**To:** Rodriguez, Dante[Rodriguez.Dante@epa.gov]; Dave Davis (drdavis@blm.gov)[drdavis@blm.gov]; Seter, David[Seter.David@epa.gov]
**From:** Jeryl Gardner
**Sent:** Mon 4/3/2017 5:14:19 PM
**Subject:** RE: NDEP-EPA/BLM monthly 4/3/17 - Dante's notes

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Thanks, Dante.

Could you also update the Gantt chart and send it back out when you get a chance?

Thanks,

Jeryl R. Gardner, P.E., C.E.M.

Abandoned Mine Lands Program Manager

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**From:** Rodriguez, Dante [mailto:Rodriguez.Dante@epa.gov]
**Sent:** Monday, April 3, 2017 10:08 AM
**To:** Jeryl Gardner ; Dave Davis (drdavis@blm.gov) ; Seter, David
**Subject:** NDEP-EPA/BLM monthly 4/3/17 - Dante's notes

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ANACONDA SUPERFUND SITE

**MONTHLY STATUS MEETING: NDEP-EPA/BLM**

**DATE: April 2017**

**PARTICIPANTS:** Dave Seter (EPA), Dante Rodriguez (EPA)

Jeryl Gardner (NDEP), Dave Davis (BLM)

Confidential information in purple.

Updates in blue and purple.

Previous periods' information in gray or light purple.

**OU0. SITEWIDE:**

∀ **NPL Listing.**

o ARC deferral proposal. BP met with EPA RA 1/26. NDEP, BLM and ARC met with EPA in SF 1/31.

♍ Removed listing package from HQ process for listing in March, can do listing in Sept if needed, need to make decision by end of June.

♍ Resolved covenants hurdle, discussing hurdles of groundwater, past costs (see below), tribal & community acceptance. O'Rourke says that as a NR trustee, tribe's consent is required for deferral.

♍ Draft deferral agreement from NDEP received, EPA reviewing, forwarded to DD and Jeryl. EPA "requirements" letter being prepared.

♍ **Tribes.** NDEP met with tribes, discussed how State will coordinate with them. Tribes informed state that they expected to be part of discussion by now, do not concur on delay of listing. State drafted consultation letter.

Angeles/Harry met with tribal chairs and councils, March 8th and 9th, (DD attended too) informed of delay in listing, they weren't happy that they hadn't been consulted, Greg and BLM attended too, also Jim Lawrence (Deputy Director of DCNR). YPT wanted to see deferral agreements by May 1. Is it "concurrence" or "acceptance" that is required. Tribe asked about EPA funding for their involvement if state-lead. Both tribes asked for communication protocol of contacting environmental coordinator first before contacting chairman. DD: NRDA (natural resource damage & restoration) issue raised by tribes, effects of deferral on case, BLM/BIA/DOI higher ups briefed, offered help, basically between State and Tribes to resolve. Jeryl: Greg met with tribes 17th and 24th, promised regular coordination, wanted clear definition between coordination and consultation, YPT lots of asks. WRPT ok with deferral.

♍ **YCAG.** Harry spoke with Peggy, Greg exchanged emails with her. Jeryl: Peggy ok with state-lead and deferral, wanted to see examples of state work on CERCLA-like sites.

o Public comments. Eugenia working on responsiveness summary, incorporate staff input to outstanding questions, wrap it up then hold it. Dave review of specific proposed responses? (Listing is taking place in April instead of March). Anaconda is on the list for listing in September.

∀ **Community Involvement.**

o CIP. Draft, EPA team reviewed, Sarah hasn't shared with workgroup yet, awaiting direction re: deferral before moving along, on hold now.

∀ **SharePoint Site.** Issue regarding document ordering (not chronological), folder naming and structure, operability (crashes when try moving around from deep within file structure). TT provided document date data, CBI uploading to SP site, will enable chronological sorting. CBI revised structure so each folder is a "library" rather than having one big library with lots of folders, now enables smooth operation. When have time, Jeryl review folder nomenclature and organization and recommend any improvements, test out browsing through folders. Jeryl and Dave S reported having trouble accessing SP site, but Dante had no problem.

∀ **Other/General.**

o Dante sent out updated Sitewide gantt chart.

