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November 8, 2001

Andrea Madigan
Environmental Protection Agency
999 18th Street, Suite 500
Denver, CO 82002-2466

Re: United Park City Mines

Dear Andrea:

As you requested, I have reviewed with Kerry Gee at United Park City Mines the following documents previously declared to be confidential:

- Memorandum to E. L. Osika, Jr. from Kerry C. Gee regarding Surface and Groundwater Monitoring Program Around the Park City Landfill, dated October 9, 1985
- Memorandum to E. L. Osika, Jr. from Kerry C. Gee regarding Prospector Square Mill Tailings Disposal in the Park City Landfill, dated July 10, 1985
- Memorandum to E. L. Osika, Jr. from Kerry C. Gee regarding Reclamation of the Park City Landfill, dated June 11, 1985

After reevaluation, we have determined that these documents may be disclosed under the current Freedom of Information Act request that you have received from ARCO.

If I can be of further assistance, please do not hesitate to contact me.

Very truly yours,

LEBOEUF, LAMB, GREENE & MACRAE, L.L.P.

Kevin R. Murray

KRM/js
Enclosures
cc: Kerry Gee

EXHIBIT 15-O

UNITED PARK CITY LINES COMPANY
309 KEARNS BUILDING
SALT LAKE CITY, UTAH 84101

October 9, 1985

MEMORANDUM

To: E. L. Osika, Jr.
From: Kerry C. Gee

Subject: Surface and Groundwater Monitoring Program Around the Park City Landfill.

As part of the reclamation of the Park City Landfill, Park City Municipal Corporation should be required to drill four downgradient wells and one upgradient well around the Landfill site. These wells should be sampled monthly and analyzed for the parameters listed below.

1. pH
2. Chloride
3. Iron
4. Manganese
5. Phenols
6. Sodium
7. Sulfate
8. Lead
9. Zinc
10. Mercury
11. Arsenic
12. Copper
13. Cadmium
14. Specific Conductance
15. Total Organic Carbon
16. Total Organic Halogen

The establishment of an upward trend of the amount of any parameter listed above, particularly in the downgradient wells, would be a good indication that a problem exists. It would then be necessary to do further analysis to determine the exact contaminates involved and the possible affects.

It would not be possible to establish the true background at each well location because there may already be some migration of contaminants from the Landfill into the

ground and surface water system. Therefore, the upgradient well will have to be used to establish background for the area. In addition to the groundwater sampling wells, surface water samples should be taken both up and downstream from the Landfill.

It is very important to United Park that these wells are drilled and the monitoring program established. We are currently monitoring ground and surface waters around the impoundment dam at the tailings pond. It appears that Silver Creek, located west of the Landfill, contains tailings that have their origin in Prospector Square and a slurry line break that occurred while Noranda was operating the Ontario Mill. Should surface or ground waters penetrate the Landfill cells, it is probable that certain organic compounds formed as the refuse decomposes could enter the groundwater system. Should these compounds find their way to the tailings, they may be very capable of leaching and mobilizing the metals. This would result in the contamination of the surface and groundwater that we are currently monitoring with regards to our tailings pond. Should this happen, United Park would have to prove that the contamination was not coming from our tailings pond. The wells would aid in that proof.

The location of the wells is very important. I recommend that four downgradient wells be drilled. One of these wells should be between the Landfill and the general area of our underground monitoring wells. The other three wells should be located in such a manner that if some contamination was discovered, its rate of movement could be determined. That is, they should not all be equidistant from the northwestern edge of the Landfill. I also recommend that when the City is ready to establish the wells and monitoring program that an independant and qualified hydrogeologist experienced in these matters be contracted to design the monitoring program with respect to well locations, depths, size and the types of materials to be used in the wells. When dealing with organic compounds, the types of materials placed in the wells are very critical. Wells designed to monitor organic compounds have been contaminated and rendered useless because of the types of glues or compositions of the well casings used. This independant consultant will work closely with City and United Park personnel. American Environmental Consultants (ASARCO) recommends that we contact Hydro Search Inc. in Denver, Colorado.

cc: Reed V. Clawson
Rosemary J. Beless

EXHIBIT 15-M

UNITED PARK CITY MINES COMPANY
309 KEARNS BUILDING
SALT LAKE CITY, UTAH 84101

July 10, 1985

MEMORANDUM

To: E. L. Osika, Jr.

