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United States Department of the Interior

The mines and stockpile areas would be

BUREAU OF LAND MANAGEMENT
CALIFORNIA STATE OFFICE
2800 COTTAGE WAY, ROOM E-2845
SACRAMENTO, CALIFORNIA 95825-1889



IN REPLY REFER TO:

MAR 28 1991

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(CA-932.7)

Mr. William J. Klauberg
President
Vinnell Mining and Minerals Corp.
10530 Rosehaven Street, Suite 600
Fairfax, VA 22030

Dear Mr. Klauberg:

We look forward to meeting with you on Monday, April 1, 1991 and have reserved the State Director's Conference room for the meeting.

We have reviewed EPA's Record of Decision and the remediation issues and offer the following comments for your information:

Remediation Issue # 1. Fencing or other controls to restrict access to the Atlas Mine OU.

Scope of the Action: The principal threat is posed by uncontained asbestos which would lead to the generation of airborne asbestos emissions. This action is designed to minimize current and future airborne asbestos emissions from the OU and limit the surface water transport of asbestos downstream from the OU. The remedial action is intended to limit access to the disturbed areas within the OU to prevent disturbance of the asbestos waste and the generation of airborne asbestos.

EPA Selected Remedy: The perimeter of the OU has been fenced and berms along White Creek Road have been constructed by BLM. In addition, access to disturbed areas will be further limited by additional fencing or other appropriate means. The purpose is to minimize airborne asbestos emissions.

The mines and stockpile areas would be fenced to restrict access to prevent disturbances by off-road vehicles. Signs warning of asbestos hazards would be posted throughout the mine area. Criteria would be established for all other activity to minimize asbestos emissions.

BLM Position: We believe the existing fencing and other access control facilities are currently very effective in preventing access to the mine site. If EPA is going to require additional fencing, we believe the other PRPs would be responsible for the additional fencing and signing.

Remediation Issue #2: Paving the road through the mine area or implementing an appropriate road maintenance alternative.

Scope of Action: Same as Issue #1.

EPA Selected Remedy: The road through the mine area will be paved or an alternative will be adopted to suppress dust.

BLM Position: Road maintenance is currently being done by the right-of-way permittees. They grade the road once each year. Access to the mine site is currently restricted by locked gates (two on White Creek Road) on the south end of the mine site but not on the north end, and appropriate fencing and asbestos warning signs are in place. We believe paving a short distance of the road thru the mine area would not significantly control asbestos dust. The only personnel entering the area are BLM rangers and communication tower personnel other than right-of-way permittees. If EPA remains steadfast on paving the road through the mine area, BLM will develop and implement a dust suppression alternative for the road.

Remediation Issue #3: Constructing stream diversions and sediment trapping dams to minimize the release of asbestos into local creeks.

Scope of Action: Same as Issue #1.

BLM Position: It is our understanding that you are willing to design and construct the stream diversion and sediment catchment basins in the Atlas Mine area to minimize the release of asbestos into local waterways. BLM engineering staff would appreciate the opportunity to review the designs for these structures before construction begins.

Remediation Issue #4: Conduct a revegetation pilot project to determine whether revegetation is an appropriate means of increasing stability and minimizing erosion of the disturbed areas and implementing revegetation if it is found to be appropriate.

Scope of Action: Same as #1.

EPA Selected Remedy: A pilot study would evaluate whether native vegetation could be established on the disturbed areas. A revegetation project will be implemented if it is found to be technically feasible and cost effective, the disturbed areas will be reclaimed with vegetation to the extent found to be effective.

BLM Position: BLM has completed a literature search, site inspection and feasibility report through a contractor. We would be willing to administer the contract for the five year revegetation pilot project. However, we believe costs associated for the materials (fertilizer, seed, seedlings, irrigation, etc.) and in developing the study design are the responsibilities of the other PRPs.

Remediation Issue #5: Dismantling of the mill building and disposing of the debris.

Scope of Action: Same as for Issue #1

EPA Selected Remedy: The mill building will be dismantled and disposed of along with the other debris in the mine area.

BLM Position: We do not believe this issue involves the Bureau in that the mill site is not on BLM land. The other PRPs and EPA should resolve this issue. Also, the Bureau will not permit the dismantled building parts to be deposited on or buried under BLM administered lands.

Remediation Issue #6: Filing deed restrictions.

Scope of Action: Same as Issue #1.

EPA Selected Remedy: A deed restriction will limit use of the privately held land and prevent disturbance of the contaminated material left at the OU.

BLM Position: We believe this issue is outside the Bureau's responsibilities and should be the responsibility of the PRPs and the state or EPA.

Remediation Issue #7: Implementing an operation and maintenance program.

Scope of Action: Same as for Issue #1.

EPA Selected Remedy: O&M activities will be required to ensure the effectiveness of the response action. In the

event of a natural event such as a flood or earthquake, all repairs necessary to contain the hazardous substances will be made. Long term management of the waste will be required. EPA will perform periodic reviews of the remedial action. Visual inspections, both on the ground and from the air will be required to ensure the integrity of the engineering and institutional controls. O&M activities will be required to ensure the effectiveness of the engineering controls, including:

1. Inspection of engineering systems to ensure integrity and performance.
2. Removal of sediments from retention dams, disposal.
3. Any repair work necessary to maintain the integrity of the remedial systems.
4. Maintenance of the vegetation, and
5. regular policing of the Atlas Mine Area by BLM rangers.

BLM Position: The Bureau of Land Management is willing to accept the responsibilities for the following O&M activities:


1. Provide routine inspections of the Atlas Mine Area.
2. Provide aerial inspection of the Atlas Mine Area at least once every year.
3. Provide routine maintenance of the vegetation that is included as part of the revegetation pilot project.
4. Provide aerial photography of the Atlas Mine Area once every five years.
5. Provide the air, water, and meteorologic monitoring.

BLM will not be responsible for:

1. The inspection of the sediment retention dams regarding their soundness.
2. The removal and disposal of trapped sediments
3. The reconstruction or repair of the sediment retention dams or stream channel protection devices.

4. The design and contract costs associated with the development of the air, water and meteorologic monitoring plans.

Sincerely,



Richard F. Johnson
Deputy State Director
Lands & Renewable Resources

cc: DM, Bakersfield
AM, Hollister
WO (100), Room 5660, MIB
WO (700), Room 5617, MIB
WO (707), Room 3529, MIB
Regional Solicitor (Berger)