



BF Goodrich  
Kalama

FS 1082

STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

P.O. Box 47775 • Olympia, Washington 98504-7775 • (360) 407-6300

November 5, 1998

Mr. Kenneth J. Willings  
BF Goodrich Specialty Chemicals  
9911 Brecksville Road  
Cleveland, OH 44141-3247

Mr. F. Randolph Smith  
c/o 1550-355 Burrard Street  
Vancouver, B.C. V6C 2G8  
Canada

Dear Sirs:

I am pleased to send you the final executed Corrective Action Order for the BF Goodrich Kalama site. This Order cumulates several months of hard negotiations. Although there will be several issues still to negotiate in the upcoming Work Plan, I consider this a major step forward. Thank you for the contributions made by you and your companies' representatives in completing this action.

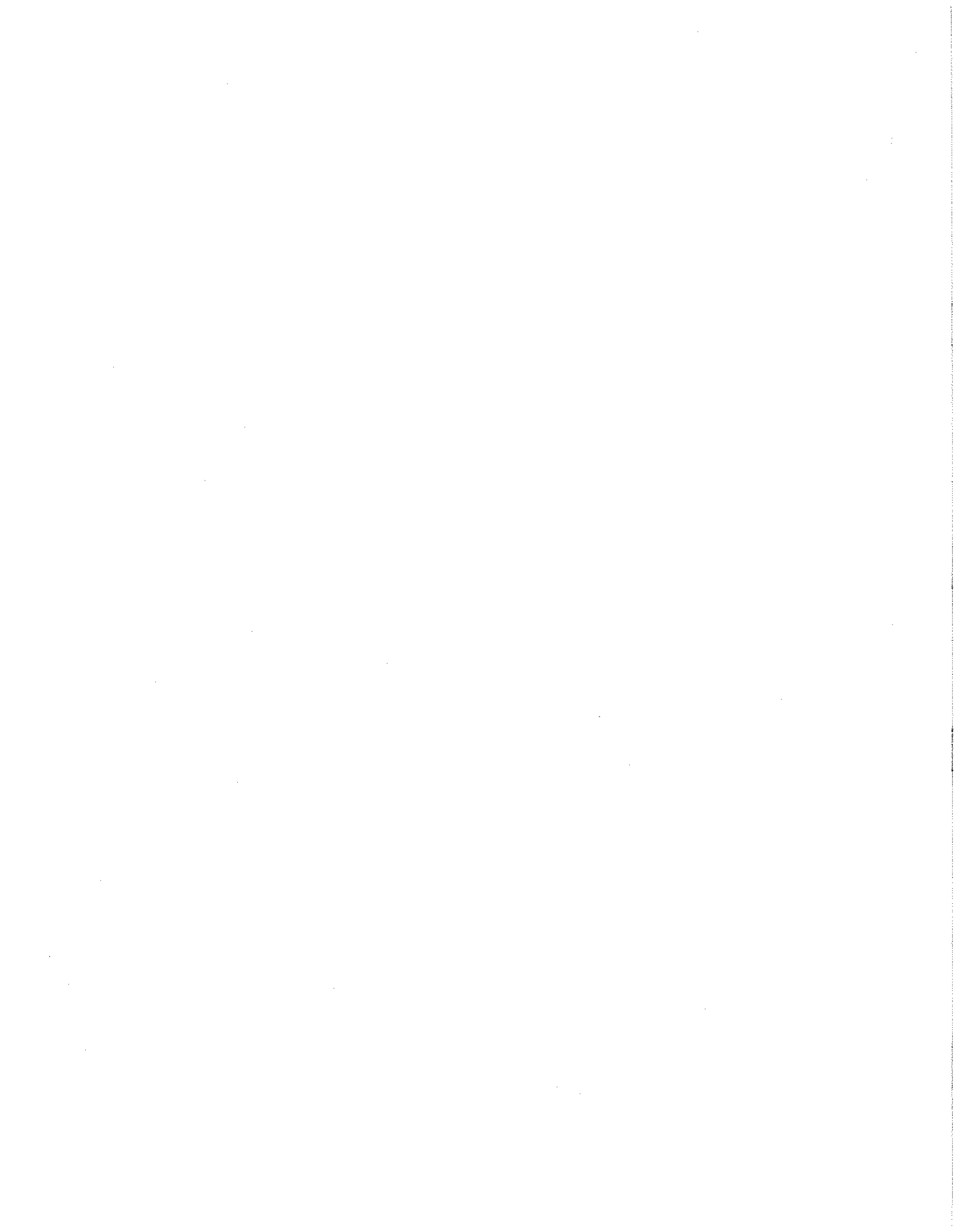
I look forward to environmental progress on this site. As always, should you have any questions, Leon Wilhelm, our project manager, can be reached at (360) 407-6362.

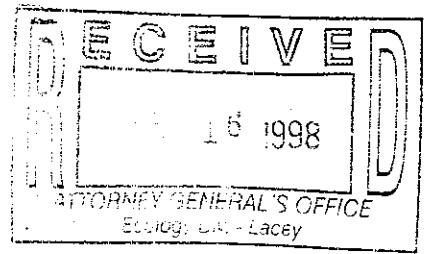
Sincerely,

K Seiler, Section Manager  
Hazardous Waste & Toxic Reduction Program  
Southwest Regional Office

KBS:dn  
Enclosure







**STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY**

In the Matter of Remedial Action:

AT: BF Goodrich Kalama, Inc.  
1296 Third Street Northwest  
Kalama, Washington, 98625-9799

AGREED ORDER

No. DE 98HW-S327

BY: BF Goodrich Kalama, Inc.  
1296 Third Street Northwest  
Kalama, Washington, 98625-9799

Rogers Sugar Ltd.  
c/o 1550 - 355 Burrard Street  
Vancouver, BC V6C 2G8  
Canada

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**ATTACHMENTS**

- Number 1: Facility Diagram
- Number 2: Scope of Work for Remedial Investigation and Feasibility Study, and Preparation of Cleanup Action Plan
- Number 3: Schedule for Implementation of Scope of Work
- Number 4: Areas Within Central Area Requiring Notice of Excavation Activities

1 **I. JURISDICTION**

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

3 **II. DEFINITIONS**

4  
5 Unless otherwise specified, the definitions set forth in Chapter 70.105D RCW and  
6 Chapter 173-340 WAC shall control the meanings of the terms used in this Order.

7 Additional definitions are as follows:

8 1. Agreed Order or Order means this Order issued under RCW 70.105D.050(I). The  
9 term includes the text of this Order, all Attachments to this Order, and all Washington State  
10 Department of Ecology (Ecology)-approved submittals required pursuant to this Order.

11 Attachments to this Order and Ecology-approved submittals are incorporated into this Order by  
12 this reference and are enforceable parts of this Order as if fully set forth herein.

13 2. Corrective Measure means any measure or action to control, prevent, or mitigate  
14 releases and/or potential releases of dangerous constituents (including dangerous waste and  
15 hazardous substances) reviewed and approved by Ecology for the facility and set forth in a  
16 facility specific Cleanup Action Plan (CAP). Corrective measures may include interim actions as  
17 defined by Chapter 173-340 WAC. Interim actions will not necessarily be set forth in a facility-  
18 specific CAP.

19 3. Facility means the property currently owned and controlled by BF Goodrich  
20 Kalama, Inc. and located at 1296 Third Street Northwest in Kalama, Washington, where  
21 hazardous substances, including dangerous wastes as defined in WAC 173-303-070 through 173-  
22 303-100 and dangerous constituents as defined in WAC 173-303-9905 or 40 CFR Part 264,  
23 Appendix IX, have been deposited, stored, disposed of, placed, or otherwise come to be located  
24 and all property, regardless of control, at which releases of these hazardous substances have  
25 come to be located.

