

# Kaiser Aluminum – Mead Works Potliner Superfund Cleanup Site



## Draft Consent Decree. Proposed Settlement of Mead Smelter Superfund Cleanup

The Department of Ecology, United States Environmental Protection Agency, and Kaiser Aluminum Corporation have reached a settlement to clean up cyanide and fluoride contamination found at the Kaiser Aluminum smelter in Mead, Washington. The 20 million dollar settlement is the result of bankruptcy negotiations between the two governmental agencies and bankrupt Kaiser Aluminum Corporation, and will, if approved by the bankruptcy court, release Kaiser Aluminum Corporation from liability for further cleanup costs under both the state and federal cleanup statutes. The proposed draft consent decree will be filed in federal bankruptcy court of Delaware. The settlement involves transferring the site to an independent Trust which will be set up to administer both cleanup funds and future work paid for by an environmental cleanup insurance policy.

Under the authority of the state Model Toxics Control Act (MTCA), the Department of Ecology had been working with the company on a plan for cleaning up the site prior to Kaiser declaring Chapter 11 bankruptcy. During the bankruptcy proceedings, Kaiser sold most of its smelting assets, including the Mead smelter and much of the surrounding real estate. Of the remaining land, an area which includes the potliner pile will be transferred into the trust, which will complete necessary cleanup actions.

The Mead Potliner Site waste has been consolidated into one large pile and covered with an armored double lined cap to avoid further spread of the fluoride and cyanide contamination. Leaking water and sewage pipes found in the vicinity of the contaminated soil and potliner have been repaired to protect the groundwater. Further groundwater studies and the potential treatment of the contaminated water beneath the site are included in the settlement. The

action ordered by the settlement Draft Consent Decree should have a significant positive environmental impact.

Your comments on the proposed Draft Consent Decree are welcome during the public comment period which runs through September 10, 2004. A public hearing will be held in Spokane, Washington on September 2, 2004 to record comments on the Draft Consent Decree. Comments can also be submitted in writing at any time during the comment period. The box at the right provides information on where to find a copy of the Draft Consent Decree as well as the time and location of the public hearing.

### Site Background

Prior to bankruptcy in 2002, Kaiser Aluminum & Chemical Corporation owned and operated an aluminum smelter at Mead, Washington, approximately seven miles north of downtown Spokane. The smelter was constructed in 1942 during World War II to supply aluminum to the war effort. At one time, the Kaiser plant occupied approximately 1200 acres of land. The plant operated eight potlines, a prebake anode production facility with bake ovens, and a coke calciner. At full capacity, the plant produced in excess of 640 tons of aluminum a day. The aluminum plant has been sold to Commercial Development Corporation and will be redeveloped as commercial real estate. The Superfund cleanup site is located on the north side of the plant complex and consists of a 128,000 ton pile of smelting wastes. These wastes contain cyanide and fluoride, which has leached out of the pile into the underlying soils and groundwater. Contaminated groundwater containing cyanide and fluoride travels about 2 miles to discharge to the Little Spokane River.

## August 2004

### PUBLIC COMMENT PERIOD

From August 11 to September 10, 2004

### PUBLIC MEETING

6:30 p.m. September 2, 2004  
Spokane Community College  
Lair Auditorium, Bldg. #6

### SEND WRITTEN COMMENTS ON THE DRAFT CONSENT DECREE TO:

Paul Skyllingstad  
Department of Ecology  
PO Box 47706  
Olympia WA 98504-7706  
(360) 407-6949

### INFORMATION REPOSITORIES

**Copies of the Draft Consent Decree, Scope of Work, and Remedial Action Plan are available at the following locations:**

Industrial Section  
Department of Ecology  
300 Desmond Drive  
Lacey, WA 98503  
(360) 407-6916

Ecology Eastern Regional Office  
N. 4601 Monroe, Suite 100  
Spokane, WA 99205-1295  
(509) 456-2926

