



BEFORE THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY REGION III

IN THE MATTER OF: Occidental Chemical Corp. Superfund Site; Lower Pottsgrove, Montgomery County, Pennsylvania Respondents Docket No. III-94-26-DC Occidental Chemical Corp., and Bridgestone/Firestone, Inc. Proceeding Under Section 106 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended by the Superfund Amendments and Reauthorization Act of 1986, 42 U.S.C. § 9606

AMENDMENT NO. 1 TO ADMINISTRATIVE ORDER FOR REMEDIAL DESIGN AND REMEDIAL ACTION

Having determined the necessity for implementation of a remedial response action at the Occidental Chemical Superfund Site located in Lower Pottsgrove Township, Montgomery County, Pennsylvania, the United States Environmental Protection Agency ("EPA") issued a Record of Decision ("ROD") for the Site on June 30, 1993, and an Administrative Order for Remedial Design and Remedial Action ("Order"), Docket No. III-94-26-DC, on June 23, 1994, pursuant to Section 106 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended by the Superfund Amendments and Reauthorization Act of 1986, 42 U.S.C. § 9606. EPA has determined that certain modifications to the Order are necessary and appropriate. Therefore, pursuant to Section XXVIII of the Order, EPA hereby orders the following:

I. MODIFICATION

Paragraph A(1) of Section VII of the Order is replaced with the following:

Based on the foregoing, and the Administrative Record supporting this Order, it is hereby ordered that Respondents implement the ROD in accordance

with that document, CERCLA, the NCP, and the requirements and schedules specified in this Order, including, but not limited to, the Performance Standards; provided that implementation of EPA's selected remedial alternative for the on-Site earthen lagoons (Operable Unit-2 or OU-2), as described in the ROD at Sections VII(B) and IX(B), is suspended pending completion of a Focused Feasibility Study (FFS) of the earthen lagoons. Nothing in this Order, the Remedial Design, or Remedial Action Work Plan constitutes a warranty or representation of any kind by EPA that compliance with this Order will achieve the Performance Standards or that such compliance will foreclose EPA from seeking compliance with all terms and conditions of this Order, including, but not limited to, the Performance Standards.

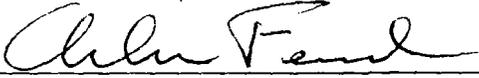
II. LIMITATION OF MODIFICATION

Except as otherwise stated herein, this modification of the Order's requirements for the remediation of OU-2 shall not alter or otherwise affect any other term or condition of the Order, including, but not limited to, Respondent's obligation to implement all other portions of the ROD as required by the Order, including, but not limited to, the remediation of groundwater at the Site.

III. EFFECTIVE DATE

Pursuant to Paragraph B of Section XXVIII of the Order, the effective date of this Amendment No. 1 shall be the date on which Respondents receive notice of the modifications described in Section I, above.

IT IS SO ORDERED:



Date: 9/29/05

Abraham Ferdas
Director
Hazardous Site Cleanup Division
EPA Region III
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Philadelphia, PA 19103