26 4. Hazardous Substance(s) means any dangerous or extremely hazardous waste as  
27 defined in RCW 70.105.010(5) and (6), or any dangerous or extremely dangerous waste as  
28 designated by rule under Chapter 70.105. RCW; any hazardous substance as defined in RCW

1 70.105.010(14) or any hazardous substance as defined by rule under Chapter 70.105 RCW; any  
2 substance that, as of February 26, 1996, is a hazardous substance under Section 101(14) of the  
3 federal cleanup law, 42 U.S.C., Sec. 9601(14); dangerous constituents identified in WAC 173-  
4 303-9905 or 40 CFR Part 264 Appendix IX; and any dangerous waste designated in WAC 173-  
5 303-070 through 173-303-100 as dangerous or extremely hazardous or mixed waste.

6 5. Release means any intentional or unintentional spilling, leaking, pouring,  
7 emitting, emptying, discharging, injecting, pumping, escaping, leaching, dumping, or disposing  
8 of Hazardous Substances into the environment including any dangerous waste management unit,  
9 area of concern and solid waste management unit. It includes the abandonment or discarding of  
10 barrels, containers and other receptacles containing Hazardous Substances and includes the  
11 definition of release in RCW 70.105D.020(20).

12 6. Remedial Action means any activities including investigations, studies,  
13 characterizations and corrective measures, including actions taken pursuant to Chapter 70.105D  
14 RCW and Chapter 173-340 WAC, undertaken in whole or in part to fulfill the requirements of  
15 WAC 173-303-646.

### 16 III. OBJECTIVES

17 The remedial action objectives for this facility are:

18 1. Respondents (**as defined below**) shall conduct a remedial investigation and a  
19 feasibility study (RI/FS) to be approved by Ecology in accordance with the requirements of the  
20 Scope of Work, included as Attachment 2 to this Order and incorporated herein by this reference.  
21 This work will be completed in accordance with the schedule attached hereto as Attachment 3  
22 and incorporated herein by this reference. The purpose of the RI/FS shall, in part, be to  
23 concurrently satisfy the corrective action requirements (a RCRA facility investigation and RCRA  
24 corrective measures study) of WAC 173-303-646.

25 2. After Ecology approves of the remedial investigation and subsequent feasibility  
26 study, Respondents will draft a cleanup action plan (CAP) to satisfy the requirements of

1 WAC 173-340-400 and to concurrently satisfy the corrective action requirements of  
2 WAC 173-303-646(2).

#### 3 IV. FINDINGS OF FACT

4 Ecology makes the following Findings of Fact, without any express or implied admission  
5 by Rogers Sugar Ltd. (Rogers Sugar) or BF Goodrich Kalama, Inc. (collectively Respondents).

6 1. BF Goodrich Kalama, Inc. is a Washington corporation, doing business in  
7 Kalama, Washington. Rogers Sugar Ltd., a corporation organized under the laws of Canada, is  
8 successor by amalgamation to BC Sugar Refinery, Ltd. (BC Sugar). At all relevant times prior to  
9 the amalgamation, BC Sugar was a corporation organized under the laws of British Columbia  
10 and doing business in Vancouver, British Columbia. Rogers Sugar continues to do business in  
11 Vancouver, British Columbia.

12 2. Kalama Chemical, Inc. purchased the property located at 1296 Third Street in  
13 Kalama, Washington from Dow Chemical in 1971 and has wholly owned and operated it since  
14 that date. In 1986 BC Sugar acquired less than 50% of Kalama Chemical, Inc.'s stock. By  
15 January 1990, BC Sugar acquired the remaining stock and Kalama Chemical, Inc. was a wholly  
16 owned subsidiary. In May 1994, BC Sugar sold all of its stock in Kalama Chemical, Inc. to  
17 Freedom Chemical. As part of the purchase and sale of Kalama Chemical, Inc.'s stock, BC  
18 Sugar agreed to indemnify Kalama Chemical, Inc. and Freedom Chemical for certain  
19 environmental remediation. In March 1998, Kalama Chemical, Inc. was acquired by BF  
20 Goodrich and changed its name to BF Goodrich Kalama, Inc. Further references to BF Goodrich  
21 Kalama shall include Kalama Chemical unless otherwise specified.

22 3. The property was operated as a dangerous waste management facility on or after  
23 November 19, 1980, the date which subjects facilities to RCRA permitting requirements,  
24 including interim status requirements pursuant to Section 3005 of RCRA and implementing  
25 regulations thereunder, and including authorized state regulations promulgated in Chapter  
26 173-303 WAC.

1           4.     Kalama Chemical, Inc. initially notified EPA of its dangerous waste management  
2 activities in August 1980. In the notification, Kalama Chemical, Inc. identified itself as  
3 managing a U118 waste at the facility. In a letter dated November 18, 1980, Kalama Chemical,  
4 Inc. notified EPA that the initial notification form contained a typographical error and that the  
5 actual listed dangerous waste managed at the facility was phenol (which has a U188 listing).

6           5.     Pursuant to the August 1980 notification, Kalama Chemical, Inc. was issued  
7 identification number WAD 00006516 by EPA. EPA subsequently replaced this identification  
8 number with the current identification number WAD 092899574.

9           6.     In January 1989, EPA performed a RCRA Facility Assessment (RFA) at the  
10 Facility. The purpose of an RFA is to identify those areas where Releases of Hazardous  
11 Substances may have occurred or may be occurring.

12          7.     In April 1991, Kalama Chemical, Inc. entered into an Agreed Order with EPA  
13 (EPA Agreed Order) pursuant to Section 3008(h) of the Resource Conservation and Recovery  
14 Act (RCRA). According to the terms of the EPA Agreed Order, a RCRA Facility Investigation  
15 (RFI) was conducted and was submitted to EPA in August 1994. The EPA approved the RFI as  
16 final in January 1995.

17          8.     Releases and/or potential Releases of Hazardous Substances including, but not  
18 limited to toluene, benzene, phenol, diphenyl oxide and metals are documented in the RFA  
19 Report, in the RFI dated August 29, 1994, and in the draft Supplemental RCRA Facility  
20 Investigation Report, as revised on December 19, 1997.

21          9.     In December 1995, Kalama Chemical, Inc. constructed an interim corrective  
22 measure in the "North Impacted Area" of the Facility (the NIA ICM), which consists of a 1500  
23 foot-long trench to capture shallow groundwater to prevent its discharge to a wetland adjacent to  
24 the Facility. In 1997, Kalama Chemical, Inc. constructed an interim corrective measure in the  
25 "West Impacted Area" of the Facility (the WIA ICM). The WIA ICM consists of a soil vapor  
26 extraction system, seven recovery wells in the intermediate sand water-bearing zone, and two

1 shallow interception trenches adjacent to the Columbia River. BF Goodrich Kalama, Inc. has  
2 operated and maintained both the NIA ICM and the WIA ICM since their construction.

3 10. Hazardous Substances have been and continue to be released from the Facility  
4 into the environment including surface water, groundwater beneath and beyond the facility, air,  
5 and human work areas.

## 6 **V. ECOLOGY DETERMINATIONS**

7 Ecology makes the following determinations without any express or implied admissions  
8 by BF Goodrich Kalama, Inc. or Rogers Sugar Ltd..

9 1. Respondents are persons within the meaning of RCW 70.105D.020(14).

10 2. BF Goodrich Kalama, Inc. is the current owner and operator of the Facility that  
11 has operated, is operating, or should have been operating under interim status subject to Section  
12 3005(e) of RCRA and regulations promulgated thereunder, including authorized state regulations  
13 in Chapter 173-303 WAC. BC Sugar is the former parent and a contractual indemnitor of  
14 Kalama Chemical, Inc. BC Sugar owned the Facility at times when Releases of Hazardous  
15 Substances occurred.

16 3. Certain wastes and other materials found at the Facility are Hazardous Substances.

17 4. Ecology has determined that Releases and potential Releases of Hazardous  
18 Substances at and/or from the facility may present a threat to human health and the environment.