From: Kerry C. Gee

Subject: Prospector Square Mill Tailings Disposal in the Park City Landfill.

Attached is a memo to you written on July 3 describing my observations during the period from June 28 to June 30, 1985. During this period of time, I observed and sampled tailings-like material being disposed of in the Park City Landfill. Also, attached are the results of the samples taken and analysed for Pb., Zn., Cu. and Cd.

In summary, the values for Pb. were between 3,000 and 7,800 ppm, Zn. values were between 5,500 and 14,400 ppm, Cu. values were between 260 and 760 ppm and Cd. values were between 32 and 72 ppm.

The samples average 5620 ppm Pb., 10,320 ppm Zn, 451 ppm Cu. and 54 ppm Cd. The material that I observed being loaded, hauled and dumped went 4,400 ppm Pb., 9,000 ppm Zn., 300 ppm Cu. and 40 ppm Cd.

cc: Reed V. Clawson

UNITED PARK CITY MINES COMPANY
309 KEARNS BUILDING
SALT LAKE CITY, UTAH 84101

July 3, 1985

To: E. L. Osika, Jr.

From: Kerry C. Gee

Subject: Disposal of Material from the Prospector Square Area in the Park City Landfill.

SUMMARY

On Friday, June 28 and Sunday, June 30, 1985, I observed material from Prospector Square being loaded into trucks, hauled to and dumped in the Park City Landfill. The material consisted of a mixture of grey sand-like material, soil, rocks, concrete slabs and other debris. The grey sand-like material comprised between 40 and 60 percent of the material hauled and sampled and appeared to me to be old mill tailings. Samples were taken from several piles of material that I did not observe being dumped. Samples were also taken of material that I observed being loaded into trucks at Prospector Square, hauled to the Landfill and dumped. Photographs were taken of the loading and dumping. This was also observed by a Summit County Deputy Sheriff and others.

After first observing material that appeared to me to contain old tailings was being disposed of in the Park City Landfill, I informed you and then the Director of Public Works for Park City, Mr. Jerry Gibbs.

The samples have been taken to Assay Lab, Inc. in Midvale where they will be dried and crushed. They will then go the ASARCO Labs in Salt Lake for analysis on Cu., Pb., Zn. and Cd. content.

The following paragraphs describe in detail the events that are related to the hauling of material from Prospector Square and dumping it in the Landfill.

Thrusday, June 27, 1985

I was first informed that "tailings" were being hauled from Prospector Square to the Landfill on Thursday evening.

Mr. Ray Wortley, who had observed this earlier in the day, took me to Prospector Square and showed me specific sites from which material had been removed. I visited the Landfill and observed several piles of fill that contained material resembling old mill tailings.

Friday, June 28, 1985

I went to the Landfill at 8:15 A.M. and sampled material from 10 piles that Mr. Wortley claimed to have originated in Prospector Square (sample nos. LF-11 and LF-12). While I was there, a dump truck with Park City Municipal Corporations emblem on the doors arrived with a load of Material that the driver claimed was from Prospector Square. This was witnessed by Bob Thomasen, Ray Wortley and Don Petty, a City employee.

I drove from the Landfill to Prospector Square and observed a white dump truck being loaded with material from a lot on Sunrise Circle. The material contained grey sand-like material that resembled tailings. I followed the truck to the Landfill. I then went to the office of Public Works in Park City and telephoned you to report my observations. I then informed the Director of Public Works, Mr. Jerry Gibbs. Mr Gibbs told me that the material was not tailings, just dirt but that he would look into it and get back to me.

I recieved a message on Monday, July 1, that was taken in our office the previous Friday, from Mr. Gibbs stating that the material was not tailings but concrete slabs and dirt and that I was wrong in my observations.

Saturday, June 29, 1985

Mr. Ray Wortley found me at my residence at approximately 9:45 A.M. and informed me that the contractors in Prospector Square had hauled tailings to the Landfill all day on Friday. I passed this information on to you in a telephone conversation. You instructed me to take samples when I could over the weekend.

