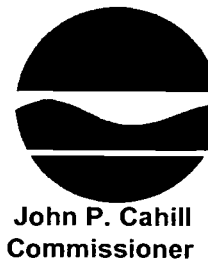


New York State Department of Environmental Conservation  
Division of Environmental Enforcement  
50 Wolf Road, Room 627  
Albany, New York 12233-5500  
Telephone: (518) 457-2286  
Fax: (518) 485-8478 (not for service of process)



MEMORANDUM

To: Michael J. O'Toole, Jr. through Dale Desnoyers DD 10/4  
From: Deborah Christian DC  
Subject: Alcan Aluminum Corporation, Site # 7-38-015  
Date: October 2, 2000

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CONFIDENTIAL  
ATTORNEY CLIENT PRIVILEGE

Attached for your review and signature are duplicate originals of an Order on Consent that has been executed on behalf of Alcan Aluminum Corporation. The Order requires a focused remedial investigation at a manufacturing facility in the Town of Scriba, Oswego County, that is owned and operated by Alcan. The facility produces sheet products for various industrial uses. On the northern portion of the facility, there is a series of wetlands and ponds that were contaminated with PCBs in the late 1960s and early 1970s as a result of hydraulic leaks from remelt casting pits. PCBs have also been detected in Tributary 63 on the southern portion of the property. In addition, it is believed that rags and absorbent materials containing PCBs were disposed of in an industrial landfill on the property that was used primarily for the disposal of office trash, wooden pallets and construction debris from approximately 1963 to 1978. The property is listed as a Class 2 Site in the *Registry of Inactive Hazardous Waste Disposal Sites in New York State*.

Under this Order, Alcan will perform a focused remedial investigation/feasibility study, and, if necessary and appropriate, one or more interim remedial measures and will reimburse the State for its expenses incurred in connection with the Site. The workplan for the focused RI/FS has not yet been submitted. Under the terms of the Order, Alcan will submit a detailed workplan to the Department for review and approval within one hundred and twenty days of the Department's approval of the firms or individuals selected by Alcan to perform its obligations under the Order. The Order contains the usual provisions, including review and

approval of submittals, progress reports, Site access, penalties for failure to comply with the Order, force majeure, payment of state costs, the Department's reservation of rights, indemnification, and public notice, with no significant deviations from the standard language.

Wayne Mizerak of the Division of Environmental Remediation's Bureau of Western Remedial Action provided a substantial amount of assistance in the negotiation of this Order and is fully familiar with the Site.

I recommend that this Order be executed on behalf of the Department. Please feel free to contact me if you have any questions.

cc w/o att: E. Armater

STATE OF NEW YORK: DEPARTMENT OF ENVIRONMENTAL CONSERVATION

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In the Matter of the  
Development and Implementation  
of a Focused Remedial Investigation/Feasibility  
Study for an Inactive Hazardous Waste  
Disposal Site, Under Article 27, Title 13,  
and Article 71, Title 27 of the  
Environmental Conservation Law  
of the State of New York by  
Alcan Aluminum Corporation,  
Respondent

ORDER  
ON  
CONSENT  
INDEX # A7-0395-9908

Site Code #7-38-015

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WHEREAS,

1. The New York State Department of Environmental Conservation (the "Department") is responsible for enforcement of Article 27, Title 13 of the Environmental Conservation Law of the State of New York ("ECL") entitled "Inactive Hazardous Waste Disposal Sites." This Order is issued pursuant to the Department's authority under, *inter alia*, ECL Article 27, Title 13 and ECL 3-0301.
2. Alcan Aluminum Corporation ("Alcan" or "Respondent") owns and operates a manufacturing facility in the Town of Scriba, Oswego County that produces sheet products for the beverage container, building products, foil, transportation and appliance industries. On the northern portion of the property on which the facility is located there is a series of wetlands and ponds through which certain effluent streams from the facility flow or have flowed; these were contaminated in the late 1960s and early 1970s with PCBs as a result of hydraulic leaks from the remelt casting pits in the facility. PCBs have also been detected on the southern portion of the property in Tributary 63. An industrial landfill on the property known as the Main Landfill was used from approximately 1963 to 1978 for the disposal of office trash, wooden pallets and construction debris; it is suspected that rags and absorbent materials containing PCBs from a hydraulic system leak and transformer maintenance were disposed of in the Main Landfill on one or more occasions. Chlorinated solvents have been detected in groundwater in the vicinity of the Main Landfill. The Alcan facility contains three distinct areas: (a) ponds and wetlands as identified in Exhibit A; (b) the Main Landfill as identified in Exhibit B; and (c) the stream as identified in Exhibit C. These areas are collectively referred to as the "Site."

