



**COMMISSION
AGENDA MEMORANDUM**

Item No. 4d

ACTION ITEM

Date of Meeting November 14, 2017

DATE: November 6, 2017

TO: Dave Soike, Interim Executive Director

FROM: Kathy Bahnick, Sr Mgr, Environmental Programs
Don Robbins, Sr Environmental Program Mgr

SUBJECT: 2018-2022 Environmental Remediation Liability (ERL) Program

Amount of this request: \$19,800,000

ACTION REQUESTED

Request Commission authorization for the Executive Director to (1) spend environmental remediation liabilities funds for 2018 in the amount of \$19,800,000; (2) approve a five-year plan of \$88,800,000 for the Environmental Remediation Liability Program for 2018-2022 of which an amount estimated not to exceed \$30,000,000 will be obligated during 2018 to be spent in future years.

EXECUTIVE SUMMARY

As a major industrial and commercial landowner, the Port has significant environmental cleanup liabilities due to historic contamination of its properties. The \$19,800,000 requested spending authorization for 2018 will allow continuation of ongoing environmental investigation, testing, analysis, design, cleanup, and monitoring for active sites and will initiate similar activities for new sites, as noted in this memorandum. The spending authorization and five-year plan will allow the Port to enter into contracts for work spanning multiple years. Prior to actual spending of these obligated funds, Commission budget approval will be needed, likely through future annual ERL authorizations. The approval of the five-year plan gives greater visibility to our projected upcoming environmental remediation liability spending.

Environmental remediation projects define and minimize, to acceptable levels, threats to the environment caused by prior Port operations, prior tenant operations, and by the historical effects of industrial activity on properties acquired by the Port. Generally, the results of these efforts, as well as the attendant compliance with regulatory mandates, management of Port liabilities, and support of the local community, align with the goals and objectives of the

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Century Agenda, Long Range Plan, and Maritime, Aviation, Economic Development Division and Storm Water Utility Business Plans.

JUSTIFICATION

Consistent with past practices, the duration of the authorization continues to be an annual spending authorization. However, since 2011, the authorization requests have also provided a rolling five-year spending plan to reflect the level of resources expected to be required over the next five years. Executing contract obligations for a longer duration minimizes the need to rework all contract amendments and service directives that are aligned with the end-of-year authorization. It also provides greater visibility of the environmental liability costs.

The environmental investigation and remediation actions described below are generally required under federal and/or state law; exceptions are noted. Remedial actions continue to focus on cost-effective study, analysis, and implementation of cleanup actions; coordination with capital planning, design, and construction; and negotiation with agencies, tenants, other Potentially Responsible Parties (PRPs) and insurance companies.

Project Objectives:

- (1) Perform the remediation work at the various sites in accordance with the various state or federal agreed orders.
- (2) Manage and perform the work, with project controls and contract systems in place.
- (3) Identify and consider community values and concerns as part of the various public participation plans.
- (4) Perform remediation investigations, designs and implementations that will be carried out in a manner that considers current and potential uses for the sites.
- (5) Maximize cost recovery.
- (6) Perform initial investigations, scoping work to identify future actions.

DETAILS

Scope of Work

Maritime, Economic Development and NWSA Homeport Sites/Projects

Lower Duwamish Waterway Superfund Site – The Lower Duwamish Waterway (LDW) is a federal Superfund site under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA). The Lower Duwamish Waterway Group (LDWG), consisting of the Port, the City of Seattle, King County and Boeing, under a memorandum of agreement, has completed a Remedial Investigation and Feasibility Study (RI/FS) of the LDW under order with the Environmental Protection Agency (EPA) and the state Department of Ecology (Ecology). In November 2014, after seeking concurrence from Ecology EPA issued the Record of Decision for the LDW Site. Also in 2014, as part of the ongoing studies, LDWG initiated a Fisher Study to

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determine who is using the river for fishing and to aid EPA in development of appropriate institutional controls during and after cleanup. This work was completed in 2016. In addition, LDWG began a carbon amendment pilot study at the end of 2014, which is anticipated to be completed in 2020.

