

Meeting Summary
Bonita Peak Mining District Community Advisory Group
January 14, 2025, 5:30 - 7:15 pm
Via Computer Conferencing and In Person
at Santa Rita Treatment Plant
Durango, CO

CAG Members attending: Chara Ragland, Ty Churchwell, Parker Newby, Sara Burch, Jason Fast, Terry Morris, Susan Livenick, Emily Thorn, Chris Hill, Helen Mary Johnson and David Palmer. Online: Anthony Edwards, Charlie Smith
 Also in attendance: Kirstin Brown (DRMS), Ryan Unterreiner (CPW) and James Livenick, Joy Jenkins (EPA),
 Online Attendees: Mark Rudolph (CDPHE), Jerry Jakson, Samanthan Wright, David Heinze, Ryan Bennet, Jessica Duggan (EPA), Jerry Jack, Lisa Merrill (BLM), Edward Bulloch, Athena Jones (EPA), James Hou (EPA), Melissa Smeins (BLM), Jillian Kagle, Tom Schillaci, Billy Ray.

Introductions and Announcements

Introductions were made around the meeting room.

Ty announced the passing of Bill Simon. Tom gave a heartfelt memorial tribute to Bill, followed by comments from Kirstin Brown. These comments were supported by comments from several attendees.

Good Samaritan Law Legislation Update – Ty Churchwell, TU

Ty gave a PowerPoint presentation on the Good Samaritan Law legislation that was recently passed into law. A link to that presentation is provided below.

[https://www.bonitapeakcag.org/wp-content/uploads/2025/01/Good-Sam CAG 2025.pdf](https://www.bonitapeakcag.org/wp-content/uploads/2025/01/Good-Sam-CAG-2025.pdf)

Some highlights of the presentation and follow-up comments include:

- The law was evenly sponsored by Republicans and Democrats and passed both chambers unanimously
- Authorizes a new permit program for 15 pilot project sites anywhere in the country
- Definition of Good Samaritan (Good Sam):
 - A non-labile, voluntary entity with no relation to the site
 - Likely is a state agency, Tribe or NGO. Industry can participate as well.
 - Well qualified
 - No PRP waiver
 - No mine operation waiver
- Intended to authorize point source (draining adit) sites where work couldn't be done before. Can be used on 'dry' sites, too.
- Designed for mine sites that would likely not qualify for Superfund authorization, characterized by Ty as "little bleeders":

- Often remote location with no infrastructure
- Where active treatment not feasible or cost effective
- Relatively small discharge volumes (undefined)
- Low metals contamination
- Moderate pH
- No blocked adits
- Low risk sites only, EPA to define ‘low risk’
- No PRP
- EPA will develop and issue a new discharge permit; likely to be run through the EPA Office of Mountains, Deserts and Plains in Denver
- Passive treatments can be employed where meeting full Clean Water Act standards may not be achievable
- NEPA process included with public input
- EPA will likely set up a matrix to rank and select prospective sites; the law authorizes 15 pilot sites in the next 7 years
- Law will need to be legislatively reauthorized in 7 years

Mark had a question if sites could not have PRPs. Ty replied that Good Sam project proponents can be PRPs.

Joy commented that property owners cannot be Good Sam entities, but a permit can be used on private property with the property owner as a cooperating entity.

Mark asked if a PRP can provide funding. Joy confirmed that a PRP can provide funds if the work is **not** done on their property, i.e., as a donation or a way of giving back.

Kirstin mentioned that Colorado DRMS does that now.

Helen Mary asked about “dry” locations (non-point-source). Ty noted that those could be considered for a pilot program.

Emily asked about the 7-year time limit burden. Ty stated sites might need a couple of years of preparation prior to cleanup, such as for site sampling, planning, engineering and construction.

BPMD Superfund Site Goals and Priorities 2025 and Beyond – Joy Jenkins, EPA

Joy presented a PowerPoint report on EPA goals and priorities for 2025. A link to that presentation is provided below.

<https://www.bonitapeakcag.org/wp-content/uploads/2025/01/BPMD-Site-Priorities-Goals-2025-1.14.2025.pdf>

Several comments were offered after the presentation. Helen Mary asked about treatment at Gladstone IWTP. Joy commented that EPA is focused first on a source control method. EPA will select a treatment plant design that is final, but must consider contingencies/alternatives if needed.

Charlie emphasized that Goal 1 is to meet TVS at Priority Reach 1. He had two comments:

- The CAG is doing the sampling in Animas River Canyon and he thinks EPA should chip in. CAG has multiple contributors at this time but that can change. Mark and Joy indicated that they would chat about EPA support.

- EPA use of the existing Gladstone plant to do treatment studies is a good idea and should be prioritized.

Administrative Items

Chara brought up the 2025 CAG member departures and renewals.

Terry is resigning but will still be around to answer questions as needed.

Sara is resigning and moving to Oregon.

Several CAG members voiced their appreciation for Terry and Sara serving on the CAG over the years, and noted they will be missed.

Jason has been reappointed by the City of Durango.

Parker has been reappointed by Town of Silverton.

Charlie and Dave asked to renew their memberships.

Susan moved to vote that Charlie and Dave be renewed for 3 years. Helen Mary and Emily seconded. All voted in favor.

The Executive Committee for 2025 includes Chara and Ty.

Russ has decided to step back from the committee but will stay on the CAG.

Parker said he was willing to step up to the committee.

Susan moved to vote approval for Parker as a member of the Executive Committee.

Helen Mary seconded. All voted in favor.

Chara announced new member Chris Hill, who will replace Peter Butler's position.

Chris said he was happy to join and gave a brief bio of his interests and qualifications.

He was a member of RiverWatch in Denver for years and sampled the various streams on the Front Range. He moved to Durango in 2021 and continued with RiverWatch, collecting and processing surface water samples on the Animas River and La Plata River watersheds.

Helen Mary asked about the future of the Sampling Group.

Chara said the group will meet soon to discuss sampling going forward.

Ty noted that funding for CAG activities has already been received from local donors, and it is enough major funding to cover through this year.

7:15 pm

Adjourn