

C₂ REM

COORDINATION, CLIENT REPRESENTATION AND ENVIRONMENTAL MANAGEMENT

Mr. Dante Rodriguez
U.S Environmental Protection Agency
Region IX
75 Hawthorne Street
San Francisco, CA 94105

August 18, 1999

Project No.: 97-101

**Transmittal
Notice of U.S. E.P.A. Order
Del Amo Pits Superfund Site**

Dear Mr. Rodriguez:

Please find enclosed a copy of the Notice of the U.S. E.P.A. Order, which was recorded in the Official Records of the Recorder's office of Los Angeles County at 10:21 a.m., on August 3, 1999, as Document No. 99-1453930.

This activity has been completed pursuant to United States Unilateral Administrative Order [U.S. E.P.A. Docket No. 99-08 section VIII (parties bound) page 23 paragraph 25]. The order is indexed to the Title for that portion of the site owned by Triton Diagnostics, Inc., a wholly owned subsidiary of Shell Oil Company (Order Respondent).

Should you have any questions or comments, please call me at (949) 261-8098.

Sincerely,



Edmond F. Bourke, C₂ REM
Respondent Coordinator

Attachments

Cc: Chuck Paine, Shell Oil Company
Gloria Conti, DTSC



Recording Requested by and When Recorded Return to: David J. Earle Law Offices of David J. Earle 138 North Brand Boulevard Suite 303 Glendale, California 91203 818.242.4700	
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Space Above For L.A. County Recorder's Use Only

NOTICE OF U.S. E.P.A ORDER

KNOW ALL PERSONS BY THIS NOTICE that on [DATE] the United States Environmental Protection Agency issued a "Unilateral Administrative Order For Remedial Action" which affects possession and use of the following described Property owned by [PROPERTY OWNER].:

[LEGAL DESCRIPTION]

The above described Order, a true and exact copy of which is attached hereto as Exhibit A, requires by its terms at paragraph __ (page __) that [PROPERTY OWNER], as the owner of the above described property, record a true and exact copy of the Order in the Official Records of Los Angeles County as a document affecting the possession and use of the above described property.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed this ___ day of July, 1999 at Glendale, California

[PROPERTY OWNER]

By: David J. Earle, Attorney in Fact for [PROPERTY OWNER]

State of California)
County of Los Angeles) ss.

On ___ [date]___, before me, ___ [name and title of officer]___ personally appeared ___ [declarant]___ personally known to me to be ther person whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her authorized capacity and that by his/her signature on the instrument the person(s) or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

[NOTARY SEAL]

Signature of Notary

RECORDING REQUEST BY
WHEN RECORDED MAIL TO

99 1453930

NAME

DAVID S. EARLE

MAILING
ADDRESS

138 N. Brand Blvd, Ste 303

CITY, STATE
ZIP CODE

Glendale, CA 91203

RECORDED/FILED IN OFFICIAL RECORDS
RECORDER'S OFFICE
LOS ANGELES COUNTY
CALIFORNIA
10:21 AM AUG 03 1999

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TITLE(S)

NOTICE OF ZPA ORDER

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EXAMINER S INT.

Assessor s Identification Number (AIN)
To Be Completed By Examiner Or Title Company In Black Ink

Number of Parcels Shown

Recording Requested by and When Recorded Return to:

David J. Earle
Law Offices of David J. Earle
138 North Brand Boulevard
Suite 303
Glendale, California 91203
818.242.4700

99 1453930

FEE \$ 157 \$ 51

D.A. FEE Code 20 \$ 2-

Space Above For L.A. County Recorder's Use Only

KNOW ALL PERSONS BY THIS NOTICE that on May 3, 1999 the United States Environmental Protection Agency issued a "Unilateral Administrative Order For Remedial Action" which affects possession and use of the following described Property owned by Triton Diagnostics Inc.:

Lot 36 of Tract 4671, in the City of Los Angeles, as per map recorded in Book 56, Pages 30 and 31 of Maps, in the office of the County Recorder of the County of Los Angeles.

Together with the Westerly 62 feet of Lot 37 of said Tract, together with those portions of Lot 13 of said Tract and Rosemead Street, shown and dedicated upon said Tract and vacated by the Board of Supervisors of said County, a copy of which vacation recorded in Book 6142, Page 206 of the Official Records of said County which lie easterly of a line parallel with distant Westerly 100 feet from the center line of said Rosemead Street.

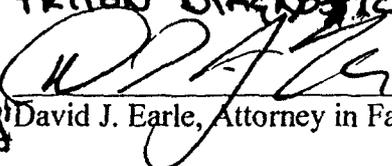
EXCEPT from the above mentioned Lots and Street a 100 foot strip of land described in the deed to the Department of Water and Power of the City of Los Angeles recorded in Book 19574, Page 48, in the Official Records of Los Angeles County.

The above described Order, a true and exact copy of which is attached hereto as Exhibit A, requires by its terms at paragraph 25 (page 23) that Triton Diagnostics Inc., as the owner of the above described property, record a true and exact copy of the Order in the Official Records of Los Angeles County as a document affecting the possession and use of the above described property.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed this 27th day of July, 1999 at Glendale, California

TRITON DIAGNOSTICS INC,

by  David J. Earle, Attorney in Fact for Triton Diagnostics Inc.

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

County of Los Angeles } ss.

On 7-27-99, before me, Margaret Earle, notary public
Date Name and Title of Officer (e.g., "Jane Doe, Notary Public")

personally appeared David J. Earle
Name(s) of Signer(s)

- personally known to me
- proved to me on the basis of satisfactory evidence

to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



WITNESS my hand and official seal.

Margaret Earle
Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: _____

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer

Signer's Name: _____

- Individual
- Corporate Officer — Title(s): _____
- Partner — Limited General
- Attorney in Fact
- Trustee
- Guardian or Conservator
- Other: _____

Signer Is Representing: _____



EXHIBIT "A"

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
Region IX

In The Matter Of:)

The Del Amo Superfund Site)
Del Amo Waste Pits Operable Unit)

SHELL OIL COMPANY;)
DOW CHEMICAL COMPANY;)
MICHELIN NORTH AMERICA, INC.,)
on behalf of itself and)
UNIROYAL GOODRICH TIRE COMPANY;)
GOODYEAR TIRE AND RUBBER COMPANY;)
UNITED STATES GENERAL SERVICES)
ADMINISTRATION)

Respondents)

U.S. EPA
Docket No.99-08

Proceeding Under Section 106(a) 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(a)))

UNILATERAL ADMINISTRATIVE ORDER
FOR REMEDIAL ACTION

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ATTACHMENTS

Attachment 1: Record of Decision

Attachment 2: Statement of Work

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ADMINISTRATIVE ORDER
FOR REMEDIAL ACTION

I. INTRODUCTION AND JURISDICTION

1. This Order directs Shell Oil Company, Dow Chemical Company, Michelin North America Inc. on behalf of itself and Uniroyal Goodrich Tire Company, and the Goodyear Tire and Rubber Company (collectively, Respondents") to implement a remedial action for the remedy described in the Record of Decision for the Del Amo Superfund Site, Waste Pits Operable Unit, dated September 5, 1997. The obligations of Respondent United States General Services Administration ("GSA") are addressed in paragraph 20 of this Order. This Order is issued to Respondents by the United States Environmental Protection Agency ("EPA") under the authority vested in the President of the United States by section 106(a) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended ("CERCLA"), 42 U.S.C. § 9606(a). This authority was delegated to the Administrator of EPA on January 23, 1987, by Executive Order 12580 (52 Fed. Reg. 2923, January 29, 1987). This authority was further delegated to EPA Regional Administrators on May 11, 1994 by EPA Delegation No. 14-14-B, and was further delegated to the Director, Superfund Division, Region IX on September 29, 1997.

II. FINDINGS OF FACT

2. Site History

A. The Del Amo Superfund Site (the "Site") is located in a section of the city of Los Angeles known as the Harbor Gateway, a half mile wide appendage of the city that extends from the main body of the city south to the coast near Long Beach, California. The Site is located approximately 6 miles south of the main body

1 of the city and 10 miles north of the Pacific Coast. The subject
2 of this Order is the Waste Pits Area, a 5-acre portion of the
3 Site located at the southern Site boundary in a part of the Site
4 formerly occupied by a synthetic rubber manufacturing operation.
5 The Waste Pits Area consists of two parcels: Lot 36 and Lot 37,
6 as identified on the Los Angeles County Assessor's Map Number
7 7351-034 Northwest. (See Figure 1 of the Record of Decision for
8 the Del Amo Waste Pits Operable Unit, which is appended hereto as
9 Attachment 1.)

10 B. From 1942 through 1971, a synthetic rubber
11 manufacturing operation, consisting of three separate plants,
12 covered 280 acres at the Site. From 1942 until 1955, the rubber
13 manufacturing operation consisted of a styrene plant operated by
14 Dow Chemical Company, a butadiene plant operated by Shell Oil
15 Company, and a synthetic rubber (copolymer) plant operated by
16 U.S. Rubber Company (Uniroyal Goodrich Tire Company), Goodyear
17 Tire & Rubber Company, and others. During this period, the United
18 States owned all three plants, which were operated by the above-
19 noted companies under agreements with the United States. In 1955,
20 the United States sold all three plants to Shell Oil Company, and
21 Shell continued to operate these plants until 1971.

