



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION IX  
75 Hawthorne Street  
San Francisco, CA 94105

OCT 16 2012

**MEMORANDUM**

**SUBJECT:** Request for a Time-Critical Removal Action at the McDermitt Site,  
McDermitt, Humboldt County, Nevada

**FROM:** Tom Dunkelman, On-Scene Coordinator  
Emergency Response Section (SFD-9-2)

**TO:** Daniel Meer, Assistant Director (SFD-9)  
Response, Planning and Assessment Branch

**THROUGH:** Harry Allen, Chief  
Emergency Response Section (SFD-9-2)

**DATE:** October 15, 2012

**I. PURPOSE**

The purpose of this Action Memorandum is to request and document approval of the selected removal action described herein for the McDermitt Site located in McDermitt, Humboldt County, NV and to incur direct extramural costs of up to \$1,950,000.

The proposed response action would mitigate threats to human health and the environment posed by the presence of mercury and arsenic present in calcine material that has been used as fill at multiple locations, including the McDermitt Combined School and numerous residences, within the town of McDermitt, NV and on the Fort McDermitt Paiute Shoshone Indian Reservation. As used in this Action Memorandum, the terms "calcine," "calcine material," and "calcined tailings" refer to crushed mine ore that has been roasted in a furnace. As used in this Action Memorandum, the term "Site" is defined as including the Cordero Mercury Mine and associated claims and property, the McDermitt Mercury Mine and associated claims and property, and all locations within the town of McDermitt and the Fort McDermitt Paiute Shoshone Indian Reservation where roasted ore material (calcine) has come to be located.

Conditions presently exist at the Site that, if not addressed by implementing the response action documented in this memorandum, may lead to continued exposure to mercury and arsenic present in soil. As discussed in this memorandum, these

hazardous substances, if unaddressed, may pose an imminent and substantial endangerment to the public health or welfare or the environment.

The proposed response to the hazardous substances is consistent with removal activities authorized pursuant to Section 104(a) of the Comprehensive Environmental Response, Compensation and Liability Act ("CERCLA"), 42 U.S.C. § 9604(a), and Section 300.415 of the National Oil and Hazardous Substances Pollution Contingency Plan ("NCP"), 40 C.F.R. § 300.415. This response action also incorporates Site investigation activities also authorized by Section 104(a) and (b) of CERCLA, 42 U.S.C. § 9604(a) and (b).

## **II. SITE CONDITIONS AND BACKGROUND**

Site Status: Non-NPL  
Category of Removal: Time-Critical  
CERCLIS ID: NVN000909006  
SITE ID: SSID#09WL

### **A. Site Description**

#### **1. Physical location**

McDermitt, Nevada is an unincorporated community situated on the Nevada-Oregon border and encompasses approximately 13.2 square miles (8,448 acres) of land area. McDermitt is served by U.S. Highway 95, a major north-south highway linking Boise, Idaho, 192 miles to the north, with Winnemucca, Nevada, 73 miles to the south. The geographical coordinates for the approximate center of McDermitt, Nevada are 41° 59' 51.43" Latitude North and 117° 43' 08.00" Longitude West (Figure 1).

The town area is primarily located east and west of U.S. Highway 95 within the Nevada state boundary; however, the community spans north into the Oregon state boundary. The town area located east of Highway 95 consists of several commercial businesses, numerous residential properties, several paved two lane residential access roads, and mostly unpaved property driveways. The town area located west of Highway 95 consists of several commercial businesses, residential properties, the east-west Cordero Mine Road, and several unpaved residential access roads. According to 2010 United States Census Bureau results, a total of 101 housing units are located within the town of McDermitt.

The Site also includes the nearby Fort McDermitt Paiute Shoshone Indian Reservation, which is located in Humboldt County, Nevada, approximately 2.7 miles south of McDermitt. Calcine material is present at two locations on the Fort McDermitt Paiute Shoshone Indian Reservation: an unpaved public access road off the North Road which leads to the Tribal transfer station and an unpaved residential driveway off the South Road.

