DEQ
Montana Department of Environmental Quality

June 24, 2016

Steve Wright
Columbia Falls Aluminum Co. LLC
2000 Aluminum Dr.
Columbia Falls, MT 59912

Cliff Boyd
CALBAG Resources, LLC
1700 Topaz Dr.
Missoula, MT 59808

Subject: CFAC Building 1 Plan & Schedule Approval [EPA ID No. MTD057561763; FID 2386]

Dear Messrs. Wright and Boyd:

On June 9, 2016, the Department of Environmental Quality (Department) received the Final Waste Management Plan and Schedule for Columbia Falls Aluminum Company Building 1 (Plan) as required per the Administrative Order on Consent (AOC). On June 23, 2016, the Department received the financial assurance documents for the Plan as required per the AOC. The Department has reviewed and hereby approves the Plan subject to the conditions and comments listed below. The Department-approved Plan is hereby incorporated by reference into the AOC as an enforceable requirement per Paragraph 26 of the AOC. All listed or characteristic hazardous waste must be removed from the Pot Room Building (Building 1) by June 24, 2018.

1. The Department has approved the start of the 90-day period for processing, storing, transporting, and disposing of each of the 72 cathodes, which do not contain a heel as beginning when a cathode is removed from the pot hole. The 90-day trigger/start date for each of the remaining cathodes with heels will begin when the aluminum heel of the pot is removed (AOC, Paragraph 20).

2. The AOC, Plan, and the Department's approval of the Plan require that CFAC and Calbag will properly characterize, remove, and properly dispose of all hazardous waste from the Building 1. Neither the AOC nor the Plan authorize CFAC or Calbag to store hazardous waste from the Building 1 on the property in any manner other than what is described in the approved Plan.

3. The Department has reviewed and approved the Surety Bond, Standby Trust Agreement, and Certificate of Liability Insurance as required by the AOC.

4. The Plan covers removal and disposal of hazardous waste associated with industrial operations within Building 1. Removal and disposal of hazardous waste in the floor of, or soil below Building 1, that was contaminated by sources outside of Building 1, such as contaminated ground water are not included in this Plan.

5. Demolition of the concrete foundation of Building 1 will require coordination with site-wide remedial activities. Additional cleanup or actions may be required of Columbia Falls Aluminum Company or Glencore under other authorities, including, but not limited to, those of the Department under the Comprehensive Environmental Cleanup and Responsibility Act and other applicable statutes, and EPA under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 as amended. Additional work required for site-wide remedial action could include characterization of the scope and extent of contamination under Building 1, demolition of the Building 1 concrete foundation, and limits on the use of the concrete as fill material.

6. The Department acknowledges receipt of your Health and Safety Plan. The Department does not have authority and therefore will not approve or disapprove the Health and Safety Plan.

7. Except as expressly provided in the AOC, neither this letter nor the AOC relieve Calbag or CFAC from any obligation to comply with all applicable state, federal, and local statutes, rules, ordinances, and permit conditions.

If you have any questions, please contact me at (406) 444-6383.

Sincerely,

Jenny Chambers
Division Administrator
DEQ Waste Management & Remediation Division
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