

UNITED STATES DEPARTMENT OF AGRICULTURE, FOREST SERVICE REGION 6  
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 10  
STATE OF WASHINGTON, DEPARTMENT OF ECOLOGY

IN THE MATTER OF:

HOLDEN MINE SITE

Intalco Aluminum Corporation  
(Successor to Alumet Corporation)

RESPONDENT

)  
) Ecology Docket # 8133  
)  
)  
) Forest Service Docket  
) No. 06-97-01  
)  
)  
) 2010 AMENDMENT  
) TO ADMINISTRATIVE ORDER ON  
) CONSENT/AGREED ORDER

The Parties to the attached Administrative Order on Consent/Agreed Order for Remedial Investigation/Feasibility Study ("Order") hereby agree to amend that Order as follows:

Amend Section IV (Statement of Purpose and Agency Roles) to add the following paragraph after Paragraph 7:

"7A. This 2010 Amendment provides the following as an additional objective of the Parties:

Investigation, monitoring and design work, including early design work to be performed for work elements which are common to each of the alternatives under consideration in the Addendum to the Supplemental Feasibility Study (except for the No Action Alternative), as agreed upon by Intalco and the Agencies.

This investigation, monitoring and design work, as agreed by Intalco and the Agencies, is being performed to make continued progress at the Holden Mine Site during 2010 and 2011. The performance of early design work does not predispose the Agencies or Intalco to a particular remedial action prior to completion of the Record of Decision. Such performance does not preclude the Agencies from selecting any remedial actions; nor does it preclude the Agencies from requiring additional investigation, monitoring, and design work for the selected remedial action."

Amend Section VIII (Work to Be Performed) to add the following paragraphs after Paragraph 33:

“33A. Intalco shall submit the following deliverables, consistent with Paragraph 7A, and implement the investigation, monitoring and early design activities provided for in those deliverables, as approved by the Agencies:

- a. Final Baseline Characterization and Monitoring Plan, which Intalco submitted on September 7, 2010, but as of September 10, 2010, had not yet received Agency review, comment, modification, or approval. If Agency review requires Intalco to revise this Plan, Intalco will do so within 15 days after receipt of Agency comments.
- b. Draft Work Plan for In-Mine Bulkhead Installation in the 1500 Level Main Portal and Investigation/Evaluation/Repair and Installation of Bulkhead in the 1500 Ventilator Portal by March 31, 2011, and final of this Plan within 15 days after receipt of Agency comments on the draft.
- c. Draft Work Plan for Rock Quarry and Borrow Source Investigations by October 31, 2010, and final of this Plan within 15 days after receipt of Agency comments on the draft.
- d. Any additional deliverable for the investigation, monitoring, or early design work, consistent with Paragraph 7A, as agreed by Intalco and the Agencies.

33B. Following the Agencies’ Issuance of a Record of Decision for the Holden Mine Site, Intalco shall conduct any additional design work, consistent with Paragraph 7A, as may be agreed upon by Intalco and the Agencies.”

33C. If, during Intalco’s performance of the agreed additional work described in Paragraphs 33A and 33B, Intalco determines that a schedule modification is appropriate, Intalco will request, in writing, approval from the RPM of the need for such modification. If the RPM approves the request, the schedule shall be adjusted, as appropriate.

Amend Section XX (Reimbursement of Consent Order Response Costs) to add the following paragraph after Paragraph 73:

“73A. Work required under this Consent Order also includes the investigation, monitoring, and design activities (including the deliverables described in Paragraphs 33A and 33B, above. Intalco shall reimburse the Agencies for the Agencies’ response costs (as defined in Paragraph 73) for the Agencies’ oversight of the Intalco activities described in Paragraphs 33A and 33B, including costs for oversight of the preparation of

the deliverables described in Paragraph 33A above that were incurred before the effective date of this Amendment.

The effective date of this Amendment shall be the date it is signed by the last of the Parties.

It is so ORDERED and Agreed.

By: Claire Lavendel Date: 10/29/10  
Claire Lavendel  
Forest Service Region 6  
Director, Recreation, Lands, and Minerals

By: Daniel D. Opalski Date: 9/24/10  
Daniel D. Opalski  
BPA Region 10  
Director, Office of Environmental Cleanup

By: Valerie Bound Date: 10-5-10  
Valerie Bound  
Washington Department of  
Ecology  
Section Manager, Toxics Cleanup Program  
Central Regional Office

Agreed

By: Lonnie F. Nital Date: 9/23/2010  
Name: Lonnie F. Nital  
Intalco Aluminum Corporation  
Title: Nital President