22 C. Synthetic rubber was produced by manufacturing styrene
23 and butadiene separately, piping them to the rubber plant, and
24 then chemically synthesizing the two into synthetic rubber. Raw
25 materials and finished products were stored primarily in
26 aboveground tanks. Some feedstock chemicals, particularly
27 benzene, were delivered via underground pipeline from off-site
28 sources. The primary feedstocks for styrene manufacture were
propane and crude benzene. Other chemicals used or produced in
the process included toluene, ethylbenzene, styrene, hydrochloric
acid, and sulfuric acid. The feedstocks for butadiene
manufacture, including a mixture of butane, butylene and
butadiene, were received primarily by pipeline. Synthetic rubber

1 was produced in a series of reactions by combining styrene and
2 butadiene with lesser amounts of other chemicals, including soap
3 solutions and acid solutions.

4 D. At various times during the operation of the facility,
5 wastes from the production processes were disposed of in a waste
6 disposal area located on Lots 36 and 37 of the Site ("the Waste
7 Pits Area"). The Waste Pits Area consists of a series of six
8 unlined waste disposal pits and four unlined evaporation ponds,
9 which have been covered or filled with soil at various points in
10 the past.

11 E. Contaminated waste remains beneath the soil surface at
12 various locations in the Waste Pits Area, and soil beneath and
13 adjacent to the waste disposal pits is also contaminated. The
14 groundwater beneath the pits is heavily laden with hazardous
15 substances from both the waste pits and other upgradient Site
16 sources.

17 F. When Shell Oil Company closed the three plants in 1972,
18 the unlined waste disposal pits and evaporation ponds had already
19 been covered with soil fill. Shell sold the property to a
20 development company in 1972, and the three plants were
21 dismantled.

22 G. Most of the 280-acre area once occupied by the
23 synthetic rubber manufacturing operation has since been
24 redeveloped as an industrial park. Today, Lot 36 of the 5-acre
25 Waste Pits Area is a vacant lot surrounded by a double row of
26 chain-link fencing and covered by soil fill and weeds. Lot 36 is
27 currently owned by Triton Diagnostics, a wholly owned subsidiary
28 of Shell Oil Company. Pursuant to an EPA unilateral
administrative order, Shell Oil Company conducts regular
inspections of Lot 36 as well as regular fence maintenance and
weed mowing. Lot 37 of the 5-acre Waste Pits Area is currently

1 owned by USA Waste, Inc., and is also a vacant lot covered by
2 soil fill and vegetation and surrounded by a double row chain
3 link fence. The Waste Pits Area is bounded by industrial and
4 commercial development on the north and by Del Amo Boulevard with
5 adjacent residences on the south. Electrical power transmission
6 easements run along the northern and southern boundaries of the
7 Waste Pits Area, and two major underground petroleum and chemical
8 pipeline corridors run along its southern boundary. The adjacent
9 residential community south of the Waste Pits Area lies within
10 the jurisdiction of unincorporated Los Angeles County.

11 H. The land upon which the Site sits is a relatively flat
12 alluvial plain. Underlying the Site are alluvial deposits of
13 sands, silts and clays that extend down hundreds of feet. These
14 deposits contain four distinct and separate aquifers, the third
15 and fourth (deepest) of which are used for municipal drinking
16 water. There are no surface water resources at the Site.

17 I. The Record of Decision for the Del Amo Waste Pits
18 Operable Unit (September 5, 1997) and the Focused Feasibility
19 Study Report for the Waste Pits Area (December 1996) describe the
20 Site conditions and the Waste Pits Area in greater detail.

21 3. Respondents

22 A. Respondent Shell Oil Company was, from 1942 until 1955,
23 the operator of the butadiene plant at the Site under an
24 agreement with the United States, which owned all three plants.
25 In 1955, Respondent Shell Oil Company purchased all three plants,
26 and continued to own and operate the three plants (including the
27 Waste Pits Area) until 1971. From the mid-1940's through 1971,
28 hazardous substances, including some or all of those described in
Section II, Paragraph 5A below, were, at various times, disposed
of at the Waste Pits Area.

1 B. Respondent Dow Chemical Company was, from 1942 until
2 1955, the operator of the styrene plant at the Site under an
3 agreement with the United States, which owned all three plants
4 (including the Waste Pits Area). At various times during that
5 period, hazardous substances, including some or all of those
6 described in Section II, Paragraph 5A below, were disposed of at
7 the Waste Pits Area by Dow Chemical Company.

8 C. Respondent GSA has been administratively assigned
9 certain responsibilities attributable to the various federal
10 government corporations and entities that owned the Site on
11 behalf of the United States for a period of time during and
12 following World War II. Those federal government corporations
13 and entities have been terminated. During their ownership of the
14 Site, hazardous substances, including some or all of those
15 substances described in Section II, Paragraph 5.A below, were
16 disposed of at the Waste Pits Area.

17 D. Respondent Goodyear Tire and Rubber Company was, from
18 1943 until 1949, the operator of the copolymer plant known as
19 Plancor 611 at the Site under an agreement with the United
20 States. At various times during that period, Goodyear Tire and
21 Rubber Company arranged for the disposal and treatment of
22 hazardous substances owned or possessed by Goodyear Tire and
23 Rubber Company, including some or all of those hazardous
24 substances described in Section II, Paragraph 5A below, at or in
25 the Waste Pits Area.

26 E. Respondent Michelin North America Inc, is the successor
27 by merger to Uniroyal Goodrich Tire Company, a dissolved
28 corporation. Uniroyal Goodrich Tire Company is the successor to
U.S.Rubber. U.S.Rubber was from 1943 until 1949, the operator of
the copolymer plant known as Plancor 611-A at the Site under an
agreement with the United States. At various times during that
period, U.S. Rubber Company arranged for the disposal and

1 treatment of hazardous substances owned or possessed by U.S.
2 Rubber Company, including some or all of those hazardous
3 substances described in Section II, Paragraph 5A below, at or in
4 the Waste Pits Area.

5
6 4. History of EPA investigation

7 A. In 1983, the California Department of Toxic Substances
8 Control (DTSC) began investigating waste disposal areas within
9 the Waste Pits Area. In 1984, contamination was discovered in the
10 waste pits and underlying soils. From 1985 until 1991, Dow
11 Chemical Company, Shell Oil Company and G.P. Holdings (a
12 landowner identified as a potentially responsible party)
13 undertook a Remedial Investigation and Feasibility Study
14 ("RI/FS") for Lot 36 under a Memorandum of Agreement and
15 subsequently under an Administrative Order with the California
16 Department of Toxic Substances Control ("DTSC"). In 1991, DTSC
17 issued a Notice of Non-Compliance and terminated the
18 Administrative Order. In July 1991, EPA proposed the Del Amo Site
19 to be added to EPA's National Priorities List (NPL), and DTSC
20 referred the Site to EPA shortly thereafter.

21 B. To study and undertake response activities in phases,
22 EPA divided the Site into operable units. The operable units for
23 the Site are the Waste Pits Area, the groundwater, and the
24 remainder of the Site (primarily soil contamination). This Order
25 addresses remedial action at the Waste Pits Operable Unit.

26 C. On May 7, 1992, Shell Oil Company and Dow Chemical
27 Company, entered into an Administrative Order on Consent (U.S.
28 EPA Docket No. 92-13) with EPA and California Department of Toxic
Substances Control (DTSC) agreeing to perform a Remedial
Investigation/ Feasibility Study (RI/FS) for the Site, pursuant
to CERCLA and the National Contingency Plan, 40 C.F.R. Part 300.

1 In addition, Dow and Shell agreed to perform an accelerated RI/FS
2 for the Waste Pits Area. After rejecting several drafts of the
3 focused RI/FS for the Waste Pits Area due to inaccuracies and
4 poor quality, EPA performed part of the RI/FS, which Shell Oil
5 Company and Dow Chemical Company included into the focused RI/FS
6 for the Waste Pits Area. EPA finally approved the revised Focused
7 Feasibility Study Report for the Waste Pits Area in December,
8 1996.

9 D. Pursuant to section 117 of CERCLA, 42 U.S.C. § 9617,
10 EPA published notice of the completion of the Focused Feasibility
11 Study Report for the Waste Pits Area and of the proposed plan for
12 remedial action on December 16, 1996, and provided opportunity
13 for public comment on the proposed remedial action.

14 E. The decision by EPA on the remedial action to be
15 implemented at the Del Amo Superfund Site, Del Amo Waste Pits
16 Operable Unit, is embodied in a Record of Decision ("ROD"),
17 executed on September 5, 1997, on which the State of California
18 has given its concurrence. The Record of Decision is attached to
19 this Order as Attachment 1 and is incorporated by reference. The
20 Record of Decision is supported by an administrative record that
21 contains the documents and information upon which EPA based the
22 selection of the response action.

