DEPARTMENT OF ECOLOGY
State of Washington

Scope of Work and Schedule Cleanup Action Plan Amendment 1

Hamilton Street Bridge Site

111 North Erie Street, Spokane

Facility Site ID 84461527, Cleanup Site ID 3509

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Contact Information

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Document Availability and Accessibility Requests

This document is available on the Washington State Department of Ecology's website at https://fortress.wa.gov/ecy/gsp/CleanupSiteDocuments.aspx?csid=3509.

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Table of Contents

1 Introduction

This Scope of Work implements the Cleanup Action Plan Amendment 1 (CAP amendment) at the property that Sagamore Spokane LLC plans to purchase, generally located at 111 North Erie Street in Spokane (Property). This Scope of Work addresses soil and soil-vapor contamination. The Scope of Work describes the work (Project) and requires the development of plans and specifications, along with other work products, to meet the requirements of the Model Toxics Control Act (MTCA) Cleanup Regulation, Chapter 173-340 Washington Administrative Code (WAC).

The defendant(s) must coordinate with the Washington State Department of Ecology (Ecology) throughout the development of the deliverables associated with this work and during their implementation. The defendant(s) must keep Ecology informed of any changes, issues, or problems as they develop.

The defendant(s) shall prepare electronic copies of the agency-review draft deliverables and submit them in Word (.doc) format for Ecology review. After Ecology approves revised draft deliverables, the defendant(s) shall submit to Ecology two hard copies of the final deliverables and electronic copies in Word (.doc) and Adobe (.pdf) formats. The defendant(s) can then implement the work according to the approved schedule.

The defendant(s) must furnish all personnel, materials, and services necessary for, or incidental to, performing the CAP amendment.

The Scope of Work as described below must be accomplished in accordance with the schedule.

1.1 Engineering Design Report

The defendant(s) will prepare and submit an engineering design report (EDR) to Ecology for review and approval. The EDR must include all engineering design parameters for the Project to be able to fulfill the requirements set forth in the CAP amendment. A list of documents that are required as part of the EDR is shown below.

The defendant(s) must obtain any necessary permits prior to construction, or identify substantive requirements of laws for which MTCA creates a permit exemption.

The EDR must include the following components, and any applicable documentation shall be provided to Ecology as part of the EDR:

- Contaminated Materials and Soil Management Plan (CMSMP)

- Waste Management and Removal Plan (WMRP)
- Temporary Erosion and Sediment Control Plan (TESCP)
- Stormwater Pollution Prevention Plan (SWPPP)
- Soil-vapor Monitoring Plan addendum Outline
- Operation and Maintenance (O&M) Plan addendum Outline
- Compliance Monitoring Plan addendum Outline
- Health and Safety Plans
- Spill Prevention, Control and Countermeasure (SPCC) procedures during construction
- Building locations and hardscape pavement sections where construction will disturb the existing soil cover and underlying contaminated fill soils. Subgrade preparation may require removing soils that represent a threat to groundwater from construction activities.
- Groundwater Monitoring Well Installation Workplan
- Piling Installation Groundwater Performance Monitoring Plan
- Description and design of new soil capping structures
- Description and design of the foundation and pile system and what measures are needed to minimize potential downward migration of contamination into groundwater and the Spokane River.
- Schedule

1.2 Construction Plans and Specifications

The defendant(s) must provide Construction plans and specifications that refer to all aspects of the design and construction prior to start of construction work. This requirement is in order to fulfill the conditions set forth in the CAP amendment and in accordance with the requirements set forth in WAC 173-340-400(4)(b).

2 Construction Work Requirements

Contaminated materials from the former manufactured gas operations are anticipated to be visually identifiable. Once overburden soils are excavated to the top of waste, all material below the top of waste will be considered contaminated unless demonstrated otherwise.

Excess contaminated soils that cannot be capped in accordance with the CAP amendment on the Property, must be disposed offsite. Disposal of contaminated materials must conform to the requirements set forth in subsection 2.2 below.

