



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 6
1201 ELM STREET, SUITE 500
DALLAS, TEXAS 75270

September 17, 2019

Sent via Electronic Mail

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

Re: Addendum To: Historic Tailings Spills Removal Action Work Plan and Stage 8 Pipeline Removal Work Plan
Chevron Questa Mine Superfund Site (Site), New Mexico

Dear Dr. Gulde:

This letter provides the U.S. Environmental Protection Agency (EPA) response on the June 26, 2019, revised draft Addendum To: Historic Tailings Spills Removal Action Work Plan and Stage 8 Pipeline Removal Work Plan submitted to EPA on June 4, 2019. The work plan was prepared by Trihydro for Chevron Environmental Management Company (CEMC) and Chevron Mining Inc. (CMI) to describe tasks and activities necessary to address historic tailing spills along the Red River and riparian corridor. These actions are outlined in Section VIII, Paragraph 23 of the Administrative Settlement Agreement and Order on Consent for Removal Actions (AOC) filed March 8, 2012, and Item 6.3.3.1 of AOC Appendix A - Statement of Work (SOW). EPA appreciates the opportunity to review this report.

The EPA approves the revised draft Addendum To: Historic Tailings Spills Removal Action Work Plan and Stage 8 Pipeline Removal Work Plan with minor modifications and request for clarifications in accordance with Section VIII, Paragraph, 23(b) of the AOC. EPA's required minor modifications and request for clarifications have been included as an enclosure to this letter. EPA's comments also incorporate concerns from the New Mexico Environment Department (NMED) and the New Mexico Energy, Minerals and Natural Resources Department (EMNRD), Mining and Minerals Division (MMD)).

When the minor modifications to: Section 4.3; Section 5.3; Figure 4-3 and Figure 1 from Appendix D-2; and Figure 5-4; have been made as described in this letter and a responsiveness summary submitted that provides the clarifications required, the EPA will consider the work plan approved in accordance with Section VIII, Paragraph 23.c. of the AOC. Please address EPA's concerns and load an updated work plan to the Sharepoint site and a responsiveness summary within seven (7) days of receipt of this letter.

As stated in Section VIII, Paragraph 23.b. of the AOC, "Once approved or approved with modifications, the work plans, schedules and any subsequent modifications shall be deemed to be incorporated in this Agreement and fully enforceable under the Agreement."

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 "Laura" being more prominent than the last name "Stankosky".

Laura Stankosky
Remedial Project Manager

enclosure

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

**Modifications and Clarifications to be Addressed for the Addendum To: Historic Tailings Spills
Removal Action Work Plan and Stage 8 Pipeline Removal Work Plan
Chevron Questa Mine Superfund Site, New Mexico**

1. The response to comment No. 5 indicates that the shape files will be included with the upload submission of the modified Stage 8, June 2019 work plan. EPA has checked the Sharepoint site and was not able to find the shape files. Please provide the shape files or identify where on the Sharepoint site they are located.
2. Based on the changes in the locations where CMI has proposed to leave tailing in place and with the recent identification of tailing at “Site 6,” the proposed groundwater monitoring network may not be adequate. Please modify the “Tailing Facility Monitoring Plan” to keep LS-2 and LS-4 in the groundwater monitoring network, in addition to LS-3 and the well to be installed identified as LS-5. Please update the text in Section 4.3 to indicate that LS-2 and LS-4 will remain in service to evaluate groundwater quality and ensure protectiveness.
3. The response to comment No. 7 describes that “Borrow areas within the LDS will be continually evaluated to ensure that borrow materials are free of tailing.” Section 5.3, page 5-2 describes, “Borrow areas within the LDS area will be continually evaluated to ensure that borrow materials are free of tailing. If tailing materials are discovered, the agencies will be notified and the area will be evaluated and addressed in accordance with the workplan.” Please clarify that the NMED on-site representative, Dr. Joseph Marcoline, will be notified for coordination to evaluate tailing potentially identified in borrow areas. Please also indicate that use of a borrow area where tailing has potentially been identified will cease until the material identified is confirmed not to be tailing.
4. In Section 5.4.2, use of Moly Mine Road as a borrow area is described. Please provide a characterization of the Moly Mine Road borrow area for EPA review and approval prior to this area being as a borrow source.
5. The location of RG-67516 in Figure 4-3 and Figure 1 in Appendix D-2 may not be correct. The actual location may correctly be located approximately 300 feet west of the location identified in the figures. Please confirm the location of RG-67516 and correct the figures, as needed.
6. Figure 4-5; Figure 4.6 and Appendix E-3 do not show a clean test pit north of Site 6 test pits 111 and 113. Please clarify if tailing may continue north of the Site 6 Area. Any tailing located outside of the area identified as the Lower Dump Sump area must be removed to the visible extent of tailing.
7. Figures 5-3 and 5-4 indicate 3,546 square feet (343 cubic yards) of tailing that will be left in place in Site 1 under the road area. The tailing left in place in these figures differ from the tailing to be left in place in Sheet 2 of 2, “Lower Dump Sump Preliminary Grading and Embankment Removal,” from the September 28, 2018 work plan version; and from Figure 5-1 “Lower Dump Sump Tailing Identification” and Sheet 2 of 6 “Lower Dump Sump Final Grading and Embankment Sources,” from the November 8, 2018 work plan version. Please clarify the volume and square footage of tailing to be left in place in Site 1 under the road area.
8. Figure 5-4:
 - a. Figure 5-4 shows proposed final grading of the Lower Dump Sump. This figure is somewhat confusing. It is difficult to determine what final grade will be because isopachs are shown overlain by black contours. To follow the black contours into the white contours shown outside of graded boundaries, this figure in the electronic version of the document must be greatly enlarged. Please consider if two maps, one showing the pre-

- grade contours and the second showing the final grade contours without the isopachs, might be clearer. Consider including the isopachs in a third figure.
- b. Figure 5-4 is missing elevation labels on the contour lines for the final grade. Figure 5-3 has contours labeled every 5 feet. Without the labels it is difficult to interpret the final grade. Please update Figure 5-4 to add the elevation labels.
 - c. Based on a review of Figures 5-2, 5-3, and 5-4, it is unclear how Site 3 and the auxiliary borrow areas will be graded after cover placement. Please clarify how borrow areas will be graded to create positive drainage. Additionally, please clarify that the borrow areas will be seeded as part of the reclamation of the mine disturbance.
 - d. It is unclear how the south tailing boundary in Site 1 will be graded and what the final topography will be. Based on Figure 5-4, three feet of cover material will be placed within Site 1 South, but it is not clear how this area will be graded. This area appears to be a significant depression with what appears to be a berm running north-south (light area). Please clarify how this area will be graded and how positive drainage will be achieved.