



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8**

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Ref: 8SEM-EMR

ACTION MEMORANDUM ADMENDMENT

SUBJECT: Approval and Funding to Increase the Total Project Ceiling and Change the Scope of Response for the Removal Action at the Lisbon Valley Mining District Site in San Juan County, Utah

FROM: Martin McComb
Federal On-Scene Coordinator

THRU: Kerry Guy, Supervisor
Emergency Response Section

Dee Rothery, Manager
Emergency Management Branch

David Pals
Acting Field Manager, BLM Moab Field Office

Kent Hoffman,
Deputy State Director, Lands and Minerals, BLM Utah State Office

TO: Betsy Smidinger, Director
Superfund and Emergency Management Division

Gregory Sheehan,
State Director, BLM Utah State Office

Site ID# B818

I. PURPOSE

The purpose of this Action Memorandum Amendment is to request and document approval to increase the total project ceiling and change the scope of response for the Removal Action at the Lisbon Valley Mining District Site (Site) in San Juan County, Utah. This time-critical removal action involves erosion control and the closure of vehicular access at the historic Radon Mine and Columbia Shaft. Conditions existing at the Site present a threat to public health or welfare or the environment and meet the criteria for initiating a removal action under 40 CFR § 300.415(b)(2) of the National Contingency Plan (NCP).

This removal action involves no nationally-significant or precedent-setting issues. This time-critical removal action will not establish any precedent for how future response actions will be taken and will not commit the U.S. Environmental Protection Agency (EPA) or the

Bureau of Land Management (BLM) to a course of action that could have a significant impact on future responses or resources.

This time-critical removal action will be conducted on public lands managed by BLM. The BLM Utah State Director exercises authority under Section 104 of the Comprehensive Environmental Response, Compensation, and Liability Act for lands under the jurisdiction, custody, or control of BLM. EPA, in coordination with BLM and the State of Utah, has agreed to use funding provided to EPA by BLM for this Site. This approach supports and is consistent with the Federal Government's and State of Utah's long-standing partnership at contaminated sites.

With BLM's agreement, the EPA will designate the On-Scene Coordinator for this Removal Action.

II. SITE CONDITIONS AND BACKGROUND

Site Name:	Lisbon Valley Mining District
Superfund Site ID (SSID):	B818
NRC Case Number:	Not Applicable
CERCLIS Number:	UTN000820978
Site Location:	San Juan County, Utah
Lat/Long:	Radon Mine: 38.2485 / -109.2880 Columbia Shaft: 38.2324 / -109.2757
Potentially Responsible Party (PRP):	Not Applicable
NPL Status:	Non NPL
Removal Start Date:	10/10/2022

A. Site Description

1. Removal Site Evaluation

Refer to previous Action Memorandum (See Attachment 1).

2. Physical Location

Refer to previous Action Memorandum (See Attachment 1).

3. Site Characteristics

Refer to previous Action Memorandum (See Attachment 1).

4. Release or Threatened Release into the Environment of a Hazardous Substance, Pollutant, or Contaminant

Refer to previous Action Memorandum (See Attachment 1).

5. NPL Status

Refer to previous Action Memorandum (See Attachment 1).

6. Maps, Pictures, Other Geographic Representations

Refer to previous Action Memorandum (See Attachment 1).

B. Other Actions to Date

1. Previous Actions

EPA and BLM approved an Action Memorandum on June 7, 2022, to perform response activities at the Radon Mine and Columbia Shaft. This Action Memorandum is attached as an appendix.

2. Current Actions

EPA is organizing a response operations team that will mobilize to the Site on October 10, 2022 and begin work on the Radon Mine.

BLM has assigned a representative that will be in the field during construction to assist the On-Scene Coordinator with oversight and serve as an incident liaison to BLM.

C. State and Local Authorities' Role

1. State and Local Actions to date

Refer to previous Action Memorandum (See Attachment 1).

2. Potential for Continued State/Local Response

Response activities at Radon Mine will be funded with Kerr McGee/Tronox Settlement Funds that have been set aside for this area. These specific funds are not directly available to the State and BLM. Because settlement funds will be used, the reimbursement provisions of section 9(i) of Executive Order 12580 will not be triggered.

Response activities at Columbia Shaft will be funded by BLM per Interagency Agreement. This funding allows for a more comprehensive Removal Action than was previously proposed and significantly improves the remedy to protect public health and environment.

