**To:** tavassoli, lily[tavassoli.lily@epa.gov]
**From:** Brown, Anthony R (RM)
**Sent:** Fri 4/28/2017 12:34:41 AM
**Subject:** RE: Leviathan Mine Site - Slope Movement Above/East of Pond 4
ATT00001.txt

OK will do

**From:** tavassoli, lily [mailto:tavassoli.lily@epa.gov]
**Sent:** Thursday, April 27, 2017 5:27 PM
**To:** Brown, Anthony R (RM)
**Cc:** Doug Carey; Stetler, Chris@waterboards.ca.gov (Chris.Stetler@waterboards.ca.gov); Ferguson, Scott@Waterboards (scott.ferguson@waterboards.ca.gov); Halsey, Ronald H; Lombardi, Marc (marc.lombardi@amecfw.com); Block, Nathan; Moore, Terry J; sriese@ensci-inc.com; Cohen, Adam; Johnson, Brian S; Zentner, Taylor@Waterboards; Wirtschafter, Joshua; Deschambault, Lynda; Barton, Dana; Lyons, John
**Subject:** RE: Leviathan Mine Site - Slope Movement Above/East of Pond 4

Mr. Brown,

Thank you for providing this notification. I appreciate that a geotechnical engineer will be out to inspect this area as soon as possible. I hope that early next week the engineer will be able to share a preliminary assessment of the slope movement with EPA and the Water Board.

In the meantime, if site conditions and/or conditions for work change in any way, please provide me notification via phone or email.

Regards,

Lily

Lily Tavassoli

Acting Section Chief, CA Site Cleanup and Enforcement Branch

Superfund Division, U.S. Environmental Protection Agency

75 Hawthorne Street (SFD-7-2)

San Francisco, CA 94105

tel: 415.972.3146

**From:** Brown, Anthony R (RM) [mailto:anthony.brown@bp.com]
**Sent:** Thursday, April 27, 2017 1:45 PM
**To:** Deschambault, Lynda <Deschambault.Lynda@epa.gov>; tavassoli, lily <tavassoli.lily@epa.gov>; Barton, Dana <Barton.Dana@epa.gov>; Lyons, John <Lyons.John@epa.gov>
**Cc:** Doug Carey <douglas.carey@waterboards.ca.gov>; Stetler, Chris@waterboards.ca.gov (Chris.Stetler@waterboards.ca.gov) <Chris.Stetler@waterboards.ca.gov>; Ferguson, Scott@Waterboards (scott.ferguson@waterboards.ca.gov) <scott.ferguson@waterboards.ca.gov>; Halsey, Ronald H <ronald.halsey@bp.com>; Lombardi, Marc (marc.lombardi@amecfw.com) <marc.lombardi@amecfw.com>; Block, Nathan <Nathan.Block@bp.com>; Moore, Terry J <Terry.Moore@bp.com>; sriese@ensci-inc.com; Cohen, Adam <Adam.Cohen@dgslaw.com>; Johnson, Brian S <Brian.S.Johnson@bp.com>
**Subject:** Leviathan Mine Site - Slope Movement Above/East of Pond 4
**Importance:** High

This email is to inform U.S. EPA of conditions observed today at the Leviathan Mine Site that have the potential to affect Atlantic Richfield's performance of work activities under the Administrative Settlement Agreement and Order on Consent, CERCLA Docket No. 2008-29(b) (the "AOC",) and the Administrative Order for RI/FS, CERCLA Docket No. 2008-18 (the "UAO"). These conditions constitute a possible *force majeure* situation, which may delay the performance of Atlantic Richfield's obligations under the AOC and the UAO. Atlantic Richfield is providing this notice pursuant to Section XVIII of the AOC and Paragraph 83 of the UAO.

At approximately 9:00 AM PDT today (April 27, 2017), Atlantic Richfield's contracted field personnel observed noticeable movement and surface cracking on the slope east and slightly southeast of Pond 4 across the main access road. A few select photos of the slope movement are shown here:

Because of the proximity to the Pond 4 work area, Atlantic Richfield issued a partial stop-work order at approximately 9:45 AM PDT this morning. Personnel involved in construction work on the Upper Ponds Conveyance System and RI/FS field activities south of this slope were pulled off the site at that time. We were concerned that further slope movement could cross over the road, thus blocking access into and out of the site to the south, and possibly endanger equipment and facilities in the Pond 4 work area. For now at least, personnel working inside and around the HDS Treatment System building are continuing to perform spring commissioning work on the treatment system, and RI/FS field personnel are continuing to perform sampling work north (downgradient) of the Pond 4 area along Leviathan Creek.

Atlantic Richfield does not know the cause of this slope movement, although we suspect that heavy precipitation at the site and the resulting infiltration on and above the slope may be a contributing factor. In order to better determine whether this slope movement is likely to advance further and to affect safe access to Pond 4 and the integrity and operation of Atlantic Richfield equipment and facilities in this area, Atlantic Richfield has requested that Amec Foster Wheeler send a geotechnical engineer and landslide specialist to the site as soon as possible. Greg Lambeth, out of Amec's Reno, Nevada office, will travel to the site tomorrow morning to perform an initial geotechnical assessment. He will attempt to determine the type of event that is

occurring and whether substantial additional slope movement and debris transport are likely to occur. We understand that Lahontan Regional Water Quality Control Board personnel are aware of this situation, and they are also working with their technical staff and contractor(s) to assess site conditions.

Except as it may affect safe access to/from the site and the welfare of on-site personnel and facilities, we do not expect this situation to cause or contribute to any release of hazardous substances or waste material that would constitute an emergency situation or present an imminent threat to public health or the environment. We will let U.S. EPA know immediately if there is any change in this regard. We will continue to monitor site conditions and coordinate with the Water Board as more information is learned. And we will keep U.S EPA informed of the results of our initial geotechnical assessment. We are sure that U.S. EPA shares our view that safety should be the first priority in responding to this situation.

Please contact me if you have any immediate questions.

Anthony R Brown

Operations Project Manager – Mining

Atlantic Richfield Company

Remediation Management

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