## **2. Site characteristics**

The Cordero and the McDermitt mercury mine sites are both located in Humboldt County, Nevada and are part of the Opalite Mining District. Two other mercury mines, the Bretz and Opalite Mines which are both located in Malheur County, Oregon (Figure 1) are also part of the Opalite mining district, which is primarily a mercury-producing district, centered approximately 15 miles west of McDermitt, NV and extending north into southern Malheur County, OR.

### **Cordero Mine Site:**

The Cordero and McDermitt mines are inactive mercury mines located adjacent to each other at the end of Cordero Mine Road, approximately 11 miles west-southwest of McDermitt, NV. The geographical coordinates for the approximate location of the Cordero and McDermitt mines are 41° 54' 59.87" Latitude North and 117° 49' 05.31" Longitude West. Outcropping cinnabar ore was first discovered in the area of Cordero and McDermitt mines in 1929, and by 1931 the first claims were staked. The property was leased in 1933 to the Bradley Mining Company which produced approximately 45 flasks of mercury before ending their lease. Horse Heaven Mines, Inc. operated the site from 1939 until 1941 and was formed by Sun Oil Company to operate mines in Oregon and Nevada, until the formation of Cordero Mining Company in 1941. The Cordero Mine quickly became a major producer in the Opalite mining district, and by 1941 was the largest producer of mercury in Nevada. The Cordero Mining Company operated surface and underground workings until 1967 when the property was sold to the Fred H. Lenway & Company, Inc., which operated the property until 1970. Between its discovery and the time Cordero mine ceased production in 1970, the Cordero mine produced over 100,000 flasks of mercury. Current site features include the remains of the processing facility, open shafts, head frames, two buildings, and multiple open pits and excavation areas. In addition there is a large calcines pile, which covers approximately 11 acres. This calcines pile is believed to contain roasted ore generated by the Cordero mine. The calcines pile is situated roughly half on BLM land and half on private land (patented claims) owned by Barrick Gold U.S., Inc. that is part of the McDermitt mine. In 1994, Barrick Gold's predecessor, Placer Dome U.S., Inc., constructed a fence around the calcines pile. In December 2011 and January 2012, BLM took action to eliminate physical hazards at the site, including fencing and backfilling certain areas. No environmental assessment of the site has occurred.

### **McDermitt Mine Site:**

The McDermitt Mine is located directly adjacent to, and north of, the Cordero Mine. In 1972, Sierra Mineral Management acquired the property. Placer Amex Inc., in a joint venture with Sierra Mineral Management began underground drilling in 1972. By 1974, Placer Amex Inc. had discovered a new, near-surface mercury ore-body with reserves of approximately 3,000,000 tons of 10 pound/ton mercury ore. In April 1974, construction and stripping of the new McDermitt mine had begun and the mine complex was officially opened in June of 1975. In 1975, the McDermitt mine was the largest and

only mercury mine in production in the United States. Mining operations at the McDermitt mine generally consisted of ore grinding, flotation concentration, mercury distillation, and tailings waste disposal. Placer Amex, which was owned by Placer Development Limited of Canada, Ltd., ultimately became Placer Dome U.S., Inc. Mining operations at the McDermitt mine ceased in the late 1980s and a final closure report was submitted in December 1994 by Placer Dome to the Nevada Department of Environmental Protection (NDEP) requesting final closure approval under Water Pollution Control Permit #NEV88034. As part of the closure plan, the processing plant was removed from the mine site. Barrick Gold U.S., Inc. acquired Placer Dome in 2006. Currently the mine site is non-operational and consists of an approximately 135-acre open-pit, along with closed waste rock dumps and closed tailings ponds.