3. The Site is an inactive hazardous waste disposal site, as that term is defined at ECL 27-1301.2, and presents a significant threat to the public health or environment. The Site has been listed in the *Registry of Inactive Hazardous Waste Disposal Sites in New York State* as Site Number 7-38-015. The Department has classified the Site as a Classification "2" pursuant to ECL 27-1305.4.b.

4. A. Pursuant to ECL 27-1313.3.a, whenever the Commissioner of Environmental Conservation (the "Commissioner") "finds that hazardous wastes at an inactive hazardous waste disposal site constitute a significant threat to the environment, he may order the owner of such site and/or any person responsible for the disposal of hazardous wastes at such site (i) to develop an inactive hazardous waste disposal site remedial program, subject to the approval of the department, at such site, and (ii) to implement such program within reasonable time limits specified in the order."

B. Any person under order pursuant to ECL 27-1313.3.a has a duty imposed by ECL Article 27, Title 13 to carry out the remedial program committed to under order. ECL 71-2705 provides that any person who fails to perform any duty imposed by ECL Article 27, Title 13 shall be liable for civil, administrative and/or criminal sanctions.

C. The Department also has the power, *inter alia*, to provide for the prevention and abatement of all water, land, and air pollution. ECL 3-0301.1.i.

5. The Department and Respondent agree that the goals of this Order are for Respondent to (i) develop and implement a Focused Remedial Investigation/Feasibility Study ("Focused RI/FS") for the Site; and (ii) reimburse the State's administrative costs.

6. Respondent, having waived Respondent's right to a hearing herein as provided by law, and having consented to the issuance and entry of this Order, agrees to be bound by its terms. Respondent consents to and agrees not to contest the authority or jurisdiction of the Department to issue or enforce this Order, and agrees not to contest the validity of this Order or its terms.

NOW, having considered this matter and being duly advised, IT IS ORDERED THAT:

I. Initial Submittal

Within 90 days after the effective date of this Order, Respondent shall submit to the Department all data within Respondent's possession or control regarding environmental conditions on-Site and off-Site, and other information described below, with the exception of information previously submitted to the Department which is listed in Exhibit D. The data and other information shall include:

A. A brief history and description of the Site, including the types, quantities, physical state, location, and dates of disposal of hazardous waste including methods of disposal and spillage of such wastes;

B. A concise summary of information held by Respondent and Respondent's attorneys and consultants with respect to all persons responsible for such disposal of hazardous wastes, including but not limited to names, addresses, dates of disposal and any proof linking each such person responsible with hazardous wastes identified pursuant to Subparagraph I.A.; and

C. A comprehensive list and copies of all existing relevant reports with titles, authors, and subject matter, as well as a description of the results of all previous investigations of the Site and areas in the vicinity of the Site, including copies of all available topographic and property surveys, engineering studies and aerial photographs.

## II. Focused RI/FS Work Plan Contents and Submittals

A. Within 120 days after the Department's approval of the firms or individuals selected by Respondent pursuant to Paragraph XV.B., Respondent shall submit to the Department a detailed work plan describing the methods and procedures to be implemented in performing a Focused RI/FS for the Site ("Focused RI/FS Work Plan").

B. The Focused RI/FS Work Plan shall be in compliance with 6 NYCRR Part 375 and appropriate Department technical guidance documents and shall include the following:

1. A chronological description of the past investigatory activities undertaken at the Site and the anticipated Focused RI/FS activities, together with a schedule for the performance of these activities.

