCP's SEDQUAL Coordinator. Upon receipt of the data, TCP's SEDQUAL Coordinator reviews the submittal for quality control and officially loads the data into the system.

Approved



James J. Pendowski, Program Manager
Toxics Cleanup Program

Policy Disclaimer: This policy is intended solely for the guidance of Ecology staff. It is not intended, and cannot be relied on, to create rights, substantive or procedural, enforceable by any party in litigation with the state of Washington. Ecology may act at variance with this policy depending on site-specific circumstances, or modify or withdraw this policy at any time.

APPENDIX A: MODEL GRANT AND PERMIT CONDITION

The following condition is to be inserted in permits, grants, loans, contracts, interagency agreements, memorandum of understandings where site-specific environmental monitoring data is expected to be generated:

All sampling data shall be submitted to Ecology in both printed and electronic formats in accordance with WAC 173-340-840(5) and Ecology Toxics Cleanup Program Policy 840: Data Submittal Requirements. Electronic submittal of data is not required for site hazard assessments that result in no further action and initial site investigations. (FOR GRANTS & CONTRACTS ADD: Failure to properly submit sampling data will result in Ecology withholding payment and could jeopardize future grant funding)

EXHIBIT D

PUBLIC PARTICIPATION PLAN

Site Cleanup:

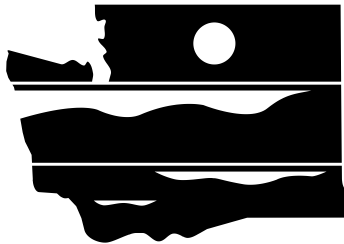
WEYERHAEUSER MILL A FORMER

3500 Terminal Ave, Everett
Snohomish County, Washington

DRAFT PUBLIC PARTICIPATION PLAN

Prepared by:

Washington State Department of Ecology



DEPARTMENT OF
ECOLOGY
State of Washington

March 2016

This plan is for you!

This Public Participation Plan (Plan) is prepared for the Weyerhaeuser Mill A Former Site cleanup as part of the requirements of the Model Toxics Control Act (MTCA). The Plan provides information about MTCA cleanup actions and requirements for public involvement, and identifies how the Washington State Department of Ecology (Ecology) will support public involvement throughout the cleanup. The Plan is intended to encourage coordinated and effective public involvement tailored to the community's needs at the Weyerhaeuser Mill A Former Site.

For additional copies of this document, please contact:

Washington State Department of Ecology
Andrew Kallus, Site Manager
Toxics Cleanup Program
PO Box 47600
Olympia, WA 98504-7600
(360) 407-7259
Email: Andrew.Kallus@ecy.wa.gov

To request ADA accommodation for disabilities, or printed materials in a format for the visually impaired, call Ecology at 360-407-7170. Persons with impaired hearing may call Washington Relay Service at 711. Persons with speech disability may call TTY at 877-833-6341.

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1.0: Introduction and Overview of the Public Participation Plan

This Public Participation Plan (Plan) explains how you can become involved in improving the health of your community. It describes public participation opportunities that will be available during this review period for a site on Everett's Port Gardner Bay waterfront – the Weyerhaeuser Mill A Former Site (Site). The Site is located at 3500 Terminal Avenue in Everett, Snohomish County, Washington. These opportunities are part of a collaborative effort by the Washington State Department of Ecology (Ecology), and the Potentially Liable Persons, or PLPs, to decide on cleanup actions for the Site. The PLPs include the Port of Everett (the Port), Weyerhaeuser Company (Weyerhaeuser) and the Washington State Department of Natural Resources (DNR). Current documents for review include:

- The Agreed Order (AO) for an interim action (IA) at the Site, dated 2016, which is a legal document between Ecology, the Port and Weyerhaeuser. This AO is for an interim cleanup action to remove contaminated sediment and wood debris identified in a portion of the in-water area of the Site. DNR has elected to not be included in this AO.

Cleanup actions, and the public participation process that helps guide them, are established in Washington's Model Toxics Control Act (MTCA).¹ Under MTCA, Ecology is responsible for providing timely information and meaningful chances for the public to learn about and comment on important cleanup decisions before they are made. The goals of the public participation process are:

- To promote understanding of the cleanup process so that the public has the necessary information to participate.
- To encourage involvement through a variety of public participation opportunities.

This Plan provides a framework for open dialogue about the cleanup among community members, Ecology, and other interested parties. It outlines basic MTCA requirements for community involvement activities that will help ensure that this exchange of information takes place during the investigation and cleanup. These requirements include:

- Notifying the public about available reports and studies about the Site.

¹ The Model Toxics Control Act (MTCA) is the hazardous waste cleanup law for the State of Washington. The full text of the law can be found in Revised Code of Washington (RCW), Chapter 70.105D. The legal requirements and criteria for public notice and participation during MTCA cleanup investigations can be found in Washington Administrative Code (WAC), Section 173-340-600.

- Notifying the public about review and comment opportunities during specific phases of the cleanup investigation.
- Providing appropriate public participation opportunities to learn about cleanup documents, and if community interest exists, holding meetings to solicit input and identify community concerns.
- Considering public comments received during public comment periods.

In addition to these basic requirements, the Plan may include additional site-specific activities to meet the needs of your community. Based upon the type of proposed cleanup action, the level of public concern, and the risks posed by the Site, Ecology may decide that more public involvement opportunities are appropriate.

These opportunities form the basis for the public participation process. The intent of this Plan is to:

- Provide complete and current information to all interested parties.
- Let you know when there are opportunities to provide input.
- Provide opportunities to listen to and address community concerns.

Part of the Puget Sound Initiative

The Site is one of several of Everett's Port Gardner Bay waterfront sites and is part of a larger cleanup effort called the Puget Sound Initiative (PSI). Washington State established the PSI to protect and restore Puget Sound. The PSI includes cleaning up 50-60 contaminated sites within one-half mile of the Sound. These sites are grouped in several bays around the Sound for "baywide" cleanup efforts. As other sites in the Everett baywide area move forward into investigation and cleanup, information about them will be provided to the community as well as people and groups who are interested.

Roles and Responsibilities

Ecology will lead public involvement activities. Ecology maintains overall responsibility and approval authority for the activities outlined in this Plan. Ecology and the PLPs are responsible for cleanup at the Site. Ecology will oversee all future cleanup activities and ensure that contamination on the Site is cleaned up to concentrations that are established in state regulations and that protect human health and the environment.

Organization of this Public Participation Plan

The sections that follow in this Plan provide:

- Section 2: Background information about the Weyerhaeuser Mill A Former Site.
- Section 3: An overview of the local community that this Plan is intended to engage.
- Section 4: Public involvement opportunities in this cleanup.

This Plan addresses current conditions at the Site, but it is intended to be a dynamic working document that will be reviewed at each phase of the cleanup and updated as needed. Ecology and the PLPs urge the public to become involved in the cleanup process.

2.0: Site Background

Site Description and Location

The Site is located at 3500 Terminal Avenue in Everett, Snohomish County, Washington, on Port Gardner Bay (see Figure 1).

The Site is rectangular in shape and is bounded by the Port's Pier 1 to the north, Burlington Northern Railroad to the east, Pigeon Creek Road to the south and Port Gardner Bay to the west. The surface of the majority of the property is currently flat and paved and contains several buildings (see Figure 2). The Port currently owns and operates the property as a marine terminal for break bulk and container cargo handling. The Port's South and Pacific terminals are contained within the current boundary of the site.