The LDWG parties signed a new order amendment in 2016 to perform pre-design activities including a baseline monitoring program and a waterway user study. LDWG performed a joint procurement process to select and hire the consultant for the pre-design work. This work is expected to be completed in 3-4 years. The Port shares costs with the other LDWG for the current work being performed on this site.

In addition to the in water investigations, the Port is monitoring, tracking and working on source control aimed at reducing recontamination after the in-water cleanup is performed. The Department of Ecology is the lead agency for source control work.

Terminal 117 Sediments, Bank and Uplands – As part of the LDW Superfund Site effort, EPA identified the Port's Terminal 117 (T-117) in South Park as an Early Action Area (EAA). This work is being performed by the Port with a cost sharing agreement with the City. EPA issued an Action Memorandum in 2010 that included the EPA-selected cleanup plan. The Port and the City signed the EPA order to design and implement the plan in 2011. Between June 2013 and December 2014, the Port completed the T-117 upland soil and sediment cleanup. The Port is currently constructing the final stormwater controls at the site and preparing to begin long-term monitoring and maintenance, to verify the continued performance of the cleanup.

South Park Marina – As part of the effort to control sources of contamination to the LDW, Ecology has identified potential source sites that could require early cleanup action. One such site is South Park Marina, which is adjacent to and north of Terminal 117. Ecology has identified the Port as a Potential Liable Party (PLP) for the cleanup of this site under the state Model Toxics Control Act (MTCA), and has requested the Port participate as a signatory to an agreed order along with two other PLPs, the City of Seattle and South Park Marina. Negotiations are ongoing regarding the Port's role in the future investigation and cleanup of the Marina.

Terminal 108 – Ecology has also identified Terminal 108 as a potential source control site. In 2006 and 2007, at Ecology's request, the Port voluntarily agreed to investigate groundwater at the site. The groundwater study determined that the groundwater is not a source of contaminants to the river. However, additional upland contamination was discovered on the site that may generate future investigation requirements.

As part of an Interagency Agreement (IAA) with Ecology, in 2015 the Port completed a bank stabilization project along 350 feet of shoreline and cleanout of stormwater conveyance lines. The Port performed maintenance on this bank in 2016 using additional funds under a new IAA with Ecology.

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In 2017, Ecology requested that EPA handle oversight of the Terminal 108 site due to limited resources at Ecology. The Port is in discussions with EPA on performance of a preliminary assessment and data gaps analysis for the site.

Terminal 115 South – The Port, along with Boeing, has been named by Ecology as a PLP under MTCA at Terminal 115 South. Boeing and the Port have both accepted PLP status, and will soon begin negotiating the scope of their respective roles and cost sharing aspects of a future investigation.

Terminal 115 North – In 2009, Ecology identified the Port as a PLP under MTCA for Terminal 115 North, located adjacent and to the south of Glacier Bay, one of the high priority sediment sites within the LDW Superfund Site. The Port entered into an agreed order with Ecology in 2010. Since then, the fieldwork for the remedial investigation has been completed and the Port submitted the draft Remedial Investigation report to Ecology in October 2017.

Terminal 5 Ecology State Cleanup Sites – In the past, as part of the Terminal 5 Southwest Harbor redevelopment, the Port completed remediation at four sites under Consent Decrees with Ecology. Current obligations related to those cleanups include on-going cap inspection and maintenance of the cap areas. As part of the T-5 redevelopment, the Port purchased the old West Seattle Landfill and installed an environmental cap and a methane collection system. These systems require long-term operation and maintenance, inspection, and reporting, which are continuing. The Port is currently evaluating the potential of converting the active methane collection system to a passive system.

