

EXHIBIT B –SCOPE OF WORK (SOW) and SCHEDULE**Terminal 91 – Submerged Lands****PURPOSE**

The work under Agreed Order No. DE 24768 (AO) requires the Port of Seattle (Port) to conduct a Remedial Investigation (RI) for the Submerged Lands Area (SLA). The AO also provides for Interim Action(s), should they be necessary. The purpose of the RI is to provide sufficient data, analysis, and evaluations to enable selection of a cleanup alternative in a feasibility study (FS) for the SLA. A final cleanup action will be chosen by State of Washington, Department of Ecology (Ecology), which will be detailed in a Model Toxics Control Act (MTCA) Cleanup Action Plan. The AO Parties (Ecology and the Port) anticipate that this SOW and Schedule will be amended in the future to require additional tasks, including conducting a Feasibility Study and developing a preliminary Draft Cleanup Action Plan as additional tasks.

The Port shall coordinate with Ecology throughout the RI, and shall keep Ecology informed of changes to project plans, and of issues and problems as they develop.

The SOW is divided into three major tasks as follows:

- Task 1. Remedial Investigation Work Plan
- Task 2. Remedial Investigation
- Task 3. Interim Action(s) (if required)

TASK 1. REMEDIAL INVESTIGATION WORK PLAN

The Port shall prepare a Remedial Investigation Work Plan (RI Work Plan). The RI Work Plan shall include an overall description and schedule of all RI activities. The RI Work Plan shall clearly describe the project management strategy for implementing and reporting on RI activities. The responsibility and authority of all organizations and key personnel involved in conducting the RI will be outlined.

A Key Project Meeting will be held prior to commencing work on drafting the RI Work Plan - the Remedial Investigation Planning Meeting. The purpose of this meeting is to review requirements for the RI Work Plan and plan RI field work, discuss the preliminary Conceptual Site Model, and identify project data needs and possible interim actions.

The RI Work Plan shall describe general facility information; site history and conditions, including previous operations; past SLA investigations, including any data collection and analysis of sediments; a preliminary conceptual site model showing origin, source and distribution of contaminants, migration pathways in all environmental media, and potential receptors; geology and groundwater system characteristics; past, current, and future land use; identification of natural resources and ecological receptors; hazardous substances and their sources, etc., in compliance with the Sediment Cleanup User's Manual II (SCUM II) – Guidance for Implementing the Cleanup Provisions of the Sediment Management Standards, WAC 173-204, WAC 173-340-350, and WAC 173-204-560. This RI Work Plan will not address discarded military munitions (DMMs) at the Site.

As part of the project background, existing environmental data on site sediments will be compiled and evaluated for data gaps. The data gaps will be used as the basis for conducting additional site investigations, if necessary. The RI Work Plan will also identify specific data collection procedures in a Sampling and Analysis Plan (SAP) and Quality Assurance Project Plan (QAPP) as part of the RI Work Plan in compliance with WAC 173-204, and WAC 173-340-820 for defining the nature and extent of contamination. The Port will also submit a copy of the Health and Safety Plan (HASP) for the project.

The SAP will identify the proposed number and location of all sediment samples, methods, and depths, and will include a QAPP. The SAP will describe the sampling objectives, the rationale for the sampling approach (based upon the identified data gaps), and plans for data use, and shall provide a detailed description of sampling tasks. The SAP shall describe specifications for sample identifiers; sampling equipment; the type, number, and location of samples to be collected; the analyses to be performed; descriptions of sampling equipment and methods to be used; sample documentation; sample containers, collection and handling; data and records management; and schedule.

The QAPP will be prepared in accordance with the Guidance for Preparation of Quality Assurance Project Plans, EPA Region 10, Quality Data Management Program, QA/R-5 and requirements of the EPA Contract Laboratory Program. The QAPP will also follow Ecology's Guidelines for Preparing Quality Assurance Project Plans for Environmental Studies (July 2004 – revised July 2016)¹ and the SCUM II.² Laboratories must meet the accreditation standards established in WAC 173-50. Data quality objectives will reflect the criteria or threshold values used for the source control evaluation. In the event that these Guidance documents conflict, the Port will consult with Ecology.

The SAP, including the QAPP, will be submitted to Ecology for review and approval. As with all environmental work at the site, work may not begin without written approval from Ecology. The plan shall provide seven (7) days' notice to Ecology prior to beginning sampling. Ecology may obtain split samples.