2. A Sampling and Analysis Plan that shall include:

(a) A quality assurance project plan that describes the quality assurance and quality control protocols necessary to achieve the initial data quality objectives. This plan shall designate a data validation expert and must describe such individual's qualifications and experience.

(b) A field sampling plan that defines sampling and data gathering methods in a manner consistent with the *Field Methods Compendium*, OSWER Directive 9285.2-11 (draft June 1993), as supplemented by the Department.

3. A health and safety plan to protect persons at and in the vicinity of the Site during the performance of the Focused RI/FS which shall be prepared in accordance with 29 CFR 1910 and all other applicable standards by a certified health and safety professional. Respondent shall add supplemental items to this plan necessary to ensure the health and safety of all persons at or in the vicinity of the Site during the performance of any work pursuant to this Order.

4. A citizen participation plan that is, at a minimum, consistent with the Department's publication entitled *Citizen Participation in New York's Hazardous Waste Site Remediation Program* dated June 1998, and any subsequent revisions thereto, and 6 NYCRR 375.

### III. Performance and Reporting of Focused Remedial Investigation

A. Respondent shall commence the Focused Remedial Investigation in accordance with the schedule contained in the Department-approved Focused RI/FS Work Plan.

B. Respondent shall perform the Focused Remedial Investigation in accordance with the Department-approved Focused RI/FS Work Plan.

C. During the performance of significant field activities, Respondent shall have on-Site a representative who is qualified to supervise the work done.

D. Within the time frame set forth in the Department-approved Focused RI/FS Work Plan, Respondent shall prepare a Focused Remedial Investigation Report that shall:

1. include all data generated and all other information obtained during the Focused Remedial Investigation:

2. identify any additional data that must be collected; and

3. include a certification by the individual or firm with primary responsibility for the day to day performance of the Focused Remedial Investigation that all activities that comprised the Focused Remedial Investigation were performed in full accordance with the Department-approved Focused RI/FS Work Plan.

### IV. Focused Feasibility Study

A. In accordance with the schedule contained in the Department-approved

Focused RI/FS Work Plan, Respondent shall submit a complete Focused Feasibility Study evaluating on-Site and off-Site remedial actions. The Focused Feasibility Study shall be prepared under the supervision of a professional engineer and have the signature and seal of a professional engineer who shall certify that the Focused Feasibility Study was prepared in accordance with this Order.

B. Respondent shall perform and prepare the Focused Feasibility Study in accordance with the Department-approved Focused RI/FS Work Plan.

C. After the Department's approval of the Focused Feasibility Study, Respondent shall cooperate with and assist the Department in soliciting public comment on the Focused RI/FS and on the proposed remedial action plan, in accordance with the guidance documents identified in Subparagraph II.B.2, and with any Department policy and guidance documents in effect at the time the public comment period is initiated. After the close of the public comment period, the Department shall select a final remedial alternative for the site in a Record of Decision ("ROD").

V. Interim Remedial Measures

A. Respondent may propose one or more Interim Remedial Measures ("IRMs") for the Site.

B. In proposing each IRM, Respondent shall submit to the Department a work plan that includes a chronological description of the anticipated IRM activities together with a schedule for performance of those activities (an "IRM Work Plan").

C. Upon the Department's determination that the proposal is an appropriate IRM and upon the Department's approval of such work plan, the IRM Work Plan shall be incorporated into and become an enforceable part of this Order, and Respondent shall submit to the Department for its review and (as appropriate) approval, in accordance with the schedule contained in the Department-approved IRM Work Plan, detailed documents and specifications prepared, signed, and sealed by a professional engineer to implement the Department-approved IRM. Such documents shall include a health and safety plan, contingency plan, and (if the Department requires such) a citizen participation plan that incorporates appropriate activities outlined in the Department's publication entitled *Citizen Participation in New York's Hazardous Waste Site Remediation Program* dated June 1998, and any subsequent revisions thereto, and 6 NYCRR Part 375. Respondent shall then carry out such IRM in accordance with the requirements of the approved IRM Work Plan, detailed documents and specifications, and this Order. Respondent shall notify the Department of any significant difficulties that may be encountered in implementing the Department-approved work plan, detailed documents or specifications

and shall not modify any obligation unless first approved by the Department.