- Terminal 5 Pacific Sound Resources (PSR) EPA Superfund Site – This site was cleaned up under an Order with EPA as part of the Terminal 5 Southwest Harbor redevelopment project. Ongoing obligations include continuing to perform required cap inspection and cap maintenance, product recovery activities and monitoring EPA activities related to the groundwater and the off shore sediments.
- Lockheed West - As part of the South West Harbor Redevelopment Project, the Port purchased aquatic and upland property on the north end of the current Terminal 5 from Lockheed Martin. The upland portion of the property is part of the Terminal 5 Ecology State Cleanup Sites described above. The adjacent submerged portion is a Superfund cleanup site known as the Lockheed West Seattle Site, and includes submerged land owned by both the Port and the state Department of Natural Resources. Under its purchase and sale agreement with the Port, Lockheed is obligated to investigate and cleanup the sediment within the site. On August 28, 2013, EPA issued the record of decision for the site. Lockheed Martin is the sole PRP responsible to perform the cleanup work, which is currently in the remedial design phase. Cleanup fieldwork is schedule to start in October 2018. The Port is coordinating cleanup activities, reviewing sediment cleanup documents by Lockheed, and providing comments to EPA.

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Harbor Island Superfund Site Soil and Groundwater Operable Unit – Cleanup of this Superfund site was performed under a Consent Decree with EPA, and the group consultant is performing long-term groundwater monitoring under a PRP agreement. Long-term cap maintenance and inspections are ongoing as required under EPA’s Record of Decision. Terminal 18 is located within this Superfund site.

Harbor Island Superfund Site East Waterway Sediments Operable Unit – In 2006, the Port signed an Order with EPA for a final Supplemental Remedial Investigation and Feasibility Study (SRI/FS), and a Memorandum of Agreement with the City of Seattle and King County to share costs and cooperate in the SRI/FS process. The Port also negotiated a settlement agreement with Seattle Iron & Metals Corp. for their contribution to the SRI/FS costs.

The Port is the contracting agent for this work. The PRPs are conducting the SRI/FS tasks identified in the EPA order and subsequent work plans. EPA approved the final RI in January 2014. The PRPs submitted a draft Feasibility Study in early 2014 and comments were received from EPA in January 2015. The PRPs submitted the draft final Feasibility Study in October 2016 and comments were received from EPA in May 2017. The PRPs anticipate submitting the final Feasibility Study to EPA in November 2017.

Terminal 30 Oil Cleanup – Terminal 30 is a former Chevron bulk storage site that is being remediated under MTCA. Since the 1990s, the Port has removed significant amounts of free product and conducted an extensive groundwater-monitoring program. The required public comment period for the draft consent decree and cleanup action plan was completed and the Port signed a final consent decree in early 2017. The Port has begun design of the selected remedy for the site. Implementation (cleanup construction) will begin in late 2018, followed by long term monitoring.

Terminal 10 Lockheed – Lockheed previously performed the upland and sediment cleanup required at this Superfund site. The Port has a continuing obligation to maintain the upland cap and the habitat restoration area, manage any contaminated soil and groundwater encountered or removed during redevelopment or maintenance activities, and protect Lockheed’s groundwater monitoring wells. Under the Terminal 10 Uplands capital project, the Port completed stormwater drainage and upland cap improvements in early 2012. As a condition of EPA approval, the Port initiated long-term stormwater solids sampling after the capital project.

Terminals 103/104/105/107 – These sites have been identified by Ecology as having source control data gaps related to the Lower Duwamish Waterway Superfund Site, and will likely require future investigation and remediation.

Terminal 106 (West and Warehouse parcels) – These sites have been identified by Ecology as having source control data gaps related to the Lower Duwamish Waterway Superfund Site, and will likely require future investigation and remediation.

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Natural Resource Damages (NRD) Habitat Restoration – The Port’s Superfund liability for LDW and Harbor Island sediments also includes injury to natural resources from contamination. The Port is negotiating with the Elliott Bay Trustee Council (Trustees) for a settlement of this liability.