The Port or their contractors shall submit all new validated sampling data generated under this SAP and any other recently collected data to Ecology's Environmental Information Management System (EIM) in accordance with WAC 173-340-840(5) and Ecology's Toxics Cleanup Program Policy 840: Data Submittal Requirements. Validated data will be entered into the EIM database within 30 days of receipt by the Port or their contractors.

RI Work Plan tasks and subtasks will include, but are not limited to, the following:

- Sampling and analysis of marine sediments in the Submerged Lands Area of T91;
- Evaluating the potential to contaminate or re-contaminate site sediments, including analysis of the following pathways:
 - Direct discharges
 - Stormwater discharges
 - Overland flow
 - Groundwater discharges and seeps
 - Soil erosion

¹ Found at <https://fortress.wa.gov/ecy/publications/summarypages/0403030.html>

² Found at <https://fortress.wa.gov/ecy/publications/documents/1209057.pdf>

- Historic and Current Site operations
- Spills, dumping, leaks, housekeeping, and management practices
- If needed, based on the source evaluation and the potential to contaminate or recontaminate site sediments, sampling and analysis of the aforementioned media/pathways may be conducted.

The Port will provide Ecology with an Agency Review Draft RI Work Plan. Once Ecology reviews and approves the RI Work Plan, it will be considered the Final RI Work Plan. The RI Work Plan shall not be implemented until approved by Ecology. Once approved by Ecology, the Port will implement the Final RI Work Plan according to the Schedule in this Exhibit.

The Port shall prepare two (2) copies of the Agency Review Draft RI Work Plan and submit them, including one electronic copy each in Word (.doc) and Adobe (.pdf) formats, to Ecology for review and comment. After the resolution of Ecology's comments on the Agency Review Draft RI Work Plan and after Ecology approval, the Port shall prepare three (3) copies of the Final RI Work Plan and submit them, including one electronic copy each in Word (.doc) and Adobe (.pdf) formats, to Ecology.

TASK 2. REMEDIAL INVESTIGATION

The Port shall conduct an RI that meets the requirements of WAC 173-340-350 and WAC 173-204-560 according to the RI Work Plan as approved by Ecology. The RI will determine the origin, nature, distribution/fate and transport, and extent of contamination exceeding the Sediment Management Standards (WAC 173-204), and other regulatory requirements. The RI must provide data and information to define the nature and extent of contamination sufficiently to perform a FS and select a cleanup action. Potential sources and pathways of sediment contamination/re-contamination will be presented and evaluated in the RI.

Field sampling and analysis will be completed in general accordance with the SAP and QAPP. Deviation(s) from the approved SAP and QAPP must be communicated by the Port to Ecology promptly and documented as required by Ecology.

The Port shall provide laboratory analysis data in electronic format when it has been validated. Raw laboratory data will be provided to Ecology upon request.

Prior to submittal of the Agency Review Draft RI Report, a Key Project Meeting will be held - the Remedial Investigation Pre-Report Check-In. In this meeting, Ecology and the Port will review available data and an updated conceptual site model and discuss the content and organization of the Draft RI Report.

The Port shall compile the results of the RI into an Agency Review Draft RI Report. The Port shall prepare two (2) copies of the Agency Review Draft RI Report and submit them, including one electronic copy each in Word (.doc) and Adobe (.pdf) formats, to Ecology for review and comment.

After incorporating Ecology's comments on the Agency Review Draft RI Report, the Port shall prepare three (3) copies of a Public Review Draft RI Report and submit them, including one electronic copy each in Word (.doc) and Adobe (.pdf) formats, to Ecology for distribution and public comment. Electronic survey data for monitoring locations, electronic lab data, and GIS maps of contaminant distribution shall also be provided for both the Agency Review

Draft RI Report and Public Review Draft RI Report either in the report or as attachments. The RI Report will not be considered Final until after a public review and comment period.

If the data collected during this investigation is insufficient to select a cleanup action, the Port shall conduct an additional phase(s) of investigation to provide the needed information.

TASK 3. INTERIM ACTION(S) (if required)

Remedial actions implemented prior to completion of the RI, including those that:

- Are 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;
- Correct a problem that may become substantially worse or cost substantially more to address if the remedial action is delayed; or
- Are needed to provide for completion of the remedial investigation,

will be considered interim actions. Interim actions will be implemented in accordance with WAC 173-340-430 and the AO, and will be designed in a manner that will not foreclose reasonable alternatives for any final cleanup action that may be required.