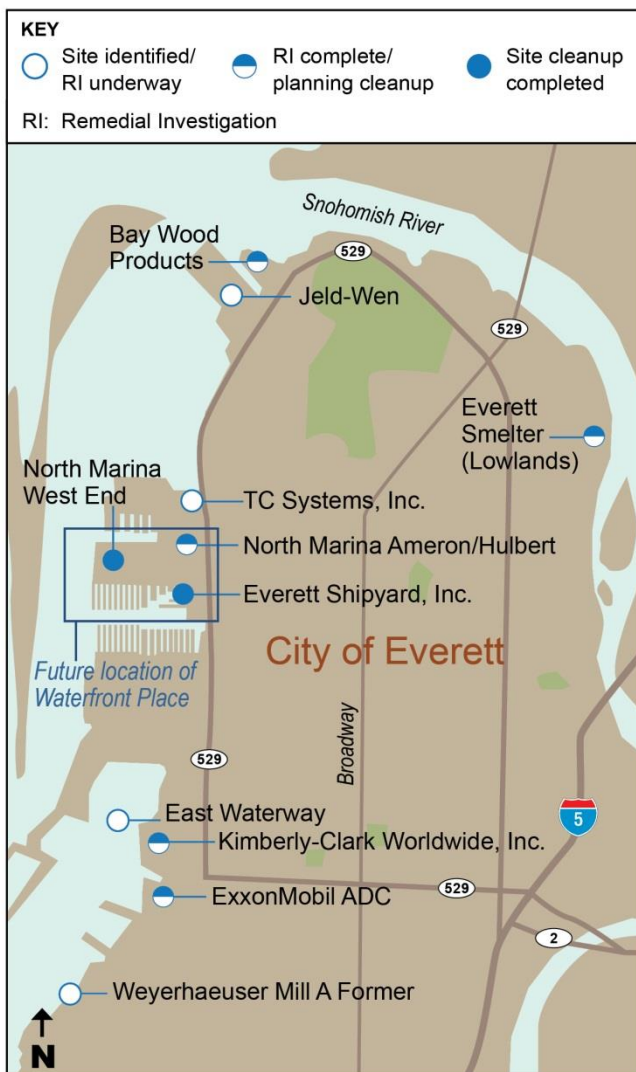


Figure 1: The Weyerhaeuser Mill A Former Site is the southernmost Site shown in the map at left, located at 3500 Terminal Avenue, in Everett, WA.



Figure 2: A 2009 aerial view of the Weyerhaeuser Mill A Former Site.
Photo Source: Port of Everett

General Site History and Contaminants

Development of the Weyerhaeuser Mill A Former Site began in the late 1800s. A range of historical industrial activities were performed including pulp manufacturing, saw milling, ship building, shingle milling and log handling. While operating as a sulfite pulp mill, the facility produced approximately 300 tons of pulp per day. Some of the waste materials from this production contributed to the contamination of the Site. All pulping operations at the Site ceased in 1980. The Port purchased the property in 1983 and currently uses the Site for break bulk and container cargo handling.

Several investigations of the upland and in-water areas have been completed since the 1980s, and most recently in 2007 and 2009. The following sediment contaminants were found on the Site:

- Metals (arsenic, cadmium, copper, lead, mercury, zinc)
- Polycyclic Aromatic Hydrocarbons (PAHs)
- Polychlorinated Biphenyls and Semivolatile Organic Compounds (PCBs and SVOCs)
- Dioxins/Furans
- Wood waste such as sawdust

The investigations also found contaminants in upland soils, groundwater or both that exceed cleanup levels established in the Model Toxics Control Act (MTCA):

- Metals (arsenic, copper, nickel)
- PAHs
- Total Petroleum Hydrocarbons (TPHs)
- SVOCs

In August 2012, Ecology and the Potentially Liable Persons, or PLPs, entered into an agreement to study the contamination at the Site and identify a preferred cleanup action and schedule. This is the first AO for the Site. The PLPs included in this AO are the Port, Weyerhaeuser and DNR.

The Cleanup Process

Washington State's cleanup process and key opportunities for you to provide input are outlined in Figure 3 on page 13. The general cleanup process includes the following steps:

- Remedial Investigation (RI) – investigates the site for types, locations and amounts of contaminants.
- Feasibility Study (FS) – identifies cleanup options for those contaminants.
- Cleanup Action Plan (CAP) – selects the preferred cleanup option and explains how cleanup will be conducted.

Each of these steps is generally documented in reports and plans that will be available for public review. Public comment periods of at least 30 calendar days are usually conducted for the following documents:

- Draft RI report
- Draft FS report
- Draft CAP

These comment periods may be conducted separately or combined.

Steps in the cleanup process and related documents are described in greater detail in the following subsections.

Interim Actions

Interim actions (IA) may be completed during the cleanup if required by Ecology. An IA partially addresses the cleanup of a site, and may be conducted if:

- It is technically necessary to reduce a significant threat to human health or the environment.
- It corrects a problem that may become substantially worse or cost substantially more to fix if delayed.
- It is needed to complete another cleanup activity, such as design of a cleanup plan.

Overview of the Agreed Order for Interim Action

The second AO for the Site, and the focus of this public notice period, is a legal document between Ecology, the Port and Weyerhaeuser. This second AO is for a proposed interim cleanup action in the in-water area (off-shore of Pacific Terminal). DNR has elected to not be included in this AO. Action will take place during the 2016/2017 in-water work window as allowed by the Army Corps of Engineers permit for the project.

The proposed IA will remove identified contaminated sediment and wood debris and increase navigational access to the Pacific Terminal. This work includes dredging, transport and disposal of contaminated sediment and wood debris to an approved landfill facility. Dredged material suitable for open water disposal will be placed on a disposal barge and transported to the open water disposal site. The action also includes installing armor and habitat mix (rounded sand and gravel material) along areas where a temporary side slope remains. Further details regarding the technical elements of the interim action can be found in Exhibit B (Interim Action Work Plan) of the proposed AO. An IA report will be written following the action and evaluated as a part of the final cleanup action for the Site.

3.0: Community Profile

Community Profile

Everett is Snohomish County's largest city and the seventh largest city in the state of Washington. Everett's current population is approximately 106,736, situated within 33.45 square miles.² Located on Port Gardner Bay, Everett hosts the west coast's second largest marina, United States Navy Homeport Naval Station Everett and The Boeing Company's assembly plant. The city's current labor workforce is more than 83,000,³ employed predominantly in manufacturing, technical and service-based industries.

Key Community Concerns

An important part of this Plan is to identify key community concerns for the cleanup Site. Many factors are likely to raise community questions, such as the amount of contamination, how much contamination has been cleaned up and what remains, and future use of the Site. Community concerns often change over time as new information is learned and questions are answered. Identifying site-specific community concerns at each stage of the cleanup process helps ensure that they are adequately addressed. On-going key community concerns will be identified for the Weyerhaeuser Mill A Former Site through public comments and other opportunities, as detailed in Section 4.

² United States Census Bureau. <http://quickfacts.census.gov/qfd/states/53/5322640.html> (Accessed February 10, 2016)

³ American Fact Finder.

http://factfinder.census.gov/faces/tableservices/jsf/pages/productview.xhtml?pid=ACS_13_5YR_DP03&prodType=table (Accessed February 10, 2016)

4.0: Public Participation Opportunities

Ecology and the PLPs invite you to share your comments and participate in the cleanup in your community. As we work to meet our goals, we will evaluate whether this public participation process is successful. This section describes the public participation opportunities for the Site.

Measuring Success

We want this public participation process to succeed. Success can be measured, at least in part, in the following ways:

- Number of written comments submitted that reflect understanding of the cleanup process and the Site.
- Direct, in-person feedback about the site cleanup or public participation processes, if public meetings are held.
- Periodic updates to this Plan to reflect community concerns and responses.

If we are successful, this process will increase:

- Community awareness about plans for cleanup and opportunities for public involvement.
- Public participation throughout the cleanup.
- Community understanding regarding how their input will be considered in the decision-making process.