In 2011, the Commission approved the design and permitting of a habitat restoration project at Terminal 117. The design work for the restoration is nearing completion and we have applied for permits. The Trustees provided a credit letter that documents the NRD value of the T117 habitat project as currently designed. Port staff have also begun pre-design work for another habitat restoration project at Terminal 25, and are requesting authorization to begin design of this project in 2017.

After receipt of permits, the permit conditions are identified, and the settlement negotiations have progressed further, staff will request authorization to bid, award, and construct the habitat project at Terminal 117, followed by the project at Terminal 25.

Terminal 91 Cleanup – Investigation and cleanup of this site is being administered by Ecology under a State Dangerous Waste Permit and a MTCA order. The bulk of the uplands cleanup work was completed in mid-2015 and long term groundwater monitoring and maintenance has begun. Investigation and cleanup of discrete units is ongoing. In late 2015, an amendment to the order allowed the Port to perform sediment regrading of a small shoal along the east side of Pier 91 with oversight by Ecology (performed in 2016) and required the Port to begin investigation into the site sediments. A sediment preliminary investigation is currently underway and should be completed in 2018.

Fishermen’s Terminal – The Port has removed some contaminated soils in the uplands, capped the uplands as a voluntary cleanup measure, and has performed some investigation of groundwater monitoring at and near the Fishing Vessel Owners tenant site. Some dredging of contaminated sediments occurred as part of the Docks 5-10 renewal and replacement and berth dredging project.

Aviation Sites/Projects

Aircraft Fuel Farms and Fueling Systems – Five underground aircraft fueling systems were constructed and operated by individual airlines beginning in the early 1960s. As of January 2007, each of these systems has been decommissioned. Appropriate environmental cleanup has been achieved for three of the systems and is in progress for two others.

Remediation of an area impacted by operations of the former United Airlines and Continental Airlines fuel farms is complete as of 2017. Confirmation monitoring, closure negotiations with the Department of Ecology, and decommissioning of the remediation system remain. The Port is a member of the PLP group for this multiple-source site.

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Lora Lake Apartments – On July 10, 2009, the Port and Ecology executed a MTCA order that required the Port to conduct a RI/FS for the cleanup of the Lora Lake Apartment Property. A draft RI/FS was submitted to Ecology in January 2012, and the RI/FS report presented the findings of investigations and analysis of cleanup alternatives. In January 2013, these documents were subsequently revised to address Ecology’s comments and accepted for public comment. A Consent Decree to complete the cleanup was negotiated in 2013, and the initial public comment period was extended to January 15, 2014. After continued negotiations with Ecology, and subsequent revision of the Cleanup Action Plan, a second public comment period was held in May and June of 2015.

The Consent Decree, along with the Cleanup Action Plan, was finalized on September 9, 2015. Remedial design, including extensive field sampling and analysis, occurred in 2015 and 2016. Commission authorization to advertise and award a major works contract to implement the remediation was received on September 13, 2016. Remediation of the former Lora Lake Apartment site has been completed. Remaining work entails capping the lake sediments with additional fill to restore the site to its historic wetland condition. Final wetland restoration at the Lora Lake site will occur in 2018.

Schedule

Included in project scope of work write-up.

ALTERNATIVES AND IMPLICATIONS CONSIDERED

The following alternatives were considered for accomplishing the work described above:

Alternative 1 – Do not complete the work.

Cost Implications: Projects must be completed eventually; potential short-term cost savings by not doing work now, followed by significant cost increases due to enforcement actions by regulators, litigation by other parties, and general costs of delay.

Pros:

- (1) Staff could not identify positive aspects for this alternative.

Cons:

- (1) Could result in the regulators, including Department of Ecology or EPA, taking enforcement action that could lead to Ecology or EPA implementing the remedy and the Port liable for three times the costs incurred by the regulator.