D. During implementation of all construction activities identified in the Department-approved IRM Work Plan, Respondent shall have on-Site a representative (either an employee, a consultant or a contractor) who is qualified to supervise the work done.

E. Within the schedule contained in the Department-approved IRM Work Plan, Respondent shall submit to the Department a final engineering report prepared by a professional engineer that includes a certification by that individual that all activities that comprised the Department-approved IRM were completed in accordance with the Department-approved IRM Work Plan and this Order.

1. If the performance of the Department-approved IRM encompassed construction activities, the final engineering report shall also include a detailed post-remedial operation and maintenance plan ("IRM O&M Plan"); "as-built" drawings and a final engineering report (each including all changes made during construction); and a certification by a professional engineer that the IRM was implemented and all construction activities were completed in accordance with the Department-approved detailed documents and specifications for the IRM and that all such activities were personally witnessed by him or her or by a person under his or her direct supervision. The IRM O&M Plan, "as built" drawings, final engineering report, and certification must be prepared, signed, and sealed by a professional engineer.

2. Upon the Department's approval of the IRM O&M Plan, Respondent shall implement the IRM O&M Plan in accordance with the requirements of the Department-approved IRM O&M Plan.

F. After receipt of the final engineering report and certification, the Department shall notify Respondent in writing whether the Department is satisfied that the IRM was completed in compliance with the Department-approved IRM Work Plan and design.

#### VI. Progress Reports

By the 10<sup>th</sup> day of every month following the effective date of this Order, Respondent shall submit to the parties identified in Subparagraph XIV.B in the numbers specified therein copies of written monthly progress reports that:

A. describe the actions which have been taken toward achieving compliance with this Order during the previous month;



B. include all results of sampling and tests and all other data received or generated by Respondent or Respondent's contractors or agents in the previous month, including quality assurance/quality control information, whether conducted pursuant to this Order or conducted independently by Respondent;

C. identify all work plans, reports, and other deliverables required by this Order that were completed and submitted during the previous month;

D. describe all actions, including, but not limited to, data collection and implementation of work plans, that are scheduled for the next month and provide other information relating to the progress at the Site;

E. include information regarding percentage of completion, unresolved delays encountered or anticipated that may affect the future schedule for implementation of Respondent's obligations under the Order, and efforts made to mitigate those delays or anticipated delays;

F. include any modifications to any work plans that Respondent has proposed to the Department or that the Department has approved; and

G. describe all activities undertaken in support of the Citizen Participation Plan during the previous month and those to be undertaken in the next month.

VII. Review of Submittals

A. 1. With the exception of the progress reports required under Paragraph VI, the Department shall review each of the submittals Respondent makes pursuant to this Order to determine whether it was prepared, and whether the work done to generate the data and other information in the submittal was done, in accordance with this Order and generally accepted technical and scientific principles. The Department shall use its best efforts to notify Respondent in writing of its approval or disapproval of the submittal, except for the submittals discussed in Subparagraph II.B.3., within 90 days of receipt. All Department-approved submittals shall be incorporated into and become an enforceable part of this Order.

2. (a). If the Department disapproves a submittal, it shall so notify Respondent in writing and shall specify the reasons for its disapproval. Within 60 days after receiving written notice that Respondent's submittal has been disapproved, Respondent shall make a revised submittal to the Department that addresses and resolves all of the Department's stated reasons for disapproving the first submittal.

(b). After receipt of the revised submittal, the Department shall notify Respondent in writing of its approval or disapproval. If the Department disapproves the revised submittal, the matter shall be submitted for resolution as provided in Subparagraph VII.B. If the Department approves the revised submittal, it shall be incorporated into and become an enforceable part of this Order.

