

Memorandum

To: Directorate

Through: Assistant Director, Energy and Mineral Resources

From: Chief, Hazardous Materials Staff

Subject: ACTION ALERT -- Letter from EPA Designating BLM as the Responsible Party for the Control, Study, Cleanup, and Damages from the Atlas Asbestos Mine Site in California

California State Office received the attached letter from the Environmental Protection Agency (EPA) Region IX, regarding the liability for studies, cleanup, etc. at the Atlas Asbestos Mine site, roughly 20 miles from Coalinga, California. The site is on the National Priority List (NPL) of Superfund Sites and EPA has been studying it for 3-4 years at a cost of roughly \$5 million.

The EPA letter, in summary:

- says that BLM, as owner of part of land (unpatented mill claims) of the mine site must carry out the statutory actions to control the site, to study and cleanup the site, and that BLM is potentially liable for any damages resulting from the release of hazardous materials at the site.
 - says that the site has been identified as a probable source of waterborne asbestos in the California Aqueduct, a source of air contaminants in the area of the mine and in the town of Coalinga (some of these are questionable assertions!), and a threat to people entering the site.
 - explains the process under the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), and the general types of studies and actions that the Bureau will be required to undertake in cooperation with or under the supervision of EPA.
 - sets out specific control actions gating all access roads (in an unspecified area) to be carried out by the end of November 1987, and posting all (unspecified) roads with risk alert signs to EPA specifications in english and spanish.
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- requests a commitment by BLM by November 5, 1987, to participate in (including paying for) the Remedial Investigation/Feasibility Study (RI/FS) and the cleanup of the site.

- requests specific information on the still unspecified site from Bureau records and other sources, and a specification of the sources.

There are serious national policy, legal, and budget implications that should be considered in the short time before the decision document is signed to commit to the requested course of action. We are prepared to initiate this analysis with the State Office, the Department of Justice, the Office of the Solicitor, the Office of External Affairs, and the Budget Office, as soon as you would like.

Attachment