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- (2) The Port would lose the opportunity to employ the flexibility contained in the controlling regulations, to define and direct the work, and to manage costs.
- (3) Would not comply with Port's obligation to remediate the sites.
- (4) Would not honor our cost sharing agreements for multiple sites.
- (5) Would delay work previously agreed to under existing regulatory orders or under voluntary programs.

This is not the recommended alternative.

Alternative 2 – Complete the work using Port staff only. Port staff is already heavily involved in project direction, legal analysis, and project management, and will continue to perform these services. The nature and extent of the technical and legal work required to complete this work is substantial, and would require a large number of additional staff with additional expertise in a number of highly technical specialty areas. Contracts would still be required for such work as laboratory analysis. This is not the recommended alternative.

Cost Implications: Increased costs due to need for new employees with advanced technical expertise on project-specific basis, under utilization of specialized staff, and purchase of specialized equipment.

Pros:

- (1) Reduces staff costs for contract administration.
- (2) Additional hired employees would provide flexible work force.
- (3) Provides trained Port workforce with specific technical expertise.
- (4) Provides consistent reporting and documentation.

Cons:

- (1) Servicing peak seasonal demand would require hiring additional full-time employees resulting in un-utilized labor through the majority of the year.
- (2) Would require additional Port staff.
- (3) Would require purchase of substantial amount of specialized sampling equipment.
- (4) Would still require some contracting for tasks staff would not be able to perform such as laboratory analysis.
- (5) Many of the sites are joint sites with multiple partners who may not agree to the Port performing the work.

This is not the recommended alternative.

Alternative 3 – Complete the work using outside consultants and contractors only (Port or other partners as contracting agent or outside support). Outside consultants and contractors have sufficient numbers and types of specialists necessary for timely and cost effective

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completion of this work; however, the work would be more costly than if some Port staff were also involved. This is not the recommended alternative.

Cost Implications: Reduced Port staff costs where Port staff only have oversight role, but increase in overall costs.

Pros:

- (1) This will provide for a competitive procurement process and encourage small business participation.
- (2) Provides full service support and expertise.
- (3) Provides staff with the tools to respond in a timely manner to new requests from EPA or Ecology.

Cons:

- (1) Increases staff time to track, compile and manage contractor reports.
- (2) Prime contractor would charge to manage these services.
- (3) Reduces technical development opportunities for Port staff.
- (4) This approach would result in the loss of in-house historical knowledge of Port-owned sites.

This is not the recommended alternative.

Alternative 4 – Complete the work using a combination of Port staff (Alternative 2) and outside consultants and contractors (Alternative 3) that maximizes the ability for the Port to direct cleanup efforts and maximize the effectiveness of staff. **This is the recommended alternative.**

Cost Implications: Balances the Port’s oversight role for managing the remediation project and accessing technical consultants for adjusting service levels to effectively respond to regulator’s demands.

Pros:

- (1) Provides contracted and Port work force that can increase or decrease service level of effort as needed.
- (2) Provides trained workforce with specific technical expertise.
- (3) Provides consistent reporting and documentation.
- (4) Provides opportunities for businesses, including small businesses, to participate in Port work.
- (5) Provides staff with the tools to respond in a timely manner to new requests from the regulator.
- (6) Does not require a large expenditure for field equipment or the long-term maintenance of the equipment.

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- (7) Allows for technical development of Port staff.
- (8) Keeps in-house historical knowledge of Port-owned sites.

Cons:

- (1) Requires more staff time than alternative 3.
- (2) Coordination is required between Port Environmental Program Manager and consultant.

This is the recommended alternative.

FINANCIAL IMPLICATIONS

The following table summarizes 2018 through 2022 forecasted spending for environmental remediation projects. Forecasted spending reflects projects described in the Scope of Work.