Activities and Information Sources

Ecology Contacts

Ecology is the lead contact for questions about the cleanup in your community. The Ecology staff person identified in this section is familiar with the cleanup process and activities at the Site. For more information about public involvement or the technical aspects of the cleanup, please visit our website at <https://fortress.wa.gov/ecy/gsp/Sitepage.aspx?csid=2146>, or contact:

Andrew Kallus, Site Manager
Department of Ecology
Toxics Cleanup Program
PO Box 47600
Olympia, WA 98504-7600
Phone: (360) 407-7259
Email: Andrew.Kallus@ecy.wa.gov

Ecology's Webpage

Ecology has created a webpage to provide convenient access to information. Documents such as the first AO, finalized in 2012, and the second AO for the IA are posted as they are issued during the investigation and cleanup process. Visitors to the webpage can find out about public comment periods and possible meetings; download, print, and read information; and submit comments via email. The webpage also provides links to detailed information about the MTCA cleanup process. The Weyerhaeuser Mill A Former webpage is available at the following address:

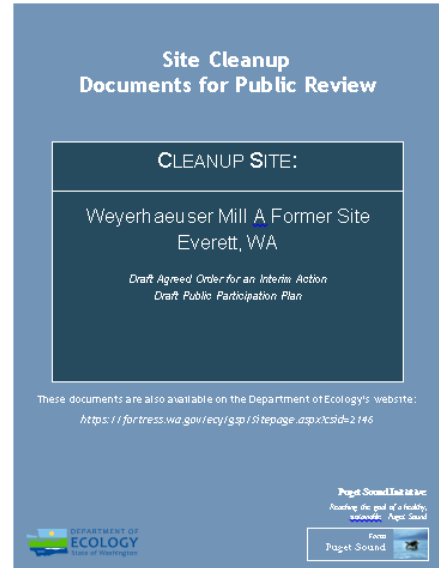
<https://fortress.wa.gov/ecy/gsp/Sitepage.aspx?csid=2146>

Information Centers/Document Repositories

The most comprehensive source of information about the Site is the information center, or document repository. Two repositories provide access to the complete list of site-related documents. All Site investigation and cleanup activity reports will be kept in print at those two locations and will be available for your review. They can also be requested on compact disk (CD). Document repositories are updated before public comment periods to include the relevant documents for review. Documents remain at the repositories throughout the investigation and cleanup. For the Site, the document repositories are:

- **Everett Public Library**
2702 Hoyt Ave
Everett, WA 98201
Phone: (425) 257-8000
Website: <http://epls.org/>
- **Department of Ecology Headquarters**
300 Desmond Drive
Lacey, WA 98503
By appointment. Please contact Carol Dorn at (360) 407-7224 or Carol.Dorn@ecy.gov.

Look for document covers much like the illustration on the right.



Public Comment Periods

Public comment periods provide opportunities for you to review and comment on major documents, such as the draft AOs and Consent Decrees, draft RI, draft FS, draft CAP and draft Public Participation Plan. The typical public comment period is 30 calendar days.

Notice of Public Comment Periods

Notices for each public comment period will be provided by local newspaper and by mail. These notices indicate the timeframe and subject of the comment period, and explain how you can submit your comments.

For the Weyerhaeuser Mill A Former Site, a newspaper notice will be posted in The Daily Herald and Snohomish County Tribune.

Notices are also sent by regular mail to the local community and interested parties. The local community typically includes all residential and business addresses within one-quarter mile of the Site, as well as potentially interested parties such as public health entities, environmental groups, and business associations.

Fact Sheets

One common format for public comment notification is a fact sheet. Like the newspaper notice, fact sheets explain the timeframe and purpose of the comment period, but also provide background and a summary of the document(s) under review. Future fact sheets will be prepared at key milestones in the cleanup process.

MTCA Site Register

Ecology produces an electronic newsletter called the MTCA Site Register. This semi-monthly publication provides updates of the cleanup activities occurring throughout the state, including public meeting dates, public comment periods, and cleanup-related reports. Individuals who would like to receive the MTCA Site Register can sign up three ways:

- Call (360) 407-6848
- Send an email request to spre461@ecy.wa.gov
- Register online at http://www.ecy.wa.gov/programs/tcp/pub_inv/pub_inv2.html

Mailing Lists

Ecology maintains both email and regular mail distribution lists throughout the cleanup process. The lists are created from carrier route delineations for addresses within one-quarter mile of the Site; potentially interested parties; public meeting sign-in sheets; and requests made in person or by regular mail or email. You may request to be on a mailing list by contacting the Ecology staff person listed earlier in this section.

Optional Public Meetings

A public meeting will be held during a comment period if requested by ten or more people, or if Ecology decides it would be useful. Public meetings provide additional opportunity to learn about the investigation or cleanup, and to enhance informed comment. If you are interested in a public meeting about the Site, please contact the Ecology staff listed earlier in this section.

Submitting Comments

You may submit comments by regular mail or email during public comment periods to the Ecology Project Manager listed earlier in this section.

Response to Comments

Ecology will review all comments submitted during public comment periods, and will modify documents as necessary. You will receive notice by regular mail or email that Ecology has received your comments, along with a general explanation about how the comments were addressed and where the revised document can be found.

Other

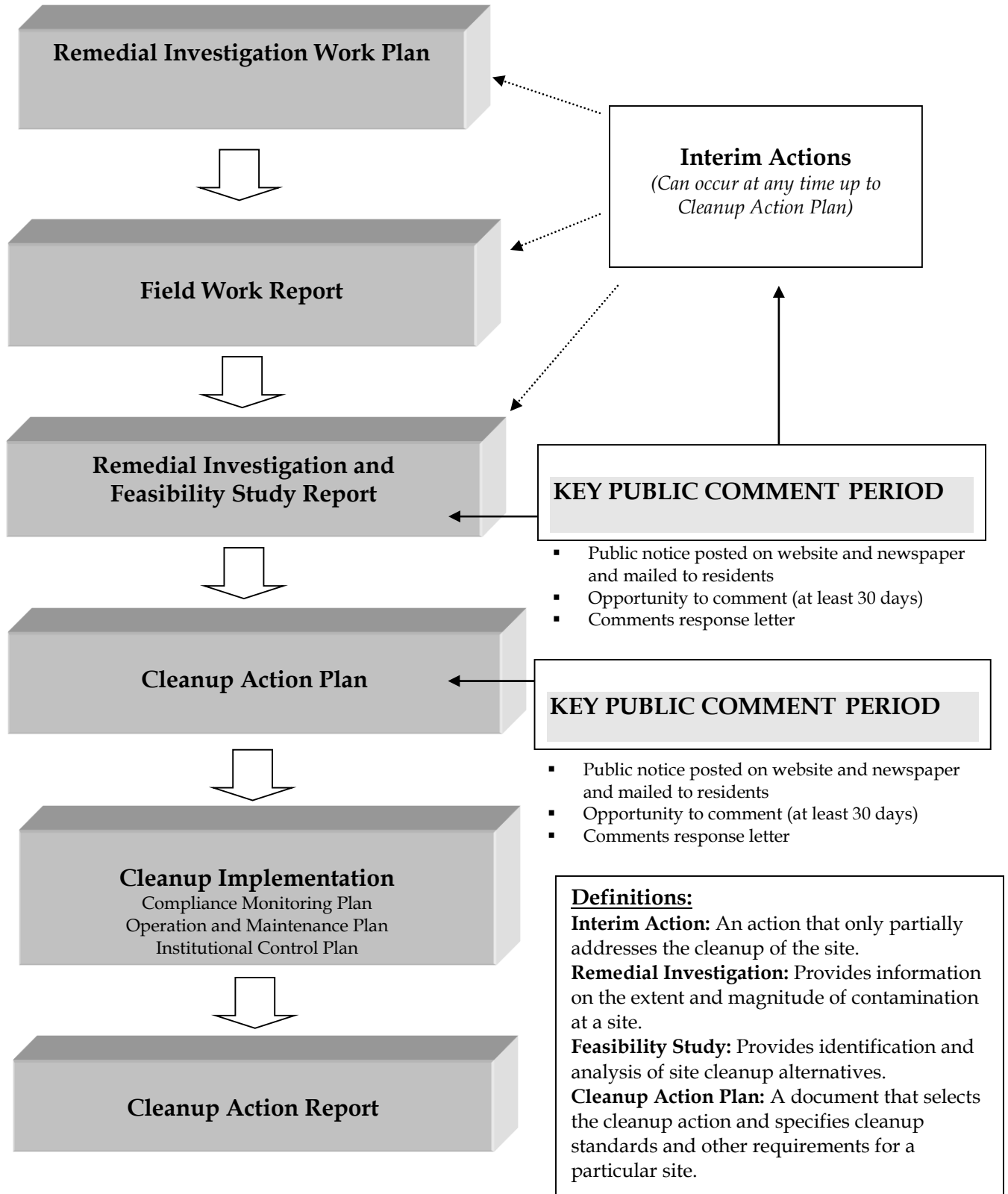
Ecology is committed to the public participation process and will consider additional means for delivering information and receiving comments, including combining public comment periods for other actions (such as those associated with the State Environmental Policy Act).