### **3. Site evaluation**

On June 19, 1987, a Preliminary Assessment Review (PAR) that described potential environmental contaminant problems at the McDermitt mine site was completed by EPA Region IX. The PAR identified annual site inspections by the Nevada Division of Mine Inspection and the NDEP that indicated "hazardous waste problems" associated with the containment of disposed tailings and excessive blood mercury levels in employees working the retort section of the mill. The PAR recommended that more information be gathered regarding general site history, groundwater well locations, population density, and possible future sample locations in order to determine what further action under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) may be necessary. In February 1988, EPA conducted a Site Inspection (SI) at the McDermitt mine. At that time, the McDermitt mine was not in operation; however, it was reported there were plans for the mine to re-open in the fall of 1988. EPA did not collect any environmental media data (e.g., soil, water) during the SI and recommended no further action under CERCLA.

On December 1, 2009, staff from the EPA Site Assessment program and Emergency Response program conducted a site visit at the Cordero and McDermitt mines to determine if conditions had significantly changed since the 1988 EPA SI Report. This visit was prompted by a request for assistance from the Fort McDermitt Paiute Shoshone Tribe. During that visit, it was pointed out to EPA staff that calcine material, reportedly taken from the Cordero and McDermitt Mine sites) had been used as fill at various locations in the town of McDermitt and on the Fort McDermitt Paiute Shoshone Reservation.

In the fall of 2010, EPA initiated a Removal Assessment, the results of which are detailed in the next section.

- 4. Release or threatened release into the environment of a hazardous substance, or pollutant or contaminant**

In September and October of 2010, EPA initiated a removal assessment. Several study areas were identified for assessment sampling: the Fort McDermitt Paiute Shoshone Indian Reservation, the McDermitt Combined School; roadways in the area of McDermitt, the former Cordero and McDermitt mines; and seasonal surface water drainage pathways downgradient of the Cordero and McDermitt mines. Results of this removal assessment indicated elevated levels of mercury and arsenic at multiple locations including the McDermitt Combined School, numerous roadways in the town of McDermitt and at two locations on the Fort McDermitt Paiute Shoshone Indian Reservation (including one residential driveway and the dirt road leading to the Tribal transfer station) (Figures 2 -4).

In June 2011, EPA and the U.S. Geological Survey (USGS) collected 23 surface soil and calcine samples, with the intent of evaluating the bioavailability of mercury and arsenic. This included analyzing the samples for total mercury, methyl mercury and elemental mercury, conducting sequential extraction analyses, and analyzing mercury speciation by Extended X-Ray Fluorescence (EXAFS) at the Stanford Synchrotron Radiation Lightsource (SSRL). This data was used to support the calculation of site-specific removal action levels for mercury and arsenic. Based on two separate memorandums provided by EPA Region 9 toxicologist Stan Smucker on March 23, 2012, EPA has identified the following site-specific removal action levels for residential soil: 80 parts per million (ppm) mercury and 60 ppm arsenic. EPA did not calculate a site-specific removal action levels for non-residential soil, but instead is relying on the EPA Region IX Regional Screening Levels (RSLs) of 310 ppm for mercuric chloride (and other mercury salts) and 160 ppm for arsenic.

In June 2012, EPA conducted residential soil sampling of properties where it was believed that calcine material may have been used as fill. EPA received permission to sample approximately 60 properties. Soil samples were only collected at properties where calcine material was observed to be present. A total of 92 composite soil samples (excluding duplicates) were collected from within the project area and subjected to field XRF analysis; a total of 44 land parcels, consisting of 92 decision units, were sampled. Of the 92 field XRF analyzed composite soil samples, 55 samples exceeding the soil screening level (SSL) for arsenic and/or mercury were submitted to U.S. EPA Region 9 Laboratory for analysis. Due to the arsenic and mercury data correlation between field XRF results and laboratory analysis results falling below the U.S. EPA criteria for use as screening level data, EPA primarily relied upon the results of the laboratory analyses. However, both the Field XRF analysis results and laboratory analysis results are discussed below.