2.1 Contaminated Materials and Soil Management

Contaminated materials and soil must be handled in accordance with the CAP amendment requirements; MTCA; and all other applicable Federal, State, and local regulations addressing contaminated materials and soil. The handling of contaminated materials and soil must be described in a Contaminated Materials and Soil Management Plan. A CMSMP will define the handling requirements of all contaminated materials and soil and any water management. The plan will define the excavation, characterization, segregation, and disposal requirements for each of the potentially contaminated media. The CMSMP will include an estimate of soil quantities to be generated and handled.

2.2 Waste Management and Removal

Project waste management must be in accordance with the CAP amendment, MTCA and all applicable Federal, State, and local requirements. The Project waste management must be outlined in a waste management and removal plan (WMRP) as part of the EDR. A WMRP will be prepared as part of the CMSMP. The WMRP will describe the procedures for waste handling and disposal. The WMRP will provide for the management and disposition of all contaminated materials and soil destined for disposal. The WMRP must specify detailed procedures for excavation, inspection, physical screening, relocation of stormwater controls, dust and odor control, chemical characterization, and loading, transportation, and disposal. The WMRP must identify acceptable facilities and their disposal requirements.

2.3 Construction Dust and Odor Control

During grading or excavation, dust and odor control procedures must be implemented to limit dust and odor generation and meet applicable air quality criteria. Dust and odor control procedures must include engineering controls that meet Spokane Regional Clean Air Agency standards.

2.4 Construction Stormwater Management

All construction will be conducted under the requirements of an Ecology National Pollutant Discharge Elimination System (NPDES) construction stormwater general permit. As part of the permit, a Site-specific TESCP will be developed. This plan must specify the controls to eliminate stormwater run-off into the Spokane River.

A SWPPP must be prepared prior to starting the construction work. The SWPPP documents the stormwater permitting requirements set forth by Ecology and other agencies.

Stormwater must be managed in accordance with the NPDES stormwater permit. Temporarily stockpiled soils must be covered with plastic sheeting in accordance with best management practices identified in the stormwater manual. The Project must be constructed to prevent stormwater from infiltrating into contaminated soils.

2.5 Storing Construction-related Hazardous Compounds and Fuels

Liquid hazardous compounds and construction-equipment fuel depots must be kept within secondary containment structures that are compatible with the materials and fuels stored. The secondary containment must be able to hold the full volume of the largest storage container and 110 percent of the maximum rainfall anticipated to occur during construction. The storage area for hazardous materials must be secure, contained, and behind a locked gate or door. The EDR must include a SPCC plan for construction activities.

2.6 Planning for post-Construction Monitoring and Maintenance

The EDR will outline how the soil-vapor monitoring, the Operation and Maintenance (O&M), and the compliance monitoring addendum plans will be structured. The draft plans will be submitted to Ecology as part of the construction completion report as discussed below in Section 3. The construction planning and implementation must take the post-Construction monitoring and maintenance into account to fulfill the requirements set forth in the CAP amendment.

2.7 Groundwater Monitoring Wells

The Project must avoid disturbing groundwater monitoring wells. Where disturbance is unavoidable, groundwater monitoring wells must be protected and, if necessary, modified by a licensed well driller.

If a groundwater monitoring well cannot be protected, a licensed well driller must decommission it in accordance with WAC 173-160. The need for monitoring well decommissioning must be approved by Ecology and Ecology will determine whether a replacement monitoring well must be installed, and if so, provide details for its construction. A licensed well driller must install any new monitoring well.

2.8 Health and Safety Plans

Work that presents the potential for direct contact with waste material must be conducted by workers who have current Hazardous Waste Operations and Emergency Response

(HAZWOPER) health and safety training certification. Work areas containing waste materials must be defined and marked as managed exclusion zones. A Project-specific Health and Safety Plan (HASP) must be developed as part of the EDR to cover the on-site workers with the potential for direct contact with waste material in accordance with all applicable federal and state regulations. The HASP must be provided to Ecology for review and comment before construction starts per WAC 173-340-810(2). Contractors and subcontractors working within the Property that chose to develop their own HASPs must ensure the plans meet the requirements of the approved Project specific HASP. HAZWOPER requirements will end when all subsurface work has ended and all stockpiled contaminated soils have been removed off-Site for disposal at a controlled disposal facility.

