



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IX

75 Hawthorne Street
San Francisco, Ca. 94105

March 29, 1991

VIA CERTIFIED MAILMr. Ed Hastey
State Director
United States Department of Interior
Bureau of Land Management
2800 Cottage Way Room E-2841
Sacramento, California 95825

(P 918 448 496)

Re: Federal Facilities Agreement for the Atlas Asbestos
Mine Area Operable Unit of the Atlas Asbestos Mine
National Priorities List Superfund Site,
Fresno County, California

Dear Mr. Hastey:

As you know, our staffs have met on several occasions and discussed the negotiation of a Federal Facility Agreement ("FFA") between the Environmental Protection Agency ("EPA") and the Bureau of Land Management ("BLM") with respect to the above-referenced Superfund Site (the "Site"). We look forward to continuing to work with you and your staff to resolve this matter.

As specified in Section 120(e)(2) of CERCLA, BLM is required to enter into an interagency agreement or FFA to perform the remedy selected for the Site on February 14, 1991 within 180 days of that date, i.e. by August 13, 1991. Enclosed with this notice is a draft Federal Facility Agreement for BLM's consideration.

Asbestos is the only contaminant of concern at the Site for which a remedial action has been selected. As you know, a remedial investigation and feasibility study was conducted to evaluate on-site and off-site contamination and possible remedial alternatives. After considering public comment, EPA selected the remedial action, which is set forth in the Record of Decision ("ROD") for the Site dated February 14, 1991.

Letter to Mr. Haste
March 29, 1991
Page 2

EPA has also identified Atlas Corporation and Vinnell Mining and Mineral Corporation as potentially responsible for the response actions at this Site. On the date of this letter, EPA is sending these private potentially responsible parties ("private PRPs") a special notice letter pursuant to Section 122(e) of CERCLA requesting a good faith offer to perform the selected remedy and demanding payment of past costs. EPA encourages the BLM to coordinate its efforts with these private PRPs and to provide EPA with a response to the proposed FFA which together with the good faith offer made by the private parties would result in full implementation of the selected remedy and full payment of past and future response costs incurred and to be incurred by EPA.

In accordance with CERCLA, EPA has already undertaken certain actions and incurred certain costs in response to conditions at the Site. A summary of these costs is attached. EPA also anticipates expending additional funds for response activities at the Site, which may include a remedial action or oversight of a remedial action. EPA's costs through November 30, 1990 for the response action performed at the Site are at least \$2,701,246.75.

The private parties response to the special notice will be due by 5:00p.m. on June 11, 1991. EPA requests that BLM provide EPA with a written response to this notice by that deadline as well, and that BLM provide the following information:

- (1) The names, addresses and telephone numbers of the people who will represent BLM during FFA negotiations;
- (2) A statement of BLM's willingness to conduct or finance the remedial action that is consistent with the Record of Decision and the proposed FFA and that provides a basis for further negotiations;
- (3) A detailed response to the proposed FFA;
- (4) A detailed response to the proposed Scope of Work.


Your written response to this notice should be sent to:

Dan Meer (H-6-2)
U.S. Environmental Protection Agency
75 Hawthorne Street
San Francisco, CA 94105

Letter to Mr. Hastey
March 29, 1991
Page 3

If you have any technical questions regarding this letter, please contact Dan Meer at (415) 744-2219. Any legal questions should be referred to Laurie Williams of the Office of Regional Counsel at (415) 744-1387. We look forward to working with you.

Sincerely,


Jerry Clifford
Deputy Director for Superfund
Hazardous Waste Management Division

Enclosure

cc: William Weinischke, United States Department of Justice
William Allen, EPA Liaison for Natural Resources Trustees
Frank Lopez, California Department of Health Services
Laurie Williams, Office of Regional Counsel
Dan Meer, Remedial Project Manager