- Field XRF arsenic concentrations detected in the project area from residential and public land parcels ranged from 8 mg/kg to 492 mg/kg. Of the 92 property samples analyzed by field XRF, 15 samples (16%) had arsenic concentrations that met or exceeded the residential action level of 60 mg/kg. Based on the field XRF analysis data, 13 parcels were identified during this assessment from which

samples containing arsenic concentrations in excess of 60 mg/kg were collected. These parcels are identified in Table 1. Field XRF Mercury concentrations detected in the project area from residential and public land parcels ranged from 12 mg/kg to 953 mg/kg. Of the 92 property samples analyzed by field XRF, 58 samples (63%) had mercury concentrations that met or exceeded the residential action level of 80 mg/kg. Based on the field XRF analysis data, 33 parcels were identified during this assessment from which samples containing mercury concentrations in excess of 80 mg/kg were collected. These parcels are identified in Table 1.

- Laboratory arsenic concentrations detected in the project area from residential and public land parcels ranged from 4.5 mg/kg to 97 mg/kg. Of the 55 laboratory-analyzed property samples, 20 samples (36%) had arsenic concentrations that met or exceeded the residential action level of 60 mg/kg. Based on the laboratory analysis data, 16 parcels were identified during this assessment from which samples containing arsenic concentrations in excess of 60 mg/kg were collected. These parcels are identified in Table 1. Laboratory mercury concentrations detected in the project area from residential and public land parcels ranged from 0.87 mg/kg to 230 mg/kg. Of the 55 laboratory-analyzed property samples, 42 samples (76%) had mercury concentrations that met or exceeded the residential action level of 80 mg/kg. Based on the laboratory analysis data, 23 parcels were identified during this assessment from which samples containing mercury concentrations in excess of 80 mg/kg were collected. These parcels are identified in Table 1.

During the course of conducting the removal assessment, EPA conducted informal interviews with residents. Initial interviews indicated that that calcine material present in the town of McDermitt and on the Fort McDermitt Paiute Shoshone Reservation was obtained from the Cordero Mine calcines pile, which is located both on BLM and Barrick-owned property. It is EPA's understanding that local contractors, residents and municipal organizations obtained calcine material from the Cordero calcine pile for use as fill at multiple locations within the town of McDermitt and on the Fort McDermitt Paiute Shoshone Reservation. Calcine material also appears to have been used in road construction in multiple locations in northern Humboldt County, NV and southern Malheur County, OR.

## **5. National Priorities List ("NPL") status**

The Site is not currently on the NPL and NPL listing is not considered likely.

## **B. Other Actions to Date**

### **1. Potentially Responsible Party Actions**

No assessment or closure actions have been performed by the past or current owners or operators at the Cordero Mine.

The McDermitt mine was closed by the owner/operator under a permit from NDEP. In addition, Barrick Gold's predecessor, Placer Dome, constructed a fence around the Cordero Mine calcine pile in 1994.

In December 2011 and January 2012, BLM took action to mitigate physical hazards at the Cordero Mine.

### **2. EPA Actions**

Other than the assessments previously described, EPA has not taken any clean-up action.

## **C. State and Local Authorities' Roles**

### **1. State and local actions to date**

On October 6, 2011, NDEP submitted a request for Federal assistance at the Cordero and McDermitt mine sites. NDEP has also supported EPA during the removal assessment process.

### **2. Potential for continued state/local response**

Neither state nor local agencies have the resources to undertake cleanup of the calcine material present in the town of McDermitt or on the Fort McDermitt Paiute Shoshone Reservation. EPA may request that other state and local response organizations assist and coordinate within the response for necessary tasks within their respective domains, such as traffic planning, community relations, and logistical support.

## **III. THREATS TO PUBLIC HEALTH OR WELFARE OR THE ENVIRONMENT, AND STATUTORY AND REGULATORY AUTHORITIES**

Conditions at the Site represent a release, and potential threat of release, of CERCLA hazardous substances threatening the public health, or welfare, or the environment based on the factors set forth in the National Oil and Hazardous Substances Pollution Contingency Plan ("NCP"), 40 C.F.R. § 300.415(b)(2). These factors include:

### **A. Actual or potential exposure to nearby populations, animals or the food chain from**

hazardous substances or pollutants or contaminants

Elevated levels of mercury and arsenic in surface soil have been documented during the Removal Assessment process. These areas of elevated level of mercury and arsenic are present at multiple locations including residential property in the town of McDermitt, the McDermitt Combined School, and at two locations on the Fort McDermitt Paiute Shoshone Indian Reservation. As such, there is actual or potential exposure to nearby populations from hazardous substances.