Public Participation Grants

You are eligible to apply for a Public Participation Grant from Ecology approximately every two years to provide funding for additional public participation activities. Those additional activities will not reduce the scope of the activities defined by this Plan. Activities conducted under this Plan would coordinate with the additional activities defined under the grant.

Visit www.ecy.wa.gov/programs/swfa/grants/ppg.html for more information about Ecology's Public Participation Grants.

Figure 3: Washington State Cleanup Process



Glossary

Cleanup: The implementation of a cleanup action or interim action.

Cleanup Action: Any remedial action except interim actions, taken at a site to eliminate, render less toxic, stabilize, contain, immobilize, isolate, treat, destroy, or remove a hazardous substance that complies with MTCA cleanup requirements, including but not limited to: complying with cleanup standards, utilizing permanent solutions to the maximum extent practicable, and including adequate monitoring to ensure the effectiveness of the cleanup action.

Cleanup Action Plan: A document that selects the cleanup action and specifies cleanup standards and other requirements for a particular site. The cleanup action plan, which follows the remedial investigation/feasibility study report, is subject to a public comment period. After completion of a comment period on the cleanup action plan, Ecology finalizes the cleanup action plan.

Cleanup Level: The concentration (or amount) of a hazardous substance in soil, water, air, or sediment that protects human health and the environment under specified exposure conditions. Cleanup levels are part of a uniform standard established in state regulations, such as MTCA.

Cleanup Process: The process for identifying, investigating, and cleaning up hazardous waste sites.

Contaminant: Any hazardous substance that does not occur naturally or occurs at greater than natural background levels.

Feasibility Study: Provides identification and analysis of site cleanup alternatives and is usually completed within a year. The entire Remedial Investigation/Feasibility Study (RI/FS) process takes about two years and is followed by the cleanup action plan. Remedial action evaluating sufficient site information to enable the selection of a cleanup action plan.

Hazardous Site List: A list of ranked sites that require further remedial action. These sites are published in the Site Register.

Interim Action: Any remedial action that partially addresses the cleanup of a site. It is an action that is technically necessary to reduce a threat to human health or the environment by eliminating or substantially reducing one or more pathways for exposure to a hazardous substance at a facility; an action that corrects a problem that may become substantially worse or cost substantially more to address if the action is delayed; an action needed to provide for completion of a site hazard assessment, state remedial investigation/feasibility study, or design of a cleanup action.

Model Toxics Control Act: Refers to RCW 70.105D. Voters approved it in November 1988. The implementing regulation is WAC 173-340 and was amended in 2001.

Public Notice: At a minimum, adequate notice mailed to all persons who have made a timely request of Ecology and to persons residing in the potentially affected vicinity of the proposed action; mailed to appropriate news media; published in the local (city or county) newspaper of largest circulation; and the opportunity for interested persons to comment.

Public Participation Plan: A plan prepared under the authority of WAC 173-340-600 to encourage coordinated and effective public involvement tailored to the public's needs at a particular site.

Release: Any intentional or unintentional entry of any hazardous substance into the environment, including, but not limited to, the abandonment or disposal of containers of hazardous substances.

Remedial Action: Any action to identify, eliminate, or minimize any threat posed by hazardous substances to human health or the environment, including any investigative and monitoring activities of any release or threatened release of a hazardous substance, and any health assessments or health effects studies conducted in order to determine the risk or potential risk to human health.

Remedial Investigation: Any remedial action that provides information on the extent and magnitude of contamination at a site. This usually takes 12 to 18 months and is followed by the feasibility study. The purpose of the Remedial Investigation/Feasibility Study is to collect and develop sufficient site information to enable the selection of a cleanup action.

ATTACHMENT A

**PREVIOUS ENVIRONMENTAL
INVESTIGATION ACTIVITIES**

ATTACHMENT A
PREVIOUS ENVIRONMENTAL INVESTIGATION ACTIVITIES
WEYERHAEUSER MILL A FORMER

This document generally summarizes the previous recent environmental investigation activities conducted at or near the Weyerhaeuser Mill A Former Site (Site) on Port Gardner Bay in Everett, Washington. In addition, historical sediment and bioassay data collected in the vicinity of the Site were queried using the Washington State Department of Ecology's (Ecology) Environmental Information Management (EIM) System and summarized in this attachment.

This summary has been prepared as background information for the public reviewing this document, the Agreed Order, and the Order's exhibits, and does so without any express or implied admissions of the facts and conclusions described herein by the potentially liable persons (PLPs). The PLP group consists of the Port of Everett (the Port), Weyerhaeuser Company (Weyerhaeuser), and Washington State Department of Natural Resources (DNR). As a deliverable required by the Agreed Order, the PLPs will prepare a Remedial Action/Feasibility Study (RI/FS) Report which will include a summary of previous environmental investigations and cleanup activities at the Site. Figures showing Site features and investigation results are included at the end of this attachment (Figures A-1 to A-7).

The Site is listed on Washington State Department of Ecology's (Ecology) Confirmed and Suspected Contaminated Sites List (Facility Site No: 1884322; Cleanup Site ID No.: 2146). The main portion of the former mill facility and surrounding marine area are shown on Figure A-1. Port Gardner Bay is identified as a high-priority, "early-action" cleanup area under the Puget Sound Initiative (PSI) and the Weyerhaeuser Mill A Former Site has been identified as a cleanup project under the PSI.

A summary of the recent environmental studies relevant to the Site is provided in the following sections.

A. Relevant Documents

A number of documents have been prepared by various environmental consultants that present information concerning the Site. The information in this attachment was taken from the following documents:

- *Data Report, Former Mill A MTCA Support Sample Collection, Everett Washington.* Prepared by Geomatrix, November 2007.
- *Sediment Characterization Study in Port Gardner and Lower Snohomish Estuary, Port Gardner, Washington.* Prepared by SAIC, July 10, 2009.
- *Final Work Plan, Upland Source and Groundwater Investigation, Port of Everett South Terminal, Weyerhaeuser Mill A Former Site, Everett, Washington.* Prepared by GeoEngineers, December 28, 2009.
- *Stage 1 Upland Source and Groundwater Investigation Data Report, Port of Everett South Terminal, Weyerhaeuser Mill A Former Site, 3500 Terminal Avenue, Everett, Washington.* Prepared by GeoEngineers, March 24, 2010.
- *Sampling and Analysis Report, Outfall 001 Baseline Sediment Sampling for NPDES Permit #WA-00062 and Associated Permits.* Prepared by Anchor Environmental, June 2004.

