DRAFT

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Summary of the
Animas River Stakeholders Group Meeting
Silverton, CO
June 20, 1996

Attendees (35): Camille Farrell and Bob Owen (CDPHE); Todd Bryan and Gary Broetzman (CCEM); Peter Butler and SI Irwin (FOAR); Chester Anderson; Kevin deKay and Chris George (Silverton); Ted Toms and Fred Clark (Howardsville); Kathryn Holland (Telluride); Bruce Campbell (Durango); Sara Staber (Riverwatch); Travis Schwertfeger (Ft. Lewis); Trude King, Jack Fordham, Paul von Guerard, Stan Church, Briant Kimball and Win Wright (USGS); Larry Perino and Terry Morris (SSGC); Bill Jones (Root & Norton Labs); Steve Fearn (Silver Wing); Jim Herron and Tom Gillis (DMG); Rob Robinson (BLM); Stan Powers (BOR); Chris Muhr (Oak Ridge Labs); Carol Russell (EPA); Dion Dain (MARC); Susan Finger and Jim Coyle (NBS); and David Hyman (DOE).

Agenda
The summary of the April 25, 1996 meeting was discussed and accepted. The draft Agenda for this meeting was accepted and generally followed. The following summarized the discussion on the agreement and the key points covered during the rest of the meeting:

Introduction
Camille Farrell facilitated the meeting. A brief summary of the afternoon's training in Meeting Facilitation, presented by CCEM, was presented. Meeting ground rules were posted and accepted by the group.

Update - SSG/CDPHE Agreement
Bob Owen informed the group that the Consent Decree (CD) was signed on May 30, 1996. Public comments received were thought to have been sent to the ASRG. Larry Perino updated the group about the activities SSG has undertaken to commence commitments outlined in the CD, i.e., application for a Discharge Permit to complete remediation; contact of mine owners where reclamation is proposed; MLRD Permit Technical Revision; determination that an Underground Injection Control permit is not needed for mine pool mitigation; placement of a $5 million Letter of Credit Performance Warranty with CDPHE; application for County permits; conducted an Historical Review Committee tour of properties on 6/19/96; Colorado Historical Review conducted between May 9 and 22, 1996; contacted ACOE regarding Cement Creek and Eureka G.; valve closure at the American and Terry Tunnels is pending.

Ongoing Topics
Monitoring Work Group Report
DOI Abandoned Mined Land Initiative
Paul VG discussed the DOI AML Initiative, involving the USGS, BLM and NBS. The Upper Animas River Basin in Colorado and Boulder River in Montana have been chosen as pilot sites for Site Characterization of Federal Lands. The AML initiative will work with the ASRG Monitoring Work Group to minimize duplication while formulating their Work Plan, which is anticipated to investigate: effect of metal sources on water quality; fate and transport of metals to characterize remediation alternatives; conduct a limiting factors analysis, coordinated with the Biological Work Group; and investigate the water quality needed to support biota in the Animas River. The BLM has applied for $750,000 to utilize in the Animas River in Fiscal Year 1997 ($3.25 million in Montana).

Animas Canyon Macroinvertebrate Study Proposal
Chester Anderson, aquatic Entomologist, presented a proposal to conduct an investigation to identify the limiting factors on biota in the Animas Canyon. Approximately $95,000.00 is needed to fund the study. Possible funding sources discussed included: EPA Headwaters, C.S.U. (coordination with Will Clements), CDPHE; and other grants. The ASRG felt additional design input is needed and that a Sampling and Analysis Plan needed approval from EPA A.S.A.P. The group deferred the decision of supporting this concept to the Monitoring Work Group.

Feasibility Studies Workgroup Report
Mineral Creek Hydrologic Control Project
Site selection for the 1996 Non-point Source Hydrologic Control project was prioritized utilizing: water quality in Mineral Creek; technical feasibility; landowner permission; and County Historical Society Review of sites. If matching funds are attained for an individual site, that site will receive priority ranking. (Non-Point Source Projects receive 60% funding through Section 319 of the Clean Water Act, and require 40% matching funds from non-federal sources; 90% of matching funds have been received as services and/or materials in other projects.) NPS projects are intended demonstrate Best Available Technologies. Sites were selected in the following order: 1) North Star, 2) Bandora; 3) Brooklyn; 4) Carbon Lakes; 5) Bonner; 6) Burbank; 7) Ferricrete; 8) Little Dora. The Longfellow/Koehler was eliminated from the list at this time because of proposed SSG reclamation activities on the site.

Cement Creek Feasibility Water Quality Sampling Project
DMG is coordinating with the USGS regarding who will sample what sites for the September 17, 1996 water quality sampling event. USGS is expected to collect water samples on the mainstem of Cement Creek below the confluence with North Fork, whereas DMG will collect samples upstream from there. At locations where surface water will be sampled, CDPHE will collect sediments. Where DMG will collect draining mine adit samples, CDPHE will collect waste rock samples. Paul Krabacher will assemble teams of volunteers to complete the event in (perhaps) one day.