B. Actual or potential contamination of drinking water supplies

It is not anticipated that mercury and arsenic associated with the calcine material has impacted drinking water supplies. Mercury is relatively insoluble and is not expected to impact drinking water. The municipal drinking water well in the town of McDermitt has had periodic exceedances of arsenic drinking water standards, but this is typical of many areas in Nevada, and is likely related to naturally occurring arsenic.

C. High levels of hazardous substances or pollutants or contaminants in soils largely at or near the surface, that may migrate

Elevated levels of mercury and arsenic in surface soil have been documented during the Removal Assessment process. It is possible that migration of contaminated surface soil could occur, primarily through aerial transport; although background sampling appears to indicate this is not a significant threat. Subsurface soil sampling appears to indicate that downward migration of mercury and arsenic into underlying soils is not occurring.

D. Weather conditions may cause hazardous substances or pollutants or contaminants to migrate or be released

The Site is located in an area of Nevada that is characterized by extremely variable winds with high velocities throughout much of the year. High winds could contribute to the migration of surface soil; although background sampling appears to indicate that this is not a serious threat.

E. Threat of fire or explosion

There is not a serious threat of fire or explosion at this site.

F. Availability of other appropriate federal or state response mechanisms to respond to the release

There is not another federal or state response mechanism available to address the calcine material that is present in the town of McDermitt or on the Fort McDermitt Paiute Shoshone Indian Reservation. As is discussed in the Proposed Actions section of this Action Memorandum, EPA Region IX has been in discussion with EPA Region IX, BLM,



NDEP and ODEQ about potential cleanup actions at the Cordero and McDermitt, Mines.

#### **IV. ENDANGERMENT DETERMINATION**

Actual or threatened releases of hazardous substances from this Site, if not addressed by implementing the response action selected in this Action Memorandum, may present a release or substantial threat of release of hazardous substances into the environment that are appropriate for response actions as authorized by Section 104(a) of CERCLA, 42 U.S.C. § 9604(a).

#### **V. PROPOSED ACTIONS AND ESTIMATED COSTS**

##### **A. Proposed Actions**

##### **1. Proposed action description**

The following response actions will be conducted as part of this removal action:

##### **(a) Removal of Certain Calcined Tailings**

- Given that the majority of samples collected from calcined tailings located on residential property exceeded the Removal Action Levels for Residential Soil for arsenic and/or mercury, EPA believes that the removal of all calcined tailings from residential Properties within the town of McDermitt and on the Fort McDermitt Paiute Shoshone Indian Reservation is necessary, unless subsequent EPA-approved sampling is conducted which shows that the calcined tailings from a particular residential property do not contain arsenic or mercury in concentrations exceeding the Removal Action Levels for Residential Soil. This would include: (i) approximately 51 residential Properties in the town of McDermitt identified during the removal assessment; (ii) one residential Property on the Fort McDermitt Paiute Shoshone Indian Reservation identified during the removal assessment; and (iii) any additional residential Properties containing calcined tailings which EPA may identify during the Removal Action.
- Transport of all excavated calcined tailings to the Cordero Mine calcine pile.
- Backfilling of all excavated areas using suitable fill material.

##### **(b) Covering of Certain Calcined Tailings**

- Covering in-place of certain non-residential areas containing calcined tailings, as identified by EPA, including (i) the large parking area adjacent to the football field at the McDermitt School; and (ii) long driveways at larger residential Properties which EPA, at its discretion, determines may be covered rather than excavated. Covering would consist of placing an appropriate thickness of suitable material.

