To: Buchanan_Davis@flake.senate.gov[Buchanan_Davis@flake.senate.gov]; chandler_morse@flake.senate.gov[chandler_morse@flake.senate.gov]; Chelsea Lett[chelsea_lett@flake.senate.gov]; Clint Chandler[clint_chandler@flake.senate.gov]; Jason Samuels[jason_samuels@flake.senate.gov]; julie_katsel@flake.senate.gov[julie_katsel@flake.senate.gov]; kris_kiefer@flake.senate.gov[kris_kiefer@flake.senate.gov]; matthew_specht@flake.senate.gov[matthew_specht@flake.senate.gov]; gina_gormley@mccain.senate.gov[gina_gormley@mccain.senate.gov]; joe_donoghue@mccain.senate.gov[joe_donoghue@mccain.senate.gov]; mark_delich@mccain.senate.gov[mark_delich@mccain.senate.gov]; Meghan Kielty[meghan_kielty@mccain.senate.gov]; nick_matiella@mccain.senate.gov[nick_matiella@mccain.senate.gov]; rick_stilgenbauer@mccain.senate.gov[rick_stilgenbauer@mccain.senate.gov]; Shay Saucedo[shay_saucedo@mccain.senate.gov]; Blanca Rubio-Varela[blanca.varela@mail.house.gov]; carmen.gallus@mail.house.gov[carmen.gallus@mail.house.gov]; ken.montoya@mail.house.gov[ken.montoya@mail.house.gov]; ron.lee@mail.house.gov[ron.lee@mail.house.gov]; rick_stilgenbauer@mccain.senate.gov[rick_stilgenbauer@mccain.senate.gov]; gina_gormley@mccain.senate.gov[gina_gormley@mccain.senate.gov]; Tarallo, Julie (McCain)[Julie_Tarallo@mccain.senate.gov]; Carrillo, Pablo (McCain)[Pablo_Carrillo@mccain.senate.gov]; lfowler@coconino.az.gov[lfowler@coconino.az.gov]; mayor@cityofpage.org[mayor@cityofpage.org]; rrowley@coconino.az.gov[rrowley@coconino.az.gov]; petekenatcitty@navajo-nsn.gov[petekenatcitty@navajo-nsn.gov]; Judy.Kioski@azdema.gov[Judy.Kioski@azdema.gov]; Alesia Ash[alesia.ash@mail.house.gov]; C.J. Karamargin[cj.karamargin@mail.house.gov]; Justin Roth[justin.roth@mail.house.gov]; Kristen Douglas[kristen.douglas@mail.house.gov]; Pace McMullan[pace.mcmullan@mail.house.gov]; Patrick Ptak[patrick.ptak@mail.house.gov]; Clerkin Emerick, Amy[Amy.Emerick@mail.house.gov]; chris.kaumo@mail.house.gov[chris.kaumo@mail.house.gov]; glenn.miller@mail.house.gov[glenn.miller@mail.house.gov]; Jennifer Papworth[Jennifer.Papworth@mail.house.gov]; jessie.baxter@mail.house.gov[jessie.baxter@mail.house.gov]; martha.garcia@mail.house.gov[martha.garcia@mail.house.gov]; ruben.reyes@mail.house.gov[ruben.reyes@mail.house.gov]; Jeff Small[jeff.small@mail.house.gov]; michael.mansour@mail.house.gov[michael.mansour@mail.house.gov]; penny.pew@mail.house.gov[penny.pew@mail.house.gov]; tom.vanflein@mail.house.gov[tom.vanflein@mail.house.gov]; Trevor Pearson[trevor.pearson@mail.house.gov]; adam.deguire@mail.house.gov[adam.deguire@mail.house.gov]; chuck.gray@mail.house.gov[chuck.gray@mail.house.gov]; jon.mchatton@mail.house.gov[jon.mchatton@mail.house.gov]; lorissa.bounds@mail.house.gov[lorissa.bounds@mail.house.gov]; Beau Brunson[beau.brunson@mail.house.gov]; Kevin Knight[kevin.knight@mail.house.gov]; Oliver Schwab[oliver.schwab@mail.house.gov]; David Montes[david.montes@mail.house.gov]; Luis Heredia[luis.heredia@mail.house.gov]; Matt Lee[matt.lee2@mail.house.gov]; Pili Tobar[pili.tobar@mail.house.gov]; Xenia Ruiz[xenia.ruiz@mail.house.gov]; Bobby Cornett[bobby.cornett@mail.house.gov]; dan.hay@mail.house.gov[dan.hay@mail.house.gov]; Ellie Stern[ellie.stern@mail.house.gov]; shari.farrington@mail.house.gov[shari.farrington@mail.house.gov]; justin.unga@mail.house.gov[justin.unga@mail.house.gov]; Kendra Leiby[kendra.leiby@mail.house.gov]; Michael Wong[michael.wong@mail.house.gov]; Michelle Davidson[michelle.davidson@mail.house.gov]; alton_garrett@boxer.senate.gov[alton_garrett@boxer.senate.gov]; ameen_khan@boxer.senate.gov[ameen_khan@boxer.senate.gov]; Caridad_Sanchez@boxer.senate.gov[Caridad_Sanchez@boxer.senate.gov]; Joshua_Quigley@boxer.senate.gov[Joshua_Quigley@boxer.senate.gov]; Julissa Delgado[julissa_delgado@boxer.senate.gov]; kyle_chapman@boxer.senate.gov[kyle_chapman@boxer.senate.gov]; Maurice Lyles[maurice_lyles@boxer.senate.gov];