B. The Department and Respondent shall endeavor to resolve all disputes that arise under this Order, or which arise in connection with the performance of tasks required for preparation of submittals pursuant to this Order, by means of informal negotiation to the extent practicable under the circumstances. In the event that the parties cannot resolve their dispute informally, after reasonable efforts, the parties may pursue their respective rights as provided by law. Respondent's obligations under this Order with respect to any items not in dispute shall not be extended, postponed or modified unless or until the Department so agrees or a court determines otherwise.

#### VIII. Penalties

A. 1. Respondent's failure to comply with any term of this Order constitutes a violation of this Order.

2. Respondent shall be liable for such penalties as may be provided by law.

B. Respondent shall not suffer any penalty under this Order or be subject to any proceeding or action if it cannot comply with any requirement hereof because of war, riot, adverse weather conditions, a threat to human safety, an unforeseeable disaster arising exclusively from natural causes which the exercise of reasonable prudence could not have prevented or because of any other fact or circumstance beyond Respondent's reasonable control. Respondent shall, within 5 days of when it obtains knowledge of any such condition, notify the Department in writing. Respondent shall include in such notice the measures taken and to be taken by Respondent to prevent or minimize any delays and shall request an appropriate extension or modification of this Order. Failure to give such notice within such 5 day period constitutes a waiver of any claim that a delay is not subject to penalties. Respondent shall have the burden of proving that an event is a defense to compliance with this Order pursuant to Subparagraph VIII.B.

#### IX. Entry upon Site

Respondent hereby consents, subject to compliance with Respondent's safety and confidentiality rules, to the entry upon the Site or areas in the vicinity of the Site which may be under the control of Respondent by any duly designated employee, consultant,

contractor or agent of the Department or any State agency for purposes of oversight, sampling, and testing, and to ensure Respondent's compliance with this Order, and shall permit the Department full access to all records relating to matters addressed by this Order and to job meetings.

X. Payment of State Costs

Within 90 days after receipt of an itemized invoice from the Department, Respondent shall pay to the Department a sum of money which shall represent reimbursement for the State's expenses including, but not limited to, direct labor, fringe benefits, indirect costs, travel, analytical costs, and contractor costs incurred by the State of New York for work related to the Site to the effective date of this Order, as well as for reviewing and revising submittals made pursuant to this Order, overseeing activities conducted pursuant to this Order, collecting and analyzing samples, and administrative costs associated with this Order. Such payment shall be made by certified check payable to the Department of Environmental Conservation and shall be sent to:

Bureau of Program Management  
Division of Environmental Remediation  
New York State Department of Environmental Conservation  
50 Wolf Road  
Albany, NY 12233-7010.

Personal service costs shall be documented by reports of Direct Personal Service, which shall identify the employee name, title, biweekly salary, and time spent (in hours) on the project during the billing period, as identified by an assigned time and activity code. Approved agency fringe benefit and indirect cost rates shall be applied. Non-personal service costs shall be summarized by category of expense (*e.g.*, supplies, materials, travel, contractual) and shall be documented by expenditure reports.

XI. Department Reservation of Rights

A. Nothing contained in this Order shall be construed as barring, diminishing, adjudicating, or in any way affecting any of the Department's civil, criminal, or administrative rights or authorities.

B. Nothing contained in this Order shall be construed to prohibit the Commissioner or his duly authorized representative from exercising any summary abatement powers.

XII. Indemnification

Respondent shall indemnify and hold the Department, the State of New York, and their representatives and employees harmless for all claims, suits, actions, damages, and costs of every name and description for which the Department may become liable arising out of or resulting from the fulfillment or attempted fulfillment of this Order by Respondent and/or any of Respondent's directors, officers, employees, servants, agents, successors, and assigns except for liability arising from unlawful, willful, or malicious acts or omissions on the part of the Department, the State of New York, and their representatives and employees.

XIII. Public Notice

A. Within 30 days after the effective date of this Order, Respondent shall file a Declaration of Covenants and Restrictions with the Oswego County Clerk to give all parties who may acquire any interest in the Site notice of this Order.

