



Nelson Tunnel/ Commodore Waste Rock Pile



Colorado Department
of Public Health
and Environment

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY • REGION 8 • AUGUST 2007

Potential Placement On The National Priorities List

EPA and CDPHE

**invite you
to attend an
Open House.**

When:

Thursday, Aug. 30
6:00—7:30 pm

Where:

Creede Community
Center
13 US Forest Service
Rd.503
Creede, CO 81130

Questions You May Have?

- * Why is EPA proposing to list this site on the NPL?
- * What does this mean to the community of Creede?
- * What is the process for listing sites on the NPL?

OVERVIEW

The U.S. Environmental Protection Agency (EPA) and Colorado Department of Public Health and the Environment (the state health department) are providing this Fact Sheet to inform the community about the potential for listing the Nelson Tunnel/ Commodore Waste Rock Pile on the Superfund National Priorities List (NPL).

At this time, we wish to tell the community about the listing process before taking action to officially propose the Nelson Tunnel/ Commodore Waste Rock Pile for cleanup under the Superfund program. This open house is being held to provide information and answer questions you may have allowing you to make an informed decision. We encourage you to attend the open house.

BACKGROUND

The Nelson Tunnel is located above Creede in the Willow Creek Watershed in Mineral County, Colorado on the eastern portion of the San Juan Mountains. Willow Creek is a tributary of the Rio Grande River. The city of Creede and part of the historic Creede Mining District are located within the watershed. Historically, mining of silver, lead, and zinc provided economic viability to the area in and around the Creede mining district. The activity resulted in contaminated water discharging into the Willow Creek



Willow Creek Drainage and debris from the 2005 flood.

drainage and mine waste piles accumulating in the watershed. This contamination continues to impact the area including things like the fisheries, tourism and other recreational uses.

Eight years ago, based on a strong desire to find alternative cleanup mechanisms for Creede and the watershed, the residents of the town of Creede and the surrounding portion of Mineral County developed a community-based effort to identify and address the most pressing environmental concerns in the Willow Creek watershed. The Willow Creek Reclamation Committee (WCRC) convened in 1999 and has partnered with numerous state and Federal agencies including the USEPA, the United States Forest Service (USFS), the Colorado Department of Natural Resources, the state health department, and the Natural Resource Conservation Service (NRCS).

These partnerships allowed the WCRC to accomplish many projects in the watershed. Some of the projects include facilitation of assessments, cleanup, and reclamation of much of the mining district. The WCRC cannot move forward with other watershed restoration projects below the Nelson Tunnel/Commodore Waste Rock Pile and below town until this significant problem is addressed.

From 1999 through 2003, the WCRC studied heavy metals contamination and aquatic resources within the watershed. This characterization identified the Nelson Tunnel drainage as the largest source of metals in Willow Creek.



Nelson Tunnel

These heavy metals include cadmium, lead and zinc. About 70% of the zinc delivered to the Rio Grande via Willow Creek is attributed to the Nelson Tunnel discharge.

A biological assessment of the Willow Creek watershed consisted of an evaluation of the fish and other aquatic organisms. Sampling results indicated concentrations for cadmium, lead, and zinc that exceed recommended dietary intake benchmarks for fish and birds. Based on these analyses, the project identified cleanup of the Nelson Tunnel discharge as one of the key elements in successfully restoring Willow Creek aquatic and riparian habitat.



Commodore Waste Rock Pile Drainage Ditch

Immediately upslope and surrounding the Nelson Tunnel is the Commodore Waste Rock Pile. The drainage constructed around the pile catastrophically failed in 2005 during a less than 20 year flood. Due to the potential of these piles to contaminate Creede during another flood, EPA is planning to stabilize the Commodore Waste Rock Pile and redesign drainage around the pile. Project designs will begin in September of this year. Including this pile in the NPL listing will ensure long-term stabilization of the drainage. If it is necessary to do additional work to assure permanent stabilization, funding would be available through Superfund to do this work.

QUESTIONS AND ANSWERS

1. Why is it necessary to list the Nelson Tunnel on the National Priorities List?

There are few viable options remaining for addressing the contamination coming from the Nelson Tunnel other than Superfund due to the technical complexity and cost of the problem.

2. Why is the Commodore Waste Rock Pile being included?

Including the Commodore Waste Rock Pile in the listing package would provide for long-term monitoring of the work completed by the removal program. If further work was needed, funding would be available through EPA's Superfund program to complete the needed work.

3. What assurance do we have that funding will be available to actually treat the problem after it has been listed on the NPL?

Currently, the Superfund program is funded as an annual appropriation by Congress based on the President's budget request. All Superfund projects in Colorado are currently receiving funding.

4. What will be the impact to Creede or the county (i.e. real estate values, historical values) if the Tunnel and Pile are listed as a Superfund NPL site?

Since the tunnel and pile are a distance away from the town of Creede there should be very few if any impacts to Creede. We will coordinate with the town of Creede and Mineral County to minimize any impacts.

5. If the Tunnel and Pile are listed, who will pay for the cleanup?

Under the Superfund law current property owners of the site, as well as former operators, are "potentially responsible parties (PRP's)" and are financially responsible. If the PRP's are financially unable to pay, then the federal Superfund program would be used to fund the cleanup. The

State will contribute 10% to the cleanup and pay the operation and maintenance expenses. Creede will not be responsible for the costs of cleanup since it was not involved in the processes which led to the contamination of the Nelson Tunnel discharge or the material in the waste rock pile.

6. Who will decide how to clean it up?

The EPA and the state health department have the authority under the Superfund law to make the decision on how to clean up the site. However, the Superfund law also requires that the community be given opportunity to have meaningful input on how to clean up the site. Both EPA and the state health department are committed to involving local government as well as any interested citizens or groups as our partners in the decision process.

7. Will the community have the opportunity to provide public comment on a proposed NPL listing of the Nelson Tunnel/Commodore Waste Rock Pile?

The process for listing a new site on the NPL is federal rulemaking and includes a formal public comment period of 60 days. EPA needs to obtain a letter of concurrence from the Governor of Colorado before listing a site on the NPL. The site is then proposed for the NPL through the Federal Register and a public notice will appear in the local newspaper. After considering public comments, EPA will make a final decision on the NPL listing. A second public notice will announce that the decision is final.

8. Will the historical structures be protected?

The National Historic Preservation Act (NHPA) requires Federal agencies to take into account the effects of their undertakings on historic properties. In addition, under Superfund any proposed cleanup alternatives must meet Federal and State environmental statutes, regulations, and other requirements that pertain to the site.

Need Information? Please Give Us A Call!

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Send a note to:

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