sean_moore@boxer.senate.gov[sean_moore@boxer.senate.gov]; stacey_smith@boxer.senate.gov[stacey_smith@boxer.senate.gov]; tom_bohigian@boxer.senate.gov[tom_bohigian@boxer.senate.gov]; yvette_martinez@boxer.senate.gov[yvette_martinez@boxer.senate.gov]; Zachary Coile[zachary_coile@boxer.senate.gov]; bill_kratz@feinstein.senate.gov[bill_kratz@feinstein.senate.gov]; Caitlin Meyer[caitlin_meyer@feinstein.senate.gov]; Callan Bruzzone[callan_bruzzone@feinstein.senate.gov]; james_peterson@feinstein.senate.gov[james_peterson@feinstein.senate.gov]; john_murray@feinstein.senate.gov[john_murray@feinstein.senate.gov]; john_watts@feinstein.senate.gov[john_watts@feinstein.senate.gov]; katie_gross@feinstein.senate.gov[katie_gross@feinstein.senate.gov]; Kenneth Rooney[Kenneth_Rooney@feinstein.senate.gov]; Kevin Chang[kevin_chang@feinstein.senate.gov]; molly_o'brien@feinstein.senate.gov[molly_o'brien@feinstein.senate.gov]; Sabiha Khan[sabiha_khan@feinstein.senate.gov]; shelly_abajian@feinstein.senate.gov[shelly_abajian@feinstein.senate.gov]; trevor_daley@feinstein.senate.gov[trevor_daley@feinstein.senate.gov]; chuck_podolak@flake.senate.gov[chuck_podolak@flake.senate.gov]; Ernesto_Rodriguez@Heinrich.Senate.Gov[Ernesto_Rodriguez@Heinrich.Senate.Gov]
Cc: Tenley, Clancy[Tenley.Clancy@epa.gov]; Russo, Rebecca[Russo.Rebecca@epa.gov]; Snyder, Raquel[Snyder.Raquel@epa.gov]; Levine, Carolyn[Levine.Carolyn@epa.gov]; Distefano, Nichole[DiStefano.Nichole@epa.gov]; Gray, David[gray.david@epa.gov]; Zito, Kelly[ZITO.KELLY@EPA.GOV]; Janifer, Pamela[Janifer.Pamela@epa.gov]; Bowles, Jack[Bowles.Jack@epa.gov]; Faulk, Libby[Faulk.Libby@epa.gov]; Peterson, Cynthia[Peterson.Cynthia@epa.gov]; Miullo, Nat[Miullo.Nat@epa.gov]; Higuchi, Dean[Higuchi.Dean@epa.gov]; Keener, Bill[Keener.Bill@epa.gov]; Blumenfeld, Jared[BLUMENFELD.JARED@EPA.GOV]; Harris-Bishop, Rusty[Harris-Bishop.Rusty@epa.gov]; Allen, HarryL[Allen.HarryL@epa.gov]; Manzanilla, Enrique[Manzanilla.Enrique@epa.gov]; EOC Liaison[EOC_Liaison@epa.gov]; R8 Documentation Unit Leader[R08_Documentation_Unit_Leader@epa.gov]
From: Maier, Brent
Sent: Wed 8/19/2015 3:00:25 PM
Subject: EPA Update on Gold King Mine Response Efforts for August 18, 2015

Dear Colleagues:

Please find below the EPA Update on Gold King Mine Response Efforts for August 18, 2015.

