UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105

Via Electronic Mail

June 30, 2017

Mr. Douglas Carey
Senior Engineering Geologist
California Regional Water Quality Control Board—Lahontan Region
2501 Lake Tahoe Boulevard
South Lake Tahoe, California 96150

Re: EPA Approval of Lower Pond 3 Road Temporary Slide Repair at the Leviathan Mine Superfund Site; Alpine County, California, dated June 21, 2017

Dear Mr. Carey:

EPA has completed its review of the June 21 "Project Plans for Lower Pond 3 Road Temporary Slide Repair" for the Leviathan Mine Superfund Site, Alpine County, California (Project Plans) submitted by the Lahontan Region Water Quality Control Board (Water Board).

The plans describe activities to stabilize a slide area that is obstructing the site access road and interfering with implementation of the Water Board's Pond Water Treatment System activities ("Work") as approved under the 2005 Administrative Abatement Action issued by EPA (CERCLA Docket No. 2005-15) (AAA). The slide of material impacting the road near the Lower Pond 3 area at Leviathan Mine is an occurrence that interferes with the Work and threatens to causes releases of hazardous substances. *See*, Section XI of the AAA. The Water Board has consulted with EPA and taken appropriate action to prevent, abate, or minimize this threat, and the Project Plans are submitted to take further such action.

This letter transmits EPA's approval under Paragraph 40 of the AAA for the Water Board to implement the plans as described, subject to the following:

- Please consider the comments submitted by Amec Foster Wheeler on behalf of Atlantic Richfield Co. on June 26, 2017.
- Please provide or reference a Health and Safety Plan for the activities planned in the Lower Pond 3 area.
- Please move to implement installation of the drain piping portion of the planned work as expeditiously as possible.
- Please develop a contact list/communication plan to identify lines of communication with Atlantic Richfield Co. Pond 4 operations personnel to share information during this work.
- Please provide a report documenting the completion of these activities to EPA in the written report described in Paragraph 50 of the AAA.

If you have any questions, please feel free to contact me at (415) 972-3003 or riley.gary@epa.gov, or Lynda Deschambault at (415) 947-4183 or deschambault.lynda@epa.gov

Sincerely,

Gary Riley for
Lynda Deschambault
Remedial Project Manager

cc by electronic mail:

Norman Harry, Washoe Tribe of Nevada and California
Tony Brown, Atlantic Richfield Company
David Friedman, Nevada Department of Environmental Protection
Kenneth Maas, United States Forest Service
Tom Maurer, United States Fish and Wildlife Service
Toby McBride, United States Fish and Wildlife Service
Steve Hampton, California Department of Fish and Wildlife