23 5. Site Releases

24 A. The primary contaminants of concern in the Waste Pits
25 Area are semi-volatile organic compounds (SVOCs) and volatile
26 organic compounds (VOCs). Benzene, a VOC and known human
27 carcinogen, is the most frequently found hazardous substance in
28 the waste pits, the soil beneath and adjacent to the waste pits,
and the groundwater. Other VOCs found in the Waste Pits Area
include toluene, ethylbenzene and styrene. Naphthalene, an SVOC,
is the polycyclic aromatic hydrocarbon (PAH) found most often and

1 in the highest concentration in both the waste pits and the soil.
2 Although naphthalene is not classified as a human carcinogen,
3 acute or chronic exposure to naphthalene can cause a number of
4 adverse health effects in humans, including cataracts, dermatitis
5 and anemia. Other SVOCs found in the Waste Pits Area include
6 anthracene, chrysene, fluorene, and phenanthrene. Test results
7 indicate that the waste pits are also capable of emitting
8 significant levels of hydrogen sulfide gas into the atmosphere if
9 the waste comes into contact with air. Finally, the groundwater
10 beneath and immediately downgradient of the waste pits is
11 contaminated with benzene, ethylbenzene, and phenol.
12 Contamination in groundwater at the Site is being addressed by
13 EPA as a separate Operable Unit.

14 B. Waste disposal practices at the Site from the mid-
15 1940's through 1971 resulted in contamination of the Waste Pits
16 Area by the chemicals described in the preceding paragraph.
17 Wastes generated at the Site and disposed of in the unlined pits
18 and evaporation ponds in the Waste Pits Area include, but are not
19 limited to, aqueous waste, waste styrene, semi-viscous and
20 viscous wastes, aluminum chloride complex wastes (containing
21 large amounts of hydrocarbons), acid sludge (a by-product of the
22 treatment of benzene and sulfuric acid), kaolin clay (used to
23 dehydrate alcohol and produce ethylene), and lime slurry (a by-
24 product of a zeolite softening system).

25 C. Site investigations indicate that the contaminants have
26 migrated into the soils underneath and adjacent to the waste
27 disposal pits and evaporation ponds and into the groundwater
28 beneath the Waste Pits Area. The former evaporation ponds have
29 been designated as "Pits 1A, 1B, 1C, and the Eastern Evaporation
30 Pond." The former disposal pits have been designated as "Pits 2A,
31 2B, 2C, 2D, 2E and 2F." All of the series 2 Pits and Pits 1B and
32 1C are located on Lot 36. Pit 1-A and the Eastern Evaporation
33 Pond are located on Lot 37. Waste was removed from Pit 1-A on

1 Lot 37 in the mid-1980's, but vadose zone soil contamination
2 continues to exist. The waste material in pits 1B and 1C is
3 covered with 2-4 feet of clean soil, and the waste extends down
4 an average of 9 feet. The waste material in the 2-series pits is
5 covered with 3-15 feet of soil fill, and the waste extends down
6 21 to 32 feet. Beneath several of the pits, contaminated soil
7 extends down to the water table, a depth of approximately 60
8 feet. The lateral extent of the contaminated soil on Lot 36 is
9 roughly confined within the inner fence that surrounds the pits.
10 The predominant contaminants in the groundwater beneath and
11 immediately downgradient of the pits are benzene (with
12 concentrations as high as 470,000 ppb), ethylbenzene (with
13 concentrations as high as 15,000 ppb) and phenol (with
14 concentrations as high as 440 ppb). The data show a sharp rise in
15 groundwater contamination in the immediate vicinity of the Waste
16 Pits Area as compared with contaminant levels further upgradient,
17 indicating that contaminants from the waste pits are migrating to
18 and causing significant contamination of the underlying
19 groundwater.

16 D. Air emissions tests performed at the Waste Pits Area
17 revealed that the waste pits and adjacent contaminated soils are
18 capable of emitting significant levels of benzene and hydrogen
19 sulfide gas into the atmosphere if the waste is disturbed. These
20 emissions are of great concern due to the adverse health effects
21 that could result from exposure to these contaminants. Emissions
22 investigations performed at the Waste Pits Area also found
23 emissions of several VOCs in addition to benzene, including
24 toluene, ethylbenzene and styrene. SVOC emissions included
25 anthracene, chrysene, fluorene, and naphthalene.

24 E. The exposure pathways of concern for the Waste Pits
25 Area are groundwater exposure and surface exposure. Shell Oil
26 Company and Dow Chemical Company performed a risk assessment for
27 surface exposure, assuming that the people most affected by any

1 hazardous substance releases from the Waste Pits Area would be
2 residents located at the fence line on the south side of the
3 pits, office workers located at the northern fence line, and a
4 maintenance worker on the waste pits themselves. The risk
5 assessment did not quantitatively assess risks associated with
6 contaminated groundwater because the Waste Pits Operable Unit ROD
7 selects an interim action for groundwater. However, the
8 groundwater concentration of benzene (as high as 470,000 ppb)
9 underneath the waste pits significantly exceeds the federal MCL
10 of 5 ppb and the California MCL of 1 ppb.

11 6. Summary of Site Risks

12 A. The risk assessment for the Waste Pits Area suggests
13 that the contaminants do not currently pose an unacceptable
14 threat to human health for persons living or working at the
15 ground surface at or near the Waste Pits Area, provided that the
16 existing controls at the Waste Pits Area (soil fill cover over
17 the waste, double row of chain-link fence, routine inspection and
18 maintenance) and the current emissions rates remain as they are
19 today. However, if the waste pits were disturbed, significant
20 emissions of volatile contaminants, particularly hydrogen
21 sulfide, could be released, which would pose a significant and
22 unacceptable risk to the public. There is substantial uncertainty
23 regarding the reliability of the risk assessment assumption that
24 existing conditions (i.e. fencing) are adequate to prevent human
25 intrusions into the site and potential human incursions into the
26 waste itself. In addition, future development activities,
27 including trenching or excavations (for structures, pipelines or
28 utilities), or natural erosion, such as erosion resulting from
major storms, could expose waste material to the surface.
Emissions testing of disturbed waste revealed that the waste
material can emit significant levels of volatile contaminants,
such as hydrogen sulfide gas, benzene and styrene. Acute exposure
to these contaminants can cause irritation, dizziness,

1 suffocation, and even death. Consequently, if conditions at the
2 Waste Pits Area were to change, exposures and resultant risks to
3 humans at or in the vicinity of the Waste Pits Area would likely
4 be substantially higher and at unacceptable levels. Indeed, on
5 July 15, 1994, EPA issued a Unilateral Administrative Order to
6 Shell Oil Company following the discovery of small areas of
7 exposed waste in the Waste Pits Area. The Order requires Shell to
8 conduct regular inspections and maintain the Waste Pits Area and
9 in particular, to detect and cover or remove exposed waste
10 material. The Unilateral Administrative Order for inspection and
11 maintenance of the Waste Pits Area remains in effect.

12 B. The groundwater beneath the Waste Pits Area contains
13 contaminant concentrations in excess of Maximum Contaminant
14 Levels (MCLs) as a direct result of uncontrolled migration of
15 waste pits contamination into the groundwater. Because the
16 groundwater under the Waste Pits Area is classified as a
17 potential source of drinking water by the State of California,
18 EPA determined that this exceedance of MCLs by the groundwater
19 warrants remedial action to prevent additional migration of
20 contaminants from the Waste Pits Area into the groundwater.

21 7. The Record of Decision (ROD) for the Del Amo Waste Pits
22 Operable Unit (September 5, 1997) selects a final remedy for the
23 Waste Pits Area addressing potential human exposures to waste pit
24 contaminants at or near the ground surface. The ROD also selects
25 an interim groundwater remedy for the Waste Pits Area by
26 selecting measures to prevent continued migration of hazardous
27 substances from the waste pits or surrounding soil to the
28 groundwater. As summarized in ROD declaration, the major
components of the selected remedy include:

- Placement of a RCRA-equivalent cap over the Waste Pits
Area as described in this ROD, and associated soil gas
monitoring;

1 - Installation of surface water controls to prevent ponding
2 of water on the cap and to prevent runoff onto adjacent
3 properties;

4 - Installation and operation of a soil vapor extraction
5 system (SVE) beneath the Waste Pits Area to achieve the interim
6 soil remediation standards established in this ROD;

7 - Installation of security fencing around the treatment
8 units associated with the cap and the SVE systems;

9 - Implementation of deed restrictions prohibiting future
10 residential use of the Waste Pits Area and prohibiting any future
11 use of the Waste Pits Area that could threaten the integrity of
12 the RCRA equivalent cap; and

13 - Long-term operation and maintenance of all of the above
14 and related components of the remedy selected in this ROD.

15
16 8. The remedy addresses the risks posed by the release or
17 threat of release hazardous substances as follows:

18 A. The construction of a RCRA-equivalent cap will result
19 in a permanent cover over the Waste Pits Area that will eliminate
20 the direct contact, ingestion and vapor inhalation pathways of
21 contaminant exposure. The cap also provides a significant
22 physical barrier against human incursions into the waste, and
23 provides some measure of groundwater protection by preventing
24 significant rainwater infiltration through the waste and
25 contaminated soil. The cap's surface water collection and
26 diversion system will prevent ponding of water in the cap and
27 uncontrolled runoff onto adjacent properties, and the cap's vapor
28 collection and treatment system will prevent the emission of
unacceptable levels of contaminants into the air.

1 B. Installation and operation of an SVE system will
2 enhance groundwater protection by removing migrating volatile
3 chemicals from the soil above the water table. This will protect
4 the groundwater aquifer from the downward migration of
5 contaminants that currently exist in the waste and soil, and it
6 will also prevent significant contamination of groundwater caused
7 by a rising water table coming into contact with contaminated
8 soils.

9 C. Installation of security fencing around the treatment
10 units associated with the cap and the SVE system will prevent
11 unauthorized access or tampering.