3 Construction Completion Report

Following construction completion, a Construction Completion Report must be prepared and submitted to Ecology for review and approval. The Construction Completion Report must comply with WAC 173-340-400(6)(b) and include:

- A description of construction for all remedial elements
- A description of all modifications from the approved construction documents
- Representative photographs of the soil barrier, soil-vapor mitigation structures and monitoring probes, and the stormwater management system. Soil-vapor monitoring and characterization data
- Documentation of waste quantities and disposal locations
- Record drawings showing final construction details for the soil barriers, stormwater system, soil-vapor mitigation structures and monitoring probes, and the monitoring well network
- Record drawings showing where each type of soil or material has been placed including capped contaminated material and backfill
- Topographic survey of the entire Property that depicts the surface and slope of the finished Project, structures, streets, drainage infrastructure, pathways, and surface water
- Boundary survey completed by a licensed land surveyor of current and proposed revised Property boundaries associated with the Project
- Groundwater Monitoring well and vapor-probe decommissioning and installation logs
- Groundwater Monitoring results until the end of the monitoring period

- A recorded environmental covenant in accordance with the Uniform Environmental Covenants Act, Revised Code of Washington 64.70
- A licensed Washington Engineer stamp in accordance with WAC 173-340-840(3)

3.1 Operations and Maintenance Plan and Compliance and Performance Monitoring Plan Addenda

The Construction Completion Report must include an Operations and Maintenance Plan and a Compliance Monitoring Plan addenda. These two plan addenda must will be submitted to Ecology for review and approval as part of the construction completion report. The revised plans will include all relevant elements in the existing Site O & M and compliance monitoring plans, and any new element associated with the CAP amendment or with project changes.

3.1.1 Soil-Vapor Compliance Monitoring Plan

A Soil-Vapor Monitoring Plan must be developed for the Property. This plan will be included in the construction completion report as part the Compliance Monitoring Plan addendum. The plan will discuss soil-vapor monitoring including the potential need for installing vapor-monitoring probes based upon observations during the construction work. The plan will outline the monitoring parameters and frequency and must follow the soil vapor monitoring requirements set forth in the CAP amendment.

3.1.2 Pilings Groundwater Performance Monitoring Plan

A Pilings Groundwater Performance Monitoring Plan must be developed for the Property to monitor the potential effects of piling installation. This plan will be included in the EDR and updated, if required, in the construction completion report as part of the groundwater monitoring plan addendum. The plan will discuss groundwater monitoring requirements adjacent to Buildings 2A and 2B’s pilings. The plan will outline the monitoring parameters and frequency as described in the CAP amendment.

4 Schedule

The documents required below are all subject to Ecology's review and approval.

Table 1 Schedule Milestones

Deliverables	**Date Due**
PPCD effective date	Day 1:, PPCD signed by the judge and Sagamore obtains the Title to the Property
Draft EDR with all accompanying documents as described above	90 days after start
Final EDR with all accompanying documents as described in the text	30 days after receipt of Ecology's written comments on draft documents
Overall Construction plans and specifications for the Project	30 days after Ecology approves final EDR and City of Spokane approves construction.
Begin construction under CAP amendment	As described in final EDR
Construction is complete	As described in final EDR
Draft environmental covenant for the Purchase Property	30 days after construction is complete
Record environmental covenants	Within 10 days of Ecology approval of each draft covenant
Draft Construction Completion Report with the draft Soil Vapor Compliance Monitoring Plan, draft update to Groundwater Performance Monitoring Plan if required, and a draft Operations and Maintenance Plan addendum	90 days after construction is complete
Final Construction Completion Report, the final Operations and Maintenance Plan addendum, final update to the Groundwater Performance Monitoring Plan if required, and the final Compliance Vapor Monitoring Plan addendum	45 days after receipt of Ecology's written comments on draft Construction Completion Report
Progress reports	In accordance with Section XII of the PPCD