

Meeting Summary
Bonita Peak Community Advisory Group
June 24, 2021, 6:30—8:30 PM
Via Computer Conferencing

CAG Members in Attendance: Peter Butler, John Ott, Ty Churchwell, Russ Anderson, Chara Ragland, Brian Devine, Melissa May, Marcel Gaztambide, Terry Morris, Charlie Smith, and Susan Livenick. Not in attendance: Anthony Edwards, Parker Newby, Teal Lehto, and Levi Lloyd.

Also in attendance: Tom Schillaci, Chris Stoneback, Melissa Smeins, Marty McComb, Neil Westesen, Ben Martinez, Mark Rudolph, Athena Jones, Joy Jenkins, James Hou, Rachel Vaughn, Carrie Wontoric, Rob Parker, Paul Nazaryk, Brady Owens, Michelle Furi, plus a few others.

6:30—6:35 PM Introductions and Announcements

Ty noted that he is having a number of updates added to the website in the next couple of days. He also received an email from Shannon Mulaney who will be covering Bonita Peak for the Durango Herald. He is going to meet with her to give her some background. Jonathan Romeo who had been covering the site has moved over to the Durango Telegraph and will become editor in a few months.

Anthony facilitated getting Peter to make a presentation to the WIIN group which puts on hour-long presentations concerning the watershed every two weeks. He discussed all the remediation that has gone on in the Animas Basin over the past twenty-five years. Peter said he didn't get many questions, but did get some positive feedback.

Peter also noted that he received comments from Sunnyside Gold Corp. (SGC) to EPA regarding EPA's plans for the Terry Tunnel work and that he forwarded those comments to the CAG.

6:35—6:50 PM Summary of Current EPA On-the-Ground Activities in the Watershed

Marty McComb, on scene coordinator for EPA, discussed actions at the Pride of the West Mill. In May, DRMS inspected the buildings and found a number of drums and other containers with potentially hazardous materials inside, including cyanide. They asked EPA for assistance in managing and removing the materials. The containers and contents have been inventoried and separated. EPA is readying the containers for transport for disposal. EPA's primary concern is human health as the buildings could be accessed by trespassers. Overall, there are about 670 containers, including a number of small assay type of materials.

EPA is beginning work on opening the Terry Tunnel above Eureka. They want to access the outermost bulkhead. First, they are drilling behind the dirt and rock fill at the portal to determine if water is backed up. There may be closures of the county road going over the tunnel during the drilling.

EPA also said that opening the Terry Tunnel would help them better understand the survey grid SGC used for mapping all of the Sunnyside Mine's workings. Terry thought it was strange that there aren't monuments already in existence that could be used to orient the grid.

There is on-going work at the pond by the Koehler and Junction mines. At one time, the pond held a lot of mine waste. SGC dug out the pond around 1996, but EPA wants to remove additional material. They did some work last year and plan to finish this summer. The waste will be stored on site until a site-wide repository is opened at Mayflower TP#4.

Some initial geophysical work has been done at the Bandora Mine in the South Mineral Creek basin. EPA plans to drill behind the entrance collapse to help determine how much water may be backed up behind the blockage.

EPA is also planning to start the horizontal bore hole at the Gold King in July, and will conduct sampling and investigations of tailings between Eureka and Howardsville starting in late summer.

CDPHE/DRMS: (Mark Rudolph): The State held a pre-bid meeting for remediation work at Campground 7 (a trespass campground). They hope to start work in September. The State is also preparing to replace a culvert under IROD work at the Pride of the West Mine in Cunningham Gulch, and is working with the property owner at the London Mine (Burrows Gulch) to close the portal and improve the grade.

USFS (Ben Martinez): USFS is coordinating access for EPA through Ice Lakes fire closure area to get to the Bandora. It is closed to the public until at least September because of the potential for debris flows from the burn area. USFS is also planning on addressing runoff issues at the Brooklyn this year.

BLM (Melissa Smeins): BLM is working at the Kendall Mtn area around the Lakawanna Mill and Mighty Monarch. They are preparing to transfer property to the town of Silverton. There is one is a hot spot in a wetland near Lakawanna they want to remediate, and they are lining a channel for drainage from Mighty Monarch.