12 D. Deed restrictions prohibiting future residential use of
13 the Waste Pits area will prevent inappropriate future land use or
14 development. In addition, deed restrictions will prohibit any
15 future use of the Waste Pits Area that could threaten the
16 integrity of the RCRA-equivalent cap.

17 E. Long-term operation and maintenance of all components
18 of the remedial action will ensure the continued effectiveness of
19 the remedy and ensure that the remedy complies with the ROD
20 requirements at all times.

21 9. Respondent GSA has indicated its consent to the issuance of
22 this Order. Respondent Shell Oil Company has indicated its
23 willingness to perform the remedial action work pursuant to a
24 CERCLA Unilateral Administrative Order.
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1 IV. NOTICE TO THE STATE

2 19. On April 22, 1999, prior to issuing this Order, EPA notified
3 the State of California, Office of the Attorney General and the
4 Department of Toxic Substances Control, that EPA would be issuing
5 this Order.

6 V. ORDER

7
8 20. Based on the foregoing, Respondents Shell Oil Company, the
9 Dow Chemical Company, Michelin North America Inc. (on behalf of
10 itself and Uniroyal Goodrich Tire Company), and Goodyear Tire and
11 Rubber Company are hereby ordered to comply with the following
12 provisions and requirements of this Order, including but not
13 limited to all attachments to this Order, all documents
14 incorporated by reference into this Order, and all schedules and
15 deadlines in this Order, attached to this Order, or incorporated
16 by reference into this Order. As used in Paragraphs 22 through
17 70, 74 through 78, and 80 through 83 as well as in the attached
18 Statement of Work, the term "Respondents" shall mean Shell Oil
19 Company, the Dow Chemical Company, Michelin North America Inc, (on
20 behalf of itself and Uniroyal Goodrich Tire Company), and Goodyear
21 Tire and Rubber Company. The United States and Shell Oil Company
22 have entered into a Settlement Agreement approved and adopted on
23 April 26, 1994, by the United States District Court for the
24 Central District of California in Cadillac Fairview/California
25 Inc. v. Dow Chemical Company, et al, Civil Action Nos. 83-7996
26 and 83-8034 ("the 4/26/94 Settlement") under which the United
27 States, on behalf of GSA and any other federal agency that may be
28 a liable party under CERCLA at the Waste Pits Operable Unit, has
agreed to reimburse Shell Oil Company for a portion of the
necessary costs of response incurred by Shell at the Waste Pits
Operable Unit. Respondent GSA shall have no further obligations
under this Order beyond the United States' obligations set forth
in the 4/26/94 Settlement. Any disputes regarding the 4/26/94

1 Settlement shall be resolved in accordance with the provisions of
2 the 4/26/94 Settlement, and this Order shall not be construed as
3 amending or altering the 4/26/94 Settlement.

4 VI. DEFINITIONS

5 21. Unless otherwise expressly provided herein, terms used in
6 this Order which are defined in CERCLA or in regulations
7 promulgated under CERCLA shall have the meaning assigned to them
8 in the statute or its implementing regulations. Whenever terms
9 listed below are used in this Order or in the documents attached
10 to this Order or incorporated by reference into this Order, the
11 following definitions shall apply:

12 a. "CERCLA" shall mean the Comprehensive Environmental
13 Response, Compensation, and Liability Act of 1980, as amended, 42
14 U.S.C. §§ 9601 et seq.

15 b. "Day" shall mean a calendar day unless expressly stated
16 to be a working day. "Working day" shall mean a day other than a
17 Saturday, Sunday, or Federal holiday. In computing any period of
18 time under this Order, where the last day would fall on a
19 Saturday, Sunday, or Federal holiday, the period shall run until
20 the end of the next working day.

21 c. "EPA" shall mean the United States Environmental
22 Protection Agency.

23 d. "DTSC" shall mean the California Environmental
24 Protection Agency, Department of Toxic Substances Control.

25 e. "National Contingency Plan" or "NCP" shall mean the
26 National Contingency Plan promulgated pursuant to Section 105 of
27 CERCLA, 42 U.S.C. § 9605, codified at 40 C.F.R. Part 300,
28 including any amendments thereto.

1 f. "Operation and Maintenance" or "O&M" shall mean all
2 activities required under the Operation and Maintenance Plan
3 developed by Respondents pursuant to this Order and Section 6 of
4 the Statement of Work, and approved by EPA.

5 g. "Paragraph" shall mean a portion of this Order
6 identified by an arabic numeral.

7 h. "Performance Standards" shall mean those cleanup
8 standards, standards of control, and other substantive
9 requirements, criteria or limitations, identified in the Record
10 of Decision, that the Remedial Action and the Work required by
11 this Order must attain and maintain (including, without
12 limitation, the requirements and specifications identified in
13 pages 38 through 46 of the Record of Decision and in Attachment A
14 to the Record of Decision).

15 i. "Record of Decision" or "ROD" shall mean the EPA Record
16 of Decision relating to the Del Amo Superfund Site, Del Amo Waste
17 Pits Operable Unit, signed on September 5, 1997 by the Director,
18 Superfund Division, EPA Region IX, and all attachments thereto.

19 j. "Remedial Action" or "RA" shall mean those activities,
20 except for Operation and Maintenance, to be undertaken by
21 Respondents to implement the final plans and specifications
22 submitted by Respondents pursuant to the Remedial Action Work
23 Plan approved by EPA, including any additional activities
24 required under sections X, XI, XII, XIII, and XIV of this Order.

25 k. "Remedial Design" or "RD" shall mean those activities to
26 be undertaken by Respondents to develop the final plans and
27 specifications for the Remedial Action pursuant to the Remedial
28 Design Work Plan.

1 l. "Response Costs" shall mean all costs, including direct
2 costs, indirect costs, enforcement costs and accrued interest
3 incurred by (or on behalf of) EPA to perform or support response
4 actions at the Site. Response costs include but are not limited
5 to the costs of overseeing the Work, such as the costs of
6 reviewing or developing plans, reports, costs of implementing
7 deed restrictions, and other items pursuant to this Order and
8 costs associated with verifying the Work.

9 m. "Statement of Work" or "SOW" shall mean the statement of
10 work for implementation of the Remedial Action, as set forth in
11 Attachment 2 to this Order. The Statement of Work is
12 incorporated into this Order and is an enforceable part of this
13 Order.

14 n. "Section" shall mean a portion of this Order identified
15 by a roman numeral and includes one or more paragraphs.

16 o. "Site" shall mean the Del Amo Superfund Site, located in
17 the city of Los Angeles California, in a section of the city
18 known as the Harbor Gateway, as described in the Record of
19 Decision.

20 p. "State" shall mean the State of California.

21 q. "United States" shall mean the United States of America.

22 r. "Work" shall mean all activities Respondents are
23 required to perform under this Order to implement the ROD for the
24 Waste Pits Operable Unit, including Remedial Action, Operation
25 and Maintenance for the Operable Unit, and any activities
26 required to be undertaken pursuant to this Order.

27 s. "Remedial Design Workplan" or "RD Workplan" shall mean
28 the work plan approved by EPA for Remedial Design at the Site.

1 t. "Work Plan" shall mean the work plan approved by EPA for
2 Remedial Action at the Site.

3 VII. NOTICE OF INTENT TO COMPLY

4
5 22. Not later than five (5) days after the effective date of
6 this Order, Respondents shall provide (either jointly or
7 separately) written notice to EPA's Remedial Project Manager and
8 EPA's Assistant Regional Counsel stating whether they will comply
9 with the terms of this Order. If Respondents do not unequivocally
10 commit to perform the Remedial Action as provided by this Order,
11 they shall be deemed to have violated this Order and to have
12 failed or refused to comply with this Order. Respondents'
13 written notice shall describe, using facts that exist on or prior
14 to the effective date of this Order, any "sufficient cause"
15 defenses asserted by Respondents under sections 106(b) and
16 107(c) (3) of CERCLA. The absence of a response by EPA to the
17 notice required by this paragraph shall not be deemed to be
18 acceptance of Respondents' assertions.

19 VIII. PARTIES BOUND

20 23. This Order shall apply to and be binding upon Respondents
21 their directors, officers, employees, agents, successors, and
22 assigns. No change in the ownership, corporate status, or other
23 control of Respondents shall alter any of the Respondents'
24 responsibilities under this Order.

25 24. Respondents shall provide a copy of this Order to any
26 prospective owners or successors before a controlling interest in
27 Respondents' assets, property rights, or stock are transferred to
28 the prospective owner or successor. Respondents shall also
provide a copy of this Order to each contractor, sub-contractor,
laboratory, or consultant retained to perform any Work under this
Order, within five (5) days after the effective date of this

1 Order or on the date such services are retained, whichever date
2 occurs later. Respondents shall also provide a copy of this
3 Order to each person representing any Respondents with respect to
4 the Site or the Work and shall condition all contracts and
5 subcontracts entered into hereunder upon performance of the Work
6 in conformity with the terms of this Order. With regard to the
7 activities undertaken pursuant to this Order, each contractor and
8 subcontractor shall be deemed to be related by contract to the
9 Respondents within the meaning of section 107(b)(3) of CERCLA, 42
10 U.S.C. § 9607(b)(3). Notwithstanding the terms of any contract,
11 Respondents are responsible for compliance with this Order and
12 for ensuring that their contractors, subcontractors and agents
13 comply with this Order, and perform any Work in accordance with
14 this Order.

