



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION IX**

75 Hawthorne Street  
San Francisco, CA 94105

**ACTION MEMORANDUM**

**DATE:** FEB 11 2015

**SUBJECT:** Request for Approval of Emergency Exemption from 12-Month Limitation on Removal Actions for the Argonaut Mine Site, City of Jackson, Amador County, California

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

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

**THRU:** Harry L Allen, Chief *HLA*  
Emergency Response Section (SFD-9-2)

**I. PURPOSE**

The purpose of this Action Memorandum is to request a determination exempting the removal action approved on May 15, 2014 for the Argonaut Mine Site, Jackson, Amador County, California (the "Site") from the 12-month limitation for removal actions, set forth in 42 U.S.C. § 9604(c)(1)(A), and thereby authorizing the continuation of that removal action.. Using its authority under the Comprehensive Environmental Response, Compensation and Liability Act ("CERCLA"), EPA initiated a time-critical removal action at the Site on December 1, 2014, to address the presence of arsenic, lead and mercury present in soils, tailings, mine waste, structures and stream sediments at the Site. However, due to inclement weather the mobilization to begin the removal action was interrupted and the removal action has been postponed until the spring of 2015. More than 12 months is expected to elapse from the time the Action Memorandum (Attachment 1) was approved until it is completed.

**II. SITE CONDITIONS AND BACKGROUND**

Site Status: Non-NPL  
Category of Removal: Time-Critical  
CERCLIS ID: CAD983650011  
SITE ID: A930

**A. Site Description**

The Argonaut Mine is an abandoned hard rock gold mine located in the City of Jackson, Amador

County, California which operated from 1850 to 1942. The Argonaut Mine Site encompasses a large area and includes the Argonaut Mine and Mill areas, a 64.8-acre mine tailings disposal area, a 0.39 acre vacant lot used by the mine for disposal of mine tailings in the 1940's. The Argonaut Mine and Mill areas, which are located approximately ½ mile north of the mine tailings disposal area, are not part of the removal action. The 64.8-acre mine tailings disposal area is bordered by Argonaut Lane on the west, Hoffman Street on the south, Argonaut Drive on the east and residential homes on the north. Argonaut High School is located approximately 300 feet west of the mine tailings disposal area. The approximate geographic coordinates of the mine tailings disposal area are N 38° 21'26.9" latitude, W 120° 47'23.4" longitude. The mine tailings disposal area is located on private land. The Site includes a smaller mine tailings disposal area on a nearby vacant lot. The vacant lot is bordered by residential homes on the north and east, a mental health care facility on the south and Argonaut Lane on the west. Additionally, the site includes a former cyanide plant and mercury amalgamation processing areas, large tanks and vats containing process wastes, two earthen tailings dams, one concrete dam known as the Eastwood Multiple Arch Dam (EMAD) and three impoundments. The upper earthen tailings dam (UETD) impoundment is filled with approximately one million tons of "grey-sands tailings" which was a waste material from the cyanide leaching process. The lower earthen tailings dam (LETD) has an estimated 447,000 tons of impounded tailings and has been breached on the south end of the dam. Several large sink holes are eroding into the embankment. Two thriving wetland areas with small ponds have developed in the impoundments behind the LETD and EMAD over the past 100 years. The concrete dam basin has an estimated 308,000 tons of tailings.