6:50—7:05 PM Update on Mayflower Repository Plans

Rob Parker with EPA said that primary comment received regarding the repository was the size of the impoundment cell area. EPA is working through that issue and currently has down-sized the cell area from previous drawings. They are also thinking of making a process area to dry out and solidify the sludge that can later be converted to a landfill

type repository cell. EPA needs to get plans developed and the repository construction underway in the next couple of years because of space limitations at Gladstone.

Rob responded to other written comments from the CAG, including that they will be doing a lot of geophysical work to ensure stability, and that they are still planning to treat the leachate at the treatment plant in Gladstone.

7:05—7:55 PM Discussion on EPA Budgeting and Funding

Joy Jenkins with EPA gave a Powerpoint presentation on Superfund funding. There are several buckets of money. The remedial investigations and feasibility studies are funded through EPA Regions' annual budget allocations for the remedial program. Generally, project managers need to develop budgets three years in advance, although EPA's overall budget can vary year to year depending on Congressional action. Funding for implementing remedies (Remedial Actions or RAs) comes from an EPA process out of Washington where all construction projects compete nationally for funding and are prioritized. Once a remedy is implemented, the site will be turned over to the State to fund operation and maintenance. Typically, that transfer process occurs ten years after completion of the remedy, but arguably that process could be shortened. Initially, funding for the 2019 Interim Record of Decision (IROD) projects is mostly coming from removal action funds through Region 8. The use of IROD's is a relatively new process under Superfund and is meant to start some remedies before a full Record of Decision (ROD) is developed.

A number of questions were asked including:

Generally, about how much is EPA's annual budget for the BPMD? EPA won't provide figures. They want to be sure of the numbers because of the potential for cost-recovery litigation.

What are published EPA spending figures based on? They are based on a press release and newspaper articles related to the settlement between EPA and Utah over the Gold King spill. The published figure states that \$75 million has been spent at BPMD (Note, that likely includes \$30 million in Gold King response between the 2015 spill and the Superfund designation.)

Who paid for the Red & Bonita bulkhead? EPA through removal action funding.

Will RA money be needed for constructing the repository? Yes. The money has already been carved out from the competitive funding for whenever this work begins.

What about funding for legal work? It is paid in-house or contracted through EPA's budget, and those costs are potentially cost-recoverable.

Are there plans to prevent losing institutional knowledge through switching contractors? (There is concern that switching contractors every few years is inefficient because of the loss of institutional knowledge.) EPA has recently changed its

contracting provisions, hopefully to reduce spending, but there have been delays in getting work done while working through the contracting issues. They are aware of the institutional knowledge issue.

Where are we on the linear Superfund process? Superfund is generally a linear process but because of the 2019 IROD, certain remedies are proceeding without the completion of a full Record of Decision (ROD) that usually comes before any remedies are implemented.

7:55—8:15 PM Observations from Winter Sampling below Confluence with Elk Creek.

Because of the time taken with the previous items, this topic was put off until a later date.

8:15—8:30 PM Administrative Items

Russ moved to approve the May meeting summary and Charlie seconded. All are in favor of the motion.

For the July meeting, the Red & Bonita report on the bulkhead test is a potential topic. So are presentations on work related to the Amy and Legal Tender mines. Peter would like to do some type of hybrid meeting where people can meet both in person and via Zoom. He's working on a location. It is unlikely EPA will attend in person because of scheduling issues.

The CAG plans to have a discussion session next Wednesday at 6pm via Zoom.

8:30 PM Adjourn

Chat comments during the Zoom meeting:

From John Ott, WQCC, James Ranch to Everyone: 06:47 PM
Thanks for handling all the mess.

From Marcel Gaztambide, Animas Riverkeeper (he/him) to Everyone: 06:47 PM

Agreed - thanks for your work, Marty!

From Marty McComb, EPA to Everyone: 06:48 PM
response.epa.gov/prideofthewestmill

From Russ Anderson to Everyone: 06:54 PM

can Joy or somebody remind us where the sediments from the settling ponds go? Thanks!

thanks Rob.

From Tom Schillaci to Everyone: 07:04 PM

With monsoons in summer, are there any plans to use a press to squeeze some water out of the sludge?

