

Bonita Peak Community Advisory Group June 27, 2019 MEETING NOTES

The Bonita Peak Community Advisory Group (CAG) met on June 27th from 6:00 to 8:20 PM at the Silverton Town Hall. Ten CAG Members were in attendance: Peter Butler, Terry Morris, Chara Ragland, Ty Churchwell, Jenna Emerick, Brian Devine, Anthony Edwards, John Ott, Paul Montoya, Levi Lloyd. Not in attendance: Marcel Gaztambide, Charles Smith, Melissa May, Larry Perino, Parker Newby. Approximately seven members of the public attended plus representatives of EPA, CDPHE, DRMS, BLM, and USFS.

Peter opened the meeting with introductions by CAG members and other attendees. Since there were only ten CAG members in attendance and eleven are need for a quorum, the May meeting notes were not approved. They will be held over to the next meeting.

Questions or Discussion from the Tour

About half of the CAG along with several members of the public went for tour of mine sites in the Animas River, Mineral Creek, and Cement Creek drainages during the day before the meeting. The tour stopped on county roads to talk about a number of sites including (up the Animas drainage) the Mayflower tailings ponds, campground #3, the Tom Moore, the Silver Wing, the Kitti Mack Tailings (interim repository for sludge from the Gold King treatment plant), and the Forest Queen; (up Mineral Creek) the Silverledge, the Junction-Longfellow-Koehler area; (up Cement Creek) the Mayday, Anglo-Saxon, natural bog, the Gold King treatment plant, the Red & Bonita, and the Mogul. Except of the natural bog and the Mayday, all of these sites are included in the 48 sites of the BPMD Superfund site. A number of them are part of the Interim Remedial Action Plan (IRAP).

Peter asked if there were questions or comments from the tour which there were quite a few. Many questions were about the Gladstone area. CAG members wanted to know why spending resources on the IRAP was a priority instead of treating additional mine drainages other than the Gold King at Gladstone; long-term, where is the sludge going to go; will the American Tunnel and Red & Bonita be treated in the future; how often are samples taken at the main mine drainages; and what are the current mine drainage flows.

Christina Progress with EPA provided many of the responses, although others in the room chimed in as well. The treatment plant is meant to be interim, and EPA hasn't determined if treatment of the Gold King or the other nearby mine sites will be part of the final solution. EPA also wants the unused capacity at the treatment plant to provide redundancy. In addition, BLM which owns the land to the entrance of the American Tunnel has legal concerns about treatment of the drainage.

The past couple of years of sludge from the Gladstone plant has been moved and mixed with the Kitti Mack tailings. There isn't room to move more sludge there, but EPA can manage the next 2-3 years of sludge at Gladstone before it will need another site. Samples are being collected monthly at the major mine drainages near Gladstone as long as winter access is safe, and the current mine drainage flows are very low compared to historic levels – 42 gpm at the American Tunnel and 150

gpm at the Gold King. This might be due to 2018 very low precipitation, and this past winter's heavy snows haven't affected the drainages yet.

EPA Human Health Risk Assessment Presentation

Steve Merritt with the US Health Service presented the Human Health Risk Assessment. The assessment doesn't examine current medical conditions. It is a determination of if there is a risk that is a basis for taking action. There are five steps: a site conceptual model of how people are exposed, a determination of concentrations of contaminants by calculating exposure point concentrations, a determination of the duration and frequency of exposure for exposure parameters for various human populations, and a determination of the potential toxicity. All of these steps are used to develop a risk value.

Only five mining-related areas upper Animas Basin were determined to have risk values high enough to take action based on metals in airborne particulates. Three of the areas are right next to each other – the Longfellow, Junction, and Koehler mine sites which have elevated arsenic. The other two areas – campgrounds #3 and #7 are located near the Animas River upstream from Silverton and have elevated lead levels. Neither area is designated for camping, but they could potentially be used for camping, possibly without permission from landowners. At all sites, the risk levels triggering possible action are based upon camping for longer time periods (*i.e.* two weeks).

EPA also took the opportunity to update the CAG on a number of current activities this summer season. There will be additional characterization at the human health risk sites to determine which parts of the sites might need capping. Under the Interim Record of Decision (IROD), channels for controlling several adit drainages will be constructed or cleaned out (Henrietta, Natalie/Occidental, and Koehler). There will be more water quality and fish sampling in many locations around the basin. The Kitti Mac sludge repository will be graded and covered with topsoil brought in from the Durango area and seeded. (A question was asked about development of a noxious weed control plan for which there was little response.) EPA is planning on drilling into the American Tunnel between bulkheads #2 and #3 to measure pressure and other parameters. Sunnyside Gold has been ordered to drill a number of wells in the Lake Emma area and to set up two meteorological stations for further investigating the hydrology related to the Sunnyside mine pool.

Big Picture Discussion of the CAG and Determination of Goals for the Bonita Peak Site

Peter led a short discussion on the big picture role of the CAG. One of the main functions of the CAG is serves as liaisons between EPA and a variety of community interests. This is somewhat of a passive role. Peter suggested that surface water quality issues will likely be the biggest driver in establishing goals for the Bonita Peak Superfund site. If the CAG wants to be more actively involved in setting some of the goals for the site, it might consider a water quality standards proposal to the Colorado Water Quality Control Commission (WQCC). The next time WQCC will hold a rulemaking for Southwest Colorado is June 2022. A proposal would need to be well developed at least six months in advance.

Potential Funding Needs

The CAG has previously discussed a need to fund administrative needs. Currently many of those needs are being covered by Trout Unlimited through Ty, but he can't be expected to continue that over the long-term.

Peter noted that ARSG's database attempted to include almost all metal-related water quality data in the Animas Basin from 1991. That database has not been updated beyond 2016 data. Understandably, EPA only uses its own data (and possibly USGS data) in its work because it could be challenged in court and doesn't want to defend anyone else's data. If the CAG is interested in looking at all water quality data, it needs funding to pull it all together.

Anthony mentioned that San Juan County is interested determining if certain water quality standards may hinder future development of its water rights. It may also be interested in a comprehensive database.

Anthony also mentioned that there are both Colorado and New Mexico entities that are interested in a basin wide data repository.

Administrative Items

Two members of the CAG resigned, and the CAG asked the executive committee to request applications to fill the seats from all the various email lists that different CAG members have. The CAC received six applications. A sub-committee was initiated to review the applications and make recommendations to the CAG at the next meeting. Ty, Peter, and Chara volunteered for the sub-committee.

For the next meeting, the CAG plans to have presentations from CDPHE on water quality standards and EPA on adaptive management plans. In August, there is a tentative plan to get updates from other government agencies working in the BPMD. In September, the fourth Thursday falls on the same day as the Innovation Expo. The CAG meeting might be shorter and more informal. The October meeting is tentatively planned to be in New Mexico.

The CAG received a letter from Sunnyside Gold which was forwarded via email.

Other comments: Cynthia Peterson from EPA is retiring in August. She is one of the last remaining EPA personnel whom we frequently see who worked in the Animas Basin before the Gold King spill.

Paul said the WWRI conference in Farmington went well and the upper Animas Basin was well represented with great talks from Anthony Edwards and Paul Nazaryk, and Ty Churchwell and Andrew Todd.

Public Comment

There was no public comment other than those given during discussion of various topics above.