Five-Year Spending Plan

\$s in Thousands	2018	2019	2020	2021	2022	2018-2022
Project Spending	\$19,800	\$ 31,300	\$10,400	\$15,400	\$15,100	\$92,000
Cash from 3rd Parties*	\$(1,500)	\$(900)	\$(900)	\$ -	\$ -	\$(3,300)
Net Port Share	\$18,300	\$30,400	\$9,500	\$15,400	\$15,100	\$88,700

***Note:** Forecasted amounts do not include estimates of possible recoveries.

Budget/Authorization Summary

\$s in Thousands	Spent	Budget	Recovery
2011 - 2016	\$68,864	\$112,637	\$(50,035)
2017 thru 8/30/2017	\$8,659	\$17,700	\$(2,073)

Note: Budget does not carry over. Recovery includes money from prior years.

Annual Budget Status and Source of Funds

Airport – Airport Development Fund

Maritime, Economic Development, and homeport liabilities on Northwest Seaport Alliance managed property – Tax Levy

Financial Analysis and Summary

Environmental cleanup projects have multiple funding sources: (1) Maritime and Economic Development non-operating projects are funded by the Port’s Tax Levy; (2) Maritime and Economic Development operating projects are funded by the General Fund; (3) Airport projects

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are funded by the Airport Development Fund. In addition, there are supplementary outside sources of funding, including the following:

- Cash from third parties (payment from cost-sharing or contribution agreements with other potentially liable parties (PLPs), where the Port functions as a funding conduit for the other PLPs and the Port holds contracts on behalf of these other PLPs)
- Litigation settlements with other PLPs
- Allocation settlements with other PLPs
- Insurance recoveries from both the Port’s insurers and other PLPs’ insurers
- Department of Ecology grants

Future Revenues and Expenses (Total cost of ownership)

See above

ADDITIONAL BACKGROUND

The Port has identified a number of contaminated sites on Maritime, Economic Development, homeport liabilities on Northwest Seaport Alliance (NWSA) and Aviation properties that must be investigated and remediated in compliance with federal and state environmental laws and regulations. In some cases, the Port has been designated by the federal government as a “Potentially Responsible Party” (PRP), and/or by the state government as a “Potentially Liable Party” (PLP) for the investigation and cleanup of properties owned by the Port or where the Port may have contributed to site contamination.

Although the Port may not bear ultimate liability for the contamination, under federal and state law, the Port is presumptively liable as the property owner, and it is often practically and financially beneficial for the Port to take initial responsibility to manage and pay for the cleanup.

In many cases, the Port has successfully recovered and/or will seek recovery from other responsible parties for Port-incurred investigation and cleanup costs. The Port also has been successful in receiving Model Toxics Control Act (MTCA) grant funds to pay part of the cleanup costs. The Port’s goals are to cost-effectively complete this environmentally responsible work and to maximize work accomplished by or paid for by the parties responsible for the conditions encountered (or others, such as insurance companies, who represent them).

To manage such environmental expenditures, the Port also encourages, coordinates with, and oversees the investigation and cleanup of sites by other responsible parties, to assure that legal requirements are met and that Port liabilities are minimized. Regardless of whether the Port conducts the investigation and remediation directly, or oversees the proper performance of that work by other responsible parties, the Port provides a valuable public benefit by acting as a catalyst in expediting appropriate environmental management of these sites.

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Accounting rules require that the Port “book” or establish a liability on its balance sheet for environmental remediation when the Port's obligation meets specified definitions of certainty and the liability amount can be reasonably estimated. When an environmental remediation liability is booked, an expense is also recorded in the current period for the future expenditures. The Port develops its environmental remediation liability forecasts in compliance with Government Accounting Standards Board (GASB) Statement No. 49 “Accounting and Financial Reporting for Pollution Remediation Obligations.” In addition to remediation liabilities, the Port also includes certain anticipated obligations regarding natural resource damages in this annual authorization.