15 25. Within five days after the effective date of this Order each
16 Respondent who owns real property comprising all or part of the
17 Waste Pits Area shall record a copy or copies of this Order in
18 the appropriate government office where land ownership and
19 transfer records are filed or recorded and shall ensure that the
20 recording of this Order is indexed to the title of each and every
21 property in the Waste Pits Area so as to provide notice to third
22 parties of the issuance and terms of this Order with respect to
23 those properties. Respondents shall within fifteen days after the
24 effective date of this Order, send notice of such recording and
25 indexing to EPA. (1) Not later than sixty (60) days prior to any
26 transfer of any real property interest in any property included
27 within the Site, Respondent Shell Oil Company shall submit a true
28 and correct copy of the transfer documents to EPA, and shall
identify the transferee by name, principal business address and
effective date of the transfer.

IX. WORK TO BE PERFORMED

1
2 26. Respondents shall cooperate with EPA in providing
3 information regarding the Work to the public. As requested by
4 EPA, Respondents shall participate in the preparation of such
5 information for distribution to the public and in public meetings
6 which may be held or sponsored by EPA to explain activities at or
relating to the Site.

7 27. All aspects of the Work to be performed by Respondents
8 pursuant to this Order shall be under the direction and
9 supervision of a qualified project manager the selection of which
10 shall be subject to approval by EPA. Not later than five (5) days
11 after the effective date of this Order, Respondents shall notify
12 EPA in writing of the name and qualifications of the project
13 manager, including primary support entities and staff, proposed
14 to be used in carrying out Work under this Order. If at any time
15 Respondents propose to use a different project manager,
Respondents shall notify EPA and shall obtain approval from EPA
before the new project manager performs any Work under this
Order.

16
17 28. EPA will review Respondents' selection of a project manager
18 according to the terms of this paragraph and Section XI of this
19 Order. If EPA disapproves of the selection of the project
20 manager, Respondents shall submit to EPA within thirty (30) days
21 after receipt of EPA's disapproval of the project manager
22 previously selected, a list of project managers, including
23 primary support entities and staff, that would be acceptable to
24 Respondents. EPA will thereafter provide written notice to
25 Respondents of the names of the project managers that are
26 acceptable to EPA. Respondents may then select any approved
project manager from that list and shall notify EPA of the name
of the project manager selected within twenty-one (21) days of
EPA's designation of approved project managers.

1 29. Within 30 (thirty) days after Respondents select an approved
2 project manager, Respondents shall submit a Remedial Action Work
3 Plan (Work Plan) to EPA for review and approval. The Work Plan
4 shall be developed in accordance with the ROD and the attached
5 Statement of Work, and shall be consistent with the Final Design
6 as approved by EPA. The Work Plan shall include methodologies,
7 plans and schedules for completion of at least the following:
8 (1) selection of the remedial action contractor; (2) updating and
9 implementation of the CQAP; (3) development and submission of the
10 Health and Safety Plan; (4) identification of and satisfactory
11 compliance with applicable permitting requirements; (5) updating
12 and implementation of the Operation and Maintenance Plan
13 (including compliance activities); (6) updating and implementation
14 of the Site Management Plan (including contingency procedures);
15 (7) development and submission of the Performance Standards
16 Assessment Plan; (8) development and submission of deed
17 restrictions prohibiting future residential use of the Waste Pits
18 Area and prohibiting any future use which may impact the remedial
19 action at the Operable Unit including, but not limited to, the
20 integrity of the cap; (9) updating and implementation of the
21 Sampling and Analysis Plan. The Work Plan shall also include a
22 schedule for implementing all remedial action tasks identified in
23 the Statement of Work and shall identify the initial formulation
24 of Respondent's Remedial Action Project Team (including the
25 Supervising Contractor). Within 30 (thirty) days, Respondents
26 shall also submit to EPA for review the Health and Safety Plan
27 for field activities required by the Work Plan. The Health and
28 Safety Plan for field activities shall conform to applicable
Occupational Safety and Health Administration and EPA
requirements, including but not limited to the regulations at 54
Fed. Reg. 9294. Within 45 (forty-five) days, Respondents shall
submit to EPA for review the deed restrictions required by the
ROD and Work Plan. The deed restrictions for the Waste Pits Area:
(a) shall conform to all the requirements of California Civil
Code section 1471 pertaining to Environmental Covenants for Lands

1 Containing Hazardous Materials, and/or California Health and
2 Safety Code section 25222.1 and/or other identified California
3 statutory authority for environment land use restrictions; (b)
4 shall be provided in a legal instrument that runs with the land
5 and is binding upon each successive owner and/or operator of any
6 portion of the land affected by the ROD; and (c) shall be
7 enforceable under the laws of the State of California and all
8 applicable local jurisdictions. The deed restrictions shall
9 reference the ROD and shall specify who is responsible for the
10 ongoing monitoring and enforcement of the deed restrictions. At
11 the same time that Respondents provide EPA with a copy of the
12 proposed deed restrictions, Respondents shall provide to EPA a
13 legal opinion from Respondents stating that the deed restrictions
14 are in a form that complies with all applicable state and/or
15 local procedural and substantive legal requirements, binding in
16 perpetuity against current owners and future transferees and
17 successors, and enforceable against current owners and future
18 transferees and successors.

15 30. Upon approval by EPA, the Work Plan is incorporated into
16 this Order as a requirement of this Order and shall be an
17 enforceable part of this Order.

18 31. Upon approval of the Work Plan by EPA, Respondents shall
19 implement the Work Plan according to the schedules in the Work
20 Plan. Unless otherwise directed by EPA, Respondents shall not
21 commence remedial action at the Site prior to approval of the
22 Work Plan.

23 32. If Respondents seek to retain a construction contractor to
24 assist in the performance of the Remedial Action, then
25 Respondents shall submit a copy of the contractor solicitation
26 documents to EPA not later than five (5) days after publishing
27 the solicitation documents.

1 33. Within ten (10) days after EPA approves the Work Plan,
2 Respondents shall notify EPA in writing of the name, title, and
3 qualifications of any construction contractor proposed to be used
4 in carrying out work under this Order. EPA shall thereafter
5 provide written notice of the name(s) of the contractor(s) it
6 approves, if any. Respondents may select any approved contractor
7 from that list and shall notify EPA of the name of the contractor
8 selected within twenty one (21) days of EPA's designation of
9 approved contractors. If at any time Respondents propose to
10 change the construction contractor, Respondents shall notify EPA
11 and shall obtain approval from EPA as provided in this paragraph,
12 before the new construction contractor performs any work under
13 this Order. If EPA disapproves of the selection of any
14 contractor as the construction contractor, Respondents shall
15 submit a list of contractors that would be acceptable to them to
16 EPA within thirty (30) days after receipt of EPA's disapproval of
17 the contractor previously selected.

18 34. The Work performed by Respondents pursuant to this Order
19 shall, at a minimum, achieve the Performance Standards specified
20 in the Record of Decision and in Attachment 6 of the Statement of
21 Work.

22 35. Notwithstanding any action by EPA, Respondents remain fully
23 responsible for achievement of the Performance Standards in the
24 Record of Decision and Statement of Work. Nothing in this Order,
25 or in EPA's approval of the Statement of Work, or in the Remedial
26 Design or Remedial Action Work Plans, or approval of any other
27 submission, shall be deemed to constitute a warranty or
28 representation of any kind by EPA that full performance of the
Remedial Action will achieve the Performance Standards set forth
in the ROD and in the Statement of Work. Respondents' compliance
with such approved documents does not foreclose EPA from seeking
additional work to achieve the applicable performance standards.

1 36. Respondents shall, prior to any off-site shipment of
2 hazardous substances from the Site to an out-of-state waste
3 management facility, provide written notification to the
4 appropriate state environmental official in the receiving state
5 and to EPA's RPM of such shipment of hazardous substances.
6 However, the notification of shipments shall not apply to any
7 off-Site shipments when the total volume of all shipments from
8 the Site to the State will not exceed ten (10) cubic yards.

9 a. The notification shall be in writing, and shall include
10 the following information, where available: (1) the name and
11 location of the facility to which the hazardous substances are to
12 be shipped; (2) the type and quantity of the hazardous substances
13 to be shipped; (3) the expected schedule for the shipment of the
14 hazardous substances; and (4) the method of transportation.
15 Respondents shall notify the receiving state of major changes in
16 the shipment plan, such as a decision to ship the hazardous
17 substances to another facility within the same state, or to a
18 facility in another state.

19 b. The identity of the receiving facility and state will
20 be determined by Respondents following the award of the contract
21 for Remedial Action construction. Respondents shall provide all
22 relevant information, including information under the categories
23 noted in paragraph (.a) above, on the off-Site shipments as soon
24 as practicable after the award of the contract and before the
25 hazardous substances are actually shipped.

