



Legislation Text

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

Osage Metals Co., Inc. was a scrap metal business that reclaimed metals from used transformers and capacitors purchased from various sources including the PCB Treatment Co., Inc. ("PCB Inc."). The City of Gainesville contracted with PCB Inc. in 1985 to dispose of PCB-containing materials, including capacitors.

EPA investigations at the PCB Inc. facility indicated that degreasing of metals from electrical equipment did not consistently clean the equipment of PCB fluid. This equipment was subsequently sent to Osage Metals, Inc. for reclamation and the residual PCBs resulted in contamination of the Osage Metals site as well.

In January 1998, EPA notified the City of Gainesville that through its disposal arrangements with PCB Inc. it was being linked as a Potentially Responsible Party at the Osage Metals site and hence, is liable for environmental response costs incurred by EPA at Osage Metals.

EPA is now presenting a de-minimis settlement offer to parties, including the City of Gainesville, who contributed less than 1% of the total volume of capacitors sent to the Osage Metals site. By executing the Administrative Order on Consent and paying the appropriate fee (\$429.00), the City of Gainesville will obtain protection from private party litigation and a full covenant not to sue by the United States except in certain circumstances defined in the Administrative Order on Consent.

The City Commission: 1) 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, and 2) authorize payment to the Environmental Protection Agency in the amount of \$429.00.

Funds are available in the O & M Budget to cover this expenditure.

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