4:10 P.M. Saturday, June 29, 1985

Mr. Wortley found me in Park City and informed me that contractors had hauled material with tailings in it from Prospector Square to the Landfill all day on Saturday. We went to Prospector square and Mr. Wortley showed me specific sites from which material had been removed. I would sample these areas on Sunday.

Sunday, June 30, 1985, 11:20 A.M.

I proceeded to a vacant lot ot the corner of Butch Cassidy Court and Wyatt Earp Way. Material consisting of a mixture of soil and a grey sand-like material was pushed into piles and had the appearance that it was ready to be hauled away. I took three samples of the Material from this lot (sample numbers BC-WE 1, 2, and 3).

11:45 A.M.

I went to Sunrise Circle to sample residual material that remained after hauling observed on Friday, June 28, 1985. I took two samples of this material (samples SR-1 and SR-2). While traveling from the lot on Butch Cassidy Court to Sunrise Circle, I passed a lot on the corner of Ina Way and Comstock Drive. This lot had two backhoes with operators on it. The backhoes had Parry Construction emblems on them. It appeared to me that the operators were waiting for a truck. After sampling the lot on Sunrise Circle, I observed a large blue dumptruck with "Bill Dudley Trucking" on each door back onto to lot and park next to the backhoes. The truck driver and the backhoe operators got into smaller trucks and drove away. The time was approximately 12:10 P.M.

I drove to the City Landfill. The gates were unlocked and opened wide. I went into the dump and drove to the northernmost end of the dump and observed several piles of material that had a grey colored sand-like material mixed with the soil and other debris. I would sample these later.

At this point in time, I felt certain that more material was going to be hauled to the dump from Prospector Square area. I felt that an impartial observer would help sustantiate any claims to that effect. I traveled to Mt. Air Cafe and telephoned Joseph L. Offret, a Deputy Sheriff in Summit County. Mr. Offret was off duty but agreed to come and observe for me. He recommended that I get a camera and take some pictures. I arrived back to Ina Ave. at approximately 12:45 P.M.

12:45 - 1:05 P.M.

I sampled the material pile up on the lot. Sample Numbers Ina 1 and 2. Mr. Ray Dudley and the others returned to the lot along with a white dump truck with a "Parry Constrution" emblem on the door. At approximately 1:10 P.M., Mr. Dudley moved the truck with his name on it to a

lot just north of the house located at 2223 Doc Holiday Drive. He was accompanied by one of the backhoes. The backhoe began loading material into Mr. Dudley's truck. At approximately 1:15 P.M., Mr. Offret arrived and was accompanied by his father, Lloyd Offeret. Also, another piece of equipment a "Bobcat" arrived and with the other backhoe began smoothing and contouring the Ina Ave. Lot.

1:50 P.M.

Mr. Dudley's truck was full of material and drove off the lot headed towards the main highway. Joe and Lloyd Offret and I followed him. The dumptruck turned east of the main highway towards the Landfill where he had to unlock the gates to gain access. He then proceeded to the northern end of the Landfill, dumped his material with the other piles observed earlier and drove off. The time was 2:00 P.M.

I sampled the material dumped by Mr. Dudley (sample number Dumped 1) and the other piles observed earlier (samples LF1 thorugh LF10).

At approximately 2:50 P.M., Mr. Dudley returned with his truck loaded and dumped it. In addition, the white dump truck observed on Ina Ave. arrived with a load and dumped its material. I sampled both loads of material (samples Dumped 2 and Dumped 3).

The Offrets and I left the Landfill site at approximately 3:30 P.M. While leaving we notice both dump trucks returning to the Landill site loaded with tree limbs and other debris. It appeared that these last two observed loads had little or no grey sand-like material in them.

AMERICAN
ENVIRONMENTAL
CONSULTANTS

July 8, 1985

Mr. Joe McPhie
United Park City Mines
P. O. Box 1450
Park City, Utah 84060

Dear Sir:

Please find attached the results for the soil samples submitted for lead, zinc, copper and cadmium analyses. All results are listed as total on a dry weight basis. Also, for comparative purposes, I have included some information on lead and cadmium levels in various types of soils.

Very truly yours,

Gary R. Stanga
Chief Environmental Chemist

GRS/mcs
Attach.