19 5. By letter dated November 11, 1997, Kalama Chemical, Inc. voluntarily waived its  
20 rights to notice and comment and accepted Ecology's determination that Kalama Chemical, Inc.  
21 is a "potentially liable person" under RCW 70.105D.040. By facsimile dated November 20,  
22 1997, BC Sugar voluntarily waived its rights to notice and comment and accepted Ecology's  
23 determination that BC Sugar is a "potentially liable person" under RCW 70.105D.040. By doing  
24 so, neither BF Goodrich Kalama, Inc. nor BC Sugar admitted guilt or accepted liability under  
25 state or federal law. Both parties accepted Ecology's determination that they are "potentially  
26 liable parties" to expedite the cleanup of the Facility.



1           6. Pursuant to RCW 70.105D.030(l) and RCW 70.105D.050, the Department may  
2 require potentially liable persons to investigate or conduct other Remedial Actions with respect  
3 to the Release or threatened Release of Hazardous Substances, whenever it believes such action  
4 to be in the public interest.

5           7. Ecology finds that the actions, including investigations, required by this Order are  
6 in the public interest.

7   **VI. WORK TO BE PERFORMED**

8           Based on the foregoing Findings of Fact and Ecology Determinations, it is hereby  
9 ordered that Respondents and their contractors take the following Remedial Actions and that  
10 these actions be conducted in accordance with Chapter 173-340 WAC and applicable provisions  
11 of Chapter 173-303 WAC, unless otherwise specifically provided for herein.

12           1. Respondents shall conduct a remedial investigation as specified in Chapter 173-  
13 340 WAC and the attached Scope of Work for Remedial Investigation and Feasibility Study, and  
14 Preparation of Draft Cleanup Action Plan (“Scope of Work”) (Attachment 2). Upon completion  
15 of the remedial investigation, a report containing the results and documentation of the remedial  
16 investigation shall be submitted for Ecology’s review according to the schedule set forth in  
17 Attachment 3.

18           2. Respondents shall conduct a feasibility study as specified in Chapter 173-340  
19 WAC and the attached Scope of Work. Upon completion of the feasibility study, a report  
20 containing the results and documentation of the feasibility study shall be submitted for Ecology’s  
21 review and approval and according to the schedule attached as Attachment 3.

22           3. Respondents shall draft a cleanup action plan (CAP) as specified in the Scope of  
23 Work to satisfy the requirements of Chapter 173-340 WAC and to concurrently satisfy the  
24 corrective action requirements of WAC 173-303-646(3).

25           4. Ecology shall prepare the associated SEPA documents and submit the remedial  
26 investigation, feasibility study, draft CAP and associated SEPA documents for public review and  
27 comment.

1           5.       Respondents shall modify the draft CAP, if necessary, according to any conditions  
2 specified in Ecology's approval letter. It is the intent of the parties that the selected cleanup or  
3 corrective actions will be designed and implemented pursuant to a subsequently negotiated  
4 consent decree. A permit modification will be initiated which will incorporate by reference  
5 relevant portions of the consent decree into the RCRA permit to be issued jointly by the U.S.  
6 Environmental Protection Agency and Ecology.

7           6.       Respondents shall maintain a Health and Safety Plan under which site-specific  
8 activities will be conducted. The Health and Safety Plan shall be submitted to Ecology for  
9 review and comment but not approval or disapproval.

10          7.       Respondents will continue to operate and maintain the NIA ICM and WIA ICM,  
11 unless Ecology directs otherwise. All monitoring and reporting requirements associated with the  
12 interim measures shall be according to the attached Scope of Work (Attachment 2).

13          8.       Respondents shall submit a quarterly progress report by the 15th day of the month  
14 following each reporting period ending March 31, June 30, September 30, and December 31.  
15 The quarterly progress report shall include the following information:

16               A.       Summary of the current status of activities that were conducted during the  
17 past quarter and significant results. All submittals to Ecology during the past quarter shall be  
18 identified.

19               B.       Summary of investigative and/or remedial activities planned for the  
20 following quarter, including anticipated submittals.

21               C.       A description of and justification for any significant deviations from the  
22 approved Work Plan made during the previous quarter, any significant problems encountered  
23 during the previous quarter and actions taken to correct them.

24          9.       Once approved or conditionally approved in writing by Ecology, work plans,  
25 reports or the draft CAP identified in the Scope of Work (Attachment 2) are incorporated by  
26 reference and become enforceable parts of this Order as if fully set forth herein. These  
27 submittals shall be provided to Ecology as required according to the attached Schedule

1 (Attachment 3). During the performance of work under an approved work plan, field  
2 modifications to the submittal may be agreed to verbally with the concurrence of all Project  
3 Managers. Such field modifications will take effect, however, only after Respondents submit a  
4 written description of the modification to the Ecology Project Manager, and Ecology's Project  
5 Manager provides written confirmation of the agreed modification. To expedite this process, the  
6 Project Managers may transmit their descriptions and confirmation by facsimile and/or electronic  
7 mail.

8 10. No later than fifteen days after discovery, by either BF Goodrich Kalama, Inc. or  
9 Rogers Sugar, the discovering party shall notify Ecology's Project Manager in writing of any  
10 newly identified Releases that are to soil or groundwater. Respondents shall investigate and  
11 report on these Releases as directed by Ecology's Project Manager. If required, the investigation  
12 (assessment) and reporting shall be done in accordance with the procedures specified in this  
13 order and in the attached Scope of Work.

14 11. All performance monitoring and operating data (including water level results and  
15 laboratory analysis) developed pursuant to this Order, shall be submitted in written and/or  
16 electronic format to be set forth in the work plan for the Remedial Investigation

17 12. All draft plans, reports or other documents submitted to Ecology, shall be  
18 reviewed for approval, approval with conditions, or comments. Respondents shall incorporate  
19 Ecology's comments in a revised draft document, or if directed by Ecology, the draft modified  
20 by Ecology's comments shall constitute the final approved document.

## 21 VII. TERMS AND CONDITIONS OF ORDER

22 1. Public Notices: WAC 173-340-600(10)(c) requires a thirty (30) day public  
23 comment period before this Agreed Order becomes effective. Ecology shall be responsible for  
24 providing such public notice and reserves the right to modify or withdraw any provisions of this  
25 Order should public comment disclose facts or considerations which indicate to Ecology that the  
26 Order is inadequate or improper in any respect.

1           2.     Remedial and Investigative Costs: Respondents agree to pay costs incurred by  
2 Ecology pursuant to this Order. These costs shall include work performed by Ecology or  
3 Ecology's contractors for investigations, Remedial Actions, and Order preparation, negotiations,  
4 oversight and administration. Ecology costs shall include costs of direct activities and support  
5 costs of direct activities as defined in WAC 173-340-550(2). Prior to December 31 of each year,  
6 Ecology will provide Respondents with a summary of estimated costs, by category, for the  
7 upcoming year. Respondents agree to pay the required amount within ninety (90) days of  
8 receiving from Ecology an itemized statement of costs that includes a summary of costs incurred,  
9 an identification of involved staff, and the amount of time spent by involved staff members on  
10 the project. A general description of work performed will be provided. Itemized statements will  
11 be prepared quarterly. Failure to pay Ecology's costs within ninety (90) days of receipt of the  
12 itemized statement of costs will result in interest charges at the rate of twelve (12) percent per  
13 annum. If Ecology determines that additional work beyond that defined in the work plan is  
14 required, Ecology will provide written notification to Respondents, including the scope of the  
15 proposed work. Respondents may undertake the work, and shall notify Ecology within fourteen  
16 (14) days of receipt of Ecology's written notification whether or not they intend to undertake the  
17 work. Respondents shall also notify Ecology at least seven (7) days before commencing the  
18 work.