**OU1. Groundwater:**

∀ **Remedial Investigation.**

o Background. Dave sent Jack approval letter, Jeryl and DD hadn't received but don't need. We agreed to have plume stability evaluation come after the RI (see below).

o RI Report. B&C Greg Davis to complete, Jack has internal draft coming end of March, probably May timeframe to agencies, current schedule was for submittal April 3, need to revise. When Jack reviews, if he wants to run anything by Jeryl/Dave regarding structure and organization, that could save time.

∀ **Plume Stability.** YPT comments/white paper on background focus on plume stability (movement), modeling effort. Dietrick has some additional information to add to white paper, show some more statistics they did.

o Jack received comments, team reviewing, working on ARC response, by end March. CBI to review tribe comments.

o Dave requested technical meeting in April/May/June to discuss with ARC, ARC agreed to meet and work it out, soliciting team availability. Dave will do presentation of proposal for plume stability, trends analysis. Dave will have EPA proposal, will share with agencies before meeting. RTOC is 1st week May, not good time. DD: out first two weeks May, then ok. Jeryl: lots of meetings in May, look at last couple weeks May and after.

o To be dealt with post-RI, feed into FS, won't be part of RI report.

∀ **Feasibility Study.** Dave: awaiting direction of deferral before having ARC proceed.

∀ **Risk Assessment.** Don't wait for OU3 final approval, start OU1 HHRA workplan, have tech calls instead of detailed tech memos, same approach as OU7, ARC agreeable, approval of workplan would be key necessary agency approval before proceeding, don't need interim approvals. Jack will check with Alma on schedule. Dave: haven't decided yet how to proceed.

∀ **Bottled water.** Outreach to tribe needed before stop bottled water program. EPA will wait until RI final before make decision about tribe's bottled water. EPA received correspondence from ARC, haven't responded. Need to work with ARC to strategize dealing with well owners who are not connected to city water. ARC provided information about who is connected and who is not etc., ready to discuss. EPA awaits formal request from ARC, pursuant to EPA Order. Jack will email Dave to get discussion started. Ginny reported issue with bottled water logistics, bottles blown all around reservation, Ginny contact Jack, maybe arrange central drop-off point.

**OU3. Process Area:**

∀ **Remedial Investigation.** Schedule: March 31 deadline for comments. Report reviewed, NDEP comments end of March, don't anticipate significant comments, Hill and BLM comments received, Dave will review Hill comments end of March, awaiting YPT comments, working to get their grant in place. DaveS: received NDEP comments, Hill comments relatively minor, will ask tribes status of their comments.

∀ **Risk Assessment**.

o HHRA workplan. Workplan prepared, Dave will distribute, maybe end of April, no time now to address, looking at end May for submitting comments to ARC.

∀ **FS/PP/ROD.** Complete RI and HHRA, de-prioritize FS.

**OU4a. Evaporation Ponds:**

∀ **Data Results.** Schedule: DSR to agencies 3/15/17, data evaluation report by 4/24/17. ARC reviewing draft DSR by BC, to agencies hope end March, BC will be available for questions on DSR, data evaluation will be mostly by Coppers team with some BC, to ARC April, to agencies May or early June. DaveS: have call to discuss DSR? Maybe along with OU1 tech meeting. Will see what rest of team thinks.

**OU7. Wabuska Drain:**

∀ **Phase 1.** DSR and data evaluation submitted, discussed at 1/31 technical meeting, agreed Phase 1 data is sufficient and can proceed with HHRA/ERA, Dante sent approval letter.

o CBI submitted comments, YPT submitted comments, EPA incorporated and submitted, can followup with ARC and schedule discussion.

o Dante requested slides that AECOM presented at meeting, John to followup with Don, distribute to agencies.

o Add bullets to gantt chart to include comments on report, ARC responses, etc. Need to strategize the steps needed to get to RI and HHRA, then add to Gantt chart.

∀ **YPT sampling.**

o SAP/QAPP.

♍ EPA QAMS approved, approval memo received.

