From:	Williams, Jonathan
To:	Jennings, Jannine; Sheldrake, Beth
Cc:	McDonnell, Kimberlee
Subject:	RE: 2015 Simplot and Off Site
Date:	Wednesday, January 07, 2015 6:39:05 PM

Thanks I received the FMC OU revised work plan too. It's an improvement but I still have some concerns.

Jonathan Williams, LHG
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From: Jennings, Jannine
Sent: Wednesday, January 07, 2015 7:49 AM
To: Sheldrake, Beth; Williams, Jonathan
Subject: FW: 2015 Simplot and Off Site

FYI – Kelly sent in his revised work plans for Simplot and the Off Plant OU. I haven't looked at them yet but the email doesn't sound promising.

Jannine

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From: Kelly Wright [mailto:kwright@sbtribes.com]
Sent: Tuesday, January 06, 2015 4:33 PM
To: Jennings, Jannine
Cc: Virginia Monsisco
Subject: 2015 Simplot and Off Site

Jannine,

I have reviewed your comments of December 8, 2014 to the Draft Work Plan for a Cooperative Agreement between the Shoshone Bannock Tribes Environmental Waste Management Program and EPA for CERCLA support activities at the Simplot OU, EMF Superfund Site.

The regulations covering Superfund Cooperative Agreements (40 CFR 35) provide that Indian Tribes may apply for support agency Cooperative Agreements to ensure their meaningful and substantial involvement in the response activities and for participation in five-year reviews of the continuing protectiveness of a remedial action. This includes the support agency (the Tribes) furnishing currently available data to EPA, reviewing data and documents developed pursuant to the CERCLA action and providing assistance to the lead agency (40 CFR 35.6240 and 35.6245).

Unfortunately it does not appear EPA and the Tribes see eye to eye on the requirements and necessary work to ensure meaningful involvement of this project. Specifically, it seems EPA does not want to provide the Tribes funding to complete a QAPP or obtain co-located sampling of all constituents including radionuclides, which are present at the Simplot site and likely migrating off-site.

As you know, Phosphoric Acid is leaking at this facility and is sitting on top of a clay layer. To date, neither EPA nor Simplot can confirm the lateral dispersion of this plume. In addition, Simplot shut down pumping of well 419 due to hazardous characteristics of water that was pumped, and the increased cost of managing this water as a hazardous waste. Because of this, it is likely Simplot has not contained their plume of groundwater contamination and the contamination has flowed off-site on to the Fort Hall Reservation.

The Tribes find it necessary to co-locate samples of groundwater to determine if the contamination migrating from this site has changed. This is absolutely necessary in order to monitor Tribal trust resources and determine the protectiveness of the remedy being implemented. Therefore, we have included Task 2 in the Cooperative Agreement Application.

We are submitting the attached work plan that reflects the level of effort the Tribes expect to be necessary for this project.

We look forward to your review.

Thanks
Kelly