

Minutes

Bonita Peak Mining District Superfund Site Adaptive Management Site Strategy Workshop

Date: November 7, 2019

Time: 10:00 am - 4:00 pm

Location: Silverton Town Hall (1360 Greene Street, Silverton CO 81433)

Introductions

- Anthony Edwards asked the group to introduce themselves and provide brief introductions.

Overview of agenda and workshop objectives

- Kent Sorenson and Christina Prograss discussed the workshop objectives and gave an overview of the agenda.

Review of CERCLA and adaptive management process

- Christina Prograss explained the CERCLA superfund process and discussed the general timeframe for completion being years to decades.
- Ms. Prograss explained the adaptive management (AM) process and how it fits into the CERCLA superfund process.
 - Group emphasized that extensive work has already been done throughout the watershed and that site strategies should acknowledge this work and use it to make more informed decisions.

Overview of requirements common to all site strategy options

- Christina Prograss went through the requirements common to all options and reviewed the initial site goals.
 - Group expressed concern about the definition of unplanned releases:
 - *What is the definition of an unplanned release? Are there specific criteria for what is considered an unplanned release?*
 - *Minimizing unplanned releases should be better explained in the site management plan (SMP).*
 - Group stated that actions taken should protect the work and improvements that have already been done in the watershed.

Review of site strategy options

- Christina Prograss explained the site strategy options and went through the pros and cons for each.

- Group comments about the proposed options:
 - *What about sites in Cement Creek outside of OU3? None of the site strategies address those sites.*
 - *The cost benefit of a decision should be considered when selecting remedial actions.*
 - *EPA stated that the feasibility study (FS) phase of the CERCLA process includes a review of the cost benefit of a remedy. Cost is one of nine criteria that EPA is required to evaluate when selecting a remedy.*
 - *How will “highest loaders” be defined and selected for Options #2?*
 - *EPA stated that specific criteria would be developed as the first step of the process if Option #2 is selected.*
 - *Option #3 is hard to evaluate because the scope and cost is highly variable. Too much uncertainty and limited room for innovation.*
 - *Too much uncertainty in achieving water quality goals with Option #4. Limited room for innovation with bulkheading.*
 - *EPA should select an option where they can continue to use their strengths (e.g., ability to work with PRPs, generating big data sets, etc.).*
 - *How do we prioritize landowners with AOC and federal land partners?*
 - *EPA stated that work under AOCs would be ongoing regardless of option selected. If additional property owners wanted to conduct work on their property under an AOC, EPA would prioritize that work.*
 - *Is funding guaranteed?*
 - *EPA stated that national funding is allocated on a risk-based basis. The BPMD site is currently a high priority NPL site so not receiving funding is unlikely.*

Brainstorm alternate site strategy options

- Kent Sorenson lead the group in brainstorming alternate site strategy options. Feedback received from the group is summarized below:
 - What do you like about the proposed options?
 - *Sunnyside Mine pool RI/FS is included in all options.*
 - *Using past history to help make decisions moving forward.*
 - What do you not like about the proposed options? What’s missing?
 - *Cement Creek sites outside of OU3 not included.*

- *For option #1a, EPA would not be doing as much if focused above Silver Wing because there are too many PRP and relationship issues to focus on.*
- Alternate site strategy options developed during the workshop include:
 - *Option #1c: Like Option #1b but also includes evaluation of Cement Creek sites outside of OU3. Unlike Option #1b, each reach would have its own separate IROD.*
 - *Option #2a: Like Option #2 but also includes evaluation of Cement Creek sites outside of OU3.*
 - *Option #2b: Like Option #2 but evaluates highest loaders from each reach, including Cement Creek sites outside of OU3.*
 - *Option #5: Similar to Options #4 and #4 without a presumptive remedy. Resources would be focused on a comprehensive RI/FS in OU3 to select an appropriate remedy decision. Work in all other reaches would be postponed until OU3 decision is made.*

Next Steps

- Christina Progress reviewed next steps
 - There will be opportunities for public comment in the future as the site management plan and site strategy are revised periodically.
 - EPA to select a site strategy by spring of 2020.
 - EPA will schedule a meeting with the CAG and Planning Group once EPA selects a site strategy to discuss why this strategy was selected and to discuss the draft site management plan.
 - Final SMP due by June 2020.

Meeting Adjourned at 4:00 p.m.

Action Items:

- CAG and Planning Group to review workshop materials and site strategy options on their own and let EPA know by the first week of December what their site strategy preferences are.