

SYNTREX TO SYNTREX
October 23, 1987

MEMORANDUM

TO: David E. Howell, Hollister Area Manager, Bakersfield District, Bureau of Land Management, California

FROM: Alfred F. Jahns, Office of the Regional Solicitor Pacific Southwest Region, Sacramento

SUBJECT: Outline of Interagency Agreement Between BLM and EPA for a Revised Remedial Investigation and Feasibility Study Concerning the Atlas Asbestos Mine Site - NPL Site No. 246

Attached for your review is a preliminary outline of an interagency agreement between BLM and EPA concerning the Atlas Asbestos Mine Site. It is intended to provide a basic framework for addressing the various issues that we have identified in our internal discussions on this matter to date. If you are satisfied with this framework, we can proceed to fill in the details of an agreement to propose to EPA. I anticipate that we can draw substantially on the materials that you and Patty Gradek have already prepared for this purpose.

As you can see from my outline, I propose that we seek agreement from EPA that it will fund the cost of the previous and proposed study actions, and that the BLM will bear the expense of interim remedial (mitigative) actions. I will explain my rationale for this course of action when we discuss the outline.

Alfred F. Jahns
Attorney

Attachment

cc: Edward L. Hastey, State Director, Bureau of Land Management, California
Kristina Clark, Attorney, Division of Energy and Resources

AFJ:mm

BLM.PS.1016

DRAFT OUTLINE
INTERAGENCY AGREEMENT
FOR
REMEDIAL INVESTIGATION AND FEASIBILITY STUDY
ATLAS ASBESTOS MINE SITE - NPL SITE NO. 246

I. PARTIES

This agreement is between the U.S. Bureau of Land Management (BLM), acting through the State Director, California State Office, and the U.S. Environmental Protection Agency (EPA), acting through the Regional Administrator, Region IX. 7

II. PURPOSE

The purpose of this agreement is to provide for the design, funding and administration of a revised remedial investigation and feasibility study for determining appropriate remedial action to control adverse effects on public health and safety that may be found to be attributable to conditions at the Atlas Asbestos Mine site.

III. AUTHORITY

The authority for this agreement is provided by the Comprehensive Environmental Reponse, Compensation, and Liability Act of 1980, 42 U.S.C. § 9601 et seq., as amended, its

implementing regulations and Executive Order 12580 (January 23, 1987).

IV. BACKGROUND

- A. Environmental Setting
- B. Mining History
- C. Land Ownership History
- D. Land Management History
(3809 regulations; Clear Creek Management Plan)
- E. Prior Remedial Investigations/Feasibility Studies
- F. Asbestos Task Force

→ Definition of site for superfund. — FIRST

V. ADMINISTRATION OF REVISED REMEDIAL INVESTIGATION AND FEASIBILITY STUDY (RI/FS)

EPA and BLM ^{on an NPL site} jointly to design scope of revised RI/FS; to select primary contractor; to review work progress; to facilitate state and public participation.

VI. DESIGN/SCOPE OF REVISED RI/FS

Purposes: To define zone of influence of releases from site; nature and magnitude of harm or threat of harm to public health and safety within zone of influence; relative impacts of site versus other sources affecting

zone of influence; comparative remedial value of alternative on-site and off-site actions.

VII. INTERIM REMEDIAL ACTIONS

EPA and BLM jointly to identify appropriate interim remedial actions at site and within Clear Creek Resource Management Area; BLM to implement agreed upon interim actions.



VIII. NATURAL RESOURCES DAMAGE ASSESSMENT

BLM to undertake.

IX. FUNDING

EPA to fund RI/FS actions (including prior actions); BLM to fund interim remedial actions; funding of permanent remedial actions to be agreed upon in subsequent interagency agreement.

X. IDENTIFICATION OF POTENTIAL RESPONSIBLE PARTIES

EPA and BLM jointly to investigate identities of PRPs, focusing on prior mining claimants. EPA to pursue cost recovery against any identified PRPs.

copies of all material in EPA possession relating to PRP

XI. SELECTION OF REMEDIAL ACTION

EPA and BLM to enter into subsequent interagency agreement providing for implementation of appropriate, permanent remedial actions.