

**STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY**

In the Matter of Remedial Action by:

INTERNATIONAL PAPER
COMPANY and GENERAL
METALS OF TACOMA, INC.

FIRST AMENDMENT TO AGREED
ORDER

No. DE 17989

TO: Kirt J. Cuevas
International Paper Company
6400 Poplar Avenue
Memphis, TN 38197

Brenda Meehan
General Metals of Tacoma, Inc.
P.O. Box 10047
Portland, Oregon 97296

EXHIBIT:

EXHIBIT B	Amended Scope of Work and Schedule
EXHIBIT E	Tacoma Metals' Metals Recycling Related Contamination Area Diagram

INTRODUCTION

The State of Washington, Department of Ecology (Ecology), International Paper Company (International Paper), and General Metals of Tacoma, Inc. (General Metals) entered into Agreed Order No. DE 17989 (Order) on May 27, 2020. The Order requires International Paper and General Metals (collectively the Subject potentially liable persons (Subject PLPs)) conduct a supplemental Remedial Investigation (RI) and update the Feasibility Study (FS) per WAC 173-340-350 and WAC 173-204-560.

MINOR CHANGE / AMENDMENT

Pursuant to Section VIII.L of the Order, Ecology and the PLPs hereby stipulate to amend the Order in this First Amendment to modify paragraph G (Updated FS) to the section VII (Work to be Performed) of the Order and the Order's Exhibit B (Schedule of Deliverables). This amendment to the Order does not result in a substantial change to the Order or its exhibits. This minor change to the Order does not attempt to recite all of the provisions found in the Order. Provisions of the Order not specifically changed in this modification remain in full force and effect. The minor change to the Order described below shall take effect upon Ecology's execution of this First Amendment.

VII. WORK TO BE PERFORMED

G. Updated Feasibility Study. The Feasibility Study (FS) for the Site will be divided into two deliverables to address two areas at the Site. The first area (Area 1) is associated with the creosote related contamination on the site. The second area (Area 2) is associated with the remaining contamination on the site.

Area 1: For the area of the Site that is subject to Supplemental Remedial Investigation work required under paragraph A (Supplemental RI/FS Work Plan) of the section VII (Work to be Performed) of the Order, Subject PLPs shall prepare and submit to Ecology for review and approval a draft update to the June 22, 2018 Feasibility Study (Updated FS) that pertains to the creosote related contamination north of the blue line shown on Exhibit E that meets the requirements of WAC 173-340-350. Subject PLPs may consult with Ecology prior to writing the Draft Updated FS, to discuss the report outline. The Draft Updated FS shall incorporate the relevant data from the supplemental RI and the Revised Draft RI/FS, dated June 22, 2018, and include alternatives that address the creosote related contaminants on the Site. After making revisions based on Ecology's comments on an Agency Review Draft updated FS, Subject PLPs shall submit a Public Review Draft Updated FS. The Subject PLPs shall submit the Agency Review Draft Updated FS to Ecology no longer than 60 days from completion of the Supplemental

RI Report. Submit the Public Review Draft Updated FS that incorporates Ecology's comments within 30 days of receiving Ecology's comments on the Agency Review Draft Updated FS. To effectuate the work required by this sub-paragraph in the most efficient manner, International Paper has elected to take the lead in performing that work required under this Order. Language in this Order, and the exhibits attached hereto, may reflect this agreement among the Subject PLPs. However, the Subject PLPs remain strictly, jointly, and severally liable for the performance of any and all obligations under this Order. In the event the party identified as a lead should fail to timely and properly complete performance of all or any portion of its work, all Subject PLPs must perform that remaining work, if any

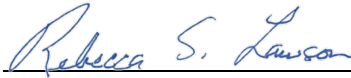
Area 2: For the metals recycling related contamination area of the Site (*see* Exhibit E), Subject PLPs shall prepare and submit to Ecology for review and approval a draft and final FS that meets the requirements of WAC 173-340-350 according to the Amended Schedule of Deliverables (Exhibit B). To effectuate the work required by this sub-paragraph in the most efficient manner, General Metals has elected to take the lead in performing that work, and the exhibits attached hereto, may reflect this agreement among the Subject PLPs. However, the Subject PLPs remain strictly, jointly, and severally liable for the performance of any and all obligations under this Order. In the event the party identified as a lead should fail to timely and properly complete performance of all or any portion of its work, all Subject PLPs must perform that remaining work, if any.

