

## Notes from 03-09-11 Upper Basin PFT Subcommittee Meeting

(Notes are intended to capture the salient points and flow of the discussion)

Objectives for the meeting:

- Provide an update on the response to comments and path forward on ROD Amendment
- Provide an overview of where we are at in the categorization process, next steps and path forward in implementation planning and development of adaptive management
- Discuss the various categories for sites, definitions for categories and criteria to be used to place sites in categories or move sites between categories
- Discuss specific sites and circumstances that will help inform the development of categories, particularly for today's meeting the priority sites
- Develop a list of action items and follow-up for the next meeting

Bill Adams of EPA provided an update on the response to comments and the current thinking on the changes to the Proposed Plan . EPA also provided a summary of the path forward for the development of the Implementation Plan. The updates and path forward are on the attached Powerpoint slides. Dan Pitzler of CH2MHill provided an overview of the adaptive management process and Implementation Planning. He also listed potential criteria to be used to evaluate whether a site could be either taken off the list, listed as a lower priority, or moved up to a Strong Consensus site.

Input from the Group

- Concern expressed that comments on the draft ROD amendment would be made, but nothing would change. Is there an active way to articulate the comments that made a difference and what EPA has done about it, perhaps even responding back to individuals?
  - EPA will provide a summary of comments and a summary of changes made in response to comments.
- Article in paper seemed to suggest that PFT had substantially more decision making authority than is the case. Perhaps EPA could issue press releases to help reporters get the facts correct.
  - Comments and guidance that EPA has received come from Basin Commission, the PFT, and others. EPA is planning to communicate the changes made in the cleanup plan prior to the release of the ROD Amendment.
- Some in the construction community think that EPA has been to all sites and has done detailed site investigations and know exactly what to do at all sites.
- Have heard residents express concern about many yards being recontaminated. Thus, preventing recontamination will be important in the Canyon Creek and Ninemile work.
- The Trust is planning to start work at Interstate Callahan.
  - Data collection and design in 2011 and cleanup in 2012.

- What's the approach for contingent actions?
  - These actions would be prioritized for data collection efforts. The data collected could result in the sites being removed from the list, moved to a higher priority for action, or remain as a lower priority for potential future action. Triggers for when actions would be required will need to be developed for the ROD Amendment.
- With everything that's going on, will the PFT need to meet more than once a month?
  - Probably so. There is a large amount of work remaining to develop the implementation plan and prioritize sites for action and investigations.
- As EPA and Hecla work toward a settlement, how do we ensure that EPA-led actions are consistent with Hecla's plans and don't cause conflict.
- EPA will be working very closely with Hecla to avoid potential conflicts and has invited Hecla representatives to participate in the PFT meetings. (Their consultants have been on the email distribution list for the PFT) . We should add a goal to encourage cooperation with the mining community and to help foster the vitality of the mining industry.
- When viewing the list of sites, it's important to convey what's on the table and what's off the table for PFT discussion.
  - The strong consensus sites are all on the list for action: the contingent sites require more information or will be dealt with somewhat differently.
- Concern expressed about inconsistency in criteria for prioritizing actions i.e., do the criteria apply to the Box. For example if 1,000 ppm lead is standard, how can you ignore the South Hillside in the Box and the stream channels. How is this reconciled?

The Box is covered by a separate ROD with actions designed to be protective. Lots of work was done in the box and institutional controls are in place to insure ongoing protectiveness. Another area of concern is south of Pinehurst with tailings pile that are eroding.

#### Discussion of Criteria for moving sites within or between Categories

- Initial focus of criteria was on what it would take to remove a sites from the list
- Many are qualitative. Some that will be important to consider include:
  - Quantity of material (e.g., less than 50 yards)
  - Distance to water
  - How hard is it to access site (e.g., you may not want to cut numerous trees and build a long road to cleanup a small, remote, site)
  - Presence of vegetation
- Criteria need to be legally defensible. We'll need a good decision map and lines of evidence - photos will be important.
- Need to prepare detailed sampling and analysis plans that are legally defensible.

Focus of discussions then shifted to looking at the spreadsheets prepared by CH2MHill and possible sites for investigation in 2011.

- Group went through the spreadsheets and maps and identified sites for investigation in each drainage area. These were typically higher in the drainage areas where water quality appeared to be better than other areas. A total of approximately 50 sites were identified.
- Concern expressed that no sites within Canyon Creek and Ninemile were selected for this evaluation and possible removal from the list. This will not be received well by the community.
  - Since Canyon Creek and Ninemile are severely impacted streams all sites were identified for action at this time. EPA will look at CC and Ninemile drainages and identify possible candidate sites to investigate for potential removal from the list.
- Will there be specific remedies called out in the ROD? Yes, actions have been identified in the Feasibility Study for all the sites. These are “typical conceptual designs” that will need to be adjusted when more site specific information is available. .
- If funding becomes available, BLM could have summer interns that could assist in field data gathering.
- Agreed to investigate all 13 sites in West Fork Pine Creek. May only take a week to characterize these sites. Also add all on the ridge in East Fork that are high in the drainage plus any you have to walk right past to get to others.
- Likely we’ll have more sites than we can characterize in one field season. Thus, if prioritizing, we may want to look at Pine Creek, Placer Creek, and do a few in CC and Ninemile. Possible criteria for selecting field sites:
  - Access
  - Need to identify a few sites that are good for testing protocols
  - Show public that work is taking place in many areas of the Upper Basin
  - Address issues that public is concerned about
  - Match to resources available: Should have multiple teams for multiple watersheds and an “office” team for documentation.
- Was suggested that good landowner connections would be important, do a public notification, publish protocol, and invite public.

#### Action Items

- Bill Hudson will provide list of residential properties adjacent to mine sites that have not yet been remediated as possible candidate sites for investigation.
- CH to identify all sites in East and West Fork Pine Creek.
- Action Item: check IGS, Forest Service, BLM and other plans for templates for doing this type of site assessment. Get a group together to start looking at these plans and forming a plan for this exercise

- Small group to develop/review protocol: Andy (maybe focus on sites), Bruce (focus on protocol), Rebecca, Mike, Jeff, Anne Dailey.

#### Next Steps

- Bill A. to send out call-in number for conference call 11:00am 3/21 to further develop protocol, criteria, and list of sites. During the call we will also try to schedule subsequent meetings and calls to continue progress.
- Anne Dailey will work with others to plan an expedited sampling of areas identified group.