

UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
REGION 8

2016 JUN -6 PM 3:07

FILED
EPA REGION VIII
HEARING CLERK

IN THE MATTER OF:) U.S. EPA
) CERCLA Docket No. 08-2015-0008
Uintah Mining District Site)
Park City, Utah)
)
United Park City Mines Company,)
)
Respondent.)
)
Proceeding Under Sections 104, 106(a),)
107 and 122 of the Comprehensive)
Environmental Response, Compensation,)
and Liability Act, 42 U.S.C. §§ 9604,)
606(a), 9607 and 9622.)
)

AMENDMENT TO ADMINISTRATIVE SETTLEMENT AGREEMENT AND ORDER ON
CONSENT FOR REMOVAL ACTION

1. The United States Environmental Protection Agency (EPA) and United Park City Mines Company (Respondent or UPCM) voluntarily entered into an Administrative Settlement Agreement and Order on Consent, CERCLA Docket No. 08-2015-0008, (Settlement) on or about September 10, 2015, which provided for the performance of a removal action by Respondent at the Uintah Mining District Site (as defined in the Settlement), located in Summit County, Utah.

2. EPA and Respondent hereby agree to amend the Settlement as follows:

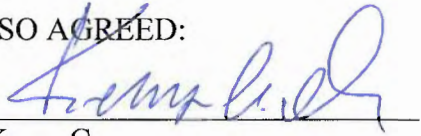
a. The Uintah Mining District Site is expanded to include the Treasure Mountain Junior High School located at 2530 Kearns Blvd., Park City, Utah, and the recreational fields east of the school, as defined on Exhibit A attached hereto (School Property).

b. In connection with the School Property only, UPCM shall perform additional Work in 2016 by accepting and managing, at the Richardson Flat repository, impacted soils to be removed from the School Property in 2016 by EPA or another party. The EPA affirms that consolidating wastes from the School Property at the Richardson Flat repository does not constitute off-site disposal for the purposes of the CERCLA Off site Rule.

c. This Amendment is for the sole purpose of (i) allowing soils removed by EPA or another party from the School Property in 2016 to be repositied at the Richardson Flat Repository, and (ii) establishing and confirming that the EPA covenants not to sue and the contribution protections under Sections 69 and 81, respectively, of the Settlement apply to the School Property and to UPCM (and other applicable parties) in relation thereto. The sole obligation of UPCM under or in connection with this Amendment is to accept and manage such soils at the Richardson Flat Repository.

3. The Settlement remains in full force and effect.

IT IS SO AGREED:

BY: 
Kerry Gee
Vice President, United Park City Mines

DATE: 5-24-16

BY: _____
Andrea Madigan
CERCLA Supervisory Attorney
Legal Enforcement Program
U.S. Environmental Protection Agency, Region 8

DATE: _____

BY: _____
Kelcey Land, Director
RCRA & CERCLA Technical Enforcement Program
U.S. Environmental Protection Agency, Region 8

DATE: _____

BY: _____
David Ostrander, Director
Preparedness, Assessment, and Emergency Response Program
U.S. Environmental Protection Agency, Region 8

DATE: _____

c. This Amendment is for the sole purpose of (i) allowing soils removed by EPA or another party from the School Property in 2016 to be repositied at the Richardson Flat Repository, and (ii) establishing and confirming that the EPA covenants not to sue and the contribution protections under Sections 69 and 81, respectively, of the Settlement apply to the School Property and to UPCM (and other applicable parties) in relation thereto. The sole obligation of UPCM under or in connection with this Amendment is to accept and manage such soils at the Richardson Flat Repository.

3. The Settlement remains in full force and effect.

IT IS SO AGREED:

BY: _____
Kerry Gee
Vice President, United Park City Mines

DATE: _____

BY: Andrea Madigan
Andrea Madigan
CERCLA Supervisory Attorney
Legal Enforcement Program
U.S. Environmental Protection Agency, Region 8

DATE: 5/23/14

BY: Kelcey Land
Kelcey Land, Director
RCRA & CERCLA Technical Enforcement Program
U.S. Environmental Protection Agency, Region 8

DATE: 6/1/16

BY: David Ostrander
David Ostrander, Director
Preparedness, Assessment, and Emergency Response Program
U.S. Environmental Protection Agency, Region 8

DATE: 5/26/16

Exhibit A: General Site Boundaries

