

EXHIBIT F
to Amendment No. 2 to
Midway Landfill Site Consent Decree

EXHIBIT D
to Sound Transit
Prospective Purchaser Consent Decree

(Scope of Work and Schedule)

**EXHIBIT F to Amendment No. 2 to Midway Landfill Site
Consent Decree
EXHIBIT D to Sound Transit Prospective Purchaser
Consent Decree**

**SCOPE OF WORK AND SCHEDULE
FOR IMPLEMENTATION OF CLEANUP ACTION PLAN AMENDMENT NO. 1
MIDWAY LANDFILL – FWLE/SR 509 MIDWAY PROJECT**

This Scope of Work establishes the deliverables necessary to implement the requirements of the Cleanup Action Plan Amendment No. 1 (CAP Amendment) for the Midway Landfill Site – FWLE/SR 509 Midway Project. Deliverables shall be prepared in accordance with WAC 173-340-840, General Submittal Requirements, for approval by Ecology. The Schedule of Deliverables is attached. Also attached is a table designating the lead role, as between the City of Seattle and Sound Transit, in performing the tasks described in the CAP Amendment and this Scope of Work.

Task I. Engineering Design Report

Contents of the Engineering Design Report shall be as specified in CAP Amendment Section 5.0. This report shall include sufficient information for the development and review of construction plans and specifications in general accordance with WAC 173-340-400(4)(a). It shall document engineering concepts and design criteria used for the design of the cleanup action.

Deliverables: Engineering Design Report – Draft and Final

Task II. 90/100% Construction Plans and Specifications (Permit Set)

The 90/100% Construction Documents shall be submitted for review by Ecology. These shall be prepared in conformance with currently accepted engineering practices and techniques and shall include the requirements under WAC 173-340-400(4)(b). A response to comments document shall be provided for approval by Ecology, describing how comments received will be addressed in the final Issued for Construction (IFC) Set. The final IFC Set will be provided to Ecology.

Deliverables: 90/100% Construction Plans and Specifications
Response to Ecology Comments
Issued for Construction Plans and Specifications

Task III. Construction Work Plans

Construction Work Plans for the FWLE/SR 509 Midway Project shall be as defined in CAP Amendment Section 5.0. These plans, except for the Health and Safety Plan, shall be approved by Ecology prior to construction notice to proceed. Required Work Plans include the following:

1. Stormwater Pollution Prevention Plan (SWPPP), in compliance with requirements for the Construction Stormwater General Permit.
2. Temporary Erosion and Sediment Control Plan, in accordance with the requirements of the CAP Amendment.
3. Waste and Soils Removal Plan describing detailed waste removal and segregation procedures, screening of suspect material, transportation and disposal details, in accordance with the requirements of the CAP Amendment.
4. Potential Hazardous Material Response Plan for characterization of potentially characteristic hazardous waste, in accordance with CAP Amendment requirements, WAC 173-303.
5. Construction Quality Assurance Plan, defining testing and documentation requirements to ensure construction quality in accordance with CAP Amendment
6. Health and Safety Plan - This plan is required for remedial actions as specified in WAC 173-340-810.

Deliverables: Temporary Erosion and Sediment Control Plan – Draft and Final
Stormwater Pollution Prevention Plan – Draft and Final
Waste and Soils Removal Plan – Draft and Final
Potential Hazardous Material Response Plan – Draft and Final
Construction Quality Assurance Plan – Draft and Final
Health and Safety Plan

Task IV. Implementation of the Cleanup Action

Construction shall be conducted in accordance with the plans and specifications prepared under this Scope of Work (the Issued for Construction – IFC- set).

Material submittals shall be submitted for approval per CAP Amendment Section 5.0.

Detailed records shall be kept of all aspects of the work performed during the operation and construction including materials used, items installed, test and measurements performed.

Status reports shall be submitted monthly throughout the construction duration. The status reports shall provide a description of work completed

during the month; work to be completed the next month; approved change orders; potential future difficulties potentially requiring changes to the approved plans and specifications; contacts with the public or other regulatory agencies; and any other information required under Section VI.F of the Prospective Purchaser Consent Decree or relevant to completion of the project per the CAP Amendment.

Deliverables: Material Submittals
Status Reports

Task V. Construction Completion Report

At the completion of construction, a Construction Completion Report is required to document all work performed in accordance with the CAP Amendment. The Construction Completion Report shall meet the requirements of Section 6.0 of the CAP Amendment and documentation shall be in accordance with WAC 173-340-400(6)(b).

Deliverables: Construction Completion Report – Draft and Final

Task VI. Amended Operations and Maintenance Plan (O&M Plan)

This document will be an update of the current plan incorporating the modifications required to maintain effective remedial operations under WAC 173-340-400(4)(c)(xii). This document will also outline roles and responsibilities of the City of Seattle, Sound Transit, and WSDOT with respect to their properties. A primary focus of the Amended Operations and Maintenance Plan will be requirements for inspection and maintenance of the remedial elements within the FWLE/SR 509 Midway Project limits.

Deliverables: Amended Operations and Maintenance Plan – Draft and Final

Task VII. Amended Midway Landfill Compliance Monitoring Plan

This document will be an update of the current Midway Landfill Monitoring Plan, incorporating modifications necessitated by the removal, replacement, or re-location of monitoring stations under the FWLE/SR 509 Midway Project. Additional changes may be made in response to recommendations in the periodic review to be issued by the USEPA in 2020.

Deliverables: Amended Compliance Monitoring Plan – Draft and Final

Task VIII. Environmental Covenant

New Environmental Covenants will be placed on City of Seattle and Sound Transit properties within the Midway Landfill Site as specified in CAP Amendment Section 7.0, Section XIX of the Consent Decree, and Section VI.E of the Prospective Purchaser Consent Decree. The Environmental Covenants shall be recorded according to the Schedule of Deliverables. A copy of the recorded Environmental Covenants shall be provided to Ecology within (30) days of the recording dates.