For the latest information on the response to the Gold King Mine release
www.epa.gov/goldkingmine

Contact:
press@epa.gov
(970) 812-3351

For immediate release:

August 18, 2015

EPA Update on Gold King Mine Response Efforts for August 18, 2015

The U.S. Environmental Protection Agency is committed to working closely with response agencies and state and local officials to ensure the safety of citizens, respond to concerns and to evaluate impact to water contaminated by the spill. Today EPA provided the following updates:

EPA Staff Deployed
EPA has deployed more than 210 employees and contractors for the response. The U.S. Coast Guard has provided 14 responders. There are also currently at least 20 different state and local agencies involved in the response working to help ensure the health and safety of the public.

The Last 24 Hours
The EPA sediment samples collected on August 13 from irrigation ditches at two locations along the San Juan River have been validated. EPA has done a review of the data, which included a comparison to screening levels for exposure during recreational use, to determine if the metal concentrations are consistent with pre-incident levels. The metal concentrations of the irrigation samples were below soil/sediment recreational screening levels. Based upon the sediment sampling results, sediment sample concentrations are trending toward pre-event conditions. http://www2.epa.gov/goldkingmine/gold-king-mine-data-august-18-2015

To assess the impacts of the release at the Gold King Mine, water quality samples were collected from the Northern Border of New Mexico to the Navajo Nation at daily intervals beginning on Aug. 6, 2015. Surface water samples taken prior to the plume's arrival were used to establish a baseline for water quality comparisons. Each surface water sample was analyzed for 24 metals, including arsenic, cadmium, lead and mercury. Surface water samples were collected on Thursday, August 6, 2015, at two (2) locations prior to arrival of the plume along the Animas and San Juan Rivers in New Mexico.

On Wednesday, August 12, 2015, eleven (11) locations were sampled after arrival of the plume. Based upon the surface water sample results in New Mexico, surface water concentrations are trending toward pre-event conditions. http://www2.epa.gov/goldkingmine/gold-king-mine-data-august-18-2015

Mine Discharge Treatment
The Gold King Mine is releasing water at the rate of approximately 600 gallons per minute. Water is captured and treated at a system of impoundments before being discharged to Cement Creek.

Plume
EPA is collecting water and sediment samples from Lake Powell near the inlet of the San Juan River. Given the recent sampling results of reduced metals in the plume, EPA expects no significant impacts to Lake Powell associated with the Gold King Mine release.

Unified Command in Durango, Colorado
For Durango, Colorado, EPA, Region 8 EPA has a team of 79 employees, consisting of federal on-scene coordinators, water quality experts, technicians and contractors, supporting the response to the spill. EPA and CDPHE will be assessing the upper Animas River through the canyon.

Heavy rains on August 16, 2015 resulted in murky water in Cement Creek and caused difficulties in the road stabilization work. The road stabilization work continues today.

Local Recovery Center for Businesses, Employees & Affected Landowners in Response to the Gold King Mine Release Impacts
La Plata County, with the assistance of the Colorado Department of Local Affairs (DoLA), and with the cooperation of local, state and federal agencies, opened a Recovery Center in Durango on Tuesday,

August 18. It will be open again on Wednesday, August 19 from 10 a.m. to 4 p.m. in the east end of the La Plata County Fairgrounds Exhibit Hall, Main Avenue, Durango Colorado.

Staff from local, state and federal agencies noted below will be available to answer questions regarding financial and/or technical assistance related to the Animas River - Gold King Mine release. If you believe that you have suffered an economic loss related to the event, or if you have questions related to water quality, crops or livestock, individuals are on hand to offer information and/or assistance.

Services will be directed toward La Plata County businesses, employees and landowners who have been affected by the Gold King Mine release. Services/Resources will include:

- Environmental Protection Agency-Assistance with Form 95 Claims for Damage for questions concerning loss of income or business.
- Environmental Protection Agency/Colorado Department of Health and Environment - (for questions concerning Water Quality Issues)
- Small Business Development Center/Region 9 Economic Development District/ La Plata County Economic Development Alliance/ Chamber of Commerce (for questions and resources regarding impacts on businesses)
- Colorado State University Extension Service (for information concerning agricultural and ditch issues)
- La Plata County Department of Human Services (for information about local social and financial supports)
- Colorado Department of Labor and Employment/Unemployment Benefits-Southwest Workforce (for information on how to apply for unemployment benefits and job-seeking)

For additional information, please contact the Call Center 970-385-8700 or email susan.hakanson@co.laplata.co.us

Unified Command in Farmington, New Mexico
For Region 6
For New Mexico, EPA has a team of 58 employees consisting of federal on-scene coordinators, water quality experts, technicians and contractors supporting the response to the spill.