The two contaminated areas which pose the most immediate threat to public health and the environment are a 5-acre parcel of land located along Argonaut within the 64.8-acre mine tailings disposal area and a 0.39 acre vacant lot located 300 feet north of the 5-acre parcel at the intersection of Argonaut Lane and Pioneer Street. These two areas have high levels of arsenic, lead and mercury in residential soils. The 5-acre parcel consists of approximately 120,000 cubic yards of mine tailings. The highest levels of arsenic, lead and mercury are 48,000 mg/kg, 4,000 mg/kg and 360 mg/kg, respectively. The 0.39 acre vacant lot consists of approximately 2,000 cubic yards of mine tailings. The highest levels of arsenic, lead and mercury are 25,000 mg/kg, 1,079 mg/kg and 22 mg/kg, respectively. The levels of contamination in the vacant lot and 5-acre parcel are 50-60 times greater than other areas of the Site. In addition, the soils are very corrosive and water that is in contact with the soils has a pH of 1-2. The cleanup action levels for arsenic, lead and mercury in residential soils are 61 mg/kg, 400 mg/kg and 10 mg/kg, respectively. The background levels of arsenic, lead and mercury range from 8 mg/kg to 21 mg/kg, 14 mg/kg to <28 mg/kg, and 0.1 mg/kg to <8.1 mg/kg, respectively.

## **1. Removal Site Evaluation**

Please refer to the attached Action Memorandum, dated May 15, 2014.

## **2. Current Site Conditions**

EPA initiated a removal action at the Site on December 1, 2014. However, the strongest storm system in two years in the Sierra Nevada foothills caused the EPA's On-Scene Coordinator (OSC) to postpone the mobilization of personnel, materials and equipment to the Site. The work will reschedule in the spring of 2015. This phase of the removal action will involve the excavation of 2,000 cubic yards of contaminated soils and tailings from the vacant lot at the corner of Pioneer Street and Argonaut Lane

and transported to the 5-acre parcel within the 64.8-acre mine tailings disposal area. The mine waste material will be placed in a low area at the southeast corner of the 5-acre parcel, capped with two feet of clean soils from a local borrow source and hydro-seeded. Additionally, the excavated pit will be backfilled with clean soil, graded and hydro-seeded. In the interim, EPA installed a fence around the vacant lot to prevent children from playing on the lot. This work was completed on December 18, 2014.

The second phase of the removal action is scheduled for the summer or fall of 2015. This phase will involve the excavation and removal of highly contaminated tailings, soils, sediments and process wastes in several other areas of the Site. These areas include the cyanide and mercury processing areas, mental health clinic, and drainage channel below the EMAD. The total volume of contaminated waste material from these areas is approximately 800 cubic yards. These materials will be transported to the 5-acre parcel and incorporated into the repository. Clean soils will be transported to the Site from local borrow sources to be used in the construction of an evapotranspiration (ET) cover which will cap, and encapsulate in place, the contaminated mine waste materials. The *Capillary Barrier ET Cover Design System* will have a three foot cap comprised of 24-inches of fine-grained material (topsoil) and 12-inches of coarser-grained material (grey sands tailings) amended with composted biosolids. The capillary barrier and drainage layers will be comprised of 12 inches of non-amended grey sands tailings and 6 inches of washed rock or gravel underlain by 6 inches of sand. Filter fabric will be placed in the interface between the gravel and grey sands to prevent clogging the drainage layer. The grey sands tailings, which are readily available on site, are being used as a cost savings measure. The 5 acres will be hydro-seeded with a fast germinating grass seed mixture that was recommended by the California Department of Conservation, Office of Mine Reclamation. In addition, the existing drainage will be improved and concrete cloth and rip rap will be used to line the drainage swale. A sedimentation basin will be constructed downstream. Engineering and grading plans have been completed for the mine waste repository. The 5-acre parcel is currently fenced. DTSC has replaced the cyclone fence and posts several times over the years due to corrosion which had eaten through the steel posts. This was caused by contact with highly acidic and corrosive soils.

EPA is currently conducting a Preliminary Assessment/Site Inspection (PASI) to score and potentially list the Site on the NPL. The PASI is being conducted concurrently with the removal activities. The OSC is coordinating all removal assessment and cleanup activities with the Site Assessment Manager (SAM). PASI sampling began the week of July 28, 2014 and was completed on August 1. The preliminary results from the CLP Laboratory were received in mid-October. The results of the arsenic bioavailability study were received from the EPA Richmond Laboratory on 12/15/14. The EPA Toxicologist is currently evaluating the results of the bioavailability study.