The proposed action under the Action Memorandum, does not address potential cleanup actions that could be necessary at the Cordero Mine, the McDermitt Mine, and the Cordero Mine Calcines Pile, and it is possible that additional cleanup action could occur at these mine sites in the future. The proposed action under the Action Memorandum also does not address calcined tailings used as roadbed materials in the town of McDermitt and on the Ft. McDermitt Indian Reservation, because, based on the sampling results, the levels of mercury and arsenic found in these non-residential settings do not warrant further action.

## **2. Contribution to remedial performance**

### The long-term cleanup plan for the Site:

Cleanup of calcine material present in the town of McDermitt and on the Fort McDermitt Paiute Shoshone Indian Reservation is expected to be a final remedy, and as such no long-term cleanup is anticipated. It is possible that additional cleanup could occur at any of the mercury mines in the vicinity of the town of McDermitt; however, cleanup actions taken in town and on the Reservation would be consistent with any future work conducted at the mine sites.

### Threats that will require attention prior to the start of a long-term cleanup:

Cleanup of calcine material present in the town of McDermitt and on the Fort McDermitt Paiute Shoshone Indian Reservation is expected to be a final remedy, and as such no long-term cleanup is anticipated.

### The extent to which the removal will ensure that threats are adequately abated:

By conducting the actions described in this Action Memorandum, this removal action will reduce the threat of exposure to hazardous substances.

### Consistency with the long-term remedy:

Cleanup of calcine material present in the town of McDermitt and on the Fort McDermitt Paiute Shoshone Indian Reservation is expected to be a final remedy, and as such no long-term cleanup is anticipated. It is possible that additional cleanup could occur at any of the mercury mines in the vicinity; however, cleanup actions taken in town and on the Reservation would be consistent with any future work conducted at the mine sites.

## **3. Description of alternative technologies**

Alternative technologies are not appropriate for this removal action.

#### **4. Applicable or relevant and appropriate requirements (ARARs)**

Section 300.415(j) of the NCP provides that removal actions must attain ARARs to the extent practicable, considering the exigencies of the situation.

Section 300.5 of the NCP defines applicable requirements as cleanup standards, standards of control, and other substantive environmental protection requirements, criteria or limitations promulgated under federal environmental or state environmental or facility siting laws that specifically address a hazardous substance, pollutant, contaminant, remedial action, location or other circumstances at a CERCLA site.

Section 300.5 of the NCP defines relevant and appropriate requirements as cleanup standards, standards of control and other substantive requirements, criteria, or limitations promulgated under federal environmental or state environmental or facility siting laws that, while not "applicable" to a hazardous substance, pollutant, or contaminant, remedial action, location, or other circumstances at a CERCLA site, address problems or situations sufficiently similar to those encountered at the CERCLA site and are well-suited to the particular Site.

Because CERCLA on-site response actions do not require permitting, only substantive requirements are considered as possible ARARs. Administrative requirements such as approval of, or consultation with administrative bodies, issuance of permits, documentation, reporting, record keeping and enforcement are not ARARs for the CERCLA response actions confined to the Site.

The following ARARs have been identified for the proposed response action. All can be attained.

Federal ARARs: Potential federal ARARs may include the CERCLA Off-Site Disposal Restrictions, 40 C.F.R. § 300.440; and the National Historic Preservation Act, 16 U.S.C. § 470f; 36 C.F.R. Part 800.

State ARARs: Potential state ARARs may include the Action Levels for Contaminated Sites regulations at Nevada Administrative Code 445A.2269-2272.

#### **5. Project schedule**

The removal action is anticipated to start after the approval of the action as indicated by the signature on this memorandum. The removal activities will require approximately three months to complete.

#### **B. Estimated Costs**

Cost estimates are based on existing Emergency and Rapid Remedial Response

Services (ERRS) rates for the EPA Region 9 contracts.

