**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**
WASHINGTON, D.C. 20460

ASSISTANT ADMINISTRATOR
FOR ENFORCEMENT AND
COMPLIANCE ASSURANCE

July 24, 2020

Chairman Shannon F. Wheeler
Nez Perce Tribal Executive Committee
P.O. Box 305
Lapwai, Idaho 83540

Dear Chairman Wheeler:

Thank you for your June 25, 2020, letter requesting government-to-government consultation between the Nez Perce Tribe and the EPA regarding the Stibnite Mine Site located near Yellow Pine, Idaho. I am pleased to schedule the requested consultation for Tuesday, July 28, 2020, at 2 pm EDT. In addition to myself and other senior EPA officials from the Office of Enforcement and Compliance Assurance, I have invited senior officials from other EPA offices, including Region 10, to participate in the consultation. EPA looks forward to the opportunity to consult with the Tribe and to hear its concerns about the Site.

As your letter states, EPA Region 10 is currently engaged in negotiations with Midas Gold Corporation and several governmental entities to explore the possibility of a phased agreement that would address legacy mine waste issues and associated water quality issues as a "bridge" to requests by Midas Gold Corporation for mining activity approvals and permits from the U.S. Forest Service, U.S. Army Corps of Engineers, and the State of Idaho. I understand that the Tribe would like to discuss, in particular, the potential execution of an Administrative Order on Consent or related agreement under the Comprehensive Environmental Response, Compensation, and Liability Act that would address all phases of work at the site. The enclosed letter and attachments, which EPA sent to Midas on July 8, more fully explains the issues that are in discussion.

Thank you again for your letter. I look forward to the consultation with Nez Perce Tribe on July 28th.

Sincerely,

Susan Parker Bodine

Susan Parker Bodine

Enclosures

cc: Chris Hladick, Region 10 Regional Administrator
Peter C. Wright, Assistant Administrator, Office of Land and Emergency Management
W.C. McIntosh, Assistant Administrator, Office of International and Tribal Affairs