19           3.     Designated Project Managers: The Project Manager for Ecology is:

20                   Name:           Leon J. Wilhelm, PE  
21                   Address:        Department of Ecology  
22                                        Southwest Regional Office  
23                                        P.O. Box 47775  
24                                        Olympia, Washington, 98504-7775  
25                                        Telephone: (360) 407-6362  
26                                        Fax: (360) 407-6305  
27                                        E-mail: leow461@ecy.wa.gov

28     The Project Manager for BF Goodrich Kalama, Inc. is:

29                   Name:           Kenneth J. Willings  
30                   Address:        BF Goodrich Specialty Chemicals

1 9911 Brecksville Rd.  
2 Cleveland, OH 44141-3247  
3 Telephone: (216) 447-5636  
4 Fax: (216) 447-5760  
5

6 The Project Manager for Rogers Sugar is:  
7

8 Name: F. Randolph Smith  
9 Address: c/o 1550 - 355 Burrard Street  
10 Vancouver, B.C. V6C 2G8  
11 Canada  
12 Telephone: (604) 688-8533  
13 Fax: (604) 688-3569  
14 E-mail: rsmith@balaclava.com

15 The Project Managers shall be responsible for overseeing the implementation of this  
16 Order. To the maximum extent possible, communications between Ecology and BF Goodrich  
17 Kalama, Inc. and Rogers Sugar, and all documents, including reports, approvals, and other  
18 correspondence concerning the activities performed pursuant to the terms and conditions of this  
19 Order, shall be directed through the Project Managers. Should Ecology, BF Goodrich Kalama,  
20 Inc., or Rogers Sugar change Project Managers, written notification shall be provided to all other  
21 parties at least ten (10) days prior to the change, if possible.

22 4. Performance: All work performed by Respondents pursuant to this Order shall be  
23 under the direction and supervision, as appropriate, of a professional engineer or hydrogeologist,  
24 or similar expert, with appropriate training, experience and expertise. Respondents shall notify  
25 Ecology as to the identity of such engineer(s) or hydrogeologist(s), and of any contractors to be  
26 used in carrying out the terms of this Order. Respondents shall provide a copy of this Order to  
27 all contractors retained to perform work required by this Order. Respondents remain obligated  
28 by this Order regardless of whether they carry out its terms through agents, contractors, and/or  
29 consultants.

30 After the effective date of this Order and upon termination of the existing EPA Agreed  
31 Order, Respondents shall not perform any Remedial Actions at the BF Goodrich Kalama, Inc.  
32 facility other than those required by this Order unless Ecology concurs, in writing, concurrence

1 not to be unreasonably withheld, with such additional Remedial Actions or unless necessary to  
2 abate an emergency situation.

3 All sampling, analyses, and reporting of results performed under this Order shall be  
4 consistent with the quality assurance and quality control procedures described in the Ecology  
5 publication Guidelines and Specifications for Preparing Quality Assurance Project Plans,  
6 Publication 91 16.

7 5. Access:

8 A. Scope of Work Activities

9 Ecology or any Ecology-authorized representative shall have the authority to enter  
10 and freely move about the Facility at all reasonable times for the purposes of, among other  
11 things, inspecting records, operation logs, and contracts related to the work being performed  
12 pursuant to this Order; reviewing the progress in carrying out the terms of this Order; conducting  
13 such tests or collecting samples as Ecology or the Project Manager may deem necessary; using a  
14 camera, sound recording, or other documentary type equipment to record work done pursuant to  
15 this Order; and verifying the data submitted to Ecology. Ecology shall allow split or replicate  
16 samples to be taken by Respondents during an inspection unless doing so interferes with  
17 Ecology's sampling. Respondents shall allow split or replicate samples to be taken by Ecology  
18 and shall provide seven (7) days notice to Ecology before conducting any sampling activity or  
19 other field activity specified in approved work plans. All parties with access to the Facility  
20 pursuant to this section shall comply with an approved health and safety plan.

21 B. Excavation and Operations Activities

22 BF Goodrich Kalama, Inc. agrees to provide at least seven (7) days notice to  
23 Ecology prior to any significant excavation activities within portions of the Central Area of the  
24 Facility. The areas requiring such notice are described in Map 1, which is Attachment 4 to this  
25 Order. If as a result of such excavations Ecology determines that additional work is required, the  
26 parties may modify the Scope of Work under this Order.

1           6.     Public Participation: Ecology will prepare a public participation plan including a  
2 public notice and fact sheet and will have the responsibility for public participation.  
3 Respondents will assist in coordinating and implementing public participation as requested by  
4 Ecology. This may include providing electronic copies of mailing lists to Ecology and providing  
5 Ecology with four (4) copies of all documents that have been prepared by BF Goodrich Kalama,  
6 Inc. and/or Rogers Sugar and their consultants.

7           7.     Retention of Records: Respondents shall preserve in a readily retrievable fashion,  
8 during the pendency of this Order and for ten (10) years from the date of Ecology's written  
9 notification that all requirements of this Order have been satisfactorily completed, reports,  
10 documents, and underlying data in their possession relevant to this Order. Should any portion of  
11 the work performed hereunder be undertaken through contractors, then Respondents agree to  
12 include in their contract with such contractors or agents a record retention requirement meeting  
13 the terms of this paragraph.

14           8.     Dispute Resolution: In the event Respondents in good faith dispute an approval,  
15 disapproval, proposed modification or other decision or action by Ecology's Project Manager,  
16 Respondents shall utilize the dispute resolution procedure set forth below:

17           A.     BF Goodrich Kalama, Inc. and/or Rogers Sugar shall notify Ecology's  
18 Project Manager of any objection to a decision within twenty-one (21) days of receipt of the  
19 notice of disputed action. Such notification shall be in writing and directed to the signatory, or  
20 his/her successor(s), of this Order.

21           B.     The parties' Project Managers shall then confer in an effort to resolve the  
22 dispute. If the Project Managers cannot resolve the dispute within fourteen (14) days, Ecology's  
23 Project Manager shall issue a written decision.

24           C.     BF Goodrich Kalama, Inc. and/or Rogers Sugar may then request Ecology  
25 management review of the decision. This request shall be submitted in writing to Ecology's  
26 Hazardous Waste and Toxics Reduction Program Manager or her or his designee within seven  
27 (7) days of receipt of Ecology's Project Manager's decision.

1 Ecology's resolution of the dispute shall be binding. During the pendency of any dispute  
2 resolution hereunder, the schedules related to the approval, disapproval, proposed modification,  
3 decision or action being disputed, and all subsequent related schedules will be extended for a  
4 period equal to the period required to complete dispute resolution.

5 This dispute resolution process in this Paragraph 8 will be superseded by the process to  
6 be described in the corrective action section of BF Goodrich Kalama, Inc.'s BIF permit when  
7 such permit takes effect.

8 9. Reservation of Rights: This Agreed Order is not a settlement under Chapter  
9 70.105D RCW. Ecology's signature on this Order in no way constitutes a covenant not to sue or  
10 a compromise of any Ecology rights or authority. Ecology will not, however, bring an action  
11 against Respondents singly or together to recover remedial action costs paid to and received by  
12 Ecology under this Agreed Order. In addition, Ecology will not take additional enforcement  
13 actions against Respondents to require those Remedial Actions required by this Agreed Order,  
14 provided Respondents comply with this Order.

15 Ecology reserves the right, however, to require additional Remedial Actions at the  
16 Facility as set forth in Paragraph 2. or 5 B. of this Section VII or under its authority should it  
17 deem such actions necessary. Ecology also reserves all rights regarding the injury to, destruction  
18 of, or loss of natural resources resulting from the Releases or threatened Releases of Hazardous  
19 Substances from the Kalama Chemical facility.

20 10. Endangerment: In the event Ecology determines that conditions at the Facility are  
21 creating or have the potential to create a threat to the health or welfare of the people on the  
22 Facility or in the surrounding area or to the environment, Ecology may order Respondents to stop  
23 further implementation of this Order for such period of time as needed to abate the threat.

24 11. Transference of Property: Prior to any voluntary or involuntary conveyance or  
25 relinquishment of title, easement, leasehold, or other interest in the property, BF Goodrich  
26 Kalama, Inc. shall provide for continued implementation of all requirements of this Order.