Execution date of this First Amendment: March 30, 2021

INTERNATIONAL PAPER COMPANY

STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

Kirt J. Cuevas
Vice President, EH&S
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901-419-7100



Rebecca Lawson
Section Manager
Toxics Cleanup Program
Southwest Regional Office
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RI Report. Submit the Public Review Draft Updated FS that incorporates Ecology's comments within 30 days of receiving Ecology's comments on the Agency Review Draft Updated FS. To effectuate the work required by this sub-paragraph in the most efficient manner, International Paper has elected to take the lead in performing that work required under this Order. Language in this Order, and the exhibits attached hereto, may reflect this agreement among the Subject PLPs. However, the Subject PLPs remain strictly, jointly, and severally liable for the performance of any and all obligations under this Order. In the event the party identified as a lead should fail to timely and properly complete performance of all or any portion of its work, all Subject PLPs must perform that remaining work, if any

Area 2: For the metals recycling related contamination area of the Site (*see* Exhibit E), Subject PLPs shall prepare and submit to Ecology for review and approval a draft and final FS that meets the requirements of WAC 173-340-350 according to the Amended Schedule of Deliverables (Exhibit B). To effectuate the work required by this sub-paragraph in the most efficient manner, General Metals has elected to take the lead in performing that work, and the exhibits attached hereto, may reflect this agreement among the Subject PLPs. However, the Subject PLPs remain strictly, jointly, and severally liable for the performance of any and all obligations under this Order. In the event the party identified as a lead should fail to timely and properly complete performance of all or any portion of its work, all Subject PLPs must perform that remaining work, if any.

Execution date of this First Amendment: _____

INTERNATIONAL PAPER COMPANY



~~Kirt J. Cuevas~~ Leslie Petrie
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STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

~~Marian Abbett~~
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GENERAL METALS OF TACOMA, INC.



Michael R. Henderson
President
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EXHIBIT B

**EXHIBIT B
Tacoma Metals Site**

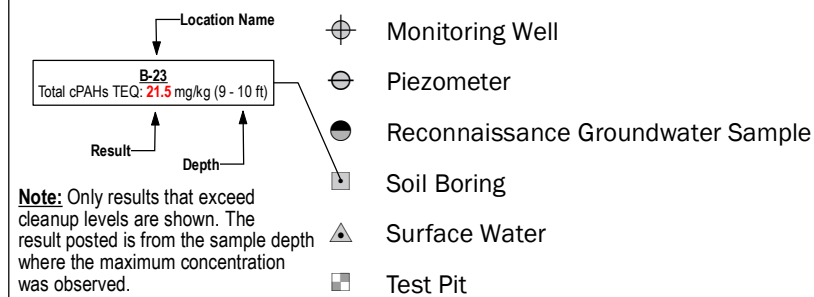
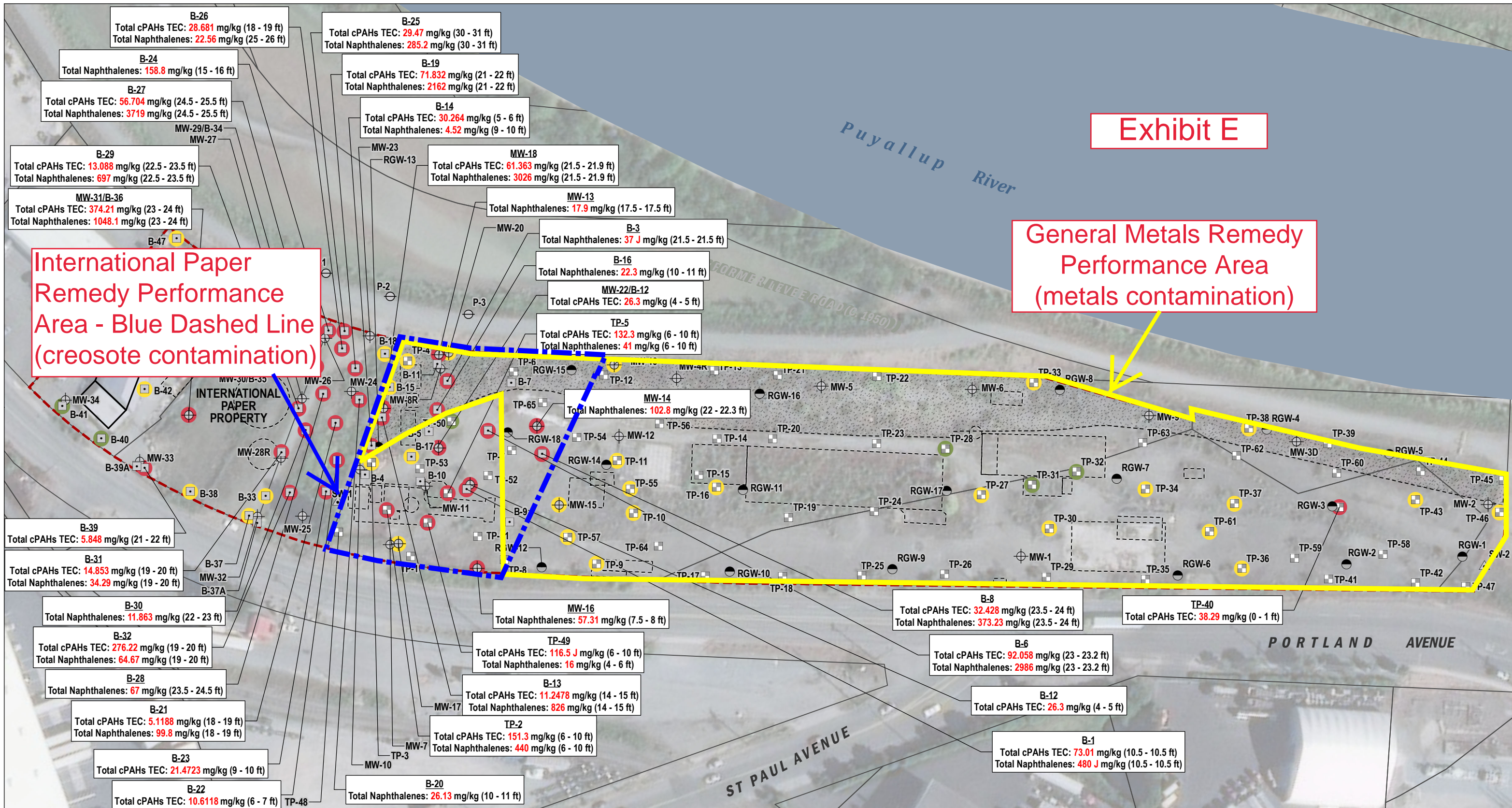
AMENDED SCHEDULE OF DELIVERABLES