BLM/BOM Headwaters Update
BOM/CSM/MSE/BLM are doing a pilot project to treat acid rock drainage from adits. Active and Passive methods are being considered at the Joe and John Mine, Forest Queen Mine and the Everlin Mine. Discussion regarding preference for local project management ensued.

Funding Sources
Additional NPS/319 Grants for a Hydrologic Control Project in Cement Creek Basin and additional characterization in the Upper Animas Watershed was discussed. A total of $417,000.00 is available for all 1997 Colorado NPS projects (17 proposed; 7 of which are mining projects), so funding is more limited than it has been.

Rocky Mountain Headwaters funding (for which 1997 may be the last year) is available through an application process. Carol Russell with the EPA can be contacted for additional information. Potential projects include: Hydrologic Controls in the Cement Creek basin; ASG Coordinator funding; Oak Ridge Labs; and the Animas Canyon Macroinvertebrate Study. Applications were to be sent to Bill Simon by 7/15/95 and will be reviewed by Bill Jones, Bob O., Stan P., Sara S., and Peter Butler for recommendation of projects to EPA.

Great Outdoors Colorado (GOCO - Lottery $) funding can be used for remediation if projects improve fish habitat and provide for recreation. Partnerships with the County and Historical Society were discussed for possible project development and submittal to GOCO. A GOCO meeting is scheduled for August - September, 1996, in Durango. BLM informed the group that it has Historical Preservation Assistance available; it was mentioned that the State Historical Society may have money for historic preservation as well.

Regulatory Work Group Report
Peter Butler was appointed by Governor Roy Romer to be a member of the Water Quality Control Commission. The Regulatory Work Group consists of Rob R., Peter Butler, Bill Simon, Larry Perino and will be chaired by Steve Fearn, replacing Bill Goodhard who has relocated to Alaska.

The Work Group has forwarded comments and proposed changes to the Draft Storm Water/State General Permit (actually renewal of existing permit, due by 9/30/96). Some changes recommended need actual changes to the Clean Water Act to implement. The Work Group thought that the Draft creates problems for historical site preservation.

Bob O. and Carol Russell presented the CERCLA Deferral Concept informing the group that the deferral concept is a mechanism for deferring sites from Superfund National Priorities Listing (NPL) while site cleanup is ongoing. The DRAFT Deferral document was fax'd to some ASRG members. The Draft Document identifies goals for cleanup; roles and responsibilities for both the EPA and CDPHE; involves public participation (ASRG); identifies the need to develop area-wide and/or site specific milestones for action at the site; and specifies cleanup levels. Any comments should be transmitted to Bob, Carol or the Regulatory Work Group.

The group made the following comments (C), asked the following questions (Q) and received the following responses (R):

Q: How does the Deferral change the ASRG's empowerment with the WQCC?
R: The deferral specifies EPA's role, whereas the WQCC deals with water quality issues under the CWA which has no bearing on Superfund.

Q: What is the Basin's Hazardous Ranking Scoring Status?
R: 5 sites were reviewed under a prior iteration of CERCLA, when only human health, and not environmental aspects were considered.

Q: Is the Superfund Process on hold in the Basin?
R: Sort of - that what the deferral concept is attempting; the deferral concept would not list the basin on the NPL.

Q: Does the Deferral concept infer that the site would rank?
R: Basin would probably qualify for assessment.

Q: What is the State's "Response Action"?
R: To eliminate any human health hazards and to achieve the WQCC goals.

C: It was mentioned that the Federal Natural Resource Trustees should be included as signatories to the document.
R: It will be investigated.

Q: Who determines the cancer screening risk?
R: The State.

Q: What happens if the deferral terminates because the State can't enforce compliance or provide additional funding?

Q: Where are clean up levels determined?
R: At target, for example, at a drinking water well.

Q: What is the Goal of CERCLA deferral?
R: To protect human health and the environment. Human health protection will be determined by conducting a risk assessment, whereas the CDPHE/WQCC/ASRG are working to understand the applicable and relevant environmental protection goals.

C: The ASRG needs to determine the natural contribution in addition to the mining impacts.

C: It seems that the Deferral identifies the goal to the cleanup.

C: It was recommended that the EPA prepare a Library Series presentation to provide additional education about how EPA fits into the ASRG.

Coordinator's Activities
Group was referred to Coordinator's handout.

Next Meeting
The next meeting was scheduled for Thursday, August 1, 1996 at 6:00 p.m. Peter Butler volunteered to facilitate the next meeting. Topics for discussion were identified as: continuation of the Deferral Concept discussion; update on hydrologic control projects; discussion of the Headwater grant applications; discussion of natural loadings; discussion of historical preservation issues. It was discussed that the group needs to begin thinking about composing an Interim Guidance Report to the WQCC about the ASRG's findings regarding attainable water quality in the Upper Animas River.

Adjourn
The meeting adjourned at 9:45 p.m.