



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8

1595 Wynkoop Street
DENVER, CO 80202-1129
Phone 800-227-8917
<http://www.epa.gov/region08>

SEP 08 2011

Ref: 8ENF-RC

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Atlantic Richfield Company
ARCO Environmental Remediation, L.L.C.
c/o Marc R. Ferries, P.E.
Portfolio Manager
BP America Inc.
501 Westlake Blvd.
Houston, TX 77079

Re: ACM Smelter and Refinery Site, located near Great Falls,
Montana (SSID #08-19); Effective Date for RI/FS AOC;
EPA Docket No. CERCLA-08-2011-0017

Dear Mr. Ferries:

The United States Environmental Protection Agency (EPA), Atlantic Richfield Company and ARCO Environmental Remediation, L.L.C., have entered into an Administrative Settlement Agreement and Order on Consent for Operable Unit 1 Remedial Investigation/Feasibility Study (AOC) for performance of a remedial investigation and feasibility study (RI/FS) at the ACM Smelter and Refinery Site, Cascade County, Montana. The action is authorized under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), 42 U.S.C. § 9604, as amended. As referenced in Section XXX (Attorney General Approval) of the AOC, the Department of Justice has approved the settlement, in accordance with Section 122(h)(1) of CERCLA, 42 U.S.C. § 9622(h)(1). The AOC has been assigned the EPA Docket number of "CERCLA Docket No. CERCLA-08-2011-0017."

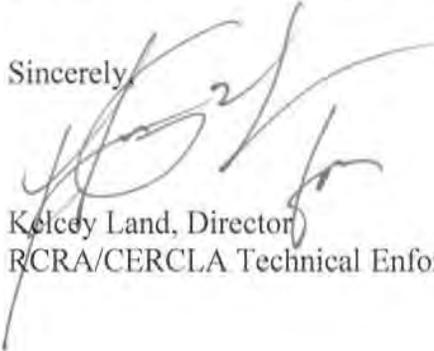
This letter is to notify you that, pursuant to Section XXXI (Effective Date and Subsequent Modification) of the AOC, the AOC is now effective as to the Work, including all schedules and deadlines, as provided in the AOC and the attached Statement of Work (Appendix A).

As further provided in Section XXVIII (Public Comment) of the AOC, final acceptance by EPA of Section XVIII (Payment of Response Costs) of the AOC is subject to Section 122(i) of CERCLA, 42 U.S.C. § 9622(i), which requires EPA to publish notice of the proposed settlement in the Federal Register. EPA will consider all comments provided on Section XVIII of the AOC. Following the public notice period, EPA will notify you if any comment is received that requires EPA to withdraw

from or seek to modify the settlement agreement. Otherwise, Section XVIII will become effective upon subsequent notice by EPA to you.

I appreciate your efforts in completing this agreement. If you have any questions regarding this letter, please contact James Stearns, Attorney, Legal Enforcement Program at (303) 312-6912. Thank you for your cooperation in this matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'K. Land', written over the word 'Sincerely,'.

Kelsey Land, Director
RCRA/CERCLA Technical Enforcement Program

Enclosure: AOC

cc: Bill Duffy, Davis Graham & Stubbs
Richard Sloan, MDEQ
Samantha P. Travis, MDEQ Legal
Joe Vranka, 8MO (without enclosure)
David Sturn, 8MO
Charles Coleman, 8MO
James Stearns, 8ENF-LEP