To: lthom@ypt-nsn.gov[lthom@ypt-nsn.gov]
Cc: ghatch.ypt-nsn.gov[ghatch@ypt-nsn.gov]; Herrera, Angeles[Herrera.Angeles@epa.gov]; Ball, Harold[Ball.Harold@epa.gov]
From: Manzanilla, Enrique
Sent: Tue 8/22/2017 7:47:11 PM
Subject: FW: Coordination with Yerington Paiute Tribe and Anaconda site
20170804 EPA on NDEP Anaconda deferral request.pdf

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Chairman Thom:

Below is a copy of an update I provided to Alan Bacock, chair of the RTOC, in anticipation of this week's RTOC meeting. I know you and Ginny have relayed your concerns to Alan about the potential deferral of the Anaconda site and EPA's interactions with the Yerington Paiute Tribe. I plan to respond more formally to your concerns shortly, but I wanted to provide Alan an update per his request to me last June, especially since I won't be able to attend the RTOC meeting.

Please reach out to me directly if you have any concerns or questions about my response to Alan.

Sincerely,

Enrique Manzanilla

Director, Superfund Division

US EPA Region IX

415 972 3843

From: Manzanilla, Enrique
Sent: Tuesday, August 22, 2017 12:33 PM
To: 'a.bacock@bigpinepaiute.org'
Cc: HERRERA, ANGELES ; Harold Ball (Ball.Harold@epa.gov) ; Jeff Scott ; COYLE, BRIDGET ; Laura Ebbert ; NEIBAUR, ELENA
Subject: Coordination with Yerington Paiute Tribe and Anaconda site
Importance: High

Hi Alan,

I am sorry I am unable to participate in this week's RTOC. I know you have been following our communications with the Yerington Paiute Tribe (YPT) closely, so I want to provide you with a short update since my last email exchange with you last June. On June 27th, I attended a Nevada Division of Environmental Protection (NDEP) roundtable discussion with multiple stakeholders, including both YPT and the Walker River Paiute Tribe (WRPT), regarding the Anaconda site and the State's deferral concepts. The following day, on June 28th, Harry Ball and I met with the YPT Chairman, Laurie L. Thom, their Environmental Director, Ginny Hatch, and their consultants to discuss their

specific concerns about process and the State's evolving deferral proposal. I also wanted to reassure them that EPA fully understood our trust responsibilities to the YPT as we explored a potential deferral.

On July 31, 2017, NDEP formally requested deferral of the site to NDEP. In response to that request, I sent NDEP the attached letter notifying them that the deferral process should be done in a manner that recognizes Tribal sovereignty and jurisdiction and that provides for meaningful involvement by the Tribes for future work on the site under a potential deferral scenario. We are now actively working with NDEP, YPT, and WRPT, on drafting agreements, consistent with EPA guidance, which would build on these concepts.

There is much work ahead of us before EPA can support NDEP's deferral proposal for the Anaconda site. And I know the YPT continues to be concerned about this potential deferral. I am in the process of writing a letter to Chairman Thom reaffirming our goal to not defer the site without formally consulting with YPT. I will send you a copy of the letter and keep you apprised of our progress in addressing tribal concerns.

Regards,

Enrique