These studies comprise the most recent environmental information for the Site. It's noted that more historical studies completed at and near the Site exist and will be considered as part of the RI.

B. Site Description

The Site is generally located at the Port's south marine terminal area between Pacific Terminal and Pigeon Creek Road off Terminal Avenue, Everett, Snohomish County, Washington. The surface of the majority of the property is currently generally flat and paved and contains several buildings. The Site is currently being used as a break bulk cargo terminal. Historical industrial activities at the Site include pulp manufacturing, saw milling, ship building, shingle milling, and log handling. Additional information regarding historical Site operations including discharges to the adjacent marine water are provided in Section V of the Agreed Order.

C. Upland Area Investigation

On behalf of the Port, the consulting firm of GeoEngineers performed an independent investigation in the upland portion of the Site in 2009 under an Ecology-approved Work Plan.

Ecology provided technical assistance to the Port in the form of review and comment on the work plan. Investigation activities included advancement of soil borings and installation of groundwater monitoring wells at seven locations at the Site (*see* Figures A-2 and A-3).

Approximately 20 to 27 feet of fill material was encountered throughout most of the upland portion of the Site with the exception of the pier area that is present north of the bulkhead in the central portion of the Site. In this area north of the bulkhead, the fill material was observed to be approximately 53 feet deep. Fill at the Site generally consisted of sand with various amounts of silt, gravel, and shell fragments with occasional debris in the fill that included glass, brick dust, and wood debris. The sand was observed in many locations underlain by a layer of wood or wood debris fill. Sand and gravel fill was encountered in the boring advanced in the pier area. Native soil beneath the fill consisted of sand with various amounts of silt and occasional shell fragments.

Soil and groundwater samples were collected from the borings and monitoring well locations at the Site. The samples were submitted for chemical analysis of petroleum hydrocarbons, metals, volatile organic compounds (VOCs), semi-volatile organic compounds (SVOCs), and polychlorinated biphenyls (PCBs). Three groundwater samples were also analyzed for dioxins and furans. The results of sample analyses were compared to Model Toxics Control Act (MTCA) Method B criteria or Method A criteria for chemicals with no Method B criteria, to provide a preliminary screening of the results. Figures A-2 and A-3 of this attachment summarize the results for soil and groundwater samples, respectively.

One soil sample from the fill layer contained concentrations of gasoline-range petroleum hydrocarbons, naphthalene, and carcinogenic polycyclic aromatic hydrocarbons (cPAHs) at concentrations greater than screening levels. Additionally, soil samples from the fill layer in two borings contained gasoline-range petroleum hydrocarbons at concentrations greater than screening levels (Figure A-2). Groundwater samples collected from the monitoring wells exceeded screening levels for a combination of analytes including metals (dissolved arsenic, copper, and nickel), gasoline-range petroleum hydrocarbons, and SVOCs (including cPAHs) (Figure A-3). Dioxins and furans were not detected in the groundwater samples.

D. Recent Marine Area Investigations (2007 and 2008)

Geomatrix and SAIC have performed sediment investigations in the marine area of the Site. The investigations included collection of surface samples and sediment cores for conventional, chemical, and bioassay testing. The results of the surface and subsurface sediment sample testing are summarized on Figures A-4 and A-5 of this attachment, respectively.

Geomatrix, on behalf of the Port of Everett performed surface and subsurface sediment sampling in May 2007 in the area adjacent to the upland portion of the former Mill A Site. Surface samples were collected from 21 locations. Subsurface samples were collected from the sediment cores completed at 21 stations advanced to depths of up to 20 feet below the mudline. Some of the core locations were co-located with surface sample locations. Select samples were submitted for chemical analysis of pesticides and Ecology's Sediment Management Standards (SMS) listed metals and organic compounds. The results were compared to SMS criteria or Dredge Material Management Program (DMMP) screening levels or Bioaccumulation Triggers (BTs) for chemicals with no SMS criteria.

SAIC performed a sediment investigation of Port Gardner Bay and the lower Snohomish estuary area for Ecology in Summer 2008, which included collection of samples from the sediment area located adjacent to the Former Mill A upland area. Investigation activities included plan view photography as well as sediment profile imaging and video probing. Surface and subsurface sediment samples were collected and analyzed from one location within the marine sediment area of the Site. The surface sediment sample was analyzed for SMS metals and organics, guaiacols/resin acids, and dioxins and furans. Bioassay testing was also performed on the sample. Two subsurface sediment samples were analyzed for SMS metals and organics. One sample was also analyzed for dioxins and furans.

Results of the sediment sampling completed adjacent to the former Mill A upland area show that surface sediment in the samples collected generally consists of approximately 4 feet of recently deposited loose or soft sands and silts containing various amounts of wood and shell debris. A wood debris area was identified beneath these recent deposits (*see* Figure A-4). The thickness of the wood debris was assumed to be zero near the bulkhead and to the northwest of the area

shown on Figure A-4. The maximum wood debris thickness was observed to be 19 feet in the core samples collected. The wood debris area consists of layers of soil mixed with wood debris, as well as layers comprised of greater than 30 percent wood (sawdust, wood chips, or rafting debris consisting of bark or shredded bark). Native sand was encountered beneath the wood debris deposits.

Surface sediment sample results are presented in Figure A-4. With the exception of one zinc exceedance, chemicals were generally either not detected or were detected at concentrations less than screening levels in the surface sediment samples. The sample submitted for bioassays failed for only the larval development component of the four tests performed. Dioxins and furan toxic equivalency quotients were calculated to range from 4.5 to 17 picograms per gram (pg/g).

Subsurface sediment sample results are presented in Figure A-5. Pesticides and metals were either not detected or were detected at concentrations less than screening levels in the subsurface sediment samples. SVOCs including PAHs were detected at concentrations greater than screening levels in the core samples. The exceedance ratios (chemical concentrations compared to Sediment Quality Standard [SQS] or Lowest Apparent Effects Threshold [LAET]) for the SVOC detections ranged from slightly greater than 1 to 112. PCBs were also detected at concentrations greater than screening levels in the core samples. The exceedance ratios for detected PCBs ranged from slightly greater than 1 to 11. Dioxins and furan toxic equivalency quotients were calculated to range from 18 to 120 pg/g.

E. Summary of Sediment Concentrations (1982 to 2008)

Historical sediment and bioassay data collected in the vicinity of the Site were queried using Ecology's EIM. The EIM query generated results between 1982 and 2008. Using the EIM data analysis tool, sediment and bioassay results were compared against the SMS (Chapter 173-204 WAC), SQS, and Cleanup Screening Levels (CSLs).

Sediment and bioassay sampling stations that exceeded SQS and/or CSL levels are shown on Figure A-6 which was generated by Ecology as part of their June 21, 2011 early notice letter sent to each PLP. Chemicals that exceeded SQS and/or CSL standards in sediment are summarized in the table below.

Chemical Exceedances in Sediment ¹		
Metals	PAHs	PCBs and SVOCs
Arsenic	Acenaphthene	PCB
Cadmium	Anthracene	2,4-dimethylphenol
Copper	Fluoranthene	2-methylnaphthalene
Lead	Fluorene	2-methylphenol
Mercury	LPAH	4-methylphenol
Zinc	Naphthalene	benzoic acid
---	Phenanthrene	benzyl alcohol
---	---	bis(2-ethylhexyl) phthalate
---	---	Dibenzofuran
---	---	Phenol

Notes:

¹ With the exception of lead and fluoranthene, all of the chemicals exceeded both the SQS and CSL.