1 Prior to transfer of any legal or equitable interest BF Goodrich Kalama, Inc. may have in  
2 the property, and during the effective period of this Order, BF Goodrich Kalama, Inc. shall serve  
3 a copy of this Order upon any prospective purchaser, lessee, transferee, assignee, or other  
4 successor in such interest. BF Goodrich Kalama, Inc. shall use its best efforts to notify Ecology  
5 at least ten (10) days prior to the finalization of any contemplated transfer.

6 12. Compliance with Other Applicable Laws:

7 A. All actions carried out by BF Goodrich Kalama, Inc. and Rogers Sugar  
8 pursuant to this Order shall be done in accordance with all applicable federal, state, and local  
9 requirements, including requirements to obtain necessary permits, except as provided in  
10 subparagraph B of this paragraph.

11 B. Pursuant to RCW 70.105D.090(1), the substantive requirements of  
12 Chapters 70.94, 70.95, 70.105, 75.20, 90.48, and 90.58 RCW are incorporated by reference.  
13 Respondents have a continuing obligation to determine whether additional permits or approvals  
14 would otherwise be required for the Remedial Action under this Order. In the event that  
15 additional permits or approvals are required for the Remedial Action under this Order,  
16 Respondents shall promptly notify Ecology of this determination. Ecology agrees that  
17 Respondents shall be responsible to contact the appropriate state and/or local agencies. Ecology  
18 shall make the final written determination on the additional substantive requirements that must  
19 be met by Respondents and on how Respondents must meet those requirements. Once  
20 established by Ecology, the additional requirements shall be enforceable requirements of this  
21 Order. Ecology shall ensure that notice and opportunity for comment is provided to the public  
22 and appropriate agencies prior to establishing the substantive requirements under this  
23 subparagraph.

24 C. Pursuant to RCW 70.105D.090(2), in the event Ecology determines that  
25 the exemption from complying with the procedural requirements of the laws referenced in RCW  
26 70.105D.090(1) would result in the loss of approval from a federal agency which is necessary for  
27 the State to administer any federal law, the exemption shall not apply and Respondents shall

1 comply with both the procedural and substantive requirements of the laws referenced in RCW  
2 70.105D.090(1), including any requirements to obtain permits.

3 13. Modifications. This Order can be modified by mutual written agreement of the  
4 parties.

5 14. Extension of Schedule: An extension of schedule shall be granted only when a  
6 request for an extension is submitted in a timely fashion, generally at least twenty-one (21) days  
7 prior to expiration of the deadline for which the extension is requested, and good cause exists for  
8 granting the extension. The request shall specify the reason(s) the extension is needed. Ecology  
9 shall endeavor to act upon any request for extension in a timely fashion. An extension shall only  
10 be granted for such period of time as Ecology determines is reasonable under the circumstances.  
11 A requested extension shall not be effective until approved by Ecology. Good cause includes,  
12 but is not limited to the following:

13 A. Circumstances beyond the reasonable control and despite the due diligence  
14 of Respondents including (1) delays caused by unrelated third parties or Ecology, including, but  
15 not limited to, delays by Ecology in reviewing, approving, or modifying documents submitted by  
16 Respondents; or (2) delays caused by third parties in granting, reviewing or approving permits  
17 where Respondents have applied for permits in a timely manner; or (3) delays caused by the  
18 good faith initiation of dispute resolution pursuant to Paragraph 8 of this Section VII; or

19 B. Acts of God, including fire, flood, blizzard, extreme temperatures, or other  
20 unavoidable catastrophe, casualty, or unplanned interruption to operations; or

21 C. Acts of war or workforce strike.

## 22 **VIII. STIPULATED PENALTIES**

23 1. For each day Respondents fail to comply with any time schedules contained  
24 within Section VI of this Agreed Order, or any other time schedules approved or modified in  
25 writing by Ecology, Respondents stipulate and agree that Ecology may, at its discretion, assess a  
26 stipulated penalty according to the following schedule:

1           A.     Up to \$250 for each day of each violation for the first ten (10) days of  
2 violation;

3           B.     Up to \$500 for each day of each violation for days eleven (11) through  
4 twenty (20) of the violation;

5           C.     Up to \$5,000 for each day of each violation for days twenty-one (21) and  
6 thereafter.

7 If imposed, all stipulated penalties shall be payable within thirty (30) days of assessment to the  
8 Department of Ecology, Cashiering Section, P.O. Box 5128, Lacey, Washington 98503-0210.

9 Any disputes arising over Ecology's issuance of a stipulated penalty shall be addressed only  
10 under Section VII.8 of this Agreed Order.

11         2.     Respondents shall not be liable for payment under this Section if Respondents  
12 have submitted to Ecology a timely request for an extension of schedules, as described in Section  
13 VII.14 of this Agreed Order, and if Ecology has not denied the request.

14         3.     The stipulated penalties provisions of this Agreed Order do not preclude Ecology  
15 from pursuing any other remedies or sanctions that may be available to Ecology based on the  
16 failure of BF Goodrich Kalama, Inc. or Rogers Sugar to comply with provisions of applicable  
17 law, except that issuance of stipulated penalties pursuant to this section shall preclude Ecology  
18 from issuing civil penalties under Chapter 70.105 RCW, or from requesting a court to impose  
19 civil penalties under Chapter 70.105D RCW, based upon the same facts underlying issuance of  
20 the stipulated penalty.

21         4.     Stipulated penalties paid under these provisions shall not be deemed damages or  
22 any form of payment for any harm caused as a result of the failure of BF Goodrich Kalama, Inc.  
23 or Rogers Sugar to comply with a time schedule established in or pursuant to this Agreed Order.

#### 24                                   **IX. SATISFACTION OF THIS ORDER**

25         The provisions of this Order shall be deemed satisfied upon BF Goodrich Kalama, Inc.'s  
26 and Rogers Sugar's receipt of written notification from Ecology that the actions required by this

1 Order, as amended by any modifications, and that all other provisions of this Agreed Order have  
2 been completed.

3 **X. ENFORCEMENT**

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

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

7 2. The Attorney General may seek to recover, by filing an action if necessary, the  
8 amounts spent by Ecology for investigative and Remedial Actions and orders related to the  
9 facility.

10 3. In the event Respondents refuse, without sufficient cause, to comply with any  
11 term of this Order, Respondents will be liable for:

12 A. up to three times the amount of any costs incurred by the state of  
13 Washington as a result of its refusal to comply; and

