



Legislation Text

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Execution of a New Settlement Agreement Related to the Osage Metals Site (B)

On August 24, 1998 the City Commission authorized the General Manager or his designee to execute an Administrative Consent Order related to the above-referenced Superfund Site and to pay settlement costs to EPA in the amount of \$ 429.00. The General Manager executed the Consent Order on August 25, 1998 and the City of Gainesville, Gainesville Regional Utilities ("GRU") submitted it to EPA on the same day.

On October 27, 1998 EPA issued a notice to a list of respondents that the settlement had been approved by the Attorney General's office. GRU was not included in this list of settling parties. EPA indicated that GRU's signature page could not be located in their records.

In December 1998 EPA forwarded to GRU a new settlement agreement that differs from the agreement the City Commission authorized the General Manager to execute on August 24, 1998. The major changes in the new Consent Order are as follows:

Reference is made to AmerEco Environmental Services, Inc., another company from which Osage Metals, Inc. had accepted PCB-contaminated scrap metal from used transformers.

* Respondent must certify that he/she did not send more than a specified ("de-minimis") amount of transformers or capacitors to either AmerEco Environmental Services, Inc. or Osage Metals Co., Inc. for disposal between 1984 and 1993. If it is later discovered that the respondent did more than the de-minimis amount specified, EPA's covenant not to sue no longer applies.

* A section has been added allowing EPA to modify the Consent Order by adding any additional respondents whom EPA determines are potentially responsible parties.

..Recommendations

The City Commission authorize the General Manager or his designee to execute the Osage Metals Superfund Site Administrative Order on Consent, in the form on file with the Clerk of the Commission, subject to the approval of the City Attorney as to form and legality.

Four hundred twenty nine dollars and zero cents (\$429.00). This amount was previously authorized but has not yet been paid.

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