B. If Respondent proposes to convey the whole or any part of Respondent's ownership interest in the Site, Respondent shall, not fewer than 60 days before the date of conveyance, notify the Department in writing of the identity of the transferee and of the nature and proposed date of the conveyance and shall notify the transferee in writing, with a copy to the Department, of the applicability of this Order.

XIV. Communications

A. All written communications required by this Order shall be transmitted by United States Postal Service, by private courier service, or hand delivered as follows:

1. Communication from Respondent shall be sent to:

Michael Ryan P.E.,  
Division of Environmental Remediation  
New York State Department of Environmental Conservation  
50 Wolf Road  
Albany, New York 12233-7010

with copies to:

Director, Bureau of Environmental Exposure Investigation  
New York State Department of Health  
Flanigan Square  
Troy, New York 12180-2216

Henriette Hamel  
New York State Department of Health  
217 South Salina Street, 3<sup>rd</sup> Floor  
Syracuse, New York 13202

Regional Hazardous Waste Remediation Engineer, Region 7  
New York State Department of Environmental Conservation  
615 Erie Boulevard West  
Syracuse, New York 13204-2400

Deborah W. Christian, Esq.  
Division of Environmental Enforcement  
New York State Department of Environmental Conservation  
50 Wolf Road  
Albany, New York 12233-5500

2. Communication to be made from the Department to Respondent shall be sent to:

Thomas Brown  
Alcan Aluminum Corporation  
PO Box 28/448 County Route 1A  
Oswego, New York 13126

with a copy to:

Lawrence A. Salibra II, Esq.  
Alcan Aluminum Corporation  
P.O. Box 6977  
Cleveland, Ohio 44101-1977

B. Copies of work plans and reports shall be submitted as follows:

Four copies (one unbound) to Mr. Ryan

One copy to the Director, Bureau of Environmental  
Exposure Investigation.

One copy to Ms. Hamel

One copy to the Regional Hazardous Waste Remediation Engineer,  
Region 7

C. Within 30 days of the Department's approval of any report submitted pursuant to this Order, Respondent shall submit to Mr. Ryan a computer readable magnetic media copy of the approved report in American Standard Code for Information Interchange (ASCII) format.

D. The Department and Respondent reserve the right to designate additional or different addressees for communication upon written notice to the other.

XV. Miscellaneous

A. All activities and submittals required by this Order shall address both on-Site and off-Site contamination resulting from the disposal of hazardous wastes at the Site.

B. Respondent shall retain professional consultants, contractors, laboratories, quality assurance/quality control personnel, and third party data validators acceptable to the Department to perform the technical, engineering, and analytical obligations required by this Order. The experience, capabilities, and qualifications of the firms or individuals selected by Respondent shall be submitted to the Department no less than 30 days prior to the commencement of the work contemplated. The Department's approval of these firms or individuals shall be obtained before the start of any activities for which Respondent and such firms or individuals will be responsible. The responsibility for the performance of the professionals retained by Respondent shall rest solely with Respondent.

C. The Department shall have the right to obtain split samples, duplicate samples, or both, of all substances and materials sampled by Respondent, and the Department shall also have the right to take its own samples. Respondent shall make available to the Department the results of all sampling and/or tests or other data generated by Respondent with respect to implementation of this Order and shall submit these results in the progress reports required by this Order. The Department shall provide copies of the results of all tests it conducts on samples obtained pursuant to this paragraph to Respondent.

D. Respondent shall notify the Department at least 10 working days in advance of any field activities to be conducted pursuant to this Order.

E. Respondent shall obtain all permits, easements, rights-of-way, rights-of-entry, approvals, or authorizations necessary to perform Respondent's obligations under this Order. If Respondent, despite the use of best efforts (which may include the payment of reasonable sums of money in consideration) is unable to obtain any permit, easement,

right-of-way, right-of-entry, approval, or authorization necessary to fulfill its obligations under this Order, Respondent shall promptly notify the Department, including in such notification a summary of the steps taken, and the Department shall grant an appropriate extension of time for performance under this Order.

