UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
REGION VIII

| | |
|---|---|
| IN THE MATTER OF:<br><br>ATLANTIC RICHFIELD COMPANY,<br>a Delaware corporation.<br><br>RESPONDENT.<br><br>PROCEEDING UNDER SECTIONS 104(b), 122(a), AND 122(d)(3) OF THE COMPREHENSIVE ENVIRONMENTAL RESPONSE, COMPENSATION, AND LIABILITY ACT, AS AMENDED, 42 U.S.C. §§ 9604(b), 9622(a), AND 9622(d)(3) | SEVENTEENTH AMENDMENT TO ADMINISTRATIVE ORDER ON CONSENT<br><br>Docket No. CERCLA-VIII-88-16 |

**AMENDMENT TO ADMINISTRATIVE ORDER ON CONSENT REGARDING PAYMENT OF COSTS FOR UNITED STATES GEOLOGICAL SURVEY MONITORING FOR TRIBUTARIES TO THE CLARK FORK RIVER IN THE ANACONDA AREA**

In consultation with the State of Montana, represented by the Montana Department of Environmental Quality (DEQ), the U.S. Environmental Protection Agency (EPA) and the Atlantic Richfield Company (Respondent) hereby amend Administrative Order on Consent, Docket No. CERCLA-Vlll-88-16 (Consent Order) for the Anaconda Smelter Site as follows.

1. Respondent agrees to fund tasks associated with the surface water monitoring plan entitled *USGS Monitoring for Tributaries to the Clark Fork in the Anaconda Area, Scope of Work, April 1, 2017 through March 31, 2018*, attached hereto as Exhibit A, for the time period beginning April 1, 2017, and ending March 31, 2018, by making a single payment to EPA in the amount of five hundred seven thousand six hundred dollars ($507,600.00).

2. The total amount to be paid by Respondent pursuant to this Amendment shall be deposited by EPA in the Anaconda Special Account within the EPA Hazardous Substance Superfund to be retained and used to finance response actions to be undertaken by the United States Geological Survey (USGS) necessary for implementing *USGS Monitoring for Tributaries to the Clark Fork in the Anaconda Area, Scope of Work, April 1, 2017 through March 31, 2018*. Any funds not used for the USGS monitoring may be used to conduct or finance response actions at or in connection with the Anaconda Smelter Site, or to be transferred by EPA to the Hazardous Substance Superfund.

3. EPA will direct USGS to provide to Respondent copies of its progress reports associated with such response actions at the same time such reports are provided to EPA.

4. The payment required by this Amendment shall be made by Respondent on or before sixty (60) days from the Effective Date of this Amendment. The payment shall be made by wire transfer as follows:

Federal Reserve Bank of New York
ABA = 021030004
Account Number: 68010727

5. To ensure that Respondent's payment is properly recorded by EPA, the following information must be included:

Site Name: Anaconda Smelter
Site#: 8-18GS
Type of Billing: FFY 2017 USGS Funding

6. Respondent will provide written notice that the funds transfer has occurred and payment made to: David Sturn, Cost Recovery Coordinator, U.S. EPA, Region 8, Montana Office, Federal Building, 10 West 15th Street, Suite 3200, Helena Montana 59626, (406) 457-5027, sturn.david@epa.gov.

7. All other provisions of the Consent Order as previously amended shall remain in effect. This Amendment shall be effective as of the date of signature by EPA.

It is so AGREED this _____day of _____, 2017.

ATLANTIC RICHFIELD COMPANY

_____
Patricia Gallery, Vice President

It is so ORDERED and AGREED:

BY:

_____DATE:_____
Andrea Madigan
CERCLA Supervisory Attorney

BY:

_____DATE:_____
Aaron Urdiales, Director
RCRA and CERCLA Technical Enforcement Program

BY:

_____DATE:_____
Bill Murray, Director
Superfund Remedial Response Program

EFFECTIVE DATE: _____