North Spokane Library  
44 East Hawthorne Road  
Spokane, WA 99218  
(509) 457-5250

Spokane Public Library  
West 906 Main Ave.  
Spokane, WA 99201  
(509) 444-5300

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## **What Is Being Done?**

The Draft Consent Decree provides for a court-appointed Trust to continue cleanup at the site. The preferred cleanup option for the site consists of: consolidation of the potliner waste into one pile and covering the pile with an engineered cap; evaluation of the water piping surrounding the consolidated pile, along with repair of any leaking piping; and the potential pumping and treatment of contaminated groundwater found in soil beneath the pile. The project is being completed in two phases.

The first phase of the project, the capping of potliner pile and the repair of leaking piping was completed in August of 2001 prior to bankruptcy. The capping project consisted of grading three separate piles on the site into one consolidated pile. Contaminated soil and concrete sumps that had surrounded the three piles were removed and added to the new consolidated pile. The cap on the consolidated pile consists of: a foundation layer, a geosynthetic clay liner, a geomembrane liner; a drainage layer, geotextile, and an armor layer of rock riprap. Following capping, several areas surrounding the consolidated pile were covered with asphalt and new access roads to the cap were built.

The second phase of the project is directed by the Consent Decree. The Consent Decree will obligate Kaiser Aluminum to transfer the contaminated Site to a Trust which will then control the remediation. Kaiser will capitalize the Trust with 2.25 million dollars and purchase an environmental insurance policy so that the following cleanup activities can be undertaken. The Trust will inspect, repair, and report to an oversight agency any damage to the existing potliner pile cap, surrounding asphalt covered areas and cap/covered area drainage features. This activity is funded for the next 250 years. In addition to the cap inspection, every ten years the Trust will inspect and repair storm and sanitary sewer lines near the potliner pile. The Custodial Trust shall implement a set of institutional controls on the site such as a restrictive easement and land covenants.

Using monies from the environmental insurance policy, the Trust will replace and inspect water system pressure mains located in the groundwater recharge area surrounding the potliner pile. The Trust will construct a new groundwater monitoring system and establish a point of compliance at the site property boundary. After five years, the Trust will evaluate the results of the groundwater monitoring to determine if

the interim actions already in place (the cap on the waste pile and repair of leaking pipes) have been effective in cleaning up the aquifer. If not, further remedial actions will be investigated, beginning with an evaluation of whether a pump and treat system can be effective at removing cyanide and fluoride in the groundwater beneath the site. The environmental insurance policy will be used to fund the construction and maintenance of the a pump and treat system or other necessary remedial measures.

## **What Happens Next?**

Public comment on the proposed Draft Consent Decree will be considered and the Decree will be modified, if necessary, based on the comments received. A final Consent Decree for the site will be completed following the public comment period in September. Kaiser will fund the Trust, transfer the Site to the Trust, and purchase the environmental insurance policy when the Decree is entered in the Bankruptcy Court. The Decree will obligate Kaiser to directly fund the Trust to perform specific cleanup tasks to protect human health and the environment at the site.

## **Ecology Wants Your Comments!**

You are invited to read and comment on the proposed Draft Consent Decree through September 10, 2004. The public comment period presents an opportunity to have your ideas and comments heard by Ecology. The box on page one provides details on where the documents can be found and how to submit comments. To review more detailed documents than those found in the information repositories, call Paul Skyllingstad at (360) 407-6949.

A public meeting/hearing will be held at the Spokane Community College, Lair Auditorium, Bldg #6 at 6:30 PM, September 2, 2004. This meeting will be an opportunity to learn about the Site and the proposed Kaiser Aluminum Draft Consent Decree, and to voice your concerns.

Please submit your written comments by Friday September 10, 2004, to Paul Skyllingstad at the Ecology address listed on page one. Ecology will consider and respond to all written comments received, and will revise the Consent Decree, if necessary. Updates of site activities will be provided to those who submit comments or who ask to be placed on the site mailing list.