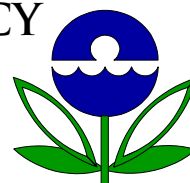


U. S. ENVIRONMENTAL PROTECTION AGENCY SUPERFUND CONSENT DECREE FACT SHEET



ANNISTON PCB SITE

ANNISTON, CALHOUN COUNTY, ALABAMA

OCTOBER 2002

Agreement Reached to Expand Residential Cleanup and Begin Comprehensive Study

The U.S. Environmental Protection Agency (EPA) has finalized an agreement with Solutia Inc. and Pharmacia Corporation (formerly Monsanto Company) regarding the Anniston PCB Superfund Site (Site) in Anniston, Calhoun County, Alabama.

On March 25, 2002, an agreement regarding the Site was lodged with the Federal District Court in Birmingham. A 60-day public comment period was held. A public meeting was held in Anniston on April 16, 2002, to explain the agreement and to record public comments. The public comment period closed on June 3, 2002. During the comment period, EPA received hundreds of comments on behalf of thousands of parties. Comments were received from individuals, businesses, civic organizations, public interest groups, state agencies, municipal entities, and law firms. While many of the comments expressed support for the agreement, many others expressed concern regarding part or all of the agreement. EPA modified the agreement to address the public's concerns.

Content of the Agreement:

The agreement is being administered by EPA's Superfund remedial program. The agreement will address all areas where hazardous substances, including PCBs, from the Anniston facility have come to be located, including the Solutia facility, the landfills, and residential, commercial, and agricultural properties that surround the facility, as well as the waterways and flood plains downstream from the facility. EPA will provide strict oversight of all work done as part of the agreement.

The March 25, 2002, agreement was modified to include the following provisions:

- 1) EPA, rather than the Solutia and Pharmacia (the potentially responsible parties (PRPs)), will perform the human health component of the risk assessment. The PRPs will perform the ecological component of the risk assessment with EPA's oversight;
- 2) The PRPs will perform a short study to determine what remedy is appropriate for residential yards with PCBs in soil. EPA will propose a remedy based on the results of the study and offer a 30-day public comment period. EPA estimates this process will allow the cleanup of all contaminated residential yards to occur at least two years earlier than under the previous agreement.
- 3) The PRPs agreed not to challenge the listing of the Site on the National Priorities List (NPL) if a) the PRPs are out of compliance with the agreement, or b) based upon changed Site conditions that result from the residential cleanups conducted as part of the agreement.
- 4) The \$3.2 million funding for special education for Anniston area children contained in the original settlement was revised to provide more equal funding throughout the twelve years the PRPs are required to fund the educational trust.
- 5) Penalties for failure to comply with the agreement were increased.
- 6) A provision was added to allow the State to comment on the contractors selected to work at the Site.

The following provisions remain from the original agreement:

- 1) The PRPs will conduct a study to determine the extent of contamination at the site. The study is called a Remedial Investigation (RI) and will be overseen by EPA..
- 2) The PRPs will conduct a study to evaluate ways to correct and prevent exposure to contamination from the site. The study is called a Feasibility Study (FS) and will be overseen by EPA.
- 3) The existing Removal Order will be incorporated into the Consent Decree. The immediate cleanup of the most contaminated properties will continue pursuant to the Removal Order while the studies are being conducted. Currently 12 of the 25 properties already identified for immediate cleanup have been addressed. The remaining properties will be addressed as soon as EPA obtains access from the property owners.
- 4) The agreement provides for the recovery of future response and oversight costs at the Site.
- 5) The agreement provides for funding up to \$150,000 for a Technical Assistance Plan (TAP) to allow qualified citizen groups to hire technical advisors, independent from the PRPs, to help interpret and comment on site-related documents.
- 6) The agreement provides for funding for meeting space and facilitators for a Community Advisory Group (CAG) to have periodic meetings during the response activities and through the public participation period for the Record of Decision (ROD).

In addition, Solutia, in a separate administrative agreement, has agreed to reimburse more than \$6,000,000 for past costs expended by EPA and other federal agencies.

Community Involvement Opportunities:

The agreement will be effective when it is entered by the Federal District Court in Birmingham, Alabama. Once the agreement is effective, EPA will seek input from the public regarding who should be on the CAG. EPA will work with the CAG to keep the public informed regarding EPA's activities at the Site and to get the public's input. EPA also has a Community Relations Center in Anniston to facilitate communications between EPA and public.

EPA will seek public input through a formal public comment process at the following times: 1) after EPA proposes a cleanup plan for the residential yards, and 2) after EPA proposes a long term remedy for the Site. EPA will hold public meetings and provide a written response to the comments at each of these times.

EPA estimates that the residential cleanup will begin six months after the agreement is approved by the Court. The complete investigation of the Site may take up to two years. At the conclusion of the RI/FS, EPA will select a final remedy to address the entire Site.

Once a remedy is selected, EPA will seek to enter into another agreement to require the PRPs to implement the selected remedy. EPA will provide another public comment period after an agreement for a final remedy is filed with the Court.

For More Information:

Persons interested in obtaining additional information are encouraged to contact: Pam Scully, EPA's Remedial Project Manager at (256)236-2599 or at (404)562-8935.

Copies of the agreement and EPA's response to the comments are available at the following website <http://www.epa.gov/region4/waste/npl/nplal/annpcbals.htm>. Copies are also available at EPA's Community Relations Center located at 1313 Noble Street, Anniston, Alabama.