



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 6

1445 ROSS AVENUE, SUITE 1200

DALLAS TEXAS 75202-2733

September 11, 2018

Dr. Cynthia Gulde
Project Coordinator
Chevron Environmental Management Company
Questa Mine
P.O. Box 469
Questa, NM 87556

Re: Draft Addendum to the Historic Tailing Spills Removal Action Work Plan and Stage 8 Pipeline Removal Work Plan
Chevron Questa Mine Superfund Site, New Mexico

Dear Dr. Gulde:

The U.S. Environmental Protection Agency (EPA) received the draft Addendum to the Historic Tailing Spills Removal Action Work Plan and Stage 8 Pipeline Removal Work Plan on July 25, 2018. The work plan addendum was prepared by Trihydro Corporation for Chevron Environmental Management Company (Chevron) and posted to the project SharePoint site. This report was submitted as required by Section VIII, Paragraph 28 of the Administrative Settlement Agreement and Order on Consent for Removal Actions (AOC) filed March 8, 2012, and Item 6.3.4.10 of AOC Appendix A - Statement of Work (SOW). EPA appreciates the opportunity to review this report.

The EPA approves the draft Addendum to the Historic Tailing Spills Removal Action Work Plan and Stage 8 Pipeline Removal Work Plan with modifications in accordance with Section VIII, Paragraph, 23(b) of the AOC. EPA's required modifications have been included as an enclosure to this letter. EPA's required modifications also incorporate the concerns from the New Mexico Environment Department and the New Mexico Energy, Minerals and Natural Resources Department, Mining and Minerals Division. Please address EPA's concerns and transmit an approvable revised report with modifications addressed within 14 days of receipt of this letter.

In accordance with AOC paragraph 23(b), "Respondent shall implement the work plans as approved in writing by EPA in accordance with the schedule approved by EPA." The work described in this work plan addendum is approvable, except where noted by the required modifications. CMI may proceed with any work determined approvable.

The Record of Decision (ROD) describes that “Tailing spill deposits will be excavated to a depth where tailing is no longer visible.” The ROD also describes that, “The tailing facility will be covered and revegetated for source containment. Consistent with conditions of the New Mexico Mining Permit TA001RE-96-1 and Ground Water Discharge Permit DP-933, as TBCs, a minimum 36-inch depth soil cover will be placed on the tailing facility, graded, and revegetated. The cover type will be a store and release/evapotranspiration cover designed to reduce infiltration and percolation of water through the tailing material to ground water that would cause an exceedance of ground water quality standards.”

The Chevron Mining Inc. (CMI) work plan indicates that a minimum of three feet of clean borrow will be placed over the tailing area excavation and revegetated. CMI is requesting that tailing spill deposits at the Lower Dump Sump area be addressed similarly to the requirements for addressing tailing at the Tailing Facility. Pending demonstration that groundwater quality is not being impacted from the potential tailing source areas at the Lower Dump Sump area, EPA approves of the CMI request to excavate tailings and place a minimum of three feet of clean borrow over the tailing area excavation and revegetate. This letter also serves as documentation to the Chevron Questa Mine file of this minor change to ROD requirements regarding tailing spill deposits at the Lower Dump Sump. This minor ROD change applies only to the tailing spill deposits at the Lower Dump Sump area.

Should you have any questions or need any additional information please do not hesitate to contact me at (214) 665-7525.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Laura Stankosky". The signature is fluid and cursive, with the first name being more prominent.