As detailed in the AO, if agreed to by the Parties and approved by Ecology, the Port will implement an interim action. Based upon information in the Agency Review Draft RI Report, interim action(s) may be needed to expedite control of releases to sediments or other environmental media pursuant to WAC 173-340-430.

Implementation of an interim action shall not forestall or delay completion of the RI per the Schedule.

If an interim action is to be performed, the Port will prepare and submit for Ecology approval an Agency Review Draft Interim Action Work Plan (IAWP) with detail commensurate with the work to be performed. The Agency Review Draft IAWP shall include, as appropriate:

- Description of the interim action including its purpose, general requirements, and relationship to the (final) cleanup action (to the extent known);
- Summary of relevant RI information, including at a minimum existing site conditions and alternative interim actions considered;
- Information regarding design and construction requirements, including a proposed schedule and personnel roles and responsibilities;
- Compliance Monitoring Plan;
- SAP/QAPP; and
- A list and description of the permits required.

The Port will also submit a copy of the HASP for an interim action. The Port will be responsible for complying with the State Environmental Policy Act (SEPA) Rules including preparing and submitting an environmental checklist for the interim action, and will assist Ecology with presentations at any additional meetings or hearings that might be necessary for SEPA compliance or as part of the Public Participation Plan.

The Port shall prepare two (2) copies of the Agency Review Draft IAWP and submit them, including one electronic copy each in Word (.doc) and Adobe (.pdf) formats, to Ecology for

review. The Port shall incorporate Ecology's comments and then prepare two (2) copies of the Public Review Draft IAWP and submit them, including one electronic copy each in Word (.doc) and Adobe (.pdf) formats, to Ecology. After a public notice and comment period for the Public Review Draft IAWP (and SEPA determination), Ecology will approve the IAWP (if appropriate) and the document will be considered Final. The Port shall prepare three (3) copies of the Final IAWP and submit them, including one electronic copy each in Word (.doc) and Adobe (.pdf) formats. Once approved by Ecology, the Port will implement the interim action according with the approved schedule.

Upon successful completion of the work, an Agency Review Draft Interim Action Report will be prepared as a separate deliverable. The Port shall prepare two (2) copies of the Agency Review Draft Interim Action Report and submit them, including one electronic copy each in Word (.doc) and Adobe (.pdf) formats, to Ecology for review and approval. After incorporating Ecology's comments on the Agency Review Draft Interim Action Report and after Ecology approval, the Port shall prepare three (3) copies of the Final Interim Action Report and submit them, including one electronic copy each in Word (.doc) and Adobe (.pdf) formats, to Ecology.

SCHEDULE

The schedule for completing the work described in the Agreed Order and the Scope of Work is presented below. If the date for submission of any item or notification required by this Schedule occurs on a weekend, state or federal holiday, the date for submission of that item or notification is extended to the next business day following the weekend or holiday. Where a deliverable due date is triggered by Ecology notification, comments or approval, the starting date for the period shown is the date the Port received such notification, comments or approval by certified mail, return receipt requested, unless otherwise noted below. Where triggered by Ecology receipt of a deliverable, the starting date for the period shown is the date Ecology receives the deliverable by certified mail, return receipt requested, or the date of Ecology signature on a hand-delivery form.

	<i>Task or Deliverable</i>	<i>Due Date^a</i>
1.	Agency Review Draft RI Work Plan issued	90 days after approval of Port/Contractor Service Directive
2.	Final RI Work Plan issued	45 days after receipt of Ecology comments – document is considered final upon Ecology’s written approval
3.	Field work for RI begins	30 days after Ecology’s approval of RI Work Plan
6.	RI field investigations completed^b	180 days after Ecology’s approval of the Final RI Work Plan
7.	Agency Review Draft RI Report issued	90 days following completion of RI field investigations
8.	Public Review Draft RI Report issued	30 days after receipt of Ecology comments on the Agency Review Draft RI Report. If additional iterations of the draft document are deemed necessary by Ecology, each iteration will be due 30 days after receipt of Ecology comments.

^a *Due dates shown are for initial draft and final deliverables. This schedule assumes only a single revised document will be submitted following receipt of comments from Ecology. Documents become final only upon approval by Ecology*

^b *Completed means the field requirements of the RI Work Plan have been satisfied.*