Environmental liability expenditures are authorized in one of two ways:

1. If the environmental costs are incurred in the course of, or incidental to, a construction project, the Commission authorization occurs as part of the authorization for the overall construction project. Examples of this include asbestos removal, off-site soil disposal during construction, or upland dredge material disposal.
2. If the environmental cost is not associated with a capital construction project or maintenance (including asbestos and lead), but is a stand-alone pollution remediation project, the expenditure is authorized through one annual action.

Since 1993, the Commission has approved annual environmental expenditures. In addition, Commission authorization is obtained prior to entering into legal commitments for investigation or cleanup actions, such as an Agreed Order, Administrative Order on Consent (AOC), or Administrative Settlement Agreement and Order on Consent (ASAOC) (collectively referred to as “Orders”). Under the Orders, the Port is required to pay agency oversight costs. Further, to the extent required by the General Delegation of Authority, Central Procurement Office contract actions in support of approved environmental projects may require additional Commission authorization.

Since 1993, the Port has booked liabilities to recognize these obligations. While Port environmental cleanup projects typically span several years, more complex projects have been active for over 15 years.

ATTACHMENTS TO THIS REQUEST

- (1) Map of ERL Sites North Properties Maritime, Economic Development
- (2) Map of ERL Sites South Properties Maritime, Economic Development and NWSA
- (3) Map of ERL Sites Aviation

PREVIOUS COMMISSION ACTIONS OR BRIEFINGS

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November 8, 2016 – the Commission approved the 2017 (1) spend environmental remediation liabilities funds for 2017 in the amount of \$17,700,000; (2) approving a five-year spending plan of \$85,800,000 for the Environmental Remediation Liability (ERL) Program for 2017 to 2021 of which an amount estimated not to exceed \$33,600,000 will be obligated during 2017 to be spent in future years.

December 8, 2015 – the Commission approved the 2016 (1) spend environmental remediation liabilities funds for 2016 in the amount of \$13,900,000; (2) approving a five-year spending plan of \$71,700,000 for the Environmental Remediation Liability (ERL) Program for the Seaport, Real Estate, and Aviation Divisions for 2016-2020.

December 1, 2014 – the Commission approved the 2015 project-wide authorization of (1) a five-year spending plan of \$36,804,000 for the Environmental Remediation Liability (ERL) Program for the Seaport, Real Estate, and Aviation Divisions for 2015-2019; and (2) environmental remediation liabilities funds for 2015 in the amount of \$36,804,00, of which (a) \$16,804,000 is forecasted to be spent in 2015 and (b) an amount estimated not to exceed \$20,000,000 of the remaining funds approved in the five-year plan will be obligated during 2015 to be spent in future years.

December 3, 2013 – the Commission approved the project-wide authorization of (1) a five-year spending plan of \$106,740,000 for the Environmental Remediation Liability (ERL) Program for the Seaport, Real Estate, and Aviation Divisions for 2014-2018; and (2) environmental remediation liabilities funds for 2014 in the amount of \$42,180,000, of which (a) \$22,180,000 is forecasted to be spent in 2014 and (b) an amount estimated not to exceed \$20,000,000 of the remaining funds approved in the five-year plan will be obligated during 2014 to be spent in future years.

December 4, 2012 - the Commission approved the project-wide authorization of environmental remediation liabilities funds for 2013 in the amount of \$44,179,000, of which (a) \$21,179,000 may be spent in 2013 and (b) an amount estimated not to exceed \$23,000,000 of the remaining funds approved in the five-year plan will be obligated during 2013 to be spent in future years. Commission approved a five-year spending plan of \$116,182,000 for the Environmental Remediation Liability Program for the Seaport, Real Estate, and Aviation Divisions for 2013-2017.

December 6, 2011 - the Commission approved the project-wide authorization expenditure of \$23,600,000 for environmental cleanup action on Port properties during 2012. Obligating contracts (POs) valued at \$32,900,000 in 2012 for work that will be performed in later years. Commission approved the five-year spending plan of \$91,100,000 for the Environmental Remediation Liability Program for Seaport, Real Estate and Airport for 2012 through 2016.

