

**Ketchikan Pulp Company
Certificate of Completion
1997 Administrative Order on Consent**

Background

Enclosed is the final Certificate of Completion for the joint EPA/DEC 1997 Administrative Order on Consent (AOC) for the KPC investigation and cleanup, EPA Docket 10-97-0055-CERCLA. The draft was developed by KPC legal staff. Assistant AG Steven Daugherty and Contaminated Sites project manager Bill Janes provided comments to KPC. EPA legal staff also reviewed the draft.

KPC has requested the certificate pursuant to section 35.3 of the 1997 AOC. The requirements of the AOC have generally been met and Records of Decision have been issued. Remedial action is not complete, but KPC has entered into a CERCLA Consent Decree with EPA governing the remaining remedial actions and monitoring pertaining to Ward Cove.

The AOC did not itself contain specific remedial measures, but instead established a process designed to lead to development of remedial measures. The proposed Certificate of Completion retains the State's authority to recover costs associated with the CERCLA remedial actions under AS.46.03.822, and postpones a release called for in section 30.10 of the AOC until completion of the CERCLA remedial actions.

The Department of Law sees no legal problems with the Certificate of Completion as it is now worded, and believes it would be difficult to justify failure to provide the requested certificate.

Signature and Distribution

The Certificate of Completion is set up for execution in counterparts. The last signature must be executed within 30 days of the first signature in order for the certificate to be effective.

In addition to the Commissioner's signed copy, DEC will send one clean copy each to EPA, KPC, and Louisiana Pacific for signature. Each party will provide a copy of its respective signature page to the other three parties.

All signature pages and the Certificate of Completion will be retained in the KPC site file located in the Contaminated Sites Program. A copy of the packet will be provided to the Department of Law.

Please notify Bill Janes at 5208 when the Commissioner or her designee has signed. Contaminated Sites will prepare copies and distribute appropriately.

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY, REGION 10
AND
THE ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION

In the Matter of:

KETCHIKAN PULP COMPANY SITE
KETCHIKAN PULP COMPANY and
LOUISIANA-PACIFIC CORPORATION

EPA Docket 10-97-0055-CERCLA

ADEC Site No. 1988130934701

CERTIFICATE OF COMPLETION

OF 1997 ADMINISTRATIVE ORDER ON CONSENT

WHEREAS:

1. Ketchikan Pulp Company ("KPC"), Louisiana-Pacific Corporation ("LPC"), the Environmental Protection Agency ("EPA"), and the Alaska Department of Environmental Conservation ("ADEC") entered into an Administrative Order on Consent ("AOC") on July 21, 1997, to guide the parties' investigation and remediation actions at the former KPC pulp mill site ("Site") in Ketchikan, Alaska;
2. Under the AOC, KPC/LPC prepared a remedial investigation/feasibility study in conformance with the Comprehensive Environmental Response, Compensation, and Liability Act ("CERCLA") and comparable State of Alaska laws and regulations and undertook interim response actions at the Site;
3. Pursuant to Section 35 of the AOC, corporate officers of KPC/LPC sent a request ("Certification Request") to EPA and ADEC on May 15, 2000, certifying

that all obligations under the AOC have been fully and completely performed;

4. On August 2, 2000, KPC, LPC, EPA, Gateway Forest Products and the United States Department of Justice entered into a consent decree ("Consent Decree") under CERCLA. The CERCLA Decree governs the implementation of two Records of Decisions ("RODs") pertaining to the Site. On November 20, 2000, the United States District Court in Alaska entered the Consent Decree. United States of America v. Gateway Forest Products, Inc., No. A00-225 CV (JKS);

5. The remedial design/remedial action contemplated by Section 30.10 of the AOC is being implemented by KPC/LPC under the Consent Decree; and

6. No further work under the AOC is contemplated or required.

IN CONSIDERATION OF THE FOREGOING, EPA, ADEC, KPC, and LPC HEREBY JOINTLY AGREE:

KPC and LPC have fully and completely performed as promised under the AOC, and that pursuant to Section 35.3 of the AOC, KPC and LPC have resolved their liability to EPA and the State of Alaska for the work performed under the AOC, provided that:

1. Nothing herein affects the State of Alaska's ability to seek reimbursement for oversight costs under AS 46.03.822 relating to work conducted by KPC/LPC under the Consent Decree;

2. The State of Alaska is not obligated to provide the release contemplated by Section 30.10 of the AOC until such time as the certificates of

completion for the uplands and marine operable units have been issued pursuant to Section 66(a)-(c) of the Consent Decree; and

3. This certificate is effective on the date of the last signature when signed by all parties if the last signature is executed within 30 days of the first signature. This certificate is not effective if all signatures are not executed within a 30 day period. Signatures may be executed in several counterparts, all or any of which shall be regarded for all purposes as one original and shall constitute and be but one and the same instrument. Facsimile signatures of any party shall be treated as an original binding that party to the terms of this certificate.

By: _____ DATE: _____


Michael F. Gearheard, Director of the Office of Environmental Cleanup
U.S. Environmental Protection Agency, Region 10

By: _____ DATE: _____

Michele Brown, Commissioner
Alaska Department of Environmental Conservation

By:  _____
Chris Paulson, President & General Manager
Ketchikan Pulp Company

DATE: 8-10-01

By:  _____
Curt Stevens, Chief Financial Officer
Louisiana-Pacific Corporation

DATE: 8-10-01

completion for the uplands and marine operable units have been issued pursuant to Section 66(a)-(c) of the Consent Decree; and

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By: _____ DATE: _____

Michael F. Gearheard, Director of the Office of Environmental Cleanup
U.S. Environmental Protection Agency, Region 10

By: *Kent Fedak* DATE: 8-6-01

Michele Brown, Commissioner
Alaska Department of Environmental Conservation

By: _____ DATE: _____

Chris Paulson, President & General Manager
Ketchikan Pulp Company

By: _____ DATE: _____

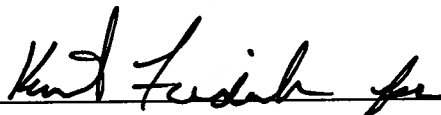
Curt Stevens, Chief Financial Officer
Louisiana-Pacific Corporation

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By:  DATE: 8-21-01

Michael F. Gearheard, Director of the Office of Environmental Cleanup
U.S. Environmental Protection Agency, Region 10

By:  DATE: 8-6-01

Michele Brown, Commissioner
Alaska Department of Environmental Conservation

By: _____ DATE: _____

Chris Paulson, President & General Manager
Ketchikan Pulp Company

By: _____ DATE: _____

Curt Stevens, Chief Financial Officer
Louisiana-Pacific Corporation