UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 6
1445 ROSS AVENUE, SUITE 1200
DALLAS TX 75202-2733

May 17, 2018

Robyn Tierney
Southwest Resources
37 Verano Loop
Santa Fe, New Mexico 87508

Re: San Mateo Creek Basin Legacy Uranium Site -- Draft Administrative Order on Consent, Statement of Work and Follow-up June 6 Meeting

Dear Ms. Tierney:

Thank you for the April 30, 2018, letter to the U.S. Environmental Protection Agency (EPA) which included an initial proposal by the San Mateo Creek Basin Working Group to address legacy uranium mine contamination in the San Mateo Creek Basin. The EPA appreciates the Working Group's commitment to continue to work towards cleanup of the legacy uranium mines and the dialog between the EPA, former mine operators, the New Mexico Environment Department (NMED) and the New Mexico Energy, Minerals and Natural Resources Department (EMNRD).

Enclosed is a draft Administrative Order on Consent (AOC) and Statement of Work (SOW) to conduct a remedial investigation and feasibility study (RI/FS) of the San Mateo Creek Basin Legacy Uranium Site. The EPA recognizes the effort by the Working Group to put together an initial proposal and has incorporated aspects of the framework submitted by the Working Group in the SOW. We believe the hydrogeologic model proposed can be a component of the conceptual site model and will assist in providing a greater understanding of the basin as investigations move forward.

Over the last several years, the EPA has identified and taken emergency and time-critical removal actions where circumstances indicating the need for immediate action became apparent within the context of larger site investigations; logically, such needs are likely to continue to surface in the course of future investigations, as well as other opportunities for early response measures to address specific releases at specific sites. We seek a commitment from the group to address risks as they are identified at sources within the Basin.

As mentioned in the April 19, 2018, letter to the former mine operators, the week of June 4 was identified for a meeting with the EPA, NMED, and EMNRD. The next meeting has been scheduled for:

June 6, 2018
Toney Anaya Building - Rio Grande Conference Room
2550 Cerrillos Road
Santa Fe, New Mexico 87505
9am – 3pm Mountain Time

We request that the Working Group notify the EPA by May 31, 2018, of the elements of the AOC and SOW they wish to discuss at the June 6 meeting.

Please feel free to contact Stephen Capuyan, Enforcement Officer at 214-665-2163 or at capuyan.stephen@epa.gov for additional information. If you have legal questions, please contact Pam Travis, Attorney at 214-665-8056 or at travis.pamela@epa.gov.

We look forward to continued dialogue with you, NMED and EMNRD to formulate and implement an effective, permanent response to this complex multi-party legacy uranium mine challenge.

Sincerely,

Lydia Johnson, Chief
Enforcement Assessment Section

Enclosures

cc: Kurt Vollbrecht (NMED)
Mark Garmin (NMED)
Holland Shepherd (EMNRD)