LPAH = sum of low molecular weight PAHs

PAH = Polycyclic Aromatic Hydrocarbon

PCB = Polychlorinated biphenyl

SVOCs = Semi-volatile Organic Compounds

F. Pacific Terminal

In the late 1990's the Port completed berth maintenance dredging activities and construction of a Nearshore Confined Disposal Facility (NCD) at the Pacific Terminal located in the northern area of the Site (Figure A-7).

Dredge material management and other sediment quality studies completed in 1993 and 1994 identified sediment contamination at the Port's north Pier 1 and south Pier 3 berths. A dredged material management open-water disposal evaluation completed for the Pier 1 and Pier 3 berth and approach areas found that a portion of the sediments within the maintenance dredge prism at the berths did not meet open-water disposal criteria. A SMS sediment biological characterization of the surficial sediments between the berths was completed at the same time as the dredged material evaluation. The results of the SMS characterization indicated that the sediments between the two berths failed to meet the SMS criteria. The contaminated sediments contained elevated levels of LPAH, HPAH, metals, and PCBs and other organic contaminants in addition to elevated TOC and abundant wood debris. Based on the results of this characterization, Ecology designated the area between Piers 1 and 3 as a site requiring cleanup.

In 1996, Ecology prepared a Sediment Management Standards Cleanup Action Decision to address the identified contaminated sediments. The Cleanup Action Decision involved dredging sediment from the impacted area down to approximately -25 feet MLLW along the head of the berthing areas; to between approximately -40 to -46 feet MLLW within the berth areas and construction of the NCD for disposal of the dredged material. Construction of the NCD allowed for development of the Port terminal facility and as noted in the Ecology Cleanup Action Decision, because the near shore fill area covers a portion of the contaminated sediments at the Port's South Terminal that is located within the Weyerhaeuser Mill A Former Site, the cleanup action resulted in a partial cleanup of the South Terminal sediments. As a result, further investigation is needed for the South Terminal sediments

Following completion of the dredging activities, the Port completed a 10-year monitoring program to for the NCD. In January 2008, Ecology provided a letter determining that the Port had fulfilled the requirements of the cleanup decision made in 1996 and that no further action is required at the NCD.

G. Diffuser Area Investigations (2004 and 2008)

Historical sediment sampling and analysis was completed between 1982 and 1995 in the general area of the historical outfall diffuser (i.e., Outfall SW001; *see* Figure A-6). The investigations included collection of surface samples for conventional and chemical testing. The results of these investigations identified chemical detections in 1986 that exceeded the screening level for phenol, 4-methylphenyl, and N-nitrosodiphenylamine.

Anchor Environmental and SAIC completed sediment investigations in the same general area of the historical outfall diffuser in 2004 and 2008, respectively. The investigations included collection of surface samples for conventional and chemical testing. Surface sediment sample results showed that chemicals were either not detected or were detected at concentrations less than screening levels. Dioxins and furan toxic equivalency quotients were calculated to range from 0.18 to 1.23 picograms per gram (pg/g).

POSSESSION SOUND

Map Revised: 18 November 2011 amanza

DEEP WATER EFFLUENT DISCHARGE OUTFALL
EXTENDS 3000 FEET OFFSHORE

FORMER WEYERHAEUSER MILL A

Office: SEA Path: \\sea\projects\0676018\GIS\Agreed_Order_MXD\067601804_VicinityMap.mxd

Notes:
1. The locations of all features shown are approximate.
2. This drawing is for information purposes. It is intended to assist in showing features discussed in an attached document. GeoEngineers, Inc. cannot guarantee the accuracy and content of electronic files. The master file is stored by GeoEngineers, Inc. and will serve as the official record of this communication.

Reference: Historical site plan from Port of Everett Drawing. Base aerial from Esri World Imagery; Aerials Express Seattle, 2009. Coordinate system: NAD 1983, Washington North (feet)

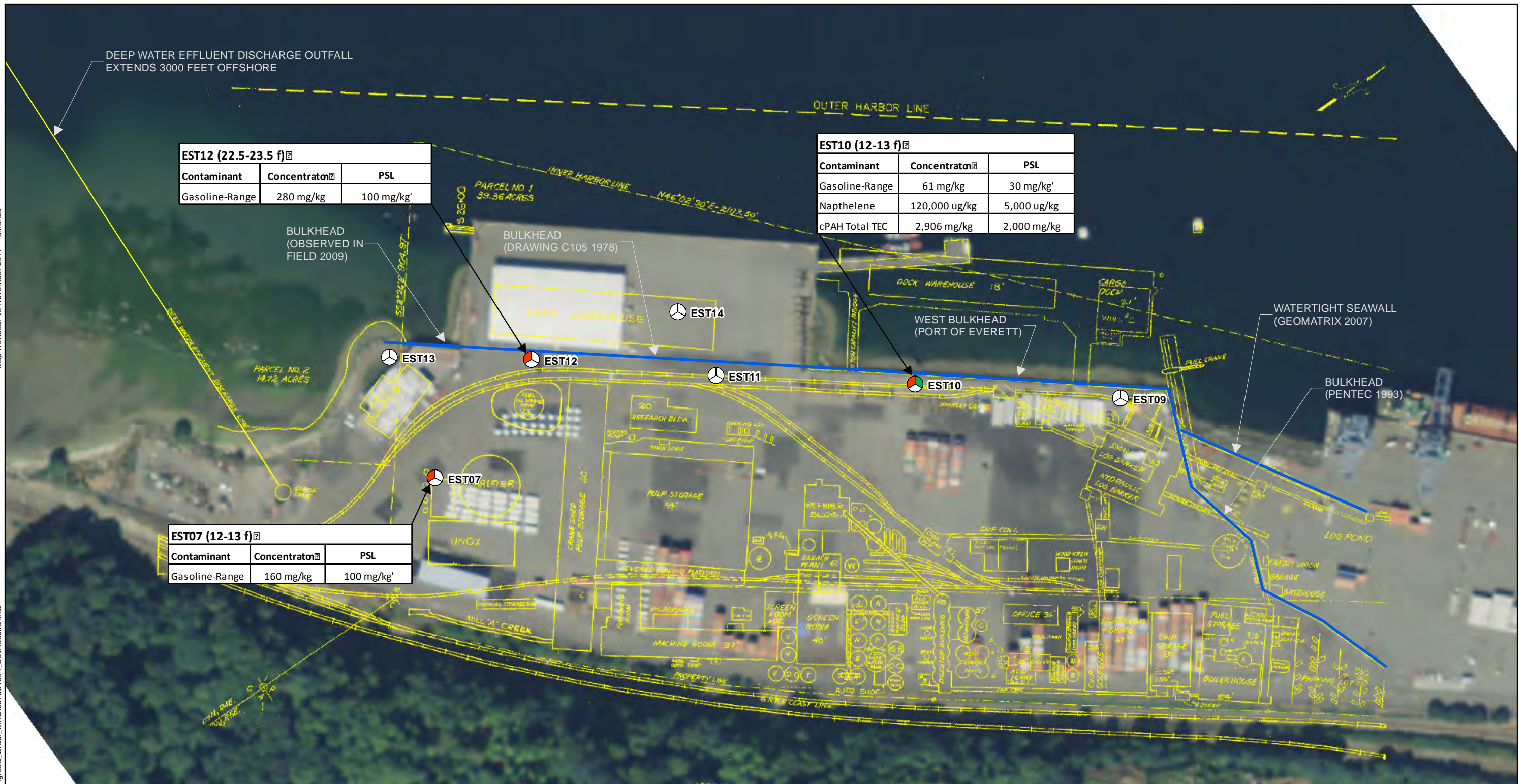


Vicinity Map

Former Weyerhaeuser Mill A
Everett, Washington



Figure A-1



EST12 (22.5-23.5 f) [M]		
Contaminant	Concentration [M]	PSL
Gasoline-Range	280 mg/kg	100 mg/kg'