From Rob Parker, EPA to Everyone: 07:06 PM

Hi Tom - we've seen mixed results with presses in the past. What seems to work best so far has been turning the sludge over using a Brown Bear tractor. We use the tractor to mechanically turn the wet sludge over to air dry. We've been doing that for two field seasons now.

From Ben Martinez San Juan NF to Everyone: 07:08 PM

<https://www.fs.usda.gov/alerts/sanjuan/alerts-notice> Ice Lakes Area Closure Date extended to Sept 15, 2021 and Stage 1 Fire Restrictions

From Tom Schillaci to Everyone: 07:08 PM

Thanks. And I have seen 8 or more inches of water sitting on sludge that has been spread and flipped. It rained hard twice in Silverton today.

From Susan Livenick to Everyone: 07:15 PM

want are the materials in the sludges. metals, polymers and what?

From Mark Rudolph - CDPHE to Everyone: 07:16 PM

Susan, its metals polymers and lime

From Russ Anderson to Everyone: 07:17 PM

Rob or anybody else, are the additional tests Rob is speaking to tonight the activities that were introduced at the previous meeting as 2021 work plan activities?

From Charlie Smith, to Everyone: 07:23 PM

The SDSs are required to be on hand at the treatment plant

From Russ Anderson to Everyone: 07:33 PM

Joy, EPA's 319 grant funding has made a huge positive impact to the benefit of water quality to this nation's watersheds, thanks to you and all of your colleagues!

From Chara to Everyone: 07:34 PM

Joy, I hope that this PPT will be made available for the CAG site? Very interesting.

From Marcel Gaztambide, Animas Riverkeeper (he/him) to Me: (Direct Message) 07:35 PM

Chara - I imagine the presentation will be made available to us, but I'm also taking screenshots of the slides, just in case.

From Chara to Everyone: 07:37 PM

How does the Adaptive Management process work into this game board scheme?

From Susan Livenick to Everyone: 07:39 PM

Is Start-Up in the RA phase, prior to turn over to O&M?

From Chara to Everyone: 07:42 PM

This slide illustrates why it is so important to have CAG and state involvement - because the last box leaves all of it to the state. We

want EPA to address as many of the water quality issues as possible before they get to the Action Removal stage.

From Tom Schillaci to Everyone: 07:42 PM

Could 20 or more “quick fix” projects from a few years ago be re-designated to be Removal Actions, which would open the door to DELIST them from BPMD?

From Rob Parker, EPA to Everyone: 08:00 PM

Hi Chara - good question above about adaptive management. The process described by the flow chart is regulated by federal regulations, so we still follow these steps, even through adaptive management. That said, I like to think that we use adaptive management to address smaller projects within the overall site. Historically, EPA would spend a lot of time completing a Remedial Investigation, making sure we understand everything we need to in order to make a site wide decision. (e.g. We will take Action A at Site 1, Action B at Site 2, etc.). For complex sites, that can lead to a very long time between investigation and actions. Instead, using adaptive management, we are encouraged to take smaller-than-sitewide actions as we learn within those areas, which will be additive towards overall sitewide goals. 1/2

2/2 For example, we're taking stabilization actions via an Interim Record of Decision from 2019, and building a sitewide repository via another Interim Record of Decision this year. This is in addition to ongoing removal actions at Gold King.

From Rob Parker, EPA to Everyone: 08:10 PM

Hi Tom - taking the response actions included the 2019 IROD verifies that the new stabilization work and incorporating past stabilization work, as referenced in that decision document, will be completed. As Joy talked about tonight, we use that decision document to access remedial action funding to complete those items. After the work of the IROD is complete, if supported by characterization data to do so, this remedial action work could be used to support partial deletions of appropriate areas.

From Tom Schillaci to Everyone: 08:16 PM

Thanks, Rob. What I am hearing you say, is that it's already in motion. Those quick fix projects cannot be changed. When they go through the work process, then MAYBE they can be delisted. Did I hear you right?

From Rob Parker, EPA to Everyone: 08:22 PM

Yes, Tom, you are correct. We have begun work under the 2019 IROD at Koeher, Junction, Longfellow, Henrietta, and Natalie/Occidental. USFS, EPA, and the State of Colorado will continue work under the 2019 IROD this summer.