F. Respondent and Respondent's officers, directors, agents, servants, employees, successors, and assigns shall be bound by this Order. Any change in ownership or corporate status of Respondent including, but not limited to, any transfer of assets or real or personal property shall in no way alter Respondent's responsibilities under this Order. Respondent's officers, directors, employees, servants, and agents shall be obliged to comply with the relevant provisions of this Order in the performance of their designated duties on behalf of Respondent.

G. Respondent shall provide a copy of this Order to each contractor hired to perform work required by this Order and to each person representing Respondent with respect to the Site and shall condition all contracts entered into in order to carry out the obligations identified in this Order upon performance in conformity with the terms of this Order. Respondent or Respondent's contractors shall provide written notice of this Order to all subcontractors hired to perform any portion of the work required by this Order. Respondent shall nonetheless be responsible for ensuring that Respondent's contractors and subcontractors perform the work in satisfaction of the requirements of this Order.

H. All references to "professional engineer" in this Order are to an individual registered as a professional engineer in accordance with Article 145 of the New York State Education Law. If such individual is a member of a firm, that firm must be authorized to offer professional engineering services in the State of New York in accordance with Article 145 of the New York State Education Law.

I. All references to "days" in this Order are to calendar days unless otherwise specified.

J. The paragraph headings set forth in this Order are included for convenience of reference only and shall be disregarded in the construction and interpretation of any of the provisions of this Order.

K. 1. No term, condition, understanding, or agreement purporting to modify or vary any term of this Order shall be binding unless made in writing and subscribed by the party to be bound. No informal advice, guidance, suggestion, or comment by the Department regarding any report, proposal, plan, specification, schedule, or any other submittal shall be construed as relieving Respondent of Respondent's obligation to obtain such formal approvals as may be required by this Order.

2. If Respondent desires that any provision of this Order be changed, Respondent shall make timely written application, signed by Respondent, to the Commissioner setting forth reasonable grounds for the relief sought. Copies of such written application shall be delivered or mailed to Ms. Christian and to Mr. Ryan.

L. The effective date of this Order is the date the Commissioner or his designee signs it.

DATED: Albany , New York

10/07

2000

JOHN P. CAHILL, COMMISSIONER  
New York State Department  
of Environmental Conservation

