



THE STATE
of ALASKA
GOVERNOR MIKE DUNLEAVY

Department of Environmental
Conservation

DIVISION OF SPILL PREVENTION AND RESPONSE

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File number: 1519.38.001

July 24, 2020

Ms. Linda Riddle
Alaska On-Scene Coordinator
USDA Forest Service
Post Office Box 21628
Juneau, Alaska 99802

RE: Ross Adams Mine

Dear Ms. Riddle:

The Alaska Department of Environmental Conservation (ADEC) has reviewed the Administrative Settlement Agreement and Order on Consent (ASAOC) for the Ross Adams Mine site located on Kendrick Bay, Prince of Wales Island, Alaska. ADEC is encouraged that the United States Forest Service (USFS), Newmont USA Limited, and Dawn Mining Company have reached an agreement which will allow for the cleanup of this long-standing contaminated site and offers the following comments on the ASAOC.

As you may be aware, ADEC has been involved in this project since 1999 and we look forward to continued *'meaningful and substantial state involvement'*, as specified in 40 CFR 300.500. According to the Site Cleanup Rules of 18 Alaska Administrative Code (AAC) 75.325-.390, this involvement includes the opportunity to review and comment on draft and final documents. During our review of the documents, ADEC will ensure that the cleanup is conducted in accordance with all State Applicable or Relevant and Appropriate Requirements (ARARs); specifically, Alaska Air Quality Control Regulations (18 AAC 50), Alaska Solid Waste Regulations (18 AAC 60), Alaska Water Quality Standards (18 AAC 70), Alaska Oil and Other Hazardous Substance Pollution Control Regulations (18 AAC 75), and Alaska Pollutant Discharge Elimination System (APDES) Regulations (18 AAC 83).

ADEC also wants to ensure that the long-term protectiveness of the remedy is appropriately monitored. The ASAOC currently allows for long-term monitoring of the remedy for three (3) years by Newmont USA Limited and Dawn Mining Company and afterwards by the USFS. As a monitoring protocol is not identified, ADEC recommends that the USFS follow the Five-Year Review process, as outlined in 40 CFR 300.430(f)(4)(ii) and Environmental Protection Agency's (EPA) Comprehensive Five-Year Review Guidance, dated June 2001. Furthermore, the remedy includes elements that are covered by 18 AAC 60, 18 AAC 70, 18 AAC 75, and 18 AAC 83. These

regulations include specific requirements regarding long term monitoring of their respective elements and the substantive portion of each requirement will need to be met.

Again, we look forward to working with you on this cleanup. If you have any questions regarding these comments, please contact me at denise.koch@alaska.gov, or Anne Marie Palmieri, of my staff, at annemarie.palmieri@alaska.gov or (907) 766-3184.

Sincerely,

A handwritten signature in blue ink that reads "Denise Koch". The signature is written in a cursive, flowing style.

Denise Koch
Division Director