



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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May 8, 2017

Karen F. Goschen, Executive Director
Port of Port Angeles
338 W. First Street
Port Angeles, WA 98362

Re: Expectations for Working Together to Clean Up the following Contaminated Site:

- **Site Name:** Former Shell Oil Bulk Plant
- **Site Address:** 220 Tumwater Truck Rte, Lots 11,12,13, and 14; Port Angeles, 98362
- **Cleanup Site ID:** 13147
- **Facility/Site ID:** 13172
- **County Assessor's Parcel Number:** 063000004850

Dear Ms. Goschen:

Welcome and thank you for agreeing to work with the Department of Ecology's Toxics Cleanup Program to clean up the Former Shell Oil Bulk Plant site (Site). The purpose of this letter is to share our expectations for the cleanup process, and to commit to working collaboratively with you.

Ecology is committed to a clean, healthy, and sustainable environment that supports livable communities and a vibrant economy. Cleaning up and restoring this site helps to achieve that goal. With collaboration and a good working relationship, I believe we can make the cleanup process more efficient, timely, and effective.

The Site is located within our Southwest region. This region is managed by Rebecca S. Lawson. Your Ecology Cleanup Project Manager is Connie Groven. They will be your main point of contact and an active participant in the cleanup project.

Expectations

We have enclosed General Standards of Work for managing cleanup projects. Each site is unique, so these standards should complement the professional judgment of your consultants.

At the start of this project, we will negotiate an agreed order or consent decree. This legal agreement will set a schedule of meetings and a timeline for you to submit key documents. We expect you and your consultant to work with Ecology staff and promptly resolve technical issues. We also expect decision makers to participate in the key project meetings described below.

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Ecology's goal is to review documents and respond to you within 45 calendar days of receiving them. If we cannot meet this goal, we will let you know when we expect to respond. Good communication and regular meetings will help us prepare to review your documents.

Key Project Meetings

The schedule will list at least five specific project meetings that usually precede key deliverables:

1. **The Cleanup Project Kickoff Meeting** will happen at the start of the project. The purpose is to review site history, identify data gaps, begin planning for public participation, and set the tone for good communication.
2. **The Remedial Investigation Planning Meeting** will happen before you submit the remedial investigation work plan to us for review. Topics include data collection, data needs, and environmental review requirements.
3. **The Remedial Investigation Pre-Report Check-In** will happen before you submit the remedial investigation report to us for review. The purpose is to discuss the contents of the remedial investigation report.
4. **The Feasibility Study Planning Meeting** may be combined with the third meeting. The purpose is to discuss the contents of the feasibility study.
5. **The Cleanup Action Plan Meeting** will happen before preparing the draft cleanup action plan. The purpose is to discuss the remedial investigation and feasibility study, how to choose a cleanup action and develop the cleanup action plan, and any institutional controls.

We look forward to working with you to protect Washington's people and environment in a way that improves the quality of life for all of us.

Sincerely,



James J. Pendowski, Program Manager
Toxics Cleanup Program

Enclosure (1)

By Certified Mail: [91 7199 9991 7037 0279 7888]

cc: Andy Fitz, Office of the Attorney General
Jesse Waknitz, Port of Port Angeles
Rebecca S. Lawson, Ecology
Connie Groven, Ecology



Toxics Cleanup Program

General Standards of Work for Formal Cleanup Sites

These General Standards of Work established by the Washington Department of Ecology Toxics Cleanup Program apply to formal cleanup sites where Ecology is the lead agency. Ecology intends that wherever possible the first phase of the cleanup, completing the Remedial Investigation and Feasibility Study (RI/FS), should take no longer than two (2) years. Ecology intends that wherever possible the second phase, completing the Final Cleanup Action Plan, Engineering Design Report, and remedy construction, should take no longer than three (3) years.

Ecology expects that the RI/FS will be conducted under an Agreed Order and the cleanup will be conducted under an Agreed Order or Consent Decree.

Communications

- Ecology and potentially liable persons (PLPs) will together identify stakeholders, local governments, and Tribes and plan for their involvement as appropriate.
- Clear expectations around communications will be established at the start of the project.
- Ecology requires that PLPs select a single point of contact (POC) to lead communications with Ecology. The POC will keep all PLPs informed of site discussions, changes, activities, etc., and will solicit and facilitate input to Ecology.
- Ecology will schedule the following key project meetings at specific points during the project (identified in the Scope of Work). Meeting checklists will be used by the Ecology Cleanup Project Manager (CPM) for creating agendas.
 - Cleanup Project Kickoff Meeting.
 - Remedial Investigation Planning Meeting.
 - Remedial Investigation Pre-Report Check-In.
 - Feasibility Study Planning Meeting.
 - Cleanup Action Plan Meeting.

Project Documents

- The Ecology CPM will review key documents (RI Work Plan; RI/FS Report; etc.) within 45 days of receipt.
- Key documents will be reviewed by Ecology for:
 - Technical accuracy, objectivity, completeness, and clarity.
 - Compliance with the order or decree, MTCA, and other applicable regulations.
- Once tasks required by the Agreed Order are complete, Ecology will issue a letter documenting that requirements of the Agreed Order have been satisfied.

Data Collection

- As time allows and during significant events, the Ecology CPM will participate in field activities so that decisions are made in real time, with observations and discussion through the POC.
- Where appropriate, expedited site assessment techniques should be used to characterize the nature and extent of contamination (for example, source areas and down-gradient plume boundaries).

This includes:

- Existing information from previous site investigations; other nearby sites; and regional soil, geologic, and groundwater studies.
 - Field screening instruments (where possible).
 - Direct-push technology to sample soil and groundwater (as geologic conditions permit).
 - On-site mobile laboratories or off-site fast-turnaround analyses.
- Frequent and regular data reports will facilitate approval of key project documents (the RI Work Plan, RI/FS Report, etc.) after a single review cycle.
- Data reports should be informal, containing only information necessary for effective discussions between Ecology and the PLP/consultants. Include:
- Figures showing sampling locations and currently known character and extent of contamination.
 - Field observations.
 - Laboratory sheets.
 - Tables of analytical results.
- Discuss data interpretations with Ecology as data sets are completed to facilitate mutual understanding of site conditions and data gaps.
- PLPs are required to submit sampling data into Ecology's Environmental Information Management (EIM) system. This should occur as soon as the data has been validated and accepted by Ecology and before key documents are submitted. Ecology data coordinators will assist as needed.

Remedial Action Grants

- For those projects where state funding is available and will help expedite the process, Ecology will provide Remedial Action Grant Guidelines and application instructions. An Ecology Grant Manager will be available to clarify eligible costs and answer questions.
- At the start of the project, the PLPs, contractors, and Ecology will discuss what can be completed during the current biennium. Estimates of funding needs and a schedule for phased expenditures should be reviewed at key project meetings.

Keeping the Project Moving

- Look for activities where the RI and FS work can be performed concurrently.
- Delays or problems in getting permits should be communicated promptly; Ecology may be able to assist in moving the permit process forward.
- Disagreements about technical matters (site characterization) or financial matters (cost recovery) will be resolved through discussions:
- A meeting will occur within 10 days of being requested by Ecology or the PLPs.
 - If no agreement is reached within 10 days following the meeting, the dispute resolution provisions of the Agreed Order will be followed.
- A new Ecology CPM assigned to a site will take no longer than fifteen (15) working days for the transition. Previously approved and agreed-upon work plans, schedules, reports, and protocols will remain.
- At the end of the RI/FS there will be a debriefing meeting to discuss what went well, what could have gone better, and to acknowledge completion of this phase of project work.