U.S. ENVIRONMENTAL PROTECTION AGENCY
Washington D.C.

March 14, 2016

MEETING TITLE: Proposed Comments to the Pavillion Report

DATE: March 15, 2016
LOCATION: WJC N-3412 and conference call
MEETING TIME: 2pm EST
FROM: Shaun McGrath, RA, Region 8

I. REQUESTING OFFICE—Region 8

II. TIMING

Written comments due to Wyoming by March 18, 2016

III. PURPOSE

Region 8 has submitted written comments on two prior Pavillion reports in the last approximately 18 months. As in those cases, Region 8 has sought technical input in preparation of the comments from the Office of Research and Development and the Office of Water, as well as the Administrator's Office. Ex. 5 - Deliberative Process

Ex. 5 - Deliberative Process

IV. BACKGROUND AND HISTORY

EPA has a history of activity on the matter of groundwater and private well drinking water issues in the Pavillion Gas Field of Wyoming, including an EPA-lead groundwater investigation, participation in the Pavillion Working Group established by the State, and other informal activities.

In June 2013, EPA and Wyoming announced that Wyoming would henceforth lead an investigation of private water well concerns. The announcement indicated that Wyoming would produce three reports: (1) Well Bore Integrity, (2) Pits, and (3) Domestic Water Wells—Final Report and Palatability Study. In August 2014, EPA submitted comments on the Well Bore Integrity Report issued by the Wyoming Oil and Gas Conservation Commission and in January 2015, EPA submitted comments on the Pits Report, also issued by WOGCC. In December 2015, the Wyoming Department of Environmental Quality issued the *Domestic Water Wells Draft Final Report and Palatability Study*. This report and draft

EPA comments on this report are the subject of this briefing.

V. KEY ISSUES

Ex. 5 - Deliberative Process

VI. REGULATORY SUMMARY (IF APPROPRIATE)

A Regulatory Summary is not warranted in this briefing. EPA provides comments on these reports as a member of the public and consistent with the expectation between the State and EPA at the June 2013 announcement about the path forward on the Pavillion investigation.

VII. ADDITIONAL POLICY OR TECHNICAL INFORMATION (IF APPROPRIATE)

The Region 8 RA and review team, as well as reviewers from ORD, OW and AO participated in a discussion in Denver last Friday, March 11, with WDEQ Director Todd Parfitt and his water quality management team. The meeting was an opportunity to share orally and preliminarily EPA's general comments identified by the technical review teams—a preview of written comments, if you will. The meeting lasted approximately 75 minutes and appears to have been beneficial; it allowed us to share general issues with WDEQ to help ensure "no surprises" and allowed WDEQ to react to our preliminary input. The dialogue was substantive, science-based and cordial. WDEQ raised no major concerns with the input and often complimented it. Ex. 5 - Deliberative Process

2016-009474-00380

Ex. 5 - Deliberative Process

VIII. ANTICIPATED STAKEHOLDER REACTION

Ex. 5 - Deliberative Process

IX. STAKEHOLDER INVOLVEMENT

In addition to the meeting with WDEQ described above, as with prior comment letters, we will copy the comment letter to the Chairman of both the Northern Arapahoe and Eastern Shoshone Tribes, who live on the Wind River Indian Reservation in the vicinity of the Pavillion Field. We also will offer to meet with the Tribes to discuss the EPA comments.

X. ROLL-OUT AND COMMUNICATIONS PLAN

In development.

Ex. 5 - Deliberative Process

XI. NEXT STEPS/UPCOMING DEADLINES

Ex. 5 - Deliberative Process

Ex. 5 - Deliberative Process Region 8's ARA for Ecosystems Protection and Remediation will be prepared to sign a final approved letter on Friday, March 18.