004019

3422 South 700 West Salt Lake City, Utah 84119 (801) 262-7946

American Environmental Consultants
Division of ASARCO Incorporated
Salt Lake City, Utah

COMPANY United Park City Mines
Soil & Vegetation Sample Results

DATE RECEIVED 7/ 2/85
DATE REPORTED 7/ 8/85

LAB #	SAMPLE DESCRIPTION	1985 SAMPLE DATE	Cd ppm	Cu ppm	Pb ppm	Zn ppm
931	Soil LF 1	7/ 2	40.	320.	3700.	7800.
932	Soil LF 2	7/ 2	60.	500.	7000.	11500.
933	Soil LF 3	7/ 2	72.	520.	7100.	13200.
934	Soil LF 4	7/ 2	54.	440.	5800.	10400.
935	Soil LF 5	7/ 2	46.	380.	5650.	9200.
936	Soil LF 6	7/ 2	70.	760.	7800.	14400.
937	Soil LF 7	7/ 2	40.	340.	4400.	7200.
938	Soil LF 8	7/ 2	42.	460.	5140.	8000.
939	Soil LF 9	7/ 2	60.	520.	5660.	11320.
940	Soil LF10	7/ 2	32.	260.	3000.	5500.
941	Soil LF11	7/ 2	68.	560.	6900.	12200.
942	Soil LF12	7/ 2	54.	500.	5860.	11200.
943	Soil BC WE 1	7/ 2	42.	380.	4640.	9000.
944	Soil BC WE 2	7/ 2	66.	580.	7540.	12600.
945	Soil BC WE 3	7/ 2	50.	420.	5600.	10200.
946	Soil INA 1	7/ 2	64.	380.	4940.	12600.
947	Soil INA 2	7/ 2	54.	460.	5220.	11200.
948	Soil Dumped 1	7/ 2	40.	300.	4400.	9000.
949	Soil Dumped 2	7/ 2	54.	440.	5200.	10800.
950	Soil Dumped 3	7/ 2	62.	560.	6200.	12000.
951	Soil SR 1	7/ 2	56.	420.	5440.	10600.
952	Soil SR 2	7/ 2	58.	420.	6450.	11400.

COMPARISON OF METAL CONCENTRATIONS IN SOIL

Pb (1)	1.	Natural Range	2 - 200 ppm
	2.	Street Dust, Residential and Commercial Sites	1636 - 2413 ppm
	3.	City Parks	194 - 3357 ppm
Cd (2)	1.	Normal Soils	0.1 - 1.4 ppm
	2.	1 km from lead smelter	26. - 160. ppm

(1) Lead Airborne Lead in Perspective (NAS), pp. 28-30, 1972

(2) U.S. Department of Commerce - Health Assessment Document for Cadmium, pp. 4-16

EXHIBIT 15-L

UNITED PARK CITY MINES COMPANY
309 KEARNS BUILDING
SALT LAKE CITY, UTAH 84101

June 11, 1985

To: E. L. Osika, Jr.
From: Kerry C. Gee
Subject: Reclamation of the Park City Landfill

At this time, daily operations of the Park City Landfill are being conducted by the Park City Municipal Corporation. They are currently operating with several violations of the original and amended leases dated 1973 and 1981. The major violations consist of filling over the maximum height requirement of 3 feet above the surrounding terrain and expanding the limits of the dump beyond the described boundary of the leased property.

Unless the Landfill site is brought into compliance with the original and amended leases, United Park City Mines Company will suffer irrepairable damage and should be compensated. If the condition of the Landfill were to comply with the original agreements, the City would get the title to the property. However, it appears that by complying with the agreements a great deal of excess fill and trash would be generated. This would have to be disposed of elsewhere at great cost to the City. It would also take a great deal of time. Recent descussions with City personnel have indicated that they do not want to operate a landfill any longer and would like to abandon it as soon as possible. It may be in the best interest of United Park to terminate the original and amended agreements with the City and force them to perform certain short and long term reclamation duties as described by us. As compensation, United Park would receive title to the property and not have the responsibility for any long term environmental liabilities that may result from the Landfill.