EPA continues to collect water quality samples from nine locations in the river near intakes for Aztec, Farmington, Lower Valley Water Users Association, Morning Star Water Supply System and the North Star Water User Association. EPA will continue to sample, analyze, and make data available to support local decision makers moving forward to allow them to make the best informed decisions. Validated sampling data for the Animas and San Juan Rivers from the Northern Border of New Mexico to Navajo Nation collected from Aug. 7 to Aug. 12, 2015 has been released. On August 15, New Mexico reopened drinking water system intakes and recreational use in the river.

Private domestic water well use has resumed based on water quality sampling results from the river collected by both New Mexico Environment Department and the EPA. EPA and NMED tested 114 private domestic wells. On August 14, New Mexico reopened domestic drinking water well use.

Irrigation ditches along the Animas River have returned to normal irrigation and livestock watering operations. EPA has delivered 1,068,270 gallons of water for irrigation and 36,720 gallons of water for livestock watering. On August 15, New Mexico reopened irrigation ditches for farm and livestock watering operations.

For Region 9
On the Navajo Nation, EPA has a team of 34 employees consisting of federal on-scene coordinators, liaisons, water quality experts, technicians and contractors supporting the response to the spill.

Daily operations are focused around gathering water and sediment samples from 11 designated locations in the San Juan River. Additionally, 11 locations were sampled on August 15–16 from the Glen Canyon Dam to the San Juan River delta. On August 17, EPA sampled the drinking water intake in Lake Powell at the request of the City of Page, AZ. EPA will continue to sample, analyze, and make data available to support local decision makers moving forward to allow them to make the best informed decisions.

Navajo Nation leadership maintains restrictions on use of the San Juan River. Water trucks continue to deliver water to designated locations to address Navajo agricultural and livestock needs. The Unified Command is also delivering feed for livestock. Water is now staged at a number of locations throughout the potentially impacted chapters of the Navajo Nation. The tank capacity at each of these locations is 16,000 gallons. The Bureau of Indian Affairs has provided the tanks and EPA is filling them with municipal water from Navajo Agricultural Products Industry (NAPI).

The EPA sediment samples collected on August 13 from irrigation ditches at two locations along the San Juan River have been validated. EPA has done a review of the data, which included a comparison to screening levels for exposure during recreational use to determine if the metal concentrations are consistent with pre-incident levels. The metal concentrations of the irrigation samples were below soil/sediment recreational screening levels. Based upon the sediment sampling results, sediment sample concentrations are trending toward pre-event conditions.http://www2.epa.gov/goldkingmine/gold-king-mine-data-august-18-2015

Claims Process Update
A claims process exists for compensating citizens who suffer personal injury or property damage caused by negligence of the U.S. government.

The process is available in EPA's regulations at 40 CFR Part 10, and includes guidance on documentation that may be required to support claims for loss of employment and loss of income, among other claims.

Claims for monetary compensation may be filed by submitting a Standard Form 95 specifying the nature of the loss suffered and EPA actions, if known, causing the loss or damage to property.

EPA is not offering immediate reimbursements for damages from the Gold King Mine water and it is not true that if someone submits a claim that by doing so they limit or waive future rights.

EPA's Federal Tort Claims Act (FTCA) regulation provides that a person may amend their claim form at any time prior to reaching a settlement with EPA, or before the person files a lawsuit under the FTCA. Additionally, a person claiming an injury or damage has two years from the date of the event to file a claim with EPA under the FTCA. (40 CFR Part 10).

Standard Form 95 is **not required to present a claim under the FTCA, but it is a convenient format for supplying the information necessary to bring an FTCA claim.** Please note that a completed form must state a claim for money damages in a "sum certain" amount (that is, a specific amount) claimed for personal injury, death, or injury to or loss of property. In addition, if a sum certain is not specified in Standard Form 95 block 12d, or in accompanying information, a submission cannot be considered a valid presentation of a claim.

Although EPA's regulations state that it has six months to resolve a claim, EPA will make every effort to respond to Gold King Mine release claims as soon as possible. Claims must be presented to EPA within two years after the claim accrues.

Complete the fillable PDF version of Standard Form 95.

R220

Brent Maier

Congressional Liaison

U.S. Environmental Protection Agency, Region IX

75 Hawthorne St. (OPA-3)

San Francisco, CA 94105

Ph: 415.947.4256