TABLE 2-1
CLEANUP LEVELS
LEHIGH CEMENT COMPANY CLOSED CKD PILE SITE
METALINE FALLS, WASHINGTON

CONTAMINANT	METHOD B CLEANUP LEVEL	BASIS
pH	**6.5-8.5 standard units**	Ch 173-201A
Arsenic	**5 µg/L**	Background
Chromium (total)	**10 µg/L**	Ch 173-201A, NTR
Lead	**2.5 µg/L**	CWA, NTR
Manganese	**2.24 mg/L**	MTCA Method B

Notes: Ch 173-201A: Washington Administrative Code Section 173-201A
CWA: Clean Water Act
NTR: National Toxics Rule
µg/L: micrograms per liter
MTCA Method B -- Model Toxics Control Act Method B Cleanup Level for Human Health

TABLE 2-2
REGULATORY STATUS SUMMARY
LEHIGH CEMENT COMPANY CLOSED CKD PILE SITE
METALINE FALLS, WASHINGTON

ITEM	STATUS	REQUIREMENTS
Post-Closure Care and Maintenance Plan	Ongoing	• Provide for groundwater monitoring and reporting (WAC 173-303-610(7)(a)(i)). • Provide for maintenance and monitoring of waste containment systems as applicable (WAC 173-303-610(7)(a)(ii)).
Consent Decree	CD – 06-2-0034-6 (Section VI)	• Install, operate, and maintain an in-situ groundwater treatment system east of the Closed CKD Pile between State Route 31 and Sullivan Creek. The treatment system will consist of a hydraulic barrier that will intercept contaminated groundwater and direct it toward a treatment corridor. • Install, operate, and maintain a gravity drain along the southern edge of the Closed CKD Pile to direct uncontaminated groundwater away from the Closed CKD Pile. • Provide for groundwater monitoring to assess treatment system performance. • Provide for and maintain institutional controls in the form of: (1) fences; (2) signs; and (3) recording a restrictive covenant. • Provide for operation and maintenance of the cover and stormwater systems for the Closed CKD Pile, in accordance with the Post-Closure Care and Maintenance Plan (see above).

TABLE 2-2 (CONTINUED)
REGULATORY STATUS SUMMARY
LEHIGH CEMENT COMPANY CLOSED CKD PILE SITE
METALINE FALLS, WASHINGTON

ITEM	STATUS	REQUIREMENTS
Substantive Requirements	In process – Ecology provided various substantive requirements via electronic mail on 25 April 2006 and 21 June 2006.	• Hydraulic Projects Approval (HPA) o Washington Fish and Wildlife recommends that a biotechnical solution be constructed on the bank of Sullivan Creek. o The Washington Fish and Wildlife-approved Work Window for Sullivan Creek near the project site is from 1 July through 31 August. The Work Window may be modified by Washington Fish and Wildlife on a case-by case basis. • Shoreline Management Act o Stabilize the streambank utilizing a biostructurally engineered approach in keeping with the Integrated Streambank Protection Guidelines (ISPG). o Plant suitable native species in the biostructurally stabilized bank. o Provide for fish and riparian habitat. • Pend Oreille County Shoreline Master Program o Ecology has determined that there are no additional requirements for the Pend Oreille County Shoreline Master Program. • Floodplain Development o Ecology to compile requirements of the Flood Damage Prevention Ordinance, if any. • Building Permits (or substantive requirements from Pend Oreille County) • Clean Water Act Section 401 Certification Letter of Verification provided by Ecology – no further coordination with Ecology is required.

TABLE 2-2 (CONTINUED)
REGULATORY STATUS SUMMARY
LEHIGH CEMENT COMPANY CLOSED CKD PILE SITE
METALINE FALLS, WASHINGTON

ITEM	STATUS	REQUIREMENTS
Clean Water Act, Section 404 Rivers and Harbors Act, Section 10	Nationwide Permit 38 (Permit Number 200501240)	• Provide for minimal limited adverse effect on navigation. • Provide for proper maintenance, including maintenance for public safety. • Use and maintain effective soil erosion and sediment controls. • Provide for no substantial disruption of aquatic life movements. • Use mats or other measures to limit disturbances to wetlands by heavy equipment. • Comply with Regional Conditions. • Include no impairment of tribal rights. • Obtain substantive requirements of a Section 401 Water Quality Certification from Ecology, unless waived. • Do not harm threatened or endangered species or a species proposed for such designation under the Federal Endangered Species Act. • Submit a post-construction certification to the Corps of Engineers Seattle District Engineer that work was conducted in accordance with permit conditions. • Do not use unsuitable materials such as trash, debris, etc. in the structures or discharge these materials during work. • Implement mitigation measures as needed. • Avoid work in spawning areas to the maximum extent practical. • Maintain pre-construction flow conditions to the maximum extent practical. Limit adverse effects from water impoundments to the maximum extent practical. • Avoid activities in waterfowl breeding areas to the maximum extent practical. • Remove temporary fill materials. • Comply with applicable FEMA-approved state or local floodplain management requirements. • Complete construction work by 5 January 2008, unless Nationwide Permit is modified or reissued before that date, in which case construction must be complete within twelve months from the date of modification or reissuance. • Provide Corps of Engineers access to the project to conduct inspections. • Conduct no construction activities within one-quarter mile of occupied bald eagle nests, nocturnal roost sites, or wintering concentration areas during prohibited time periods. • Conduct no construction activities within one-half mile by line of sight of occupied bald eagle nests, nocturnal roost sites, or wintering concentration areas during prohibited time periods.

TABLE 2-2 (CONTINUED)
REGULATORY STATUS SUMMARY
LEHIGH CEMENT COMPANY CLOSED CKD PILE SITE
METALINE FALLS, WASHINGTON

ITEM	STATUS	REQUIREMENTS
National Pollutant Discharge Elimination System (Water Discharge Permit)	Under Ecology review	• To be determined