Deliverables: Recorded Environmental Covenant – City of Seattle
Recorded Environmental Covenant – Sound Transit

Task IX. Financial Assurance

Financial assurance will be provided for the Site as described in the CAP Amendment and Section C of the Second Amendment to the Midway Landfill Site Consent Decree.

Deliverables: Financial Assurance Cost Estimate
Financial Assurance Mechanism

SCHEDULE OF DELIVERABLES

A minimum of 2 weeks shall be provided for Ecology review of all required deliverables

Effective Date of Consent Decree	Start
Task I	
Engineering Design Report - Draft	60 days from Start
Engineering Design Report - Final	60 days following receipt of Ecology comments
Task II	
90/100% Construction Documents	Per FWLE/SR 509 Schedule
Response to Comments Document	30 days following receipt of Ecology comments
IFC Construction Documents	Per FWLE/SR 509 Schedule
Task III	
Construction Work Plans – Draft	Per FWLE/SR 509 Schedule
Construction Work Plans - Final	30 days following receipt of Ecology comments
Note: Ecology approval must be received on Task II Response to Comments Document and Task III Final Construction Work Plans prior to Construction NTP at the Midway Landfill Site.	
Tasks IV and V	
Construction Status Reports	By the 15 th day of each month during construction
Construction Completion Report – Draft	Within 60 days of completing construction for the FWLE/SR 509 Midway Project
Construction Completion Report - Final	Within 60 days following receipt of Ecology comments
Tasks VI and VII	
Amended O&M Plan – Draft Amended ML Monitoring Plan - Draft	Concurrent with Final Construction Completion Report
Amended O&M Plan – Final Amended ML Monitoring Plan - Final	Within 60 days following receipt of Ecology comments
Task VIII	
Environmental Covenants – Draft	Concurrent with Final Construction Completion Report
Environmental Covenants Recorded	Within 60 days following receipt of Ecology comments, or within 30 days of property transfer following construction completion, whichever is later.
Task IX	
Financial Assurance Cost Estimate	60 days from Start
Financial Assurance Mechanism	60 days after Ecology approval of cost estimate

**SR 509 / FWLE Project Lead Parties
for Implementation of CAP Amendment No. 1**

Activity / Deliverable	Citation	Lead Party
Capital construction of SR 509 / FWLE Project within the Project Area consistent with CAP Amendment, including: <ul style="list-style-type: none"> • Overburden soil, landfill soil and native soil reuse; • Waste and soil removal, disposal and relocation; • Infiltration barrier; • Landfill cover system; • Landfill gas extraction system; • Surface water management; • Groundwater monitoring wells; • Health and safety; • Access control; and • Construction quality assurance. 	CAP Amendment Section 4.0	Sound Transit
Retaining Environmental Professional	CAP Amendment Section 4.0	City of Seattle
Waste and Soils Removal Plan	CAP Amendment Section 4.4.2	Sound Transit (Kiewit)
Characterization of any potential hazardous waste for purposes of disposal	CAP Amendment Section 4.4.2	City of Seattle
Potential Hazardous Material Response Plan for handling and characterization of potentially dangerous waste	CAP Amendment Section 4.4.2	City of Seattle
Manifesting, containerization, transportation and disposal of any Dangerous or Extremely Hazardous Waste	CAP Amendment Section 4.4.5	Sound Transit (with City of Seattle as generator)
Construction Stormwater Pollution Prevention Plan	CAP Amendment Section 4.4.5	Sound Transit (Kiewit)
Temporary Erosion and Sediment and Erosion Control Plan	CAP Amendment Section 4.8	Sound Transit (Kiewit)

Activity / Deliverable	Citation	Lead Party
Construction Quality Assurance Plan	CAP Amendment Section 4.11	Sound Transit (Kiewit)
Engineering Design Report for Remedial Requirements	CAP Amendment Section 5.0	Sound Transit (Kiewit)
90/100% Construction Documents (Permit Set) and Related Construction Work Plans	CAP Amendment Section 5.0	Sound Transit (Kiewit)
Materials submittals for primary material and equipment to be used	CAP Amendment Section 5.0	Sound Transit (Kiewit)
Construction Completion Report	CAP Amendment Section 6.0	Sound Transit (Kiewit)
Environmental Covenant for property to be acquired by Sound Transit	CAP Amendment Section 7.0 / PPCD Section VI.E	Sound Transit
Environmental Covenant for property to be acquired by City of Seattle	CAP Amendment Section 7.0 / CD Amendment Section XIX	City of Seattle
<i>(Listed for informational purposes*)</i> Environmental covenant alternative for remaining WSDOT property	<i>(Listed for informational purposes*)</i> CAP Amendment Section 7.0	<i>(Listed for informational purposes*)</i> WSDOT (*WSDOT is not subject to Exhibit C; Ecology will oversee implementation outside of CD Amendment/PPCD)
Financial Assurance	CAP Amendment Section 7.0	City of Seattle
Amended Operations and Maintenance Plan (OMP)	CAP Amendment Section 8.0	City of Seattle
Amended Compliance Monitoring Plan (CMP)	CAP Amendment Section 8.0	City of Seattle
Ongoing O&M of remedial action elements, e.g., landfill cover, landfill gas collection system, surface water management system outside of Subject Property (as defined in Sound Transit PPCD)	As provided in CMP/OMP	City of Seattle

Ongoing O&M of remedial action elements, e.g., landfill cover, surface water management system within Subject Property (as defined in Sound Transit PPCD)	As provided in OMP	Sound Transit
Ongoing Compliance Monitoring	As provided in CMP	City of Seattle