Whatever course of action United Park takes, there is a great deal of reclamation that needs to be done (see Plate 1-A). In order to bring the Landfill operation and site into compliance with the original and amended lease two things must be done (1) All of the material deposited on property adjacent to the Landfill should be removed. This includes material along the western and eastern boundaries of the Landfill, material deposited along the Landfill

access roads and the asphalt and concrete slabs located along the gravel pit access road west of the Landfill. In addition, a great deal of material has been disposed of at a variety of locations in and around the greater Richardson Flat area. This material was deposited only as a result of the Landfills existence and should be cleaned-up as part of the Landfill reclamation. (2) All of the material in the Landfill deposited at an elevation 3 feet above the surrounding terrain should be removed. The surface of the landfill should be graded to establish adequate drainage and then covered with two feet of topsoil as per the original agreement. The final elevation of the Landfill should not be over 3 feet above the surrounding terrain. All of the automobiles, trucks and buses would have to be removed from the area. Due to the existence of the Landfill, people have from time to time, disposed of material in any convenient location in the Richardson Flat area. An ordinance should be established and agreed upon by County and City governments that would strictly regulate and enforce indescriminate dumping in the area after the closure of the Landfill.

Should United Park decidè to terminate the agreements and take posession of the property, certain reclamation duties would have to be performed by the City as part of the agreement. The fill dirt deposited on the southeastern boundary of the extension would have to be removed and deposited within the boundaries of the landfill. The piles of asphalt and concrete slabs located along the gravel pit access road would have to be removed. A likely spot for this material exists on the property adjacent to the northwestern boundary of Parcel B. This material could be used to fill an old gravelpit that exists in this area. The cars, busses and other large debris would have to be removed from the property and disposed of elsewhere. Contouring of the surface of the Landfill would have to be done to establish drainage. A two foot thick layer of topsoil would have to be put on the surface of the Landfill and seeded to prevent erosion. Material that has been indiscriminately dumped and scattered around the Richardson Flat area as a result of the Landfill would have to be cleaned up. As with the complete Reclamation Agreement, a City-County policy regarding indicriminate dumping in the Richardson Flat area would have to be established and enforced once the Landfill is closed.

Current disposal operations are underway in Parcels C and D (see Plate 1-A). The groundwater table in this area is higher than the City's plan originally stated. In an effort to avoid contamination of our groundwater monitoring wells, located North of the Landfill, the City is not digging trenches and burying material beneath the surface of the ground. The City's current practice is to dispose of the material on the surface of the ground by stacking and compacting the debris to a thickness of 3 to 4 feet; then, burying it with 1 to 2 feet of earth. When a large area has been completed in this manner, a new layer or lift will be developed. The City's plan is to raise the portions of Parcel C and D to a height equal to Parcels A and B. This procedure allows the City to keep refuse out of the groundwater but greatly limits the amount of material that can be deposited at the Landfill. It also forces the City into noncompliance with Section 5 of the original lease.

The City has an arrangement with Summit County to accept household refuse from Park City at the County dump in Henefer, Utah. The City is only accepting construction debris and fill dirt at the Park City Landfill. At the rate at which material (particularly fill dirt) is currently flowing into the Landfill, the raising of Parcels C and D will be complete by the end of July. In view of this, I would expect that reclamation work could be completed before winter.

During any reclamation work, it will be imperative that a representative from United Park City Mines Company visit the Landfill on a regualar basis to monitor the work performance. This will also ensure against any further degradation of the surrounding United Park property by the removal of valuable materials, such as topsoil, without due compensation, for the sole purpose of reclaiming the dump.

cc: R. V. Clawson

Plate 1-A of this EXHIBIT 15-L is a map of the recommended reclamation to be performed on the Park City Municipal Landfill and has not been made a part of this copy of the response.

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Report Date: 03-22-2002

DocId: 492377
Doc Date: 06-26-2000
Sites: UTD980952840 RICHARDSON FLATS TAILINGS
Oper Units:
Title/Subj: GOOD FAITH OFFER TO CONDUCT FOCUSED RI/FS
Authors: MURRAY KEVIN LEBOEUF LAMB GREENE & MACRAE LLP
Addressees: RUSHIN CAROL EPA
References:
Folders:
Comments:
Pgs: 0
Phase/Acts: RS REMEDIAL STUDIES/REMEDY SEL
Doc Types: EXT CORRESPONDENCE - EXTERNAL
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ENF ENFORCEMENT
Financial ID:
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