26 37. Within thirty (30) days after Respondents conclude that the
27 Remedial Action has been fully performed, Respondents shall so
28 notify EPA and shall schedule and conduct a pre-certification
inspection to be attended by Respondents and EPA. The pre-
certification inspection shall be followed by a written report
submitted within thirty (30) days of the inspection by a
registered professional engineer and Respondents' Project

1 Coordinator certifying that all components of the Remedial
2 Action, including but not limited to the implementation of deed
3 restrictions, have been completed in full satisfaction of the
4 requirements of this Order. The written report shall include a
5 legal opinion from Respondents that the deed restrictions are in
6 effect and in a form that complies with all applicable state
7 and/or local procedural and substantive legal requirements,
8 binding in perpetuity against current owners and operators and
9 future transferees, successors and operators, and enforceable
10 against current owners and operators and future transferees,
11 successors and operators. If, after completion of the pre-
12 certification inspection and receipt and review of the written
13 report, EPA determines that the Remedial Action or any portion
14 thereof has not been completed in accordance with this Order, EPA
15 shall notify Respondents in writing of the activities that must
16 be undertaken to complete the Remedial Action and shall set forth
17 in the notice a schedule for performance of such activities.
18 Respondents shall perform all activities described in the notice
19 in accordance with the specifications and schedules established
20 therein. If EPA concludes, following the initial or any
21 subsequent certification of completion by Respondents that the
22 Remedial Action has been fully performed in accordance with this
23 Order, EPA may notify Respondents that the Remedial Action has
24 been fully performed. EPA's notification shall be based on
25 present knowledge and Respondent's certification to EPA, and
26 shall not limit EPA's right to perform periodic reviews pursuant
27 to section 121(c) of CERCLA, 42 U.S.C. § 9621(c), or to take or
28 require any action that in the judgment of EPA is appropriate at
the Site, in accordance with 42 U.S.C. §§ 9604, 9606, or 9607.

38. Within thirty (30) days after Respondents concludes that
all phases of the Work have been fully performed, that the
Performance Standards have been attained, and that all Operation
and Maintenance activities have been completed, Respondents shall
submit to EPA (1) a written Remedial Action report by a

1 registered professional engineer certifying that the Work has
2 been completed in full satisfaction of the requirements of this
3 Order; and (2) a legal opinion from Respondents that the deed
4 restrictions are in effect and in a form that complies with all
5 applicable state and/or local procedural and substantive legal
6 requirements, binding in perpetuity against current owners and
7 operators and future transferees, successors and operators, and
8 enforceable against current owners and operators, and future
9 transferees, successors and operators. EPA shall require such
10 additional activities as may be necessary to complete the Work or
11 EPA may, based upon present knowledge and Respondent's
12 certification to EPA, issue written notification to Respondents
13 that the Work has been completed, as appropriate, in accordance
14 with the procedures set forth in Paragraph 37 for Respondent's
15 certification of completion of the Remedial Action. EPA's
16 notification shall not limit EPA's right to perform periodic
17 reviews pursuant to section 121(c) of CERCLA, 42 U.S.C.
18 § 9621(c), or to take or require any action that in the judgment
19 of EPA is appropriate at the Site, in accordance with 42 U.S.C.
20 §§ 9604, 9606, or 9607.

21 X. FAILURE TO ATTAIN PERFORMANCE STANDARDS

22 39. In the event that EPA determines that additional response
23 activities are necessary to meet applicable Performance
24 Standards, EPA may notify Respondents that additional response
25 actions are necessary.

26 40. Unless otherwise stated by EPA, within thirty (30) days of
27 receipt of notice from EPA that additional response activities
28 are necessary to meet any applicable Performance Standards,
Respondent(s) shall submit for approval by EPA a work plan for
the additional response activities. The plan shall conform to
the applicable requirements of sections IX, XVI, and XVII of this
Order. Upon EPA's approval of the plan pursuant to Section XIV,

1 Respondents shall implement the plan for additional response
2 activities in accordance with the provisions and schedule
3 contained therein.

4 XI. EPA PERIODIC REVIEW

5
6 41. Under section 121(c) of CERCLA, 42 U.S.C. § 9621(c), and any
7 applicable regulations, EPA may review the Site to assure that
8 the Work performed pursuant to this Order adequately protects
9 human health and the environment. Until such time as EPA
10 certifies completion of the Work, Respondents shall conduct the
11 requisite studies, investigations, or other response actions as
12 determined necessary by EPA in order to permit EPA to conduct the
13 review under section 121(c) of CERCLA. As a result of any review
14 performed under this paragraph, Respondents may be required to
15 perform additional Work or to modify Work previously performed.

16 XII. ADDITIONAL RESPONSE ACTIONS

17
18 42. EPA may determine that in addition to the Work identified in
19 this Order and attachments to this Order, additional response
20 activities may be necessary to protect human health and the
21 environment. If EPA determines that additional response
22 activities are necessary, EPA may require Respondents to submit a
23 work plan for additional response activities. EPA may also
24 require Respondents to modify any plan, design, or other
25 deliverable required by this Order, including any approved
26 modifications.

27
28 43. Not later than thirty (30) days after receiving EPA's notice
that additional response activities are required pursuant to this
Section, Respondents shall submit a work plan for the response
activities to EPA for review and approval. Upon approval by EPA,
the work plan is incorporated into this Order as a requirement of
this Order and shall be an enforceable part of this Order. Upon

1 approval of the work plan by EPA, Respondents shall implement the
2 work plan according to the standards, specifications, and
3 schedule in the approved work plan. Respondents shall notify EPA
4 of their intent to perform such additional response activities
5 within seven (7) days after receipt of EPA's request for
6 additional response activities.

7 XIII. ENDANGERMENT AND EMERGENCY RESPONSE

8 44. In the event of any action or occurrence during the
9 performance of the Work which causes or threatens to cause a
10 release of a hazardous substance or which may present an
11 immediate threat to public health or welfare or the environment,
12 Respondents shall immediately take all appropriate action to
13 prevent, abate, or minimize the threat, and shall immediately
14 notify EPA's Remedial Project Manager (RPM) or, if the RPM is
15 unavailable, EPA's Alternate RPM. If neither of these persons is
16 available, Respondents shall notify EPA's Section Chief. If
17 neither the RPM, the Alternate RPM, nor the Section Chief is
18 available, Respondents shall notify the EPA Emergency Response
19 Section, Region IX. Respondents shall take such action in
20 consultation with EPA's RPM and in accordance with all applicable
21 provisions of this Order, including but not limited to the Health
22 and Safety Plan and the Site Management Contingency Plan. In the
23 event that Respondents fails to take appropriate response action
24 as required by this Section, and EPA takes that action instead,
25 EPA reserves the right to bring an action under Section 107 of
26 CERCLA, 42 U.S.C. section 9607, for the recovery of all costs not
27 inconsistent with the NCP. Section XVIII of this order identifies
28 the EPA RPM, Alternate RPM and Section Chief and describes the
procedure for changing these designations.

45. Nothing in the preceding paragraph shall be deemed to limit
any authority of the United States to take, direct, or order all
appropriate action to protect human health and the environment or

1 to prevent, abate, or minimize an actual or threatened release of
2 hazardous substances on, at, or from the Site.

3 XIV. EPA REVIEW OF SUBMISSIONS
4

5 46. After review of any deliverable, plan, report or other item
6 which is required to be submitted for review and approval
7 pursuant to this Order, EPA may: (a) approve the submission; (b)
8 approve the submission with modifications; (c) disapprove the
9 submission and direct Respondents to re-submit the document after
10 incorporating EPA's comments; or (d) disapprove the submission
11 and assume responsibility for performing all or any part of the
12 response action. As used in this Order, the terms "approval by
13 EPA," "EPA approval," or a similar term means the action
14 described in paragraphs (a) or (b) of this paragraph.

15 47. In the event of approval or approval with modifications by
16 EPA, Respondents proceed to take any action required by the plan,
17 report, or other item, as approved or modified by EPA.

18 48. Upon receipt of a notice of disapproval and a request for a
19 modification, Respondents shall, within fifteen (15) days or such
20 longer time as specified by EPA in its notice of disapproval or
21 request for modification, correct the deficiencies and resubmit
22 the plan, report, or other item for approval. Notwithstanding
23 the notice of disapproval, or approval with modifications,
24 Respondents shall proceed, at the direction of EPA, to take any
25 action required by any non-deficient portion of the submission.

26 49. If any submission is disapproved by EPA, Respondents shall
27 be deemed to be in violation of this Order.
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XV. PROGRESS REPORTS

50. In addition to the other deliverables set forth in this Order, Respondents shall provide monthly progress reports to EPA with respect to actions and activities undertaken pursuant to this Order. The progress reports shall be submitted on or before the fifteenth (15th) day of each month following the effective date of this Order. At a minimum these progress reports shall: (1) describe the actions which have been taken to comply with this Order during the prior month; (2) describe all work planned for the next three months with schedules relating such work to the overall project schedule for RA completion; and (3) describe all problems encountered with the overall implementation of this Order and any anticipated problems, any actual or anticipated delays, and solutions developed and implemented to address any actual or anticipated problems or delays.

XVI. QUALITY ASSURANCE, SAMPLING AND DATA ANALYSIS

51. Respondents shall use the quality assurance, quality control, and chain of custody procedures described in the "EPA NEIC Policies and Procedures Manual," May 1978, revised May 1986, (EPA-330/9-78-001-R); EPA's "Guidelines and Specifications for Preparing Quality Assurance Program Documentation," June 1, 1987; EPA's "Data Quality Objective Guidance," (EPA/540/G87/003 and 004); EPA's "Guidance for Data Quality Objectives (DQO) Process," September 1994 (EPA QA/G-4); "Preparation of a U.S. EPA Region 9 Field Sampling Plan for Private and State-Lead Superfund Project," August 1993 (EPA QAMS DCN 9QA-06-93); USEPA Contract Laboratory Program (CLP) National Functional Guidelines for Inorganic Data Review," February 1994 (EPA 540/R-94/013); "USEPA Contract Laboratory Program (CLP) National Functional Guidelines for Organic Data Review," February 1994 (EPA 540/R-94/012); and any amendments to these documents, while conducting all sample collection and analysis activities required herein by any plan.

