DEQ
Montana Department of Environmental Quality

March 26, 2018

Katy Norris
Tetra Tech
825 West Custer Ave
Helena, MT 59602

Re: CFAC Building 1, North Crane Bay 6, 7 & 8 Concrete Floor Management [EPA ID No. MTD057561763; FID 2386]

Dear Ms. Norris:

This letter is in response to your letter dated March 6, 2018, regarding the concrete floor in North Crane Bays 6, 7, and 8 in Building 1 of the Columbia Falls Aluminum Company (CFAC). In the letter, it was stated that Calbag believes the concrete floor in North Crane Bay 6, 7 and 8 should not be considered a waste. The Montana Department of Environmental Quality (DEQ) has reviewed your letter and offers the following response.

Per the Final Waste Management Plan (Section 2.1.1.1) approved by DEQ on June 24, 2016, the concrete floor in North Crane Bay 6, 7, and 8 was contaminated with listed hazardous waste from primary aluminum reduction (K088). CFAC designated the floor in this area as K088 waste through knowledge of process and, therefore, DEQ will not accept the requested change in waste determination without further treatment and testing, as detailed below.

While DEQ is unable to grant Calbag's request to change CFAC's hazardous waste determination, Calbag does have the option of utilizing the alternative treatment standards for hazardous debris found in 40 CFR § 268.45 (as incorporated by reference in Administrative Rules of Montana 17.53.1101). If Calbag requests an alteration of the Waste Management Plan's requirement to remove the concrete floor under this part of Building 1 as listed hazardous waste, it should do so in writing. DEQ would permit such an alteration if Calbag's proposal met the requirements of the Alternative Treatment Standards for Hazardous Debris, described under Physical Extraction through Scarification, Grinding and Planing in Table 1, A.1.b. in 40 CFR § 268.45. Due to the nature of K088 being cyanide reactive, physical extraction (scarification, grinding and planing) would be the appropriate treatment method that DEQ would likely approve. Removal of at least 0.6 cm of the surface layer would be required prior to testing the concrete for all hazardous constituents listed for K088 under 40 CFR §268.40 to determine if the treatment standards have been met. Concrete removal depth would also have to be conducted at a minimum of 0.6 cm below any surface cracks or pitting. All grindings and residue would need to be managed and disposed of as K088 Hazardous Waste.

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Per 40 CFR §265.1102, the owner or operator must remove or decontaminate all waste residues, contaminated containment system components, and structures and equipment contaminated with waste, and manage them as hazardous waste.

If you elect to treat the floor as described above, you will need to submit a formal amendment to the Waste Management Plan (Plan) to DEQ for approval. Additionally, Section 2.1.1.1 and any other applicable sections of the Plan will require updates. You will also need to submit a sampling plan for confirmation sampling and results must be at or below the values found in 40 CFR §268.40.

Finally, your letter notes that "Consistent with the agreed-upon approach for other concrete areas that were not designated or engineered for removal at CFAC, we believe the concrete floor in North Crane Bay 6, 7, and 8 should be left in place." As you know, the Administrative Order on Consent (AOC) does not govern the demolition of Building 1, it only addresses the removal and disposal of hazardous waste. If Calbag receives permission from DEQ and uses the alternative treatment method described above, after the hazardous waste has been treated, any remaining concrete would fall under the U.S. E.P.A's jurisdiction to determine whether it could be left in place. See March 1, 2018 letter from E.P.A. Site Attorney Mark Chalfant to Calbag Attorney Dean Alterman.

Nothing in this letter relieves Calbag or CFAC from any obligation to comply with all applicable state, federal, and local statutes, rules, ordinances, and permit conditions, except by the authority provided in the AOC.

If you have any questions, please contact me at (406) 444-3937.

Sincerely,

MIKE RIEGER

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