## **Extramural Costs**

### **Regional Removal Allowance Costs**

Cleanup Contractor (ERRS)	\$ 1,500,000
ERRS Contingency (20%)	\$ 300,000
<b>TOTAL, Removal Action Project Ceiling</b>	<b>\$ 1,800,000</b>
<b>START Contract Costs</b>	<b>\$ 150,000</b>
<b>TOTAL, Extramural Costs</b>	<b>\$ 1,950,000</b>

## **VI. EXPECTED CHANGE IN THE SITUATION SHOULD ACTION BE DELAYED OR NOT TAKEN**

Given the Site conditions, the nature of the hazardous substances documented on-Site and the potential exposure pathways to nearby populations described in Sections III and IV above, actual or threatened releases of hazardous substances from the Site, if not addressed by implementing the response actions selected in this memorandum, present a release or substantial threat of release of hazardous substances into the environment. If no action is taken, calcine material containing elevated levels of mercury and arsenic will remain on residential properties and on school grounds, and will continue to pose an exposure risk.

## **VII. OUTSTANDING POLICY ISSUES**

This removal action addresses calcine material present in the town of McDermitt and on the Fort McDermitt Paiute Shoshone Indian Reservation. It does not address cleanup of any of the nearby mercury mines, which could require additional remediation.

## **VIII. ENFORCEMENT**

Please see the attached Confidential Enforcement Addendum for a discussion regarding potentially responsible parties and enforcement. In addition to any extramural costs estimated for the proposed action, a cost recovery enforcement action also may recover the following intramural costs:

### **Intramural Costs<sup>1</sup>**

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1. Direct costs include direct extramural costs and direct intramural costs. Indirect costs are calculated based on an estimated indirect cost rate expressed as a percentage of site-specific direct costs, consistent with the full cost accounting methodology effective October 2, 2000. These estimates do not

**U.S. EPA Direct Costs****Intramural** \$ 50,000**Extramural (from above)** \$ 1,950,000**U.S. EPA Indirect Costs****(36.19% of Direct Costs(\$2,000,000))** \$ 723,800**TOTAL Costs** \$ 2,723,800

The total EPA extramural and intramural costs for this removal action, based on full-cost accounting practices, that will be eligible for cost recovery, are estimated to be \$2,723,800.

**IX. RECOMMENDATION**

This memorandum proposes a removal action for the McDermitt Site, located in McDermitt, Nevada, as developed in accordance with CERCLA and not inconsistent with the NCP. This decision is based on the Administrative Record for the Site. Because conditions at the Site meet the NCP criteria for a time-critical removal, I recommend that you concur on the determination of imminent and substantial endangerment, the proposed removal action and the anticipated intramural and extramural direct costs of \$2,723,800. Your approval below will establish as agency action the determination of the imminent and substantial endangerment and the selection of the response action.

Approve: \_\_\_\_\_

Daniel Meer, Assistant Director (SFD-9)  
Superfund Division16 October 2012

Date

Disapprove: \_\_\_\_\_

Date Daniel Meer, Assistant Director (SFD-9) Date  
Superfund Division

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include pre-judgment interest, do not take into account other enforcement costs, including Department of Justice costs, and may be adjusted during the course of a removal action. The estimates are for illustrative purposes only and their use is not intended to create any rights for responsible parties. Neither the lack of a total cost estimate nor deviation of actual costs from this estimate will affect the United States' right to cost recovery.

## Attachments

### Confidential Enforcement Addendum

## Appendices

- Figure 1. Area map
- Figure 2. Soil Concentration Map, Fort McDermitt Paiute Shoshone Indian Reservation, North Road
- Figure 3. Soil Concentration Map, Fort McDermitt Paiute Shoshone Indian Reservation, South Road
- Figure 4. Soil Concentration Map, McDermitt Combined School and McDermitt Roadways
- Table 1. Residential soil sampling results

cc: Greg Lovato, Administrator, Nevada Division of Environmental Protection  
Chris Ross, Department of the Interior, Bureau of Land Management  
Greg Lovato, Nevada Division of Environmental Protection  
Duane Masters, Fort McDermitt Paiute Shoshone Tribe

bcc: Site File  
L. Bradfish, ORC-3  
T. Dunkelman, SFD-9-2  
C. Temple, SFD-9-4