Anticipated work to complete the removal action will include: finish excavating hotspot areas, backfilling, erosion control, drainage channel improvements, restoration of excavated areas, and construction of the repository and evapotranspiration cover. Additionally, the sink holes will be plugged with tailings material because they pose a significant hazard to children who may trespass on the site. EPA's On-Scene Coordinator anticipates work to be completed by summer or fall of 2015, as available funding permits.

### **3. Release or Threatened Release into the Environment of a Hazardous Substance, or Pollutant or Contaminant.**

Please refer to the attached Action Memorandum, dated May 15, 2014 for the basic assessment of actual and threatened releases from the Site. If the response work is not completed as planned, the releases will continue to pose a significant threat to public health, welfare and the environment. Actual releases have been documented in the drainage sediments below the EMAD where arsenic concentrations are as high as 4,700 mg/kg. High concentrations of arsenic, lead and mercury in on-site soils are poised to be released if not remediated.

### **4. NPL Status**

The Site is not currently on or proposed for the NPL. A PASI is currently being undertaken by EPA Region 9 Brownfields & Site Assessment Section.

### **5. Maps and Other Graphic Representations**

Please refer to the attached Action Memorandum, dated May 15, 2014, where there is a map identifying the areas of concern (AOCs) and where work will be conducted on the Site.

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

#### **1. Previous Actions**

Please refer to the attached Action Memorandum, dated May 15, 2014.

#### **2. Current Response Action**

##### Removal Action

EPA is conducting a time-critical removal action at the Argonaut Mine Site. As previously mentioned, the removal action will be conducted in two phases:

Phase 1: Excavate approximately 2,000 cubic yards of mine tailings from vacant lot, transport waste materials to a 5-acre parcel, capped with clean soil, hydro-seed. The excavation will be backfilled, graded and hydro-seeded. Work will be conducted in the spring of 2015.

Phase 2: Excavate approximately 800 cubic yards of contaminated mine tailings, soils, sediments and process wastes in various hotspot areas and consolidate waste materials in the 5-acre parcel. A repository and evapotranspiration cover will be constructed over the 5-acre parcel. The existing drainage channel will be improved and lined with concrete cloth and rip rap. Erosion control measures will include the use of straw wattles and hydro-seeding with fast germinating grasses and other landscaping erosion control techniques. Several sink holes upstream of the LTD will be plugged. Work will be conducted in the summer or fall of 2015 depending on available funding.

## Dam Safety Investigation

A dam failure study is being conducted by EPA concurrently with the removal action. The results of the assessment will be forwarded to the City of Jackson and Amador County for listing the dam in the Local Hazard Mitigation Plan which will allow the dam to be eligible for a FEMA Pre-Disaster or Flood Mitigation Assistance Grant. The City or County can apply for a FEMA grant to repair or retrofit the dam and/or divert surface water runoff around the dam to relieve hydraulic pressure on the structure. In February 2013, during a joint inspection of the Site with DTSC, the OSC was shown a highly deteriorated concrete tailings dam at the lowest elevation of the Site. The dam is located approximately 400 yards from downtown Jackson. Jackson Junior High School is located near the dam. The dam was constructed in 1916 and was known as the Eastwood Multiple Arch Dam. The dam is 46 feet high and 420 feet long and has 13 arches. There is an estimated 165,000 cubic yards of contaminated tailings and sediment in the impoundment. The estimated volume capacity of freestanding and pore water is 13.7 million gallons. The State Division of Safety of Dams (DSOD) does not have jurisdiction for the dam because the dam is filled with sediment and no longer meets the freestanding water storage capacity threshold of 15 acre-feet. The current estimated volume of freestanding water storage capacity is 2.8 acre-feet. The City and County lack the financial resources to conduct the assessment.

In May 2013, EPA commissioned the U.S. Army Corps of Engineers (USACE) to perform a dam safety evaluation. In June 2014, the USACE prepared the Phase I Stability Evaluation Report for EPA. