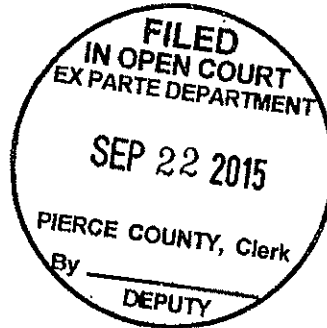




ctronic Exparte (3058494) -



STATE OF WASHINGTON
PIERCE COUNTY SUPERIOR COURT

STATE OF WASHINGTON,
DEPARTMENT OF ECOLOGY,

Plaintiff,

v.

SSA TACOMA, INC.,

Defendant.

NO. 08-2-15781-0

FIRST AMENDMENT
TO CONSENT DECREE
WITH SSA TACOMA

I. INTRODUCTION

The Consent Decree, No. 08-2-15781-0, dated December 30, 2008 (Consent Decree), is hereby amended as set forth below in the First Amendment to the Consent Decree. This First Amendment is made by the State of Washington, Department of Ecology (Ecology), and SSA Tacoma (SSA) pursuant to Section XV of the Consent Decree. This First Amendment to the Consent Decree requires SSA to perform additional remedial activities at the Site to address new contaminants of concern that were previously unknown. The First Amendment to the Consent Decree will achieve a more effective cleanup and ensure that all contaminants at the site are remediated pursuant to the requirements of the Model Toxics Control Act (MTCA), RCW 70.105D, and its implementing regulations. All provisions of the Consent Decree remain in full force and effect, except as specifically amended by this First Amendment to the Consent Decree.

FIRST AMENDMENT
TO CONSENT DECREE

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ATTORNEY GENERAL OF WASHINGTON
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PO Box 40117
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II. AMENDMENT

This First Amendment does not effect substantial changes to the cleanup implemented pursuant to the Consent Decree and will not be subject to public comment.

Certain Sections of the Consent Decree are amended as follows:

1. Section I.A. (Introduction) is amended to replace lines 2 through 7 on page 3 of the Consent Decree with the following:

The mutual objective of the State of Washington, Department of Ecology (Ecology) and SSA Tacoma, Inc. (SSA) under this Decree is to provide for remedial action at a facility where there has been a release or threatened release of hazardous substances. This Decree requires SSA to undertake the remedial action identified in Section VI (Work To Be Performed) of this Decree and specified in the Cleanup Action Plan attached as Exhibit B to this Decree.

2. Section V (Findings Of Fact) is amended to insert the following:

P. In April 2014, samples were collected at the Site as part of a potential property transaction. The data collected from these samples indicated previously unknown dioxin/furan concentrations in several locations that exceeded the MTCA Method C Industrial Criterion. SSA immediately reported these new data to Ecology. SSA and Ecology conferred and agreed that, notwithstanding the provisions of Sections VI.A. and D., additional investigation and study is necessary to determine what additional remedial action is necessary at the Site.

3. Section VI (Work To Be Performed) is amended to insert the following:


E. Notwithstanding the provisions of Sections VI.A. and D., SSA shall perform a Supplemental Focused Remedial Investigation and Supplemental Focused Feasibility Study (SFRI/SFFS) regarding the dioxin/furan contamination at the Site and submit the draft SFRI/SFFS to Ecology within thirty (30) days of the effective date of this First Amendment to Consent Decree.

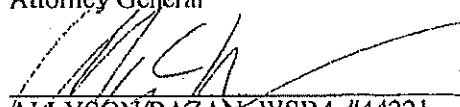
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Based on the results of the SFRI/SFFS, SSA shall prepare a draft amendment to the CAP and submit such draft CAP amendment to Ecology within forty five (45) days of the effective date of this First Amendment to Consent Decree.

STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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Date: 9-14-15

Date: 9/17/2015

SSA TACOMA, INC.

STOEL RIVES LLP

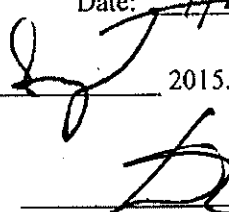

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Date: 9/3/2015

Date: 9/2/15

ENTERED this 22 day of Sept 2015.


DIANA L. KIESEL, JUDGE
Pierce County Superior Court
COURT COMMISSIONER

