

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION III  
1650 ARCH STREET  
PHILADELPHIA, PENNSYLVANIA 19103-2029**

IN THE MATTER OF:	)	
	)	
ALCATEL-LUCENT USA INC.	)	ADMINISTRATIVE ORDER
	)	ON CONSENT
Former AT&T Richmond Works Facility	)	
4500 S. Laburnum Avenue	)	
Henrico County	)	
Richmond, Virginia 23231	)	U.S. EPA DOCKET NO.
	)	RCRA-03-2013-0105CA
	)	
	)	Proceeding under Section
LSI Corporation and	)	3008(h) of the Resource
Nokia of America Corporation	)	Conservation and Recovery
(f/k/a Alcatel- Lucent USA Inc.)	)	
	)	
RESPONDENTS	)	
	)	
	)	Act, as amended, 42 U.S.C.
EPA I.D. No. VAD066000993	)	Section 6928(h).

**FIRST AMENDMENT TO  
ADMINISTRATIVE ORDER ON CONSENT**

Whereas the United States Environmental Protection Agency (“EPA”), LSI Corporation (“LSI”), and Alcatel-Lucent USA Inc. (“Alcatel-Lucent”) executed an Administrative Order on Consent on March 4, 2013 (“Order”), for the facility located at 4500 S. Laburnum Avenue, Henrico County, Richmond, Virginia (the “Facility”);

Whereas the Order requires LSI and Alcatel-Lucent to implement the corrective measures selected by EPA in the June 28, 1991 RCRA Record of Decision (“ROD”), as modified by three Explanation of Significant Differences (“ESD”) dated February 13, 1992, December 11, 1992 and May 16, 2011, respectively, in accordance with the terms and conditions therein;

Whereas on or about January 4, 2016, subsequent to a tender offer, Nokia Corporation became the majority shareholder of Alcatel Lucent, SA. Following the tender offer, Alcatel-Lucent USA Inc. survived as a legal entity. Effective January 1, 2018, Nokia Solutions and Networks US LLC was merged into Alcatel-Lucent USA Inc., with Alcatel-Lucent USA Inc. being the surviving legal entity. As of that same merger date, Alcatel-Lucent USA Inc. changed its name to Nokia of America Corporation (“Nokia”);

Whereas EPA issued a Fourth ESD dated March 5, 2020;

Whereas the Fourth ESD modified the selected corrective measures for the Facility to allow for source removal and contingent treatment of hot spots followed by shut down of the groundwater remediation system and transitioning to Monitored Natural Attenuation as the long-term remedy if supported by groundwater monitoring data and to add 1,4-dioxane and vinyl chloride to the list of Facility-related contaminants of concern and establishing 4.6 micrograms per liter and 2.0 micrograms per liter as the cleanup goal for those contaminants in groundwater; and

Whereas it is the mutual objective of EPA, as well as LSI and Nokia (“Respondents”), to have LSI continue to implement the corrective measures selected by the ROD as modified by the four ESDs described above;

The Order is hereby modified as follows:

1. Section III. STATEMENT OF PURPOSE, is modified to read:

In entering into this Order, the mutual objective of EPA and Respondents is to have LSI continue to implement the corrective measures selected by EPA in the June 28, 1991 RCRA Record of Decision (“ROD”), as modified by four Explanation of Significant Differences (“ESD”) dated February 13, 1992, December 11, 1992, May 16, 2011, and March 5, 2020 respectively, in accordance with the terms and conditions set forth below. The RCRA ROD and the four ESDs are collectively referred to as “the ROD, as modified” and are attached as Attachment 1 to this Order and made a part of this Order.

2. Section VI.E.2(a)(3) is modified to read:

Until the Clean-up Goals set forth in the ROD, as modified, at all identified Points of Compliance have been achieved and LSI can demonstrate no further exceedance of the Clean-Up Goals for a subsequent period of three years, LSI shall continue to submit monitoring reports as provided in the May 14, 2020 EPA-approved Remedial Action Work Plan, including any EPA-approved revisions to that Work Plan.

3. Section VI.E.2(a)(5) is modified to read:

Commencing on the Effective Date of this Order and continuing thereafter, LSI may request that EPA prepare and issue a determination that the Clean-Up Goals have been achieved. LSI shall provide EPA with all available documentation and information to support such request. EPA shall review such request and notify LSI and Nokia, in writing, of its determination and the basis therefore. If EPA agrees that LSI has met the Clean-up Goals at all Points of Compliance and fulfilled the requirements of the ROD, as modified, and of this Order, LSI may cease implementation of the corrective measures in the ROD, as amended;

however, LSI must continue the groundwater monitoring program in accordance with the May 14, 2020 EPA-approved Remedial Action Work Plan, including any EPA-approved revisions to that workplan, until LSI can demonstrate that the Clean-Up Goals have been met at all Points of Compliance for a period of three years.

4. Section XII.A(3) is modified to read:

Documents to be submitted to Nokia shall be sent to:

G. John Galasso, P.E.  
Remediation Manager  
Nokia of America Corporation  
600 Mountain Avenue  
Murray Hill, NJ 07974  
Telephone: (908) 307-2140  
Email: john.galasso@nokia.com

5. The term “Effective Date” in the Order shall continue to refer to the date upon which the original Order became effective, i.e., March 4, 2013.
6. All references to “Alcatel-Lucent” in the Order shall refer to “Nokia.”
7. All other provisions in the Order shall remain in full force and effect.
8. This First Amendment shall be effective and incorporated into this Order on the date it is signed by EPA. This First Amendment may be signed in any number of counterparts (including facsimile and electronic transmission counterparts), each of which shall be an original, with the same effect as if the signatures were upon the same instrument.

IT IS SO AGREED:

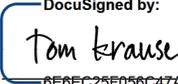
THE UNDERSIGNED PARTY enters into this First Amendment to Administrative Order on Consent, Docket Number RCRA-03-2013-0105CA.

For EPA

By: \_\_\_\_\_ Date: \_\_\_\_\_  
John A. Armstead  
Director  
Land, Chemicals and Redevelopment Division  
Region III, U.S. Environmental Protection Agency

THE UNDERSIGNED PARTY enters into this First Amendment to Administrative Order on Consent, Docket Number RCRA-03-2013-0105CA.

For LSI Corporation

By:   
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\_\_\_\_\_  
Thomas Krause Jr.  
President  
LSI Corporation

Date: Oct-02-2020

THE UNDERSIGNED PARTY enters into this First Amendment to Administrative Order on Consent, Docket Number RCRA-03-2013-0105CA.

For Nokia of America Corporation (f/k/a Alcatel-Lucent USA Inc.)

By: **Brian Lynch** Digitally signed by Brian Lynch  
Date: 2020.10.05 09:09:02  
-04'00' \_\_\_\_\_ Date: 10/5/20  
Brian Lynch  
Nokia of America Corporation  
Head Facility Management Services Americas Region