

Work Plan-Multi Site Agreement

Washington State Department of Ecology Voluntary Cleanup Program

Purpose:

The Multi Site approach is a project to coordinate and facilitate the cleanup of Leaking Underground Storage Tank (LUST) sites owned or operated by major oil companies under the Model Toxics Control Act (MTCA). Currently our Northwest Regional Office (NWRO) has over 400 leaking underground storage tank sites that are owned by 10 Potential Liable Parties (major oil companies).

As a pilot project the Department of Ecology will enter into an agreement with Shell Oil Products wherein Ecology agrees to provide informal site-specific technical considerations regarding remedial actions for Shell Oil's eighty-six (86) sites identified in the Northwest Region. Ecology's expected roles and responsibilities are defined in the attached draft agreement with Shell (the final agreement is not expected to be very different, but will supersede the draft). Shell Oil has agreed to follow the timelines and schedules for site characterization and site remediation set forth in the attached schedule.

The Multi Site approach gives the major oil companies predictability in dealing with the Department of Ecology and allows the companies to include (and schedule) the cost of site cleanup into their budget. Major Oil companies can integrate their real estate development plans with their cleanup schedules. It provides to Ecology the same predictable work flow to get at the sites that make up the bulk of the remaining contaminated LUST sites in the State.

Ecology will administer the Multi Site approach based on the model of the Voluntary Cleanup Program. That is, schedule this work on a contractual basis, rather than under legal order. Leaking Underground Storage Tank sites will be cleaned up to MTCA regulations. Ecology will give support and guidance at the request of the Major Oil Company. The multi site approach will require that the major oil company pay for support and salary of staff to manage this dedicated work load, and proceed on an agreed-upon time line specified in the VCP agreement.

Outcomes:

The result, effect, or consequence of implementing this project will be to increase the number of LUST sites that meet the cleanup requirements of the Model Toxics Control Act and will additionally meet the Environmental Protection Agency's (EPA) definition of reported cleaned up. The Shell pilot project includes 86 sites, 67 of which have not been reported to EPA as reported cleaned up. Based upon the submitted Shell cleanup schedule Ecology will move the following number of sites to a status of reported cleaned up each calendar year:

	<u>2009</u> 3 sites	<u>2010</u> 6 sites	<u>2011</u> 5 sites
<u>2012</u> 8 sites	<u>2013</u> 20 sites	<u>2014</u> 1 site	<u>2015</u> 2 sites
<u>2016</u> 5 sites	<u>2017</u> 1 site	<u>2018</u> 14 sites	*Reported cleaned up status based upon Shell submitted schedule

Based upon the successful implementation and execution of the Shell pilot project similar agreements may be pursued with the nine additional major oil companies with LUST portfolios in the Northwest Region. This would represent an additional 342 potential sites that may be transferred to reported cleanup up status. The projected cleanup timelines for these sites will be similar to that represented in the Shell portfolio.

Deliverables:

- 1) Ecology will provide EPA with quarterly written updates regarding the following elements:
 - Number of LUST sites moved to Reported Cleaned Up status based upon this pilot project effort.
 - Summary analysis of site status and remedial activities, including brief narrative description of benefits/barriers of this approach, and any adjustments made based on lessons learned.
- 2) Outreach – up to two press documents (i.e., press release and/or fact sheet) in cooperation with EPA.
- 3) A one-time final project deliverable describing: plans for broader implementation (e.g., similar agreements with other majors, state-wide, etc.), time line, and lessons learned (e.g., enforcement actions needed, other benefits/limits to approach.

Period of Performance:

The period of performance for this agreement will be October 1, 2008 – September 30, 2009.

Estimated Schedule:

1. Submittal of cooperative agreement to EPA- September 5, 2008
2. Approval of cooperative agreement by EPA- September 30, 2008
3. Shell signs multi-site agreement-October 1, 2008
4. Ecology hires two staff to implement Shell Multi-Site Agreement- November 1, 2008
5. Work begins on Shell Multi-Site Agreement- Novwmbner 1, 2008
6. Ecology receives legislative approval for Multi-Site Agreement July 1, 2009

Funding:

EPA will provide funding to Ecology to support the pilot project. Funds will be used to hire staff to carry out Ecology's responsibilities under the Multi-Site Agreement during the pilot period. EPA special project funds will be utilized for staff salaries and expenses for the time period of October 1, 2008 through September 30, 2009. If the results of the pilot project are deemed successful, Ecology will seek legislative approval for the program and necessary funding during the 2009 legislative session.