The schedule for project work and deliverables described in the Agreed Order is presented below. If the date for submission of any item or notification required by this Amended Schedule of Deliverables occurs on a weekend, state or federal holiday, the date for submission of that item or notification is extended to the next business day following the weekend or holiday. Where a deliverable due date is triggered by Ecology notification, comments or approval, the starting date for the period shown is the date International Paper and General Metals received such notification, comments or approval by certified mail, return receipt requested, unless otherwise noted below. Where triggered by Ecology receipt of a deliverable, the starting date for the period shown is the date Ecology receives the deliverable by certified mail, return receipt requested, or the date of Ecology signature on a hand-delivery form.

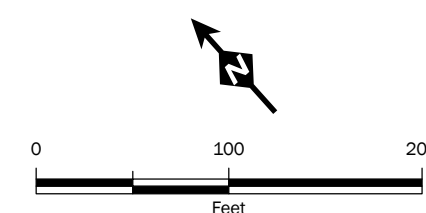
Deliverables	Completion Times
Supplemental RI/FS Work Plan	60 calendar days following the effective date of the Agreed Order
Ecology provide comments on RI Work Plan	Endeavor to provide Ecology's comments within 30 calendar days following receipt of RI Work Plan
Supplemental RI Field Work	Begin remedial investigation field work within 30 days of receipt of Ecology's approval of the final RI/FS work plan
Agency Review Draft Supplemental RI Report	90 days following completion of field work.
Ecology provide comments on Agency Review Draft Supplemental RI Report	Endeavor to provide Ecology's comments within 45 calendar days following receipt of Agency Review Draft Supplemental RI Report
Public Review Draft Supplemental RI Report	30 calendar days following receipt of Ecology comments on the Agency Review Draft Supplemental RI Report
Agency Review Draft Updated FS for Area 1 (the area of the Site with creosote related contamination)	60 calendar days following Ecology acceptance of the Public Review Draft Supplemental RI Report
Ecology provide comments on Agency Review Draft Updated FS for Area 1	Endeavor to provide Ecology's comments within 45 calendar days following receipt of Agency Review Draft Updated FS
Public Review Draft Updated FS for Area 1	30 calendar days following receipt of Ecology comments on the Agency Review Draft Updated FS

Agency Review Draft Area 2 FS (for the metals recycling related contamination area at the Site)	60 calendar days following the effective date to the First Amendment to the Agreed Order
Ecology provide comments on Agency Review Draft Area 2 FS	Endeavor to provide Ecology's comments within 45 calendar days following receipt of Agency Review Draft Area 2 FS
Public Review Draft Area 2 FS	30 calendar days following receipt of Ecology comments on the Agency Review Draft Area 2 FS

EXHIBIT E



- Total cPAHs and Naphthalene Not Detected.
- Total cPAHs and Naphthalene Detected at Concentrations Less than the Cleanup Level.
- Total cPAHs and/or Naphthalene Detected at Concentrations Greater than the Cleanup Level.
- Historic Unpaved Area
- Historic Structure
- Existing Structure
- Site Boundary
- Pierce County Parcels



Extent of Total cPAHs and Naphthalene Exceedances in Soil

Revised Draft Remedial Investigation/Feasibility Study
Tacoma Metals, Inc. Site
Tacoma, Washington

Aspect CONSULTING	MAY-2018	BY: ACG / EAC	FIGURE NO. 15A
	PROJECT NO. 160420-03	REVISED BY: RAP	

GIS Path: T:\projects_8\Sussman_160420\Delivered\TIN\15A\Extent of Total cPAHs and Naphthalene Exceedances in Soil.mxd | Coordinate System: NAD 1983 StatePlane Washington South FIPS 5022 Feet | Date Saved: 5/30/2018 | User: erumraker | Print Date: 5/30/2018