



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 8

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3 August 2006

Charles Gauvin
President and Chief Executive Officer
Trout Unlimited, Inc.
1300 N. 17th St. Suite 500
Arlington, VA 22209-2404

Re: Pacific Mine Site, Utah County, Utah

Dear Mr. Gauvin:

I have reviewed the submitted project plan for the performance of work at the Pacific Mine Site, which includes the Pacific Mine Waste Rock Pile, the Pacific Mill Site, the Blue Rock Mine Waste Rock Pile, and the Scotchman No. 2 Mine Waste Rock Pile, all located on the North Fork of the American Fork River in American Fork Canyon, Utah County, Utah. The work is set forth as Stage 2 in the attached work plan and will involve consolidation of mine waste materials and control of erosion at the various rock piles and waste areas within the Pacific Mine Site to eliminate the threat to public health and the environment caused by release of arsenic, cadmium, copper, lead and zinc from those areas.

Trout Unlimited, Inc. seeks to limit its potential liability under the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) as provided in Section 107(d), 42 U.S.C. § 9607(d), by ensuring the work performed at the Pacific Mine Site is consistent with the National Contingency Plan (NCP), 40 C.F.R. 300 *et seq.*, and at the direction of an On-Scene Coordinator. The work will be consistent with the NCP if performed in accordance with the Stage 2 of the work plan attached. As you know, I and others here approved the work plan and the engineering evaluation/cost analysis and action memorandum supporting the work plan last summer.

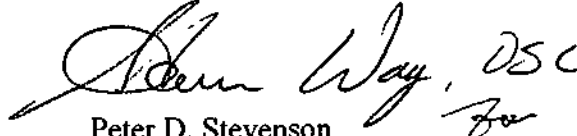
The project plan for the work performed at the American Fork Site is generally in accordance with the NCP. Under Section 121(e)(1) of CERCLA, 42 U.S.C. § 9621(e)(1), and 40 C.F.R. § 300.400(e) and the direction I have provided in this letter, you do not need to obtain permits for the work to be performed under the Stage 2 of the work plan. As On-Scene Coordinator, I direct you to perform this work. You should proceed with work by August 7, 2006 and inform me when the work has been completed. EPA strongly supports your efforts to protect public health and the environment.



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Thank you very much for your voluntary actions in this matter. If you have any questions or need further assistance, please call me at 303-312-6799.

Sincerely,

A handwritten signature in black ink, appearing to read "Peter D. Stevenson, OSC". The signature is fluid and cursive, with a large initial "P" and "S".

Peter D. Stevenson
On-Scene Coordinator, Region 8

attachment