UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8
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FEB 12 2016

Ref: 8ENF-L

Town of Silverton
c/o Jeffery P. Robbins
Robbins, Nicholson & Mack, PC
679 E. 2nd Ave., Suite C
PO Box 2270
Durango, Colorado 81302

San Juan County
c/o Paul Sunderland
2427 Avenue
Ouray, Colorado 81427

RE: Understanding with the Town of Silverton and San Juan County Regarding Potential Superfund Listing of Mining Sources in San Juan County

Dear Silverton and San Juan County Officials:

The U. S. Environmental Protection Agency (EPA) is considering proposing releases of hazardous substances from certain mines in and around San Juan County, to be referred to as the Bonita Peak Mining District Site, for inclusion on the National Priorities List (NPL). The purpose of this letter is to confirm discussions among the EPA, the Colorado Department of Public Health and Environment (CDPHE), San Juan County (County), and the Town of Silverton (Town) regarding the EPA's commitments to the Town and County concerning the potential NPL proposal.

The EPA is committed to early and meaningful community participation during the entire Superfund process through the completion of any cleanup. This commitment is premised on the belief that members of the public, including local entities potentially affected by a Superfund site, have a right to know what the Agency is doing in their community and to know how their concerns are considered in the site decision-making process. These principles are embodied in the EPA regulations as well as the EPA policy. Local government officials are an integral part of the community and we anticipate the Town and County playing an important role during a potential Superfund cleanup in the area, along with downstream communities interested in the potential Superfund investigation and cleanup.

The EPA is committed to taking the following actions:

1. The EPA plans, after consultation with the Town and County, to name the Superfund site the Bonita Peak Mining District Site.
2. The EPA acknowledges that there is a vast amount of local knowledge, information and expertise relating to the potential Superfund site, and will actively involve the Town and County governments in the Superfund process to the maximum extent practicable.

3. The EPA will provide information to the community about the availability of a Technical Assistance Grant (TAG) to help communities understand site-related information.
4. If it is desired, a Community Advisory Group may be established to allow for the exchange of information among the local community and the EPA, the State regulatory agency, and other pertinent federal agencies involved in cleanup of the Superfund site.
5. During the remedial investigation/feasibility study, the EPA plans to consider the development and study of new or alternative technologies, approaches, and remedies for use in connection with mine drainage generally.
6. Because the boundaries of the site are being defined so as to permit study of possible sources, if data gathered during the project demonstrate that any property is not a significant contributor to contamination of the Animas River or its tributaries, the EPA may redefine the site boundaries as appropriate and will provide a confirming letter to the relevant property owners.

Thank you for your continued interest and effort on behalf of your community.

Sincerely,

Bill Murray
Director, Superfund Remedial Program

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