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John Wiese
Deputy Regional Administrator
U.S. EPA
215 Fremont Street
San Francisco, CA

Dear Mr. Wiese:

In the past we have had some concerns as to how coordination between our two agencies was evolving, specifically as it related to the "Atlas Mine" National Priority List site. It had been our hope to continue to work closely with your staff to evaluate the incoming data for Remedial Investigation/Feesibility Study and determine the level of

Recently, we were notified by our Washington Office that EPA had received an A-104 "Federal Facilities Pollution" Report Region concerning the mine site with pollution control measures that were projected to cost \$10 million. Since that notification, staff has spent a considerable amount of time trying to find out exactly what your staff sent forward and why.

Attached are two documents, the first being a letter from the Toxics Division to the Air Division notifying them of a potential violation of the National Emissions Standards for Hazardous Air Pollutants (NESHAPS) and the second is the form sent by your Federal Facilities group to your Washington Office.

The form leaves us with many concerns. First, in the section delineating why the project must be funded in FY 87 there is the statement "EPA's position is that it is not their responsibility to reduce or alleviate the problem, and the site does not qualify for CERCLA remedial actions because ground water is not currently imperiled." How could this be our position on a NESHAPS violation, when we were never notified by your agency that a violation had occurred. The first time we became aware of an "Air Quality problem" was by that initial call from our Washington Office. The second part of that statement -- "the site does not qualify for CERCLA remedial...because ground water is not imperiled" -- is in no way accurate. Also, the form states that the asbestos piles blow across a heavily used State highway. This statement refers to Interstate 5 which is miles away from the area and does not receive the asbestos dust.

It appears that your staff cut and pasted various inputs from prior correspondence on the HYL listing concerns from our agency and never went back to read and analyze what the new sentence that they had created was actually saying.

As two agencies currently working together on the Atlas Mine as a Superfund site, we don't fully understand why the Air Quality problem is being separated as an issue and not being dealt with under the Superfund process. Whatever avenues are determined necessary to address this site we would appreciate greater attention being placed upon up front coordination so that we are not surprised by any future issues that may arise.

Sincerely,

Ed Hastay
Ed Hastay
State Director

Enclosures

cc:

WD 501 (Room 5647)

DM, Balesfield

PAYNE:pd:9/11/85

CAA

Tom Loomis - DOJ, D.C.

8-343-8661

ATTACHMENT IV

REPORT OF
NEEDED PROJECT - FISCAL YEAR 1987

PARENT AGENCY: U.S. BUREAU OF LAND MANAGEMENT (INTERIOR DEPT.)

FILE:

FACILITY NAME: ATLAS ASBESTOS SITE (ABANDONED MILLING & MINING SITE).

FACILITY LOCATION: Near town of Coalinga; Fresno County, Calif. (on BLM Lands)

STATUTORY REQUIREMENT FOR PROJECT: CAA Sec. 112 & 40 CFR 61(m).

COMPLIANCE MUST BE ACHIEVED: AS SOON AS POSSIBLE.

COMPLIANCE STATUS OF FACILITY IN MEETING STATUTORY REQUIREMENT: RSDP

CONTROL CONTROLS REQUIRED: (see below).

ESTIMATED COST OF CONTROLS: \$10 million.

PROJECT MUST BE FUNDED IN FY 87. Project must be rated "HIGH PRIORITY". Asbestos tailings piles blow into the area, across a heavily traveled State highway, etc., causing an on-going, severe threat to public health. BLM's position is that it is not their responsibility to fix or alleviate the problem, and the site does not qualify for remedial actions because ground water is not currently imperiled. Site is currently in violation of both CAA Sec. 112 & 40 CFR 61(m).

BY EPA STAFF MEMBER PREPARING FORM: Nick Morgan, EPA Region 9
OR CERCLA STAFF MEMBER.

PHONE NUMBER: 415-974-8918 or ETS 454-8918.

Asbestos Company, now out of business, mined & milled asbestos on BLM lands. Currently, 140 acres of exposed, uncovered asbestos piles are blowing into the air, and the area is also heavily frequented by bikers, ORV users, hunters, etc. These 140 acres need to be covered. The program is required under the air program for asbestos violations, and is currently in violation of CAA & 40 CFR 61(m).

PROJECT SHOULD BE DESIGNATED "HIGH PRIORITY". FOR IMMEDIATE FUNDING.

1 - AUG 1985

NESHAPS Referral for Visible Emissions at the Atlas Asbestos Mine, Fresno County, CA

Original Signed By:

**Harry Saxaydarian, Director
Toxics and Waste Management Division (T-1)**

**David Howesamp, Director
Air Management Division (A-1)**

Recently, while venturing of our Superfund...
COPD data, were collecting soil and street dust...
at the Atlas Asbestos Mine site, visible...
originating from the tailings pile...
observed emissions, we...
your and your staff...
recently attended work place...
Part of National Emission Standards...
Pollution Agreement to Atlas...
1984.

The Atlas Asbestos Mine is...
you and your staff. In 1975 and 1977...
under contract Atlas Asbestos...
successful... big house...
Atlas Asbestos has been...
national...
in December 1984.

The Atlas Asbestos Mine...
in Fresno County, is...
The Atlas Asbestos Mine...
land management land and...
atlas... will...
area. The tailings area...

We are... in the...
work on the site, this...
... and...
... of...
... to develop...
... in...

Richard... is...
... of...
... place...

Thank you for your attention in this matter and for your
assistance in the development of our air quality plan.