

UNITED STATES  
 ENVIRONMENTAL PROTECTION AGENCY  
 REGION 8

2018 DEC 20 PM 2:44

FILED  
 EPA REGION VIII  
 HEARING CLERK

IN THE MATTER OF: )

U.S. EPA Docket No. \_\_\_\_\_

Columbia Falls Aluminum Plant )  
 a/k/a Anaconda Aluminum Co. Columbia Falls )  
 Reduction Plant )

CERCLA Docket No. 08-2016-0002

Columbia Falls Aluminum Company, LLC, )  
 Respondent. )

ADMINISTRATIVE SETTLEMENT  
 AGREEMENT AND ORDER ON  
 CONSENT FOR REMEDIAL  
 INVESTIGATION/FEASIBILITY  
 STUDY – AMENDMENT #2

Proceeding Under Sections 104, 107 )  
 and 122 of the Comprehensive )  
 Environmental Response, Compensation, )  
 and Liability Act, as amended, )  
 42 U.S.C. §§ 9604, )  
 9607 and 9622. )

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY REGION 8  
 ADMINISTRATIVE SETTLEMENT AGREEMENT  
 AND ORDER ON CONSENT FOR  
 REMEDIAL INVESTIGATION/FEASIBILITY STUDY  
 AMENDMENT #2

WORK PLAN SCHEDULE MODIFICATION  
 AND SECTION XXIX CHANGE

1. Pursuant to Section XXIX (Effective Date and Subsequent Modification) of the 2015 Administrative Order on Consent (Settlement Agreement), by mutual agreement of the Environmental Protection Agency (EPA) and Respondent Columbia Falls Aluminum Company, LLC (Parties), the Parties agree to amend the Settlement Agreement and its Remedial Investigation/Feasibility Study Work Plan schedule with respect to the following deliverable: Draft Candidate Technologies and Remedial Alternatives Memorandum. This deliverable is now no longer required to be submitted to EPA as a separate deliverable and the substance of such former deliverable shall be included in the Feasibility Study Work Plan as shown on the revised Table 3 to the RI/FS Work Plan. The revised Table 3 is incorporated by reference into the 2015 Administrative Order on Consent and is attached to this filing for purposes of maintaining a complete and accurate record.

2. Further pursuant to Section XXIX (Effective Date and Subsequent Modification) of the Settlement Agreement, the Parties agreed to amend the Settlement Agreement as follows:

114a. Notwithstanding anything to the contrary in Paragraph 42 and as mutually agreed by the Parties, EPA's RPM may modify any plan or schedule or the RI/FS Work Plan in writing or by oral direction. Any oral modification will be memorialized in writing by EPA promptly, but shall have as its effective date the date of EPA's RPM oral direction. Any other requirements of this Settlement may be modified in writing by mutual agreement of the Parties.

114b. Notwithstanding anything to the contrary in Paragraph 42, if Respondent seeks permission to deviate from any approved work plan or schedule or the RI/FS Work Plan, Respondent's Project Coordinator shall submit a written request to EPA for approval outlining the proposed modification and its basis. Respondent may not proceed with the requested deviation until receiving oral or written approval from EPA's RPM pursuant to Paragraph 114a.

Agreed this 1 day of November, 2018.

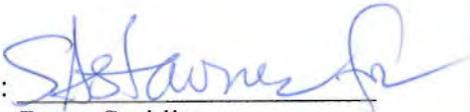
For Respondent Columbia Falls Aluminum Company

By:

Title: Corporate Secretary

It is so ORDERED AND AGREED this 19 day of Dec, 2018.

U.S. ENVIRONMENTAL PROTECTION AGENCY  
REGION 8

By:   
Betsy Smidinger  
Assistant Regional Administrator  
Office of Ecosystem Protection  
and Remediation

Date: 12/19/18

By:   
Suzanne J. Bohan  
Assistant Regional Administrator  
Office of Enforcement, Compliance  
and Environmental Justice

Date: 12/18/18