Laura Stankosky
Remedial Project Manager

cc: Mr. Joseph Fox, NMED
Dr. Joseph Marcoline, NMED
Ms. Anne Maurer, NMED
Mr. Clint Chisler, MMD
Mr. Kevin Meyers, MMD

**Required Modifications for the Draft Addendum to the Historic Tailing Spills Removal Action
Work Plan and Stage 8 Pipeline Removal Work Plan
Chevron Questa Mine Superfund Site, New Mexico**

General Comments

1. Approval to leave tailing in place at the Lower Dump Sump (LDS) is predicated on a demonstration that groundwater quality is not being impacted from the potential tailing source areas. Following the demonstration, a minimum of three feet of clean borrow will be placed over the tailing area excavation and revegetated. The Arcadis Groundwater Monitoring Memo (Memo) in Appendix E does not describe how a demonstration will be made to show that leaving the historic tailing in place at the LDS has/will not negatively impacted groundwater beneath the tailing. The Memo indicates that a new down-gradient monitoring well will be installed and monitored as outlined in the Performance Monitoring Plan. Please add details in the Work Plan on how a demonstration will be made to show that leaving the historic tailing in place at the LDS has not negatively impacted groundwater beneath the tailing.
2. Please describe the procedures that will be used to verify the cover material placed over the LDS area has a minimum thickness of three feet. Previous cover projects at the mine site and tailing facility have required either additional material to achieve the three-foot soil cover or post-construction verification to guarantee achievement of a three-foot cover system.
3. The only borrow source previously approved by the Agencies is indicated in the Appendix B map. In the Appendix C Grading Plan, the proposed borrow source is from the LDS area and not the previously approved borrow area. If an alternative borrow source is proposed, the material needs to be sampled to demonstrate appropriateness and analyzed following Table E-1 in the Work Plan.

Specific Comments

1. Section 1.1, Page 1-1, 2nd paragraph, first sentence – The proper name of the NMED bureau in charge of the project is the Ground Water Quality Bureau not the Groundwater Bureau. Please correct.
2. Section 1.1, Page 1-2, 2nd paragraph, fifth sentence – In the Pipeline Removal Work Plan it states that the plan was written to meet the requirements of CMI’s Mine Permit (TA0001RE). Please also include that the Work Plan was written to meet Condition 45 of NMED Discharge Permit 933.
3. Section 2.0, Page 2-1, sixth bullet – Under the U.S. Army Corps of Engineers bullet, it states that “based on recent aquatic resources field survey results, no wetlands or emergent wetlands are present on-site at Stage 8.” Figures 3-2 and 3-4 show freshwater forested/shrub wetlands adjacent to the Stage 8 area and indicate the retention ponds are verified non-wetland. In Figures 3-2 and 3-4, Lower Dump Sump Wetlands Maps have text boxes for the retention ponds in Stage 8 area that states, “BMP: straw wattles or compost filter socks around freshwater emergent wetland as necessary to prevent sediment runoff.” Please correct/clarify the Figures 3-2 and 3-4 text boxes for the retention ponds in Stage 8 area statement to reflect the recent field survey if no such emergent wetlands exist in the area.
4. Section 4.1, Page 4-1, first paragraph, first sentence – The sampling of PCBs is described as being adjacent to and below the on-site electrical transformers. The text in this section indicates that four samples will be taken, but Figure 4-1 shows only two sampling locations. The first sentence in the second paragraph states, “if PCBs are found in one or both of the soil samples...”; this indicates that only two samples will be taken. Please clarify.

In addition, this section states that samples will be taken 12” below the ground surface. During the Remedial Investigation (RI), “soil samples were collected at depths of 0 to 6 inches and 0 to 24 inches. The highest concentrations of PCBs were generally located within the 0 to 6-inch samples. PCBs bind strongly to soil and tend to remain in place unless soil or sediment itself is moved. Therefore, it is not anticipated that the PCBs present at the mill are located at depths much deeper than initially sampled in the RI (two feet).”

Please include near surface soil sampling per Chevron SOP Number 4.0, Section 5.1 for PCB surface sampling from 0 to 6 inches, as well as sampling subsurface (SOP 4, Section 5.2) at 12 inches based on the field reconnaissance visit to the LDS by Chevron and the Agencies.

5. Appendix B, Table E-1 Borrow Sampling – Molybdenum is listed twice in Table E-1 with the second listing having a footnote associated with it. Please clarify and complete the footnote with a description of what is being indicated by the footnote.
6. Appendix C, Figure 3, Cultural Resources Survey Summary – The borrow area indicated on Figure 3 is not the borrow area proposed in the Work Plan. Please clarify.