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December 7, 2010 - the Commission approved the project-wide authorization expenditure of \$14,974,000 for environmental cleanup action on Port properties during 2011. Obligation of work in later years for \$16,200,000.

November 30, 2009 - the Commission approved the project-wide authorization expenditure of \$13,141,000 for environmental cleanup action on Port properties during 2010.

December 9, 2008 - the Commission approved the project-wide authorization expenditure of \$10,396,000 for environmental cleanup action on Port properties during 2009. Expenditures for 2009 were ultimately limited to 7,455,000.

December 1, 2007 - the Commission approved the project-wide authorization expenditure of \$11,833,000 for environmental cleanup action on Port properties during 2008. Expenditures for 2008 were ultimately limited to \$11,322,258.

December 12, 2006 - the Commission approved the project-wide authorization expenditure of \$7,756,549 for environmental cleanup action on Port properties during 2007. Expenditures for 2007 were ultimately limited to \$7,537,286.

June 27, 2006 - the Commission approved an increase in the 2006 project-wide authorization for environmental cleanup action on Port properties, to increase the authorization in the amount of \$6,000,000 to \$14,705,760. Expenditures for 2006 were ultimately limited to \$11,087,873.38.

December 13, 2005 - the Commission approved the project-wide authorization expenditure of \$8,705,760 for environmental cleanup action on Port properties during 2006.

March 23, 2005 - the Commission approved the project-wide authorization expenditure of \$8,102,222, for environmental cleanup action on Port properties during 2005. Actual expenditures for 2005 were ultimately limited to \$6,255,791.

March 23, 2004 - the Commission approved the project-wide authorization expenditure of \$8,081,000, for environmental cleanup action on Port properties during 2004. Actual expenditures for 2004 were ultimately limited to \$2,136,943.

March 11, 2003 - the Commission approved the project-wide authorization expenditure of \$4,999,000 for environmental cleanup action on Port properties and for potential environmental liabilities during 2003. Actual expenditures for 2003 were ultimately limited to \$2,459,870.

June 11, 2002 - the Commission approved the expenditure of \$1,500,000 and contract amendments for the Environmental Protection Agency's (EPA) Order on Consent to

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continue work on the Lower Duwamish Sediments Superfund site and the East Waterway Sediment Operable Unit of the Harbor Island Superfund Site.

July 10, 2001 - the Commission approved the expenditure of \$5,100,000 for nine Aviation projects and six Seaport projects during 2001.

March 14, 2000 - the Commission approved the expenditure of \$1,000,000 for aquatic sediment management for participating in the development and implementation of federal and state laws and regulations relating to the disposition of contaminated aquatic sediments, and the expenditure of \$2,000,000 for cleanup-related investigations at the former Chevron Oil Terminal site at Terminal 30.

August 24, 1999 - the Commission approved the expenditure of \$800,000 for environmental cleanup of Port property adjacent to the Malarkey Asphalt Co. site.

June 8, 1999 - the Commission approved the expenditure of \$300,000 to conduct the Industrial Waste System Hydrogeological Study required by the Ecology as a performance condition of the 1998 National Pollution Discharge and Elimination System Permit.

February 25, 1997 - the Commission approved the expenditure of \$1,100,000 to conduct the STIA Ground Water Study required by a Washington Ecology Model Toxics Control Act (MTCA) Agreed Order.

February 27, 1996 - the Commission approved the expenditure of \$2,325,000 for eleven projects during 1996.

March 28, 1995 - the Commission approved the expenditure of \$1,875,000 for nine projects during 1995.

March 8, 1994 - the Commission approved the expenditure of \$776,000 for eleven projects during 1994.

July 13, 1993 - the Commission approved the expenditure of \$1,050,000 for eight projects during 1993.