1 Federal or state permit or approval, Respondents shall submit
2 timely applications and take all other actions necessary to
3 obtain and to comply with all such permits or approvals.

4 55. This Order is not, and shall not be construed to be, a
5 permit issued pursuant to any Federal or state statute or
6 regulation.

7 56. All materials removed from the Site shall be disposed of or
8 treated at a facility approved by EPA's RPM and in accordance
9 with section 121(d)(3) of CERCLA, 42 U.S.C. § 9621(d)(3); with
10 the requirements for the off-site management of CERCLA hazardous
11 substances set forth in 40 CFR 300.440; and with all other
applicable Federal, state, and local requirements.

12 XVIII. REMEDIAL PROJECT MANAGER

13
14 57. All communications, whether written or oral, from
15 Respondents to EPA shall be directed to EPA's Remedial Project
16 Manager or, if the RPM is unavailable, EPA's Alternate Remedial
17 Project Manager. If neither of these persons is available,
18 Respondents shall direct their communications to the EPA Section
19 Chief. Respondents shall submit to EPA three copies of all
20 documents, including plans, reports, and other correspondence,
21 which are developed pursuant to this Order, and shall send these
22 documents by overnight mail, unless otherwise specified by the
RPM. At EPA's request, one or more of these copies shall be sent
directly to the EPA support contractor for this project.

23 EPA's Remedial Project Manager is:

24 Dante Rodriguez
25 Remedial Project Manager
26 U.S. Environmental Protection Agency
75 Hawthorne Street (SFD 7-1)
San Francisco, CA 94105
(415) 744-2239

1 EPA's Alternate Remedial Project Manager is:

2 Jeff Dhont
3 Remedial Project Manager
4 U.S. Environmental Protection Agency
5 75 Hawthorne Street (SFD 7-1)
6 San Francisco, CA 94105
7 (415) 744-2399

8 EPA's Section Chief is:

9 Michael Montgomery
10 Chief, Arizona/California Cleanup Section
11 U.S. Environmental Protection Agency
12 75 Hawthorne Street (SFD 7-1)
13 San Francisco, CA 94105
14 (415) 744-2362

15 58. EPA has the unreviewable right to change its Remedial
16 Project Manager, Alternate Remedial Project Manager, or Section
17 Chief. If EPA changes its Remedial Project Manager, Alternate
18 Remedial Project Manager, or Section Chief, EPA will inform
19 Respondents in writing of the name, address, and telephone number
20 of the new Remedial Project Manager, Alternate Remedial Project
21 Manager, or Section Chief.

22 59. EPA's RPM, Alternate RPM, and Section Chief shall have the
23 authority lawfully vested in a Remedial Project Manager (RPM) and
24 On-Scene Coordinator (OSC) by the National Contingency Plan, 40
25 C.F.R. Part 300. EPA's RPM, Alternate RPM, or Section Chief
26 shall have authority, consistent with the National Contingency
27 Plan, to halt any work required by this Order, and to take any
28 necessary response action.

60. Within ten (10) days after the effective date of this Order,
Respondents shall designate a Project Coordinator and shall
submit the name, address, and telephone number of the Project
Coordinator to EPA for review and approval. Respondents' Project
Coordinator shall be responsible for overseeing Respondents'
implementation of this Order. If Respondents wish to change
their Project Coordinator, Respondents shall provide written

1 notice to EPA, five (5) days prior to changing the Project
2 Coordinator, of the name and qualifications of the new Project
3 Coordinator. Respondents' selection of a Project Coordinator
4 shall be subject to EPA approval.

5 XIX. ACCESS TO SITE NOT OWNED BY RESPONDENTS

6 61. If the Site, the off-Site area that is to be used for
7 access, property where documents required to be prepared or
8 maintained by this Order are located, or other property subject
9 to or affected by the clean up, is owned in whole or in part by
10 parties other than those bound by this Order, Respondents shall
11 obtain, or use their best efforts to obtain, site access
12 agreements from the present owners within thirty (30) days of the
13 effective date of this Order. Such agreements shall provide
14 access for EPA, its contractors and oversight officials, the
15 state and its contractors, and Respondents or Respondents'
16 authorized representatives and contractors, and such agreements
17 shall specify that Respondents are not EPA's representatives with
18 respect to liability associated with Site activities. Copies of
19 such agreements shall be provided to EPA prior to Respondents'
20 initiation of field activities. Respondents' best efforts shall
21 include providing reasonable compensation to any off-Site
22 property owner. If access agreements are not obtained within the
23 time referenced above, Respondents shall immediately notify EPA
24 of their failure to obtain access. Subject to EPA's non-
25 reviewable discretion, EPA may use its legal authorities to
26 obtain access for the Respondents, may perform those response
27 actions with EPA contractors at the property in question, or may
28 terminate the Order if Respondents cannot obtain access
agreements. If EPA performs those tasks or activities with
contractors and does not terminate the Order, Respondents shall
perform all other activities not requiring access to that
property. Respondents shall integrate the results of any such
tasks undertaken by EPA into their reports and deliverables.

1 EPA reserves the right to bring an action against Respondents
2 under section 107 of CERCLA, 42 U.S.C. § 9607, for recovery of
3 all response costs (including attorney fees) incurred by EPA to
4 obtain access for Respondents and to perform response actions at
5 the property.

6 XX. SITE ACCESS AND DATA/DOCUMENT AVAILABILITY

7 62. Respondents shall allow EPA and its authorized
8 representatives and contractors to enter and freely move about
9 all property at the Site and off-Site areas subject to or
10 affected by the work under this Order or where documents required
11 to be prepared or maintained by this Order are located, for the
12 purposes of inspecting conditions, activities, the results of
13 activities, records, operating logs, and contracts related to the
14 Site or Respondents and their representatives or contractors
15 pursuant to this Order; reviewing the progress of the Respondents
16 in carrying out the terms of this Order; conducting tests as EPA
17 or its authorized representatives or contractors deem necessary;
18 using a camera, sound recording device or other documentary type
19 equipment; and verifying the data submitted to EPA by
20 Respondents. Respondents shall allow EPA and its authorized
21 representatives to enter the Site, to inspect and copy all
22 records, files, photographs, documents, sampling and monitoring
23 data, and other writings related to work undertaken in carrying
24 out this Order. Nothing herein shall be interpreted as limiting
25 or affecting EPA's right of entry or inspection authority under
26 Federal law.
27

28 63. Respondents may assert a claim of business confidentiality
covering part or all of the information submitted to EPA pursuant
to the terms of this Order under 40 C.F.R. § 2.203, provided such
claim is not inconsistent with section 104(e)(7) of CERCLA, 42
U.S.C. § 9604(e)(7) or other provisions of law. This claim shall
be asserted in the manner described by 40 C.F.R. § 2.203(b) and

1 substantiated by Respondents at the time the claim is made.
2 Information determined to be confidential by EPA will be given
3 the protection specified in 40 C.F.R. Part 2. If no such claim
4 accompanies the information when it is submitted to EPA, it may
5 be made available to the public by EPA or the state without
6 further notice to the Respondents. Respondents shall not assert
7 confidentiality claims with respect to any data related to Site
8 conditions, sampling, or monitoring.

9 64. Respondents shall maintain for the period during which this
10 Order is in effect, an index of documents that Respondents claim
11 contain confidential business information. The index shall
12 contain, for each document, the date, author, addressee, and
13 subject of the document. Upon written request from EPA,
14 Respondents shall submit a copy of the index to EPA.

15 XXI. RECORD PRESERVATION

16 65. Respondents shall provide to EPA upon request, copies of all
17 documents and information within their possession and/or control
18 or that of their contractors or agents relating to activities at
19 the Site or to the implementation of this Order, including but
20 not limited to sampling, analysis, chain of custody records,
21 manifests, trucking logs, receipts, reports, sample traffic
22 routing, correspondence, or other documents or information
23 related to the Work. Respondents shall also make available to
24 EPA for purposes of investigation, information gathering, or
25 testimony, their employees, agents, or representatives with
26 knowledge of relevant facts concerning the performance of the
27 Work.

28 66. Until ten (10) years after EPA provides written notice to
the Respondents that the Work has been completed, each Respondent
shall preserve and retain all records and documents in its
possession or control, including the documents in the possession

1 or control of their contractors and agents on and after the
2 effective date of this Order that relate in any manner to the
3 Site. At the conclusion of this document retention period,
4 Respondents shall notify the United States at least ninety (90)
5 calendar days prior to the destruction of any such records or
6 documents, and upon request by the United States, Respondents
7 shall deliver any such records or documents to EPA.

7 67. Until ten (10) years after EPA provides notice pursuant to
8 paragraph 37 of this Order, Respondents shall preserve, and shall
9 instruct their contractors and agents to preserve, all documents,
10 records, and information of whatever kind, nature or description
11 relating to the performance of the Work. Upon the conclusion of
12 this document retention period, Respondents shall notify the
13 United States at least ninety (90) days prior to the destruction
14 of any such records, documents or information, and, upon request
15 of the United States, Respondents shall deliver all such
16 documents, records and information to EPA.

