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June 2, 2021

Ms. Sonja Cady, Land Use Clerk
Thurston County Community Planning & Economic Development
2000 Lakeridge Dr SW, Bldg 1
Olympia, WA 98502
Via email to Sonja.cady@co.thurston.wa.us

RE: Final Agreed Condition Language

Dear Ms. Cady:

The following language was proposed by Lakeside Industries, Inc. on May 28, 2021 and agreed to by Kevin Hansen, Thurston County Hydrogeologist, in an email today at 9:13 am:

1. *Within two years, cover the Asphalt Plant Cleanout Material stockpile to prevent precipitation from filtering through the stockpile, using a cover as defined in Policy E.5. of the Nisqually Subarea Plan (updated 12/15/2020). Alternatively, Lakeside may remove the Asphalt Plant Cleanout Material stockpile.*
2. *Lakeside shall submit an addendum to the Final Groundwater Monitoring Plan, prepared by HWA Geosciences, Inc. dated July 1999 to add the following requirements:*
 - a. *Add quarterly sampling for analysis of carcinogenic Polycyclic Aromatic Hydrocarbons (cPAHs) as defined by WAC 173-340-900 (Table 708-2) which defines cPAHs under Washington State's Model Toxics Control Act.*
 - b. *The selection of wells for this additional groundwater sampling and analysis shall be based on the location of the stockpiled Asphalt Plant Cleanout Material and will include one upgradient and two downgradient wells. If no current wells are suitably positioned, new wells will be installed to accommodate the actual stockpile location. Well locations for sampling shall be subject to approval by the County Hydrogeologist.*
 - c. *Sampling and analysis methodology shall meet WAC 173-340 requirements.*
 - d. *The following actions shall be taken based on cPAH sample results:*

- i. If cPAH compounds are detected below WAC 173-340 criteria as specified in Table 720-1 (Method A Cleanup Levels for Groundwater) for ANY OF eight (8) consecutive quarterly sampling periods, cPAH sampling frequency shall be reduced to semi-annually,
 - 1. including after the pile is acceptably covered.*
 - 2. Or, alternatively, Lakeside may choose to discontinue cPAH sampling after eight consecutive quarterly sampling periods if:
 - a. the Asphalt Plant Cleanout pile is acceptably covered using cover as defined in Policy E.5. of the Nisqually Subarea Plan (updated 12/15/2020); or*
 - b. the Asphalt Plant Cleanout pile is removed.***
- ii. If cPAH compounds are detected above WAC 173-340 criteria as specified in Table 720-1 (Method A Cleanup Levels for Groundwater), Lakeside shall submit for approval to Thurston County, and then implement, an acceptable workplan stating their response actions. Quarterly sampling for cPAH shall continue or resume until improvement occurs. The WAC 173-340 statistical tests for 'detection above criteria' shall apply.*
- iii. Notification to Thurston County Environmental Health, Current Planning and County Hydrogeologist of findings within 30 days of lab results' receipt.*
- iv. Sampling requirements defined in the Final Groundwater Monitoring Plan, prepared by HWA Geosciences, Inc. dated July 1999, remain in effect and unchanged.*

Thank you for the opportunity to come to this agreement.

Sincerely,

/s/ Kyler Danielson

Kyler M. Danielson, Land Use Project Manager
Lakeside Industries, Inc.