

**STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY**

**In the Matter of Remedial Action by:**  
  
**Yakima Steel Fabricators, Inc.**

**FIRST AMENDMENT TO  
AGREED ORDER**

**No. DE 6091**

**TO:**  
Yakima Steel Fabricators, Inc.  
921 Lynch Rd.  
Shelton, WA 98584

**I. INTRODUCTION**

Agreed Order No. DE 6091 (Order), was entered into by the State of Washington, Department of Ecology (Ecology) and Yakima Steel Fabricators, Inc. (YSF) on October 27, 2008.

YSF has partially completed the tasks in the Order. Based on the 2005 Revised Remedial Investigation Report, YSF submitted a Feasibility Study (FS) Work Plan, dated May 3, 2011. YSF conducted a supplemental investigation between 2011, and 2014, that consisted of the following site characterization activities: (a) supplemental soil sampling, (b) groundwater monitoring and sampling, and (c) sediment sampling.

Pursuant to Section VIII.L of the Order, Ecology and YSF hereby stipulate to amend the Order. By this First Amendment to Agreed Order No. DE 6091 (First Amendment), Ecology requires the submission of supplemental information in the draft FS being prepared by YSF through additional appendices and, if requested by Ecology, the preparation and submission of a draft Cleanup Action Plan (CAP). The appendices will provide documents regarding the wetlands that were produced during the supplemental investigation, including

the Wetlands Sediment Evaluations, the Metals Source Evaluation Technical Memorandum, and an updated Conceptual Site Model (CSM). This amendment also updates the schedule for completion of the FS and provides for a new schedule for the draft CAP if requested by Ecology.

Ecology believes the actions required by this Amendment are in the public interest.

This First Amendment does not attempt to recite all of the provisions of the Order. Provisions of the Order that are not specifically changed in this First Amendment remain in full force and effect.

## II. JURISDICTION

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

## III. AMENDMENTS

**Section VII (Work to be Performed) of the Order is hereby amended to replace subsection 15 with the following:**

15. Yakima Steel Fabricators, Inc. (YSF) shall prepare and submit a draft Feasibility Study (FS). The draft FS shall include the following appendices with additional information.  
Wetland Evaluation Appendix

YSF shall prepare and submit information regarding the wetlands, such as a Wetland Sediment Evaluation and an Ecology Wetland Designation Memorandum. This appendix may also include preliminary cleanup action components, preliminary cleanup action alternatives, and preliminary cleanup levels for the wetland area. This appendix will be submitted in draft form within 60 days after the effective date of

this amendment. The final appendix will be submitted within 45 days after receipt of Ecology's written comments.

Metals Sources Appendix

YSF shall prepare and submit information regarding metals sources, such as a Metals Source Evaluation Technical Memorandum. This appendix will be submitted in draft form within 60 days after the effective date of this amendment. The final appendix will be submitted within 45 days after receipt of Ecology's written comments.

Updated Conceptual Site Model (CSM) Appendix:

YSF shall update the CSM from the Remedial Investigation to include recent reports and data from all supplemental investigations. The updated CSM will be of sufficient quality to fully support the FS. This appendix will be submitted in draft form 60 days after completion of all data gaps identified during supplemental investigations, including approval of both the Wetland and Metals Appendices. The final appendix will be submitted within 60 days after receipt of Ecology's written comments.

YSF shall submit an agency review draft FS, developed according to the procedures in WAC 173-340-350(8), to Ecology after receiving Ecology's approval of the Updated Conceptual Site Model Appendix. YSF shall submit a public review draft FS, which shall incorporate revisions requested by Ecology in response to the agency review draft, after receiving Ecology's written comments on the agency review draft. If public comments are received that necessitate significant modifications to the FS, then YSF shall incorporate those changes after receiving direction from Ecology. Otherwise, the public review draft FS, responsive to Ecology's comments and input, will be considered final.

**Section VII (Work to be Performed) of the Order is hereby amended to add a new subsection 19:**

19. If requested by Ecology, a draft Cleanup Action Plan (CAP) shall be developed by Yakima Steel Fabricators, Inc. (YSF) for consideration by Ecology in finalizing a CAP for the site. YSF shall submit the draft CAP to Ecology within 60 days of finalizing the FS. If required by Ecology, YSF shall submit a revised draft CAP, which shall incorporate revisions requested by Ecology, within 60 days of receiving Ecology's written comments on the draft CAP.

**Exhibit C (Schedule for Feasibility Study Deliverables) of the Order is hereby amended to replace the entire exhibit with the following:**

<b>Schedule for Feasibility Study Deliverables</b>		
<b>TASK</b>	<b>DELIVERABLE</b>	<b>DUE DATE</b>
VII.2.	Feasibility Study Work Plan – Draft	Completed.
VII.2.	Feasibility Study Work Plan – Final	Completed.
VII.3 & 14.	Sampling and Monitoring	Soil, groundwater and sediment sampling completed 2011-2014. Preliminary results submitted. Results to be summarized in FS.
VII.15.	Wetland Evaluation Appendix – Draft	Within 60 days of the effective date of this Amendment.
VII.15.	Wetland Evaluation Appendix – Final	Within 45 days of receiving Ecology's written comments.
VII. 15.	Metals Source Appendix – Draft	Within 60 days of the effective date of this Amendment.
VII. 15.	Metals Source Appendix – Final	Within 45 days of receiving Ecology's written comments.
VII.15.	Updated Conceptual Site Model Appendix – Draft	Within 60 days of completion of all data gaps identified during the update including approval of both the Wetland and Metals Appendices.

VII.15.	Updated Conceptual Site Model Appendix – Final	Within 60 days of receiving Ecology's written comments.
VII.15.	Feasibility Study – Agency Review Draft	After Ecology's acceptance of the final Updated Conceptual Site Model Appendix.
VII.15.	Feasibility Study – Public Review Draft	After receiving Ecology's written comments on the agency review draft Feasibility Study report.
VII.15.	Feasibility Study – Final	After receiving Ecology's written direction following public review.
VII.19.	Draft Cleanup Action Plan	Within 60 days after finalizing the Feasibility Study.
VII.19.	Revised Draft Cleanup Action Plan	Within 60 days of receiving Ecology written comments on Draft Cleanup Action Plan.

EFFECTIVE DATE OF THIS AMENDMENT:



YAKIMA STEEL FABRICATORS, INC.

STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY



Merv Wark  
Property Owner

Date



Valerie Bound  
Regional Section Manager  
Toxics Cleanup Program  
Central Regional Office  
(509) 454-7866

Date