EST10 (12-13 f) [M]		
Contaminant	Concentration [M]	PSL
Gasoline-Range	61 mg/kg	30 mg/kg'
Napthelene	120,000 ug/kg	5,000 ug/kg
cPAH Total TEC	2,906 mg/kg	2,000 mg/kg

EST07 (12-13 f) [M]		
Contaminant	Concentration [M]	PSL
Gasoline-Range	160 mg/kg	100 mg/kg'

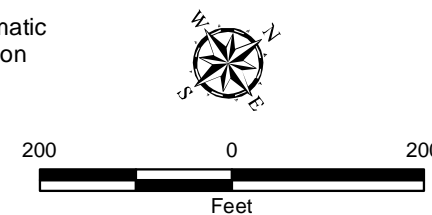
Legend

- EST07 Boring Location and Designation
- Gasoline at a Concentration Exceeding the Preliminary Screening Levels
- SVOCs/cPAHs at Concentrations Exceeding the Preliminary Screening Levels
- Metals at Concentrations Exceeding the Preliminary Screening Levels

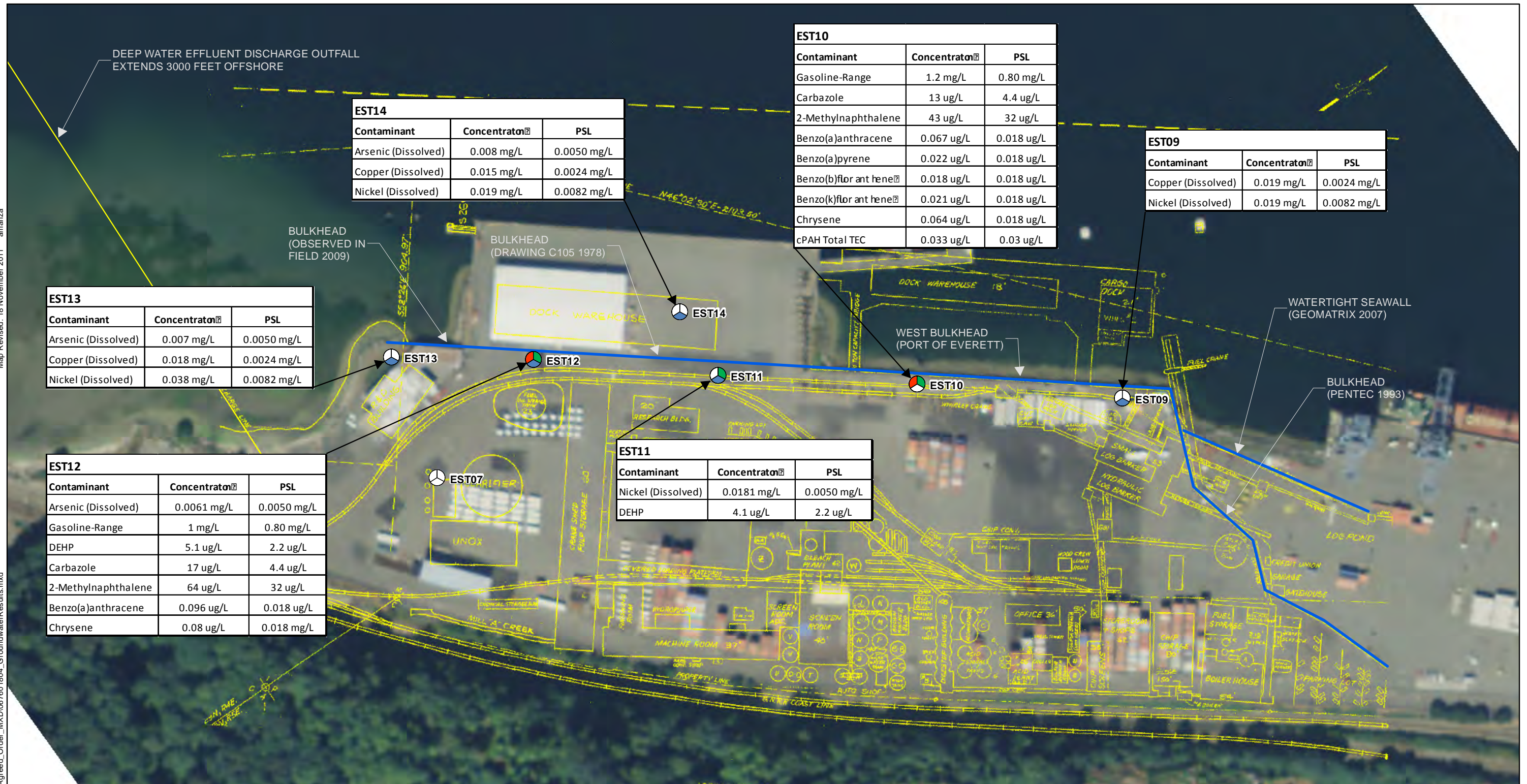
1: 30 mg/kg if benzene is present and 100 mg/kg if benzene is not present.
 cPAH Total TEC = Carcinogenic Polycyclic Aromatic Hydrocarbon Total Toxic Equivalent Concentration
 PSL = Preliminary Screening Level

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Reference: Historical site plan from Port of Everett Drawing. Coordinate system: NAD 1983, Washington North (feet)



Soil Results Summary	
Former Weyerhaeuser Mill A Everett, Washington	
	Figure A-2



EST14		
Contaminant	Concentration	PSL
Arsenic (Dissolved)	0.008 mg/L	0.0050 mg/L
Copper (Dissolved)	0.015 mg/L	0.0024 mg/L
Nickel (Dissolved)	0.019 mg/L	0.0082 mg/L

EST10		
Contaminant	Concentration	PSL
Gasoline-Range	1.2 mg/L	0.80 mg/L
Carbazole	13 ug/L	4.4 ug/L
2-Methylnaphthalene	43 ug/L	32 ug/L
Benzo(a)anthracene	0.067 ug/L	0.018 ug/L
Benzo(a)pyrene	0.022 ug/L	0.018 ug/L
Benzo(b)fluorant hene	0.018 ug/L	0.018 ug/L
Benzo(k)fluorant hene	0.021 ug/L	0.018 ug/L
Chrysene	0.064 ug/L	0.018 ug/L
cPAH Total TEC	0.033 ug/L	0.03 ug/L

EST09		
Contaminant	Concentration	PSL
Copper (Dissolved)	0.019 mg/L	0.0024 mg/L
Nickel (Dissolved)	0.019 mg/L	0.0082 mg/L

EST13		
Contaminant	Concentration	PSL
Arsenic (Dissolved)	0.007 mg/L	0.0050 mg/L
Copper (Dissolved)	0.018 mg/L	0.0024 mg/L
Nickel (Dissolved)	0.038 mg/L	0.0082 mg/L

EST12		
Contaminant	Concentration	PSL
Arsenic (Dissolved)	0.0061 mg/L	0.0050 mg/L
Gasoline-Range	1 mg/L	0.80 mg/L
DEHP	5.1 ug/L	2.2 ug/L
Carbazole	17 ug/L	4.4 ug/L
2-Methylnaphthalene	64 ug/L	32 ug/L
Benzo(a)anthracene	0.096 ug/L	0.018 ug/L
Chrysene	0.08 ug/L	0.018 mg/L