14 B. civil penalties of up to \$25,000 per day for each day it refuses to comply

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

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

17 Effective date of this Order: November 5, 1998

18  
19 STATE OF WASHINGTON  
20 DEPARTMENT OF ECOLOGY

21  
22  
23 By K Seiler

24 K Seiler, Supervisor  
25 Hazardous Waste and Toxics  
26 Reduction Section  
27 Southwest Regional Office  
28

1 BF GOODRICH KALAMA, INC.

2  
3  
4  
5  
6

By John A. Weaver *JA*  
Title: VICE PRESIDENT

1 ROGERS SUGAR LTD.

2

3

4

By Stenob Belloni

5

Title: Director

6

7

8

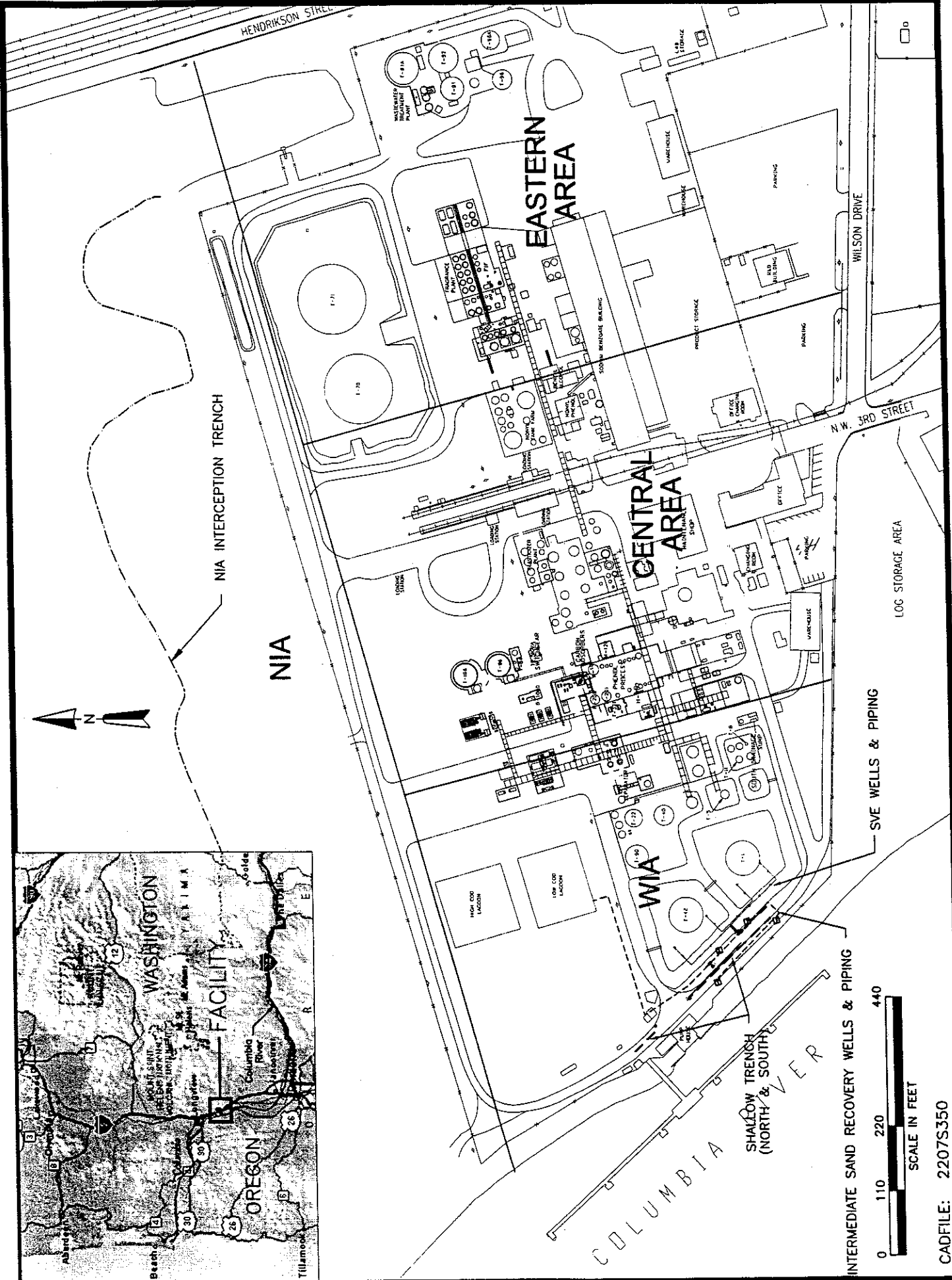
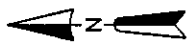
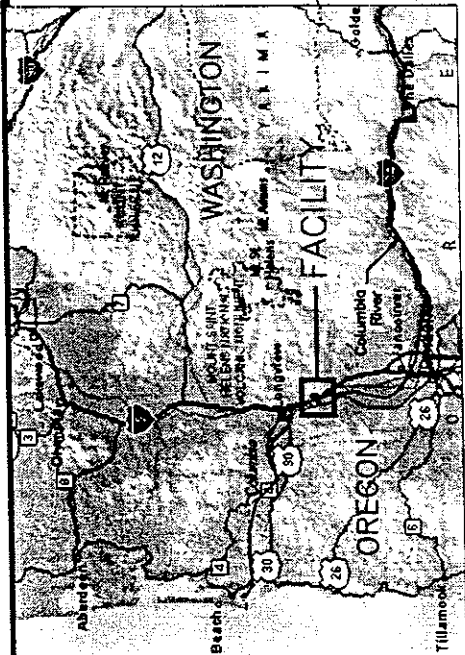
By \_\_\_\_\_

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Title: \_\_\_\_\_

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11



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## ATTACHMENT 2

### SCOPE OF WORK FOR REMEDIAL INVESTIGATION AND FEASIBILITY STUDY AND PREPARATION OF DRAFT CLEANUP ACTION PLAN

The Remedial Investigation and Feasibility Study and preparation of the draft Cleanup Action Plan shall be accomplished in accordance with Chapter 173-340 WAC and this Agreed Order and will be performed according to the following tasks. Unless otherwise defined in this Agreed Order or Scope of Work, terms such as "deep sand aquifer", mean the same as these terms are defined in the draft Supplemental RCRA Facility Investigation Report dated December 19, 1997 (Supplemental RFI). The Tasks in this Scope of Work will be submitted according to the Schedule included as Attachment 3. Ecology will use its best efforts to provide Respondents with comments on all submittals within forty-five (45) days from the time they are received by Ecology.

#### Task 1 Prepare Remedial Investigation Work Plan

Respondents will submit a draft work plan for the Remedial Investigation (RI) for Ecology's review and approval according to the schedule set forth in Attachment 3. The Remedial Investigation will supplement data obtained and reported in the RCRA Facility Investigation (RFI) report dated August 29, 1994 and analytical results and other data from field investigations contained in the draft Supplemental RFI. The purpose of the RI Work Plan is to specify the remaining activities Ecology deems necessary to identify and locate contaminant sources originating at the facility, and to identify all potential routes and pathways through which contaminants originating from identified areas of known contamination and sources may migrate to potential human and/or ecological receptors.

Respondents will revise the RI Work Plan as necessary to incorporate all Ecology comments in accordance with the Schedule in Attachment 3. Upon approval of the RI Work Plan, or its approval with conditions by Ecology, Respondents will perform the investigations required thereunder.

The RI Work Plan shall address the following objectives:

#### A. *East Area*

The primary objective of additional investigation in the East Area of the site is to characterize the nature and extent of the documented contamination in the deep sand aquifer at MW-224. The initial investigation will consist of installing Geoprobe TM borings (or similar devices) and taking groundwater samples in at least seven locations. Ecology will review results of the initial investigation to determine whether further investigation is required to evaluate the severity and potential pathways of the existing identified contamination. Additional investigation, if required, may include installation of additional monitoring wells and evaluation of the influences of variation in Columbia River stages on flow patterns that may affect potential pathways of identified contamination in the East Area.



## ***B. North Impacted Area***

The objective of work in the North Impacted Area is to evaluate the operation of the interim corrective measure and evaluate the effectiveness of containment of known contamination. By April 1998, Respondents will have conducted one more round of groundwater monitoring pursuant to the North Impacted Area Interim Corrective Measure Monitoring Plan, approved by EPA in a letter dated October 15, 1996. In addition, Ecology understands that Respondents will collect groundwater samples during this monitoring round from KC-23 and PZ-102. An additional well, screened in the shallow aquifer in the vicinity of NTP-3, will also be constructed and sampled during the remedial investigation.

As discussed in Task 5, Ecology and EPA will jointly review and comment on the North Impacted Area monitoring report. Ecology will subsequently evaluate results of the NIA ICM Report, results of the April 1998 monitoring and any other relevant data to determine; 1) changes to the existing EPA-approved NIA ICM Monitoring Plan and 2) whether additional characterization and/or monitoring will be incorporated into the Remedial Investigation Work Plan and conducted as part of the remedial investigation.

## ***C. Wetlands***

Sampling and analysis of Kalama Wetlands sediments and surface water will occur at the sampling locations and for the parameters specified in the Addendum to Ecological Risk Assessment Monitoring Plan for Sediment and Surface Water Sampling at the Kalama Wetlands, dated June 10, 1997. The purpose of this sampling is to further verify a conclusion stated in the Kalama Wetland Ecological Risk Assessment (Pentec Environmental, Inc. October 1996) ("ERA") that concentrations of metals in surface water and sediments are likely to remain constant or to decline, and that "present sediment concentrations do not appear to be significantly affecting either water or plant tissue concentrations and are not of significance to wildlife" (ERA at pages 67, 74). After reviewing results of the third round of sampling of wetlands sediments and surface water, scheduled for late summer 1998, Ecology will determine whether this conclusion is supported by the data, or if additional sampling is required.

## ***D. Central Area***

The principal objective of further investigation in the Central Area is to supplement existing characterization of the nature, extent and severity of contamination in soils and in groundwater in the upper fill aquifer and underlying interbedded unit. This characterization is needed to evaluate alternative cleanup approaches in the feasibility study and to determine the potential for off-site migration of contaminants and the degree to which potentially migrating contaminants might impact the operation of the North and West Impacted Area Interim Corrective Measures.

For the purposes of this investigation, the eastern portion of the West Impacted Area will be considered part of the Central Area. This includes the area east of the T-1 and T-42 containment areas.

From select existing groundwater monitoring wells and piezometers in the Central Area, one round of groundwater quality samples will be collected and analyzed for volatile organic compounds, semi-volatile organic compounds, and metals. Water level measurements will also be taken. This will occur temporally with a future round of groundwater quality monitoring in the North and West Impacted Areas. The purpose is to facilitate the evaluation of site-wide contaminant distribution.

Existing product detection wells will also be examined to determine whether free product is present. If present, free product will be characterized. The product detection wells will also be evaluated for use as groundwater monitoring wells. If feasible, one round of groundwater quality samples will be collected from select product detection wells and analyzed for volatile organic compounds, semi-volatile organic compounds, and metals. Water level measurements will also be taken. This will occur temporally with monitoring of existing groundwater monitoring wells and piezometers in the Central Area.

Data collected as specified in the previous paragraphs and existing data, including "T" boring data, will be integrated to produce graphical representations of lithology and contaminant distribution in the Central Area. Ecology will then determine how much further investigation will be required to evaluate the vertical and horizontal extent, severity, and potential pathways of identified contamination as necessary to develop and evaluate remedial action alternatives for the Feasibility Study.

The primary candidate areas for further evaluation and/or investigation include the former flare stack line, the former process sewer lines, the rail loading area, the API separator, the phenol process area, the phenol tank farm, the benzene finishing columns, the former location of T-222, and the carbon absorption system.

"Further investigation" may include the continued monitoring of specific groundwater monitoring wells, piezometers, and product detection wells, the installation and sampling of additional soil borings, and the installation and monitoring of additional groundwater monitoring wells.

#### **E. *West Impacted Area***

A primary objective of the remedial investigation in the West Impacted Area (WIA) of the site is to evaluate the effectiveness of the WIA Interim Corrective Measure (ICM). Ecology and EPA will jointly review and comment on the WIA ICM Monitoring Report which will be submitted and reviewed as discussed in Task 5. Ecology will subsequently evaluate results of the WIA ICM Report and other relevant data to determine: 1) changes to the existing EPA-approved WIA ICM Monitoring Plan and 2) whether additional characterization and/or monitoring will be incorporated into the Remedial Investigation Work Plan and conducted as part of the remedial investigation.

Ecology understands that free product (LNAPL) has been detected in one of the recovery wells (ISRW-3) in 1997 during operation of the WIA ICM. The first time free product is

detected, it will be sampled and characterized. The free product will be removed as practical and its extent will be evaluated during the remedial investigation

The RI Work Plan will also provide a proposal to evaluate hydraulic containment at various river stages so as to generate capture zone analysis. The specific approach and data analysis methods for the river stage influence study shall be included in the RI work plan.

The north section of the shallow interception trench was shortened from its original design because of obstruction by underground utility lines to the riverbank in this area. Contaminant distribution in the area north of the trench extension shall be further investigated during the remedial investigation to determine whether contamination is migrating or has the potential to migrate to the Columbia River.

#### **F. *Sampling and Analysis Plan***

A draft Sampling and Analysis Plan shall be submitted as an appendix to the draft RI Work Plan. The Sampling and Analysis Plan shall meet the requirements specified in Chapter 173-340 WAC and shall be consistent with guidance contained in the Ecology publication Guidelines and Specifications for Preparing Quality Assurance Project Plans, May 1991

#### **Task 2      Conduct Remedial Investigation and Prepare Remedial Investigation Report**

The Remedial Investigation will be conducted according to the activities and schedule in the approved RI Work Plan. Respondents shall use best efforts to conduct RI sampling coincident with ICM performance sampling as set forth in Task 5. A draft Remedial Investigation Report shall be prepared based on the approved Work Plan and the results of the work thereunder. The results of investigations performed to meet the objectives of the RI Work Plan will be presented in full.

Respondents shall revise the RI report as necessary to incorporate all Ecology comments in accordance with the Schedule in Attachment 3. Upon its approval or approval with conditions by Ecology, the Remedial Investigation Report, in conjunction with the RFI and analytical results and other data from field investigations collected for the draft SRFI, will comprise the remedial investigation required under this Agreed Order and Scope of Work.

#### **Task 3      Prepare Feasibility Study Work Plan**

Respondents will submit a draft work plan for the Feasibility Study for Ecology's review and approval in accordance with the schedule set forth in Attachment 3.

Respondents will revise the FS Work Plan as necessary to incorporate all Ecology comments in accordance with the Schedule in Attachment 3. Upon approval of the FS Work Plan, or its approval with conditions by Ecology, Respondents will perform the work required thereunder.

The FS Work Plan shall address the following items:

**A. *Cleanup Levels and Objectives***

The Feasibility Study Work Plan shall propose for Ecology's approval cleanup levels and cleanup objectives in accordance with requirements in Chapter 173-340 WAC

**B. *Preliminary Screening of Remedial Technologies***

The Feasibility Study Work Plan shall include a preliminary screening of remedial technologies and alternatives that, when combined with the existing Interim Corrective Measures, will satisfy the cleanup levels and objectives. The most promising technologies and alternatives will be considered alone and/or in combination to form a number of final remedies for the facility to be carried forward for detailed evaluation in the feasibility study. It is envisioned that five to eight preliminary alternatives will be proposed in the FS Work Plan for detailed evaluation that will provide a reasonable range of options for achieving the proposed cleanup objectives.

**C. *Evaluation Criteria***

The Feasibility Study Work Plan will propose the specific evaluation criteria based on the threshold and other requirements specified in WAC 173-340-360 to be used for the detailed evaluation of the alternatives identified in the Work Plan

**Task 4 Conduct Feasibility Study and Prepare Feasibility Study Report**

The Feasibility Study will be conducted according to the approved FS Work Plan including any conditions that Ecology may attach to Ecology's letter of approval. The Feasibility Study will address each alternative individually and on a comparative basis using the technical, environmental and human health criteria specified in WAC 173-340-360 and in the approved FS Work Plan. Respondents will prepare a Feasibility Study Report based on the approved Work Plan and the results of the work thereunder.

Respondents shall revise the FS report as necessary to incorporate all Ecology comments in accordance with the Schedule in Attachment 3. Upon its approval or approval with conditions by Ecology, the Feasibility Study Report will comprise the feasibility study required under this Agreed Order and Scope of Work.

**Task 5**      **Interim Corrective Measures Evaluation**

**A.**      ***North Impacted Area Interim Corrective Measure Evaluation***

The NIA ICM consists of an interception trench in the shallow aquifer. Respondents will continue to operate the NIA ICM in accordance with existing EPA approved work plans for the duration of this Order, unless otherwise directed by Ecology.

Respondents submitted the North Impacted Area (NIA) Interim Corrective Measure (ICM) Annual Monitoring Report (NIA ICM Report) required under the EPA agreed order to EPA and Ecology on April 29 1998. The NIA ICM Report presents results of monitoring conducted in 1997 and evaluates the effectiveness of the NIA ICM. Ecology and EPA will jointly review and comment on the NIA ICM Report. Respondents will revise the NIA ICM Report as necessary to incorporate the joint EPA/Ecology comments.

**B.**      ***West Impacted Area Interim Corrective Measure Evaluation***

The WIA ICM consists of an interception trench (with two separate segments) in the shallow aquifer, soil vapor extraction system in the shallow aquifer and recovery wells in the intermediate sand aquifer. Respondents shall continue to operate the WIA ICM in accordance with existing EPA-approved work plans for the duration of this Order, unless otherwise directed by Ecology.

Respondents will submit the West Impacted Area (WIA) Interim Corrective Measures (ICM) Annual Monitoring Report (WIA ICM Report) presently required under the EPA agreed order to EPA and Ecology in accordance with the Schedule in Attachment 3. The WIA ICM Report will present results of all monitoring conducted during the covered period and will evaluate the effectiveness of all components of the WIA ICM.

Ecology and EPA will jointly review and comment on the WIA ICM Report. Respondents will revise the WIA ICM Report as necessary to incorporate the joint EPA/Ecology comments.

**Task 6**      **Environmental Indicator Reporting**

To assist Ecology in meeting a condition of Ecology's Federal RCRA Grant and to provide information for the Model Toxics Control Act Annual Report, Respondents shall annually submit to Ecology information on the number of pounds of contaminants addressed and the volume of contaminated media remediated or contained from the implementation of corrective action at the facility. This information shall be submitted by February 15 of each calendar year in a format approved by Ecology.

**Task 7      Prepare Draft Cleanup Action Plan**

Respondents will submit a proposed draft Cleanup Action Plan (CAP) to implement the alternative recommended in the approved Feasibility Study report. The proposed CAP will comply with WAC 173-340-360 (10).

Ecology will modify the proposed CAP if necessary to satisfy the requirements of WAC 173-340-360 and WAC 173-340-400 and to concurrently satisfy the corrective action requirements of WAC 173-303-646. Ecology will issue the draft Cleanup Action Plan and associated SEPA documents for public review and comment.

## ATTACHMENT 3

### SCHEDULE

- Task 1      Prepare Remedial Investigation Work Plan
- a)      Respondents shall submit a draft RI work plan within forty-five (45) days of the effective date of this Order.
  - b)      Respondents shall submit a revised draft of the RI work plan within forty-five (45) days of receiving Ecology's comments on the initial draft of the RI Work Plan.
- Task 2      Conduct Remedial Investigation and Prepare Remedial Investigation Report
- a)      Respondents shall submit a draft Remedial Investigation Report according to the schedule in the approved RI Work Plan.
  - b)      Respondents shall submit a revised draft of the RI Report within forty-five (45) days of receiving Ecology's comments on the initial draft of the RI Report.
- Task 3      Prepare Feasibility Study Work Plan
- a)      Respondents shall submit a draft FS Work Plan within forty-five (45) days of receiving Ecology's approval of the RI Report.
  - b)      Respondents shall submit a revised draft of the FS work plan within 45 days of receiving Ecology's comments on the initial draft of the FS Work Plan.
- Task 4      Conduct Feasibility Study and Prepare Feasibility Study Report
- a)      Respondents shall submit a draft Feasibility Study Report within ninety (90) of receiving Ecology's approval of the FS Work Plan.
  - b)      Respondents shall submit a revised draft of the FS Report within thirty (30) days of receiving Ecology's comments on the initial draft of the FS Report.

Task 5 Interim Corrective Measures Evaluation

Respondents shall submit the WIA Interim Corrective Measures Annual Monitoring Report within thirty (30) days of the effective date of this Order, but in any case, not later than July 31, 1998.

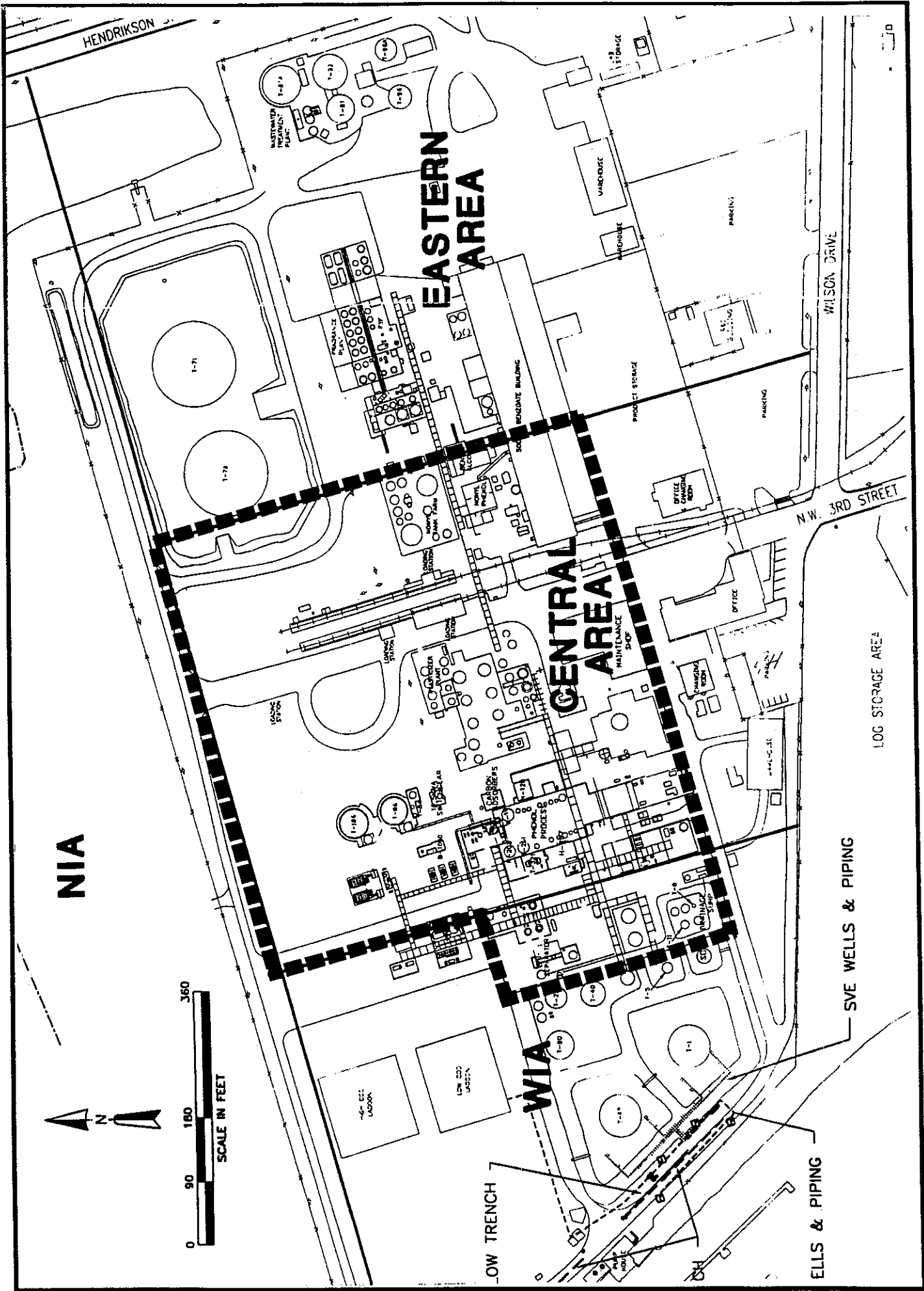
Task 6 Environmental Indicator Reporting

Respondents shall submit not later than February 15, for the prior year.

Task 7 Prepare Draft Cleanup Action Plan

Respondents shall submit the draft Cleanup Action Plan within ninety (90) days of receiving Ecology's approval of the Feasibility Study Report.





Attachment 4: Areas Within the Central Area Requiring Notice of Excavation Activities.

