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Cc: Nancy Lindsay[Lindsay.Nancy@epa.gov]
From: Manzanilla, Enrique
Sent: Tue 3/29/2016 11:59:13 PM
Subject: FW: Anaconda Coverage

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From: PerezSullivan, Margot
Sent: Tuesday, March 29, 2016 4:33 PM
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Subject: Anaconda Coverage

Two stories – the first from the Reno Gazette Journal and the second an AP story posted on the Las Vegas Sun site. I've reached out to Jason Hidalgo to have Jared's name corrected.

Nevada agrees to Superfund priority status for Anaconda copper mine

Nevada "cautiously" agreed on Tuesday with efforts by the Environmental Protection Agency to include an abandoned copper mine near the town of Yerington on its priority list of contaminated sites.

Gov. Brian Sandoval announced the decision in a letter to the EPA, allowing the agency to include the Anaconda copper mine to the National Priority List of contaminated sites without

opposition from the state.

“Despite our best efforts, the State and local stakeholders have been unable at this time to secure an agreement for a public-privately funded solution that meets the permanent remedy requirement," Sandoval said. "Therefore, the State will reluctantly concur with initiating the NPL listing process."

The agreement, however, was contingent on several assurances that Nevada is requiring from the EPA. These include ensuring an alternative remedy if the EPA is unable to secure federal funding for the site as well as a solid timetable for the work that must be done. The state also wants the Nevada Department of Environmental Protection take the lead on the project given its expertise in mine reclamation projects. NDEP is specifically looking at the Arimetco portion of the site, which is not covered by the work being done by former Anaconda site owner Atlantic Richfield Co.

The abandoned mine already received “Superfund” designation from the EPA, which indicates sites that have been contaminated with hazardous chemicals and pollutants. Unless the site is also added to the EPA’s National Priority List, however, the agency will not be able to spend Superfund money on it for long-term cleanup.

In 2005, Nevada requested that the EPA use its Superfund authority on the abandoned copper pit. The state, however, resisted efforts to place the site on the Superfund National Priority List, with opponents citing the potential economic impact and negative attention it would bring to the region. Instead, those against the listing wanted to come up with an alternative public-private option for funding the cleanup.

“We think there’s a way to do this without getting on the NPL, which, of course, is going to hurt farming,” Yerington city manager Dan Newell said last year. “What we’d like to come up with is a way of funding this and keeping it at the state level, with the EPA out of it.”

Of special concern to the agriculture community is the potential for customers associating the area's inclusion into the NPL with tainted produce. This was a key concern expressed by community members to the state and EPA during public discussions and is one of the assurances that Nevada is asking from the EPA as well regarding any communication about the Superfund site.

"There has been work done in terms of product safety and evaluating the site vis-a-vis agriculture products," said Leo Drozdoff, director of the Nevada Department of Conservation and Natural Resources. "The EPA has said it and we've said ... that there's no evidence the Anaconda site has had any impact on (the safety of) agricultural products."

Supporters of acquiring NPL designation include U.S. Sen. Harry Reid, D-Nev., who described the site as an “abandoned cesspool full of toxic substances.” In an editorial that Reid penned for the Reno Gazette-Journal, Reid said having the site on the priority list means most of the cleanup costs will be covered by federal funding.

“Any negative publicity is not about the cleanup, but about the toxic mine itself,” Reid said. “The best solution is to finally rid the area of this dangerous mine and move past the decades of uncertainty it has brought the health and economy of Lyon County.”

In a response letter sent to the EPA earlier this year, however, Sandoval said that being placed on the NPL does not guarantee funding. Sandoval added that the program has not been fully funded since 1995. This was a driving force in the state's request for assurances should the EPA be unable to secure the requisite funding for the project. With the NPL inclusion, federal funds will cover 90 percent of the estimated $30 million cost of cleanup, with Nevada making up the remainder.

Initially opened in 1918 as the Empire Nevada Mine, the abandoned site comprises 3,400 acres in the Mason Valley about 65 miles southeast of Reno. Anaconda Copper Company acquired the site in 1941, producing 1.7 billion pounds of copper from 1952 to 1978. The site was sold to Arimetco, Inc., in 1988, according to the EPA. The company, however, went bankrupt and abandoned the location in 2000.

In 2013, former Anaconda site owner Atlantic Richfield Co., a subsidiary of BP America Inc. settled for $19.5 million with residents who filed a class-action lawsuit against the company. The lawsuit alleged that Atlantic Richfield covered up the extent of toxic pollutants such as uranium and arsenic leaking from the site into the soil and drinking water.

In a letter sent to Sandoval in December, EPA regional administrator Jared Blumenfeld wrote that the estimated 90 million gallons of acidic solution that Arimetco left needed to be addressed as soon as possible.

“The reason for urgency is that funding needs to be in place well before the current pond capacity is exceeded,” Blumenfeld said. “The consequence … could result in significant additional threat to the Mason Valley Groundwater Basin.”

Construction also needs to start by the summer of 2019 for a solution to the problem, Blumenthal said.

With the state's agreement, all parties can address the site's issues in full force, although changes might not immediately be noticeable.

"This is more of a marathon not a sprint, but people can anticipate seeing positive changes over time," said David Emme, NDEP administrator. "What's important is we can now move on from stopgap measures to more permanent remedies."

http://www.rgj.com/story/news/2016/03/29/superfund-national-priority-list-decision-anaconda-copper-mine-nevada/82388660/

AP: Nevada backs priority Superfund status for toxic mine

Published Tuesday, March 29, 2016 | 4:12 p.m.

Updated 13 minutes ago

RENO, Nev. (AP) — The state of Nevada is dropping 15 years of opposition to the Environmental Protection Agency's push to add a toxic, World War II-era copper mine to the priority list of the most polluted Superfund sites in the nation.

Nevada Gov. Sandoval said Tuesday in a letter to the EPA obtained by The Associated Press that he's cautiously concurring with the proposal that would make available $31 million in federal funds to help clean up the abandoned Anaconda mine 80 miles southeast of Reno.

Sandoval told EPA last year he wasn't ready to support the national priority listing because of continued resistance from some local residents concerned about the stigma of Superfund status. But he says he's now convinced it's the best alternative based in part on EPA's assurances federal funding will be put on a fast track.

http://lasvegassun.com/news/2016/mar/29/ap-nevada-backs-priority-superfund-status-for-toxi/

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