15 68. Within thirty (30) days after the effective date of this
16 Order, Respondents shall submit a written certification to EPA's
17 RPM that they have not altered, mutilated, discarded, destroyed
18 or otherwise disposed of any records, documents or other
19 information relating to their potential liability with regard to
20 the Waste Pits Operable Unit of the Site since notification of
21 potential liability by the United States. Respondents shall not
22 dispose of any such documents without prior approval by EPA.
23 Respondents shall, upon EPA's request and at no cost to EPA,
24 deliver the documents or copies of the documents to EPA.
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1 73. No informal advice, guidance, suggestions or comments by EPA
2 regarding reports, plans, specifications, schedules, or any other
3 writing submitted by Respondents shall relieve Respondents of
4 their obligations under this Order, and to comply with all
5 applicable requirements of this Order unless it is formally
6 modified.

7
8 XXIV. ASSURANCE OF ABILITY TO COMPLETE WORK

9 74. Respondents shall demonstrate their ability to complete the
10 Work required by this Order and to pay all claims that arise from
11 the performance of the Work by obtaining and presenting to EPA
12 within thirty (30) days after the effective date of this Order,
13 one of the following: (1) a performance bond; (2) a letter of
14 credit; (3) a guarantee by a third party; or (4) internal
15 financial information to allow EPA to determine that Respondents
16 have sufficient assets available to perform the Work.

17 Respondent(s) shall demonstrate financial assurance in an amount
18 no less than the estimate of cost for the remedial design and
19 remedial action contained in the Record of Decision for the Site.
20 If Respondents seeks to demonstrate ability to complete the
21 remedial action by means of internal financial information, or by
22 guarantee of a third party, they shall re-submit such information
23 annually, on the anniversary of the effective date of this Order.
24 If EPA determines that such financial information is inadequate,
25 Respondents shall, within thirty (30) days after receipt of EPA's
26 notice of determination, obtain and present to EPA for approval
27 one of the other three forms of financial assurance listed above.

28 75. At least seven (7) days prior to commencing any work at the
Site pursuant to this Order, Respondents shall submit to EPA a
certification that Respondents or their contractors and
subcontractors have adequate insurance coverage or have
indemnification for liabilities for injuries or damages to
persons or property which may result from the activities to be

1 conducted by or on behalf of Respondents pursuant to this Order.
2 Respondents shall ensure that such insurance or indemnification
3 is maintained for the duration of the Work required by this
4 Order.

5 XXV. REIMBURSEMENT OF RESPONSE COSTS

6 76. Respondents shall reimburse EPA, upon written demand, for
7 all response costs incurred by EPA in overseeing Respondent's
8 implementation of the requirements of this Order or in performing
9 any response action which Respondents fail to perform in
10 compliance with this Order. EPA may submit to Respondents on a
11 periodic basis an accounting of all response costs incurred by
12 the EPA with respect to this Order. EPA's certified Agency
13 Financial Management System summary data (SPUR Reports), or such
14 other summary as certified by EPA, shall serve as basis for
15 payment demands.

16 77. Respondents shall, within thirty (30) days of receipt of
17 each EPA accounting, remit a certified or cashier's check for the
18 amount of those costs. A copy of the check shall be sent to the
19 RPM. Interest shall accrue from the later of the date that
20 payment of a specified amount is demanded in writing or the date
21 of the expenditure. The interest rate is the rate established by
22 the Department of the Treasury pursuant to 31 U.S.C. § 3717 and 4
23 C.F.R. § 102.13. Checks shall be made payable to the Hazardous
24 Substances Superfund and shall reference the Del Amo Superfund
25 Site Region IX, Waste Pits Operable Unit, Site ID # 0936 and the
26 name and address of the party making the payment. Checks shall be
27 forwarded to:

28 U.S. Environmental Protection Agency, Region IX
Attention: Superfund Accounting
P.O. Box 360863M
Pittsburgh, PA. 15251

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XXVI. EPA NOT LIABLE

78. EPA, by issuance of this Order, assumes no liability for any injuries or damages to persons or property resulting from acts or omissions by Respondents, or their directors, officers, employees, agents, representatives, successors, assigns, contractors, or consultants in carrying out any action or activity pursuant to this Order. EPA shall not be deemed a party to any contract entered into by Respondents or their directors, officers, employees, agents, successors, assigns, contractors, or consultants in carrying out any action or activity pursuant to this Order.

XXV. ENFORCEMENT AND RESERVATIONS

79. EPA reserves the right to bring an action against Respondent Shell Oil Company, and/or Respondent Dow Chemical Company, and/or Respondent Michelin North America Inc., on behalf of itself or Uniroyal Goodrich Tire Company, and/or Goodyear Tire and Rubber Company under section 107 of CERCLA, 42 U.S.C. § 9607, or to assert an administrative claim against Respondent GSA, for recovery of any response costs incurred by EPA related to this Order or to the Site (including but not limited to the Waste Pits Area). This reservation shall include but not be limited to past costs, direct costs, indirect costs, the costs of oversight, the costs of compiling the cost documentation to support oversight cost demand, as well as accrued interest as provided in section 107(a) of CERCLA.

80. Notwithstanding any other provision of this Order, at any time during the response action, EPA may perform its own studies, or elect to complete the response action (or any portion of the response action) as provided in CERCLA and the NCP, and seek

1 reimbursement from Respondents for its costs, or seek any other
2 appropriate relief.

3 81. Nothing in this Order shall preclude EPA from taking any
4 additional enforcement actions, including modification of this
5 Order or issuance of additional Orders, and/or additional
6 remedial or removal actions as EPA may deem necessary, or from
7 requiring Respondents in the future to perform additional
8 activities pursuant to CERCLA, 42 U.S.C. § 9606(a), et seq., or
9 any other applicable law.

10 82. Notwithstanding any provision of this Order, the EPA hereby
11 retains all of its information gathering, inspection and
12 enforcement authorities and rights under CERCLA, RCRA and any
13 other applicable statutes or regulations.

14 83. EPA reserves the right to seek to compel enforcement of this
15 Order and to collect civil penalties under section 106(b) of
16 CERCLA, 42 U.S.C. § 9606(b), of not more than \$27,500 for each
17 day in which Respondents willfully violate, or fail or refuse to
18 comply with this Order without sufficient cause. In addition,
19 failure to properly provide response action under this Order, or
20 any portion hereof, without sufficient cause, may result in
21 liability under section 107(c)(3) of CERCLA, 42 U.S.C.
22 § 9607(c)(3), for punitive damages in an amount at least equal
23 to, and not more than three times the amount of any costs
24 incurred by the Fund as a result of such failure to take proper
25 action.

26 84. Nothing in this Order shall constitute or be construed as a
27 release from any claim, cause of action or demand in law or
28 equity against any person for any liability it may have arising
out of or relating in any way to the Site.

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2 85. If a court issues an order that invalidates any provision of
3 this Order or finds that Respondents have sufficient cause not to
4 comply with one or more provisions of this Order, Respondents
5 shall remain bound to comply with all applicable provisions of
6 this Order not invalidated by the court's order.

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11 XXVIII. ADMINISTRATIVE RECORD

12 86. Upon request by EPA, Respondents must submit to EPA all
13 technical documents produced in complying with this Order for
14 possible inclusion in the administrative record file.

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17 XXIX. EFFECTIVE DATE AND COMPUTATION OF TIME

18 87. This Order shall be effective ten (10) days after the Order
19 is signed by the Director, Superfund Division, U.S. EPA Region
20 IX. All times for performance of ordered activities shall be
21 calculated from this effective date.

22
23
24 XXX. OPPORTUNITY TO CONFER

25 88. Respondents may, within ten (10) days after the date this
26 Order is signed, request a conference to discuss this Order with
27 EPA at its Region IX offices located at 75 Hawthorne Street in
28 San Francisco, California. If requested, the conference shall
occur on May 17, 1999 at 1 pm at 75 Hawthorne Street, San
Francisco, California. Only one conference will be held with
Respondents with respect to this order.

89. The purpose and scope of the conference shall be limited to
issues involving the implementation of the Work required by this
Order and the extent to which Respondents intend to comply with
this Order. This conference is not an evidentiary hearing, and

1 Order and the extent to which Respondents intend to comply with
2 this Order. This conference is not an evidentiary hearing, and
3 does not constitute a proceeding to challenge this Order. It
4 does not give Respondents a right to seek review of this Order,
5 or to seek resolution of potential liability, and no official
6 stenographic record of the conference will be made. At any
7 conference held pursuant to Respondents' request, Respondents may
8 appear in person or by an attorney or other representative.
9 Regardless of whether a conference is held, Respondents may
10 submit any information, arguments or comments in writing to EPA
11 within two (2) business days following the conference, or within
12 seven (7) business days after the Order is signed if no
13 conference is requested.

14 90. Requests for a conference must be by telephone followed by
15 written confirmation mailed that day to Michele S. Benson ,
16 Assistant Regional Counsel at (415) 744-1369, EPA Region IX, 75
17 Hawthorne Street, Mail Code ORC-3, San Francisco, California
18 94105

19 So Ordered, this 3 day of May, 1999.

20 BY: Keith Takata

21 Keith Takata, Director
22 Superfund Division
23 U.S. Environmental Protection Agency
24 Region IX