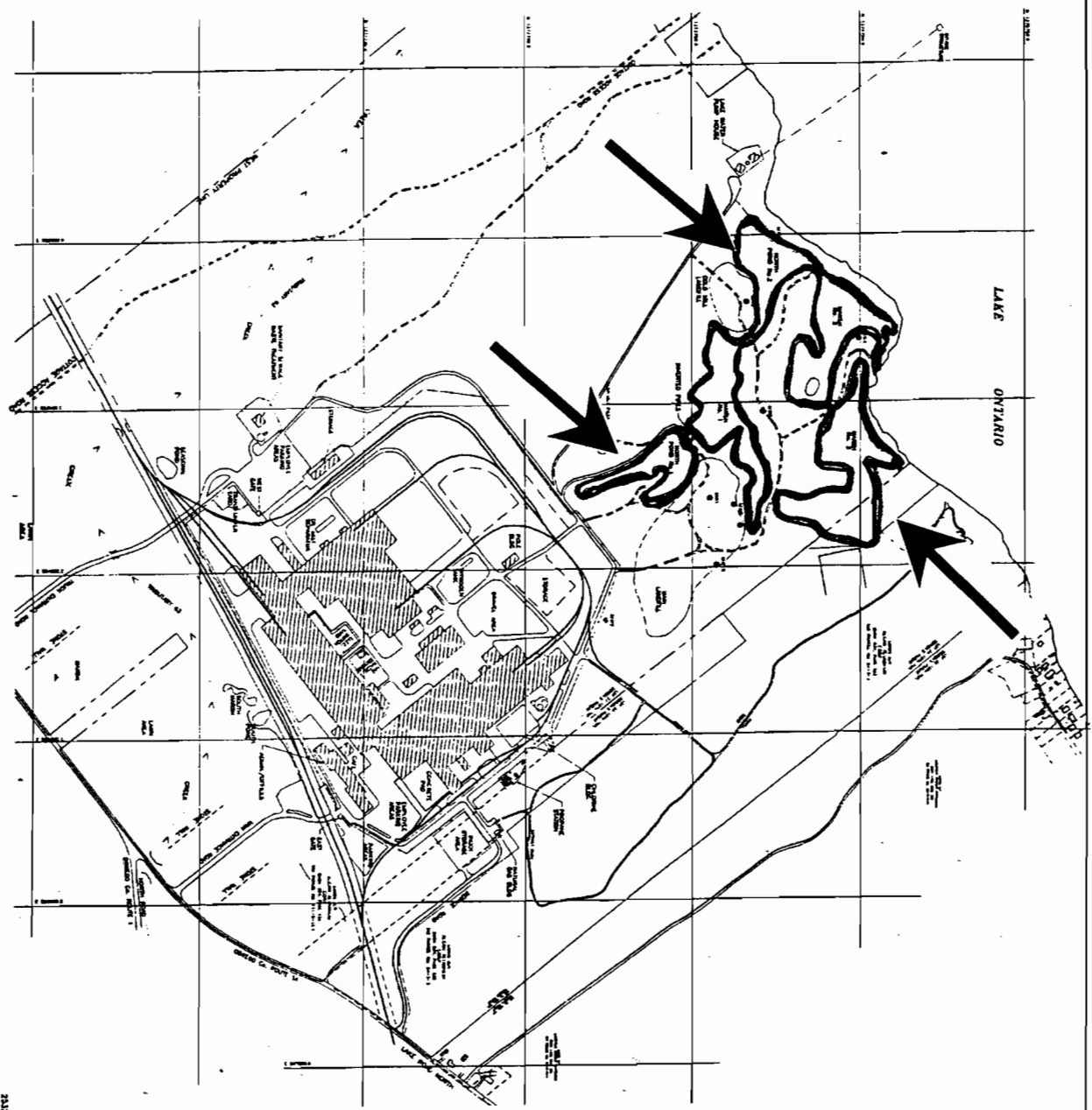
By:




Michael J. O'Toole, Jr.












2023/14

	TITLE	SITE MAP
	PROJECT	CONSENT ORDER A7-0395-9908

**ALCAN ALUMINUM**  
**SITE CODE 7-38-015**  
**EXHIBIT A**



**NOTES**  
 1. ALL DIMENSIONS ARE IN METERS UNLESS OTHERWISE SPECIFIED.

- LEGEND**
-  Building
  -  Road
  -  Fenced Area
  -  Unfenced Area
  -  Property Line
  -  Boundary Line







**Consent Order A7-0395-9908**  
**Site Code 7-38-015, Alcan Aluminum Corporation**  
**Exhibit D - Previous Submittals**

The following list of submittals has been provided to NYSDEC. Alcan would like to point out that most of these reports are summarized in the North Pond Investigation Report (NPIR, 1997)

This first list of submittals includes PCB analytical work that used a cleanup procedure that would bias the results high.

- North Pond Project (1980 to 1982)
- Cooling Water Partial Recirculation Study (1983)
- Annual Sediment Sampling Results (1984 to 1991)
- NYSDEC Phase I Investigation (1989)
- NYSDEC Preliminary Site Assessment (1990)
- North Pond Sediment Sampling Program (1991)
- All SPDES Permit Monitoring Data for Outfall 002 (North Pond Discharge)
- Main Landfill Investigation (1994)

Below is a list of submittals where analytical work has used the site specific cleanup procedure for PCB analysis.

- North Pond Investigation Report (1997)
- Phase Distribution Study of North Ponds/Wetland Complex (1996) (Appendix D of NPIR, 1997)
- Congener-Specific Determination of PCBs in Monitoring Well Samples (1997) (Appendix E of NPIR, 1997)