United States Department of the Interior

BUREAU OF INDIAN AFFAIRS
Navajo Regional Office
P.O. Box 1060
Gallup, New Mexico 87305

JUL 10 2018

IN REPLY REFER TO:
Branch of Property
M/C: N106

Ms. Zizi Searless, USEPA
USEPA
75 Hawthorne Street, SFD-6-2
San Francisco, CA 94105

Dear Ms. Searless:

This is in response to the US Environmental Protection Agency's (USEPA), Contractor's (ARCADIS) February 27, 2018 letter, requesting permission to access the Southeast portion of Section 13, T13N, R11W, to implement Time Critical Removal Action (TCRA) activities. The TCRA activities will be conducted in accordance with the Administrative Settlement Agreement and Order on Consent for Removal Action (AOC; Comprehensive Environmental Response, Compensation, and Liability Act [CERCLA] Docket No. 09-017-02 and Docket No. 06-02-17) executed between the USEPA and BNSF Railway Company (BNSF). The BIA also acknowledges that BNSF is a "potentially responsible party" (PRP) for the Haystack Mine Site, and that the USEPA will oversee the site soil remediation activities by BNSF and their contractors.

Permission is hereby granted to USEPA to access the P.L.O. 2198 lands in the SE/4 of Section 13, T13N, R11W, in order to oversee and implement soil removal activities by BNSF and their contractor(s) as authorized by the approved Time Critical Removal Action (TCRA). Additionally, there is to be no collection or taking of any cultural resources or biological resources.

Please provide the Division of Property copies of the final remediation closure statement and documents.

If you have any further questions data regarding this matter, please contact Fern Becenti, Region Supply Management Officer, at (505) 863-8223.

Sincerely,

Regional Director, Navajo

Enclosures

ARCADIS Design & Consultancy for natural and built assets

Ms. Fern Becenti
Region Supply Management Officer
Bureau of Indian Affairs
Navajo Regional Office
Gallup, New Mexico 87305

Arcadis U.S., Inc.
320 Commerce
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Irvine
California 92602
Tel 714 730 9052
Fax 714 730 9345
www.arcadis.com

Subject:
Access to Section 13, T13N, R11W for Time Critical Removal Action
Haystack No. 1 Abandoned Uranium Mine Site
Baca/Prewitt Chapter, Navajo Nation
McKinley County, New Mexico

ENVIRONMENT

Date:
February 27, 2018

Contact:
Maher Zein, PhD, PE

Phone:
714.508.2667

Email:
maher.zein@arcadis.com

Our ref:
CA000860

Dear Ms. Becenti:

On behalf of BNSF Railway Company (BNSF), Arcadis U.S., Inc. (Arcadis) has prepared this letter to request permission to access Section 13, T13N, R11W at the Haystack Mines Site, located in the Baca/Prewitt Chapter of the Navajo Nation, McKinley County, New Mexico (the Site; Figure 1) to implement approved Time Critical Removal Action (TCRA) activities. The proposed TCRA activities will be conducted pursuant to the Administrative Settlement Agreement and Order on Consent for Removal Action (AOC; Comprehensive Environmental Response, Compensation, and Liability Act [CERCLA] Docket No. 09-2017-02 and Docket No. 06-02-17) executed between the United States Environmental Protection Agency (USEPA) and BNSF (effective as of May 15, 2017). In anticipation of field activities, BNSF is requesting permission from the Bureau of Indian Affairs (BIA) to access the southeast portion of Section 13 (Figure 2) to implement the soil removal activities as required by the USEPA.

Per BIA's request, Arcadis is providing the Removal Work Plan (Attachment 1), approved by the USEPA on February 14, 2018, in support of this request. Also attached for your use is an example access permission letter (Attachment 2) prepared in accordance with the letter granted by the BIA to the USEPA on November 4, 2016 to allow access to Section 13 for performing cultural and biological surveys[1].

[1] BIA, Navajo Regional Office. 2016. Letter from BIA to Ms. Linda Reeves with the USEPA Tribal Lands Cleanup Section. November 4.

Please feel to contact me or Mike Makerov with BNSF at 909.386.4081 if you have any questions or require additional information.

Sincerely,

Arcadis U.S., Inc.

Maher Zein, PhD, PE
Certified Project Manager

Copies:
Charles Thomas and Mike Makerov – BNSF
Martina Schlauch Jones, Todd O'Brien, and Drew Werth – Arcadis

Enclosures:

Figures

1 General Site Location Map

2 Time Critical Removal Action Areas

Attachments

1 Removal Work Plan

2 Example Permission Letter to Access Section 13, T13N, R11W for TCRA Implementation