



Ted V Fitzgerald/R4/USDAFS <tvfitzgerald@fs.fed.us> on 03/06/2001 04:12:57 PM

To: Suzanne Buntrock/R4/USDAFS <sbuntrock@fs.fed.us>, Martha Manderbach/R4/USDAFS <mmanderbach@fs.fed.us>, Kim J Martin/R4/USDAFS <kjmartin@fs.fed.us>, gary.fremerman@usda.gov, kirk.minckler@usda.gov, holli.fliniau@usda.gov, rscott@uc.usbr.gov
cc: Peter Stevenson/EPR/R8/USEPA/US@EPA, Carol Russell/EPR/R8/USEPA/US@EPA, Ted V Fitzgerald/R4/USDAFS <tvfitzgerald@fs.fed.us>

Subject: UDEQ Briefing 3/6/01

Kim Martin, Engineering, Minerals, GIS Group Leader @ Uinta NF and Ted Fitzgerald, OSC, met with representatives of EPA, USBR and UDEQ on March 6 to outline plans for removal actions at the Pacific Mine and Dutchman Flat areas in American Fork Canyon. Others in the meeting from UDEQ were Mohammad Salam and Ty Howard, USBR was Rick Scott, and EPA were Pete Stevenson and Carol Russell. It was determined at a joint meeting of FS, USDA, and EPA on Feb 1-2, 2001 that as we proceeded with the design of the removal actions we should continue coordination with UDEQ and other state agencies to prevent complications as we approach implementation. A second meeting is scheduled for March 13 with UDWQ, UDWR, and Utah County Health Department to review our plans and progress thus far.

Some orientation to the site was provided at the beginning of the meeting followed by our plans to conduct Time Critical Removal Actions at Pacific and Dutchman as soon as adequate funding is available. Conceptual details of the removal actions are about completed with maps and drawings of the operable units and the Common Repository nearing completion. Copies of those drawings were provided to other agencies. Discussions centered around those plans in preparation for moving to the next phase - contract document development.

The details of the plans were generally well received with only the following issues being raised.

UDEQ expects that an analysis of this project will be done to determine if treatment of these waste materials are indeed Bevel-Exempt (sic?).

The analysis should evaluate the criteria contained in 40 CFR 261.4 Exclusions. (I just now reread the regulations contained in the 7-1-97 Edition of this CFR. Paragraph (c)(7) Solid Waste from the extraction, beneficiation, and processing of ores and minerals, seems to be most applicable to this application. I will consult with Regional personnel and document why we consider these mine wastes to be exempt from Hazardous Solid Waste Requirements and RCRA.

In the meeting with UDWR next week, we will attempt to determine the classification of the ground water in this project location. Unfortunately samples of the groundwater at the Repository and at Pacific Mine were not taken last fall when the water monitoring wells were installed by USBR. (The wells at Dutchman Flat were dry at 21 feet.) The classification of the groundwater will bear directly on the impact

allowable under regulation resulting from these removal actions. Samples will be taken from the water monitoring wells as soon this spring as the area is accessible to establish a baseline. This will have direct application on the design of the containment system employed in the Repository.

EPA suggested that preparing contingency plans for emergency actions during removal would be adviseable. One such situation could occur during the removal of the tailings at Pacific Mine which are supersaturated by ground water at a depth of 1 to 3 feet. If this site starts producing water during removal we need to be prepared to deal with that. One less than desireable option, but possibly the only feasible one, is to discharge excess water to the stream (North Fork of American Fork River). Discussions about that contingency will be addressed in the UDWQ meeting. As I proceed with contract document preparation I intend to specify that the contractor will prevent any water generated at the site from being discharged into the stream other than those flows being discharged from Pacific Mine. If the water volumes at the tailings exceed the quantity that can be incorporated into the work, a changed condition will occur and will have to be dealt with under the terms of the contract and the governing regulations.

UDEQ requested that the Forest Service consider providing funding to UDEQ for administrative costs associated with this project since they are not funded by the Utah State Legislature for this type of work. They have received funding from Department of Defense, EPA, and the BLM for projects in the remedial program (Super Fund Projects). The removal program has not provided significant funding for them to get adequately involved in the past. Mr. Howard is to provide me with copies of Interagency Agreements, or other instruments, that have been used for this purpose at which time I will consult further with our Regional Staff to see if this is appropriate. Compared to the overall cost of the projected costs of these projects, UDEQ's administrative costs would be fairly minimal but at this time they are not includedd in our allocations or future budget requests. Kim requested that they provide us with an estimate of their costs as well as sample agreements.

I will continue with the preparation of contract documents for these projects and request further review and consultation as I near 70% completion.

Ted V. Fitzgerald
AFC On-Scene Coordinator
Uinta National Forest