

until receiving written approval from the OSC pursuant to Paragraph 89.

91. No informal advice, guidance, suggestion or comment by the OSC or other EPA representatives regarding reports, plans, specifications, schedules or any other writing submitted by Respondent shall relieve Respondent of its obligation to obtain any formal approval required by this Order or to comply with all requirements of this Order, unless it is formally modified.

XXVI. NOTICE OF COMPLETION OF WORK

92. When EPA determines, after EPA's review of the Final Report, that all Work has been fully performed in accordance with this Order, with the exception of any continuing obligations required by this Order, including monitoring, source control measures operation, payment of Future Response Costs, record retention, etc., EPA will provide written notice to such effect to Respondent. If EPA determines that any such Work has not been completed in accordance with this Order, EPA will so notify Respondent, provide a list of the deficiencies, and require that Respondent modify the applicable workplan, if appropriate, in order to correct such deficiencies. Respondent shall implement any modified and approved workplan and shall submit a modified Final Report to EPA in accordance with the EPA notice for response by EPA in accordance with this Paragraph 92. Failure by Respondent to implement the approved modified workplan shall be a violation of this Order. Completion of the Work shall not be interpreted as completion of corrective action activities at the Site under the Agreement unless so determined as part of the selection of the Final Remedy under the Agreement.

XXVII. SEVERABILITY/INTEGRATION/APPENDICES

93. If a court issues an order that invalidates any provision of this Order or finds that Respondent has sufficient cause not to comply with one or more provisions of this Order, Respondent shall remain bound to comply with all provisions of this Order not invalidated or determined to be subject to a sufficient cause defense by the court's order.

94. This Order and its attached figure and appendices constitute the final, complete and exclusive agreement and understanding between the Parties with respect to the settlement embodied in this Order. The Parties acknowledge that there are no representations, agreements or understandings relating to the settlement other than those expressly contained in this Order. The following figure and appendices are attached to and incorporated into this Order:

- Figure 1 - Map Of Site
- Appendix 1 - Properties Outside East Plant Area
Subject To Removal Action
- Appendix 2 - Action Memorandum
- Appendix 3 - Parcel 22 Workplan
- Appendix 4 - Upstream Workplan
- Appendix 5 - SSC Workplan Scope Of Work
- Appendix 6 - Form Of Access Request Correspondence
And Access Agreement

XXVIII. EFFECTIVE DATE AND TERMINATION

95. This Order shall be effective upon receipt by Respondent of a copy of this Order signed by the Director, Superfund Division, EPA, Region 5. This Order shall terminate after EPA's approval of the Final Report under Section XXVI and upon Respondent's written notification thereafter that all other obligations under this Order have been completed and receipt by Respondent of EPA's written concurrence therewith; provided, however, that no such termination shall affect Sections XI, XIX, XX, XXI and XXIII which shall survive any such termination.