III. THREATS TO PUBLIC HEALTH OR WELFARE OR THE ENVIRONMENT, AND STATUTORY AND REGULATORY AUTHORITIES

Refer to previous Action Memorandum (See Attachment 1).

IV. PROPOSED ACTIONS AND ESTIMATED COSTS

A. Proposed Actions

1. Proposed Action Description

Radon Mine

1. *Develop Equipment Access:* A temporary access road for heavy equipment will be constructed across the face of the waste pile and down to the ephemeral drainage.
2. *Secure the Toe of the Waste Pile:* The toe of the waste pile will be pulled back from the ephemeral drainage and secured with rip rap to the extent practical.
3. *Manage Excavated Mine Waste:* Mine waste excavated to develop equipment access and to secure the toe of the pile will be deposited along several benches that were constructed at the abandoned facility.
4. *Secure Abandoned Metal and Debris:* Metal and other debris from the former facility dumped down the face of the waste pile will be pulled back from the ephemeral drainage, secured with rip rap and covered with mine waste to the extent practical.
5. *Install Erosion Control Features:* Construct erosion control structures on unvegetated waste deposits and revegetate as practical to break up the velocity of runoff and limit off-site migration of contaminated material.
6. *Restrict Vehicle Access:* The historic mine access trail to the waste pile will be closed at the County Road with large boulders, ditches and/or berms.

Columbia Shaft

1. *Regrade the Waste Pile:* Regrade the waste pile to better control runoff and pull the toe of the pile away from the existing drainage.
2. *Install Erosion Control Features:* Construct erosion control structures on unvegetated waste deposits and revegetate as practical to break up the velocity of runoff and limit off-site migration of contaminated material.
3. *Restrict Camping on Waste Pile:* The access to the top of the pile will be closed with large boulders, ditches and/or berms.

2. Contribution to Remedial Performance

Refer to previous Action Memorandum (See Attachment 1).

3. Engineering Evaluation/Cost Analysis (EE/CA)

Refer to previous Action Memorandum (See Attachment 1).

4. Applicable or Relevant and Appropriate Requirements (ARARs)

Refer to previous Action Memorandum (See Attachment 1).

5. Project Schedule

This removal action is proposed to start October 10, 2022 and is anticipated to last 8-10 weeks.

B. Estimated Costs*

Tronox Settlement Funds (Radon Mine)	
ERRS Contractor	\$ 660,000
START Contractor	\$ 40,000
<i>Subtotal</i>	<i>\$ 700,000</i>
BLM Funds (Columbia Shaft)	
ERRS Contractor	\$572,536
EPA Indirect Costs	\$77,464
<i>Subtotal</i>	<i>\$650,000</i>
Total Removal Project Ceiling	
	\$1,350,000

*EPA direct and indirect costs, although cost recoverable, do not count toward the Removal Ceiling for this removal action. Liable parties may be held financially responsible for costs incurred by the EPA and BLM as set forth in Section 107 of CERCLA.

V. EXPECTED CHANGE IN THE SITUATION SHOULD ACTION BE DELAYED OR NOT TAKEN

Refer to previous Action Memorandum (See Attachment 1).

VI. OUTSTANDING POLICY ISSUES

Refer to previous Action Memorandum (See Attachment 1).

VII. ENFORCEMENT

Refer to previous Action Memorandum (See Attachment 1).

VIII. RECOMMENDATIONS

This decision document represents the selected removal action for the Lisbon Valley Mining District in San Juan County, Utah, developed in accordance with CERCLA as amended, and is not inconsistent with the NCP. This decision is based on the administrative record for the Site.

Conditions at the Site meet the NCP § 300.415(b)(2) criteria for a removal action, and I recommend your approval of the proposed removal action. The total project ceiling, if approved, will be \$1,350,000. Of this amount \$700,000 will be funded from Kerr McGee/Tronox Settlement Special Account Funds and \$650,000 will be funded by BLM.

This decision document may be executed in counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument.

APPROVE

BETSY SMIDINGER
Digitally signed by BETSY
SMIDINGER
Date: 2022.09.27
13:52:25 -06'00'

Betsy Smidinger
Director
Superfund and Emergency Management Division

Date

DISAPPROVE

Betsy Smidinger
Director
Superfund and Emergency Management Division

Date

APPROVE

Gregory Sheehan
Bureau of Land Management
State Director, Utah

Date

DISAPPROVE

Gregory Sheehan
Bureau of Land Management
State Director, Utah

Date

Attachments:

Attachment 1 – Lisbon Valley TC
Action Memorandum