

January 2011 Update

Upper Tenmile Creek Mining Area Superfund Site

Lewis and Clark County, Montana
(Five-Year Review date: 7/30/2008)

Five-Year Review highlights since 2008

- **Technical Assistance Grant funded liaison facilitates discussions regarding potable water supply, groundwater control area, and waste left in place issues.**
- **Work continues to remove contaminated soils and repair or replace disrupted waste water systems.**
- **Waste removed from Rimini Road**

Five-Year Review Progress:

- EPA completed a record of decision (ROD) amendment in 2008 selecting a potable water supply derived from surface water for the community of Rimini.
- EPA has engaged in discussion with Montana DEQ, Lewis and Clark County and affected residents (TAG representative) regarding appropriate Institutional Control methods to document waste left in place (post-cleanup as-built drawings), an appropriate information repository (EPA, County and State) and reliable means to provide notice to prospective purchasers (deed notices). The agencies are also planning a long term waste disposal site at the Luttrell repository with Montana DEQ operation and maintenance.
- EPA is working with the Montana Department of Natural Resources to implement a groundwater control area. Significant groundwater characterization is available for a petitioner (potentially Lewis and Clark County) to request a control area. TAG advisor facilitating views of affected residents.

Issues & Recommendations Update

Issues	Recommendations/ Follow-up	Follow-up Actions (Status/ Due Date)	Status of Follow-up Actions January 2011	Resp. Party
1) There is potential that Landmark or Rimini residential water supply(s) may contain	Continue to work with landowners to allow provision of alternative	Ongoing	EPA has held ongoing discussions with the Rimini community with facilitation provided through a technical	EPA

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<p>contaminants above MCLs at homes where landowners have declined offers of either bottled water or point-of-use water treatment systems.</p>	<p>water supply. Continue outreach and education of residents about their exposure risks.</p>		<p>assistance grant (TAG). The TAG funded liaison has been working with the local sewer and water district to identify potable water sources and delivery infrastructure that best meets the community's needs. ROD amendment completed in 2008 committing to provide potable water from a surface water source. To date, the sewer and water district has refused EPA's offer of a potable water supply.</p> <p>Landmark wells have been identified that exceed MCLs. Residents are using bottled water. EPA is exploring more permanent options with State and County sister agencies.</p> <p>EPA sent a letter to every landowner determined to have drinking water with contaminant concentrations above MCLs for arsenic, cadmium or lead in drinking water and offered to provide bottled water until a permanent solution is implemented.</p>	
<p>2) Remediation of some residential properties is under construction. However, for many of these properties, sufficient work has been done to create a condition that is</p>	<p>Continue to work with landowners and local government to secure property access for the purpose of completing</p>	<p>Ongoing</p>	<p>EPA continues to work with individual landowners and Lewis and Clark County to allow EPA to remove contaminated soils and repair or replace waste water systems if they are disturbed during cleanup.</p>	<p>EPA</p>

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<p>protective of human health. The remaining partially remediated properties and properties that have not undergone any remediation (but were targeted for remedial action) are not protective of human health.</p>	<p>remedial action, as necessary to protect human health. However, access limitations may preclude completion of all yards. Continue outreach and education of residents about their exposure risks.</p>		<p>The Lewis and Clark County Health Board provided a variance to facilitate this work with a completion date of October, 2010. EPA completed cleanup of all properties that provided access prior to the field season. Four additional landowners have provided access that will allow cleanup in 2011.</p>	
<p>3) Rimini Road remains unremediated. However, as a temporary measure to suppress fugitive dust, at least four inches of road base were applied during 2007.</p>	<p>Perform Response Action.</p>	<p>As soon as practicable</p>	<p>Waste removal has been completed for a one-mile length through Rimini using (stimulus) funds. The U.S. Federal Highway Administration funded waste removal from Rimini Road, north of Rimini. All work is complete.</p>	<p>EPA</p>
<p>4) Institutional controls on future groundwater wells have not been implemented.</p>	<p>Implement Institutional Controls.</p>	<p>12/30/2011</p>	<p>Ongoing: EPA has met with the Montana Department of Natural Resources to implement a groundwater control area. Lewis and Clark County Health Department has indicated a willingness to act as petitioner to designate the controlled groundwater area.</p>	<p>EPA</p>
<p>5) OU9B groundwater Institutional Control to prevent disturbance of capped mine wastes at the Red Water Mine is not required by the ROD and have not been implemented.</p>	<p>Prepare ESD and implement Institutional Control.</p>	<p>12/30/2011</p>	<p>Ongoing: EPA is working with Lewis and Clark County and the local community regarding controls on waste left in place for all cleaned up properties. It appears that stakeholders prefer area-wide planning process with</p>	<p>EPA</p>

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			GIS layers designating areas with waste left in place. County appears willing to take on management responsibility.	
6) Many of the remedy components intended to address surface and groundwater quality have not been fully implemented. However, the ROD anticipated a minimum ten-year implementation period of which five years has elapsed.	Continue Response Actions.	9/30/2012	Ongoing.	EPA
7) Performance standards and points of compliance have not been formalized under a Compliance Monitoring Plan (CMP) for the Luttrell groundwater monitoring network or treatment facility effluent discharge.	Develop and implement CMP.	3/31/2011	CDM has prepared a report for EPA making recommendations for discharge standards for leachate discharge from Luttrell. EPA is also working with the USGS to select existing long term “monitoring wells” to be designated “compliance wells.” Both efforts will be consolidated into a Compliance Monitoring Plan.	EPA