♍ Peer Review. Reviewed by CBI, NDEP, BLM, ARC. Comments from ARC, QAMS reviewed. EPA to do letter response to ARC comment. Ginny thinks Ernest made some of the suggested changes, Dante will coordinate. Dante post to Sharepoint, final version.

o EPA lab/CLP. Services being conducted, analytical and data validation.

o Field work. Schedule: field work complete 3/15/17. Dietrick mobilized February, CBI observed field work, further work conducted in March, samples sent to EPA lab. ARC questions about sampling strategy, did Dietrick provide? Dante recalls QAPP was also SAP. Jack/Jeryl requested copy of daily oversight reports, Dante will send when receive. Kevin working on field report, reported work going well, same level of detail as BC.

∀ **HHRA/ERA Scoping.**

o ARC questioned how to include YPT sampling results in HHRA.

o EPA wants to proceed with HHRA for Phase 1 area, have Alma start, figure out process that works for her in terms of agency input, interaction, etc. ARC will meet with team and get back to us, can have a call to discuss. Dante ask Jack for status, this week. Jeryl: Alma had been out of country for couple weeks early March.

o Team for HRA scoping, Cynthia Woo in SF office, or Mark Weisberg, Alma asked about using Cynthia, early decisions on exposure pathways is critical, Sophia Serda has been involved in Carson River, maybe use her, and we have Ned Black for eco.

∀ **Further Sampling.** Dante to have Hill scope potential sampling in rest of drain, CBI would do sampling if ARC won't perform, need funding.

∀ **Other Components.** EPA to do strategy for peripheral components, rail spur, Weber Reservoir, also sulfur studies applicable to both OU7 and OU1/OU8, Hill do one sampling plan for all but not field work, got pipeline money, obligated funds. Jeryl recommends separating some of these issues in correspondence with ARC, separate drain investigation, peripheral components/rail, and Weber Reservoir. Look for ways to move forward on RI without bogging down.

o Peripheral Components. ARC had not included in SAP but Jack said could add on, have someone recon, do an addendum to SAP, not connected to rail spur.

o Rail Spur. Hill to prepare SAP, offer to let ARC do sampling as scoped, if they refuse we can enforce order or do ourselves and bill them. Note Thompson Smelter is there too, rail spur not

just used for Anaconda mine, area-wide usage, Arimetco had parcel there too.

o Weber Reservoir. Dante will have CBI review USGS report, ARC will have team ready to discuss. Cynthia shared Weber paper with Congressman, they offered to help.

**OU8. Arimetco:**

∀ **Public Meeting, Consultations.** Conducted public meeting on 12/12, WRPT Consultation 12/13, YPT on 12/14, EPA sent follow-up letters.

∀ **RRRT.** Regional Remedy Review Team, reviews remedies between $25-50M, conducted our review, held follow-up discussion with management, sent memo to EPA HQ, expect response this week. HQ will decide whether remedy warrants national RRT review. Dante follow-up Amy Legare.

∀ **ROD/Response Summary.** Draft ROD reviewed by section chiefs, counsel, CI at EPA/NDEP/BLM, all changes incorporated, sent to BLM HQ, holding before sending to EPA HQ pending RRRT memo review by HQ. HQ BLM review 3/16-4/15; address/incorporate by 5/1. Anticipate 90d for routing/signature BLM/DOI routing, by 7/31. DD: anticipates all review comments by 4/26. Dante: will follow-up closely with EPA HQ, schedule was to start their review today, start bugging people.

∀ **Responsiveness Summary.** Added to ROD, same timing and path now.

∀ **Enhanced Evaporation.** SPS pilot test, final report. McGinnis requested the EE pilot monthly reports, Dante will post on SP.

∀ **Water Balance model.** Updates underway, Jack reported work in progress, incorporating dissolved solid data into model, stay tuned in coming weeks.

∀ **Groundwater contribution.** CBI and Hill are evaluating heaps, composition, leachability, isotropic analysis, have preliminary data, compare to groundwater data. Tech memo forthcoming from CBI and Hill. Interrelated with OU7 scoping task for Hill, we will also have them scope and write FSP for investigations of OU8 contribution to groundwater. Dave: asking ARC for sulfur isotopic data that they referenced in background, wasn't in our dbase, to provide to CBI.

∀ **Free Use Permit**. DD: NDEP application for borrow material, to be used as cover, outside site boundary but on BLM public land, requires EA/EIS. ARC started discussions with BLM on potentially buying the public land within mine property, handled at District office.

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**NV MSCA** #99T28801-2 [7/1/16-6/30/17]

## Dante Rodriguez

Remedial Project Manager

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