EST11		
Contaminant	Concentration	PSL
Nickel (Dissolved)	0.0181 mg/L	0.0050 mg/L
DEHP	4.1 ug/L	2.2 ug/L

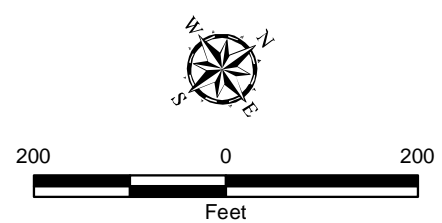
Legend

- Groundwater Sampling Not Performed as Part of Stage 1 Event
- Gasoline at a Concentration Exceeding the Preliminary Screening Level
- SVOCs/cPAHs at Concentrations Exceeding the Preliminary Screening Levels
- Metals at Concentrations Exceeding the Preliminary Screening Levels

cPAH Total TEC = Carcinogenic Polycyclic Aromatic Hydrocarbon Total Toxic Equivalent Concentration
 DEHP = Bis(2-ethylhexyl)phthalate
 SVOC = Semi-Volatile Organic Compound
 PSL = Preliminary Screening Level

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Reference: Historical site plan from Port of Everett Drawing. Coordinate system: NAD 1983, Washington North (feet)



Groundwater Results Summary	
Former Weyerhaeuser Mill A Everett, Washington	
	Figure A-3

Legend

- A1-01 □ Ecology Sediment Study Sample Location (August 2008)
- ST-30 ◇ Port of Everett Former Mill A Surface Sample Location (May 2007)
- ST-12 ○ Port of Everett Former Mill A Sediment Core Location (May 2007)
- Gray Sample Location Symbol Indicates that there is No Chemical / Biological Toxicity Data Available at Location
- Blue Sample Location Symbol Indicates that there is Chemical / Biological Toxicity Data Available at Location
- Wood Debris Area
- Parcel Line

Sediment Chemistry Data Summary

Analyte Groups

- Metals
- LPAH
- HPAH
- PCBs
- Other SVOCs
- Dioxins / Furans TEQ in ppt

Green Shading Indicates No No SQS for Analyte Group

Example: 1.75 NE NE NE NE 4.45

Red Shading Indicates SQS Exceedance

No Shading Indicates that there is No SQS for Analyte Group

Green Shading Indicates No SQS Exceedance for Analyte Group

NE No Exceedance of SQS Criteria Detected for Chemicals in Analyte Group

1.75 Exceedance Ratio for Highest SQS Exceedance in Analyte Group

40.4 Toxic Equivalency Quotient for Dioxins / Furans in pg/g Dry Weight

NA Analyte Group Not Analyzed at Sample Location

Bioassay Results

AM: Amphipod Mortality
LD: Larval Development
MB: Microtox Bioluminescence
PG: Juvenile Polychaete Growth

Pass Fail SQS Fail CSL

* Indicates a discrepancy between interpretive comparisons

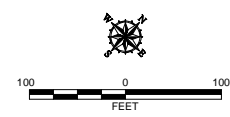


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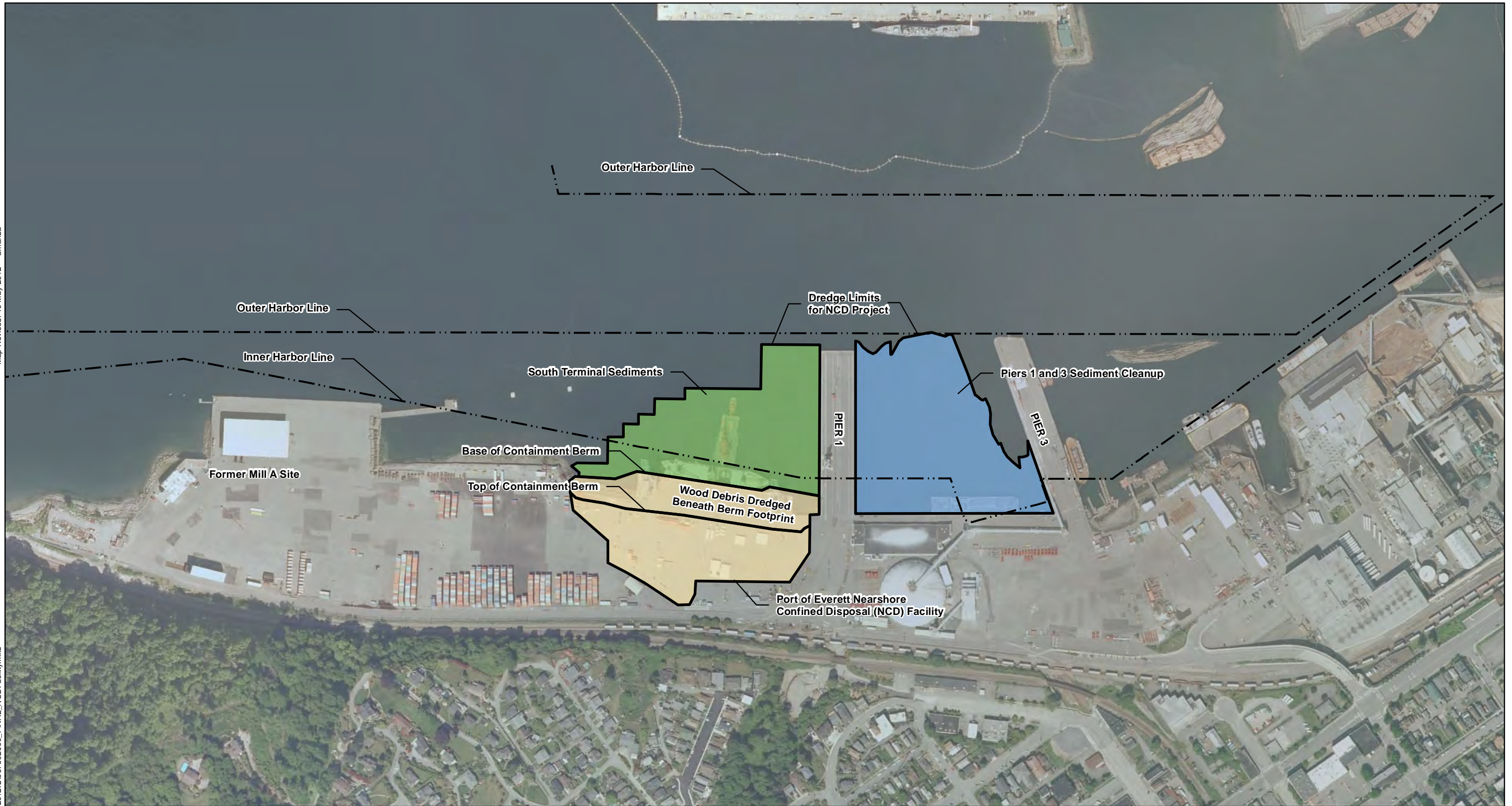
Notes

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Reference: Aerial base and property lines from Department of Ecology ESRI database.



Surface Sediment Results Summary	
Former Weyerhaeuser Mill A Everett, Washington	
GEOENGINEERS	Figure A-4

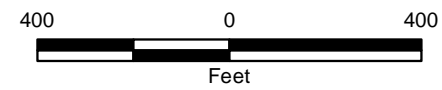


Data Source: Base aerial from Esri World Imagery; Aerials Express Seattle, 2009.

Notes:
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Legend

- Port of Everett Nearshore Confined Disposal (NCD) Facility
- South Terminal Sediments - Partial Cleanup Area (further investigation is needed)
- Piers 1 and 3 Cleanup Area



**Port of Everett
Nearshore Confined Disposal (NCD) Facility**

Former Weyerhaeuser Mill A
Everett, Washington



Figure A-7