

“Parties” shall mean the United States and the Defendants.

“Plaintiff” shall mean the United States.

“RCRA” shall mean the Solid Waste Disposal Act, as amended, 42 U.S.C. §§ 6901 et seq. (also known as the Resource Conservation and Recovery Act).

“RCRA Permit” shall mean the RCRA Post Closure Permit, ALD 004019048, issued by ADEM on January 7, 1997 as modified on May 21, 2001, and any subsequent modifications thereto.

“Remedial Investigation/Feasibility Study (RI/FS)” shall mean the response actions identified in 40 C.F.R. § 300.5 undertaken by Defendants pursuant to the RI/FS Agreement to determine the nature and extent of contamination at the Anniston PCB Site and develop and evaluate potential remedial alternatives.

“Removal Order” shall mean the Administrative Order on Consent, docket no. CER-04-2002-3752, for a removal action regarding the Anniston PCB Site (Site) which was effective on October 5, 2001. The Removal Order is set forth in Appendix C to this Consent Decree.

“Removal Order Work” shall mean all activities Defendants are required to perform pursuant to the attached Removal Order.

“RFI” shall mean the work being conducted pursuant to Defendants’ RCRA Permit.

“RI/FS Agreement” shall mean the Agreement for the RI/FS at the Site, as set forth in Appendix A to this Consent Decree.

“RI/FS Work” shall mean all activities Defendants are required to perform pursuant to the attached RI/FS Agreement. RI/FS Work does not include any activities or work EPA determines to be necessary at any other Site (including the Anniston Lead Site). RI/FS Work does not include any additional activities or work that EPA determines to be necessary after EPA approval of the certification of completion issued pursuant to **Paragraph 88** of the RI/FS Agreement.

“Section” shall mean a portion of this Consent Decree identified by a Roman numeral.

“Site” shall mean, for the purposes of this Consent Decree, the Anniston PCB Site, which consists of the area where hazardous substances, including PCBs (associated with the historical and ongoing operations of the Anniston plant by Solutia Inc., Monsanto Company, and their predecessors) have come to be located. The Site includes, but is not limited to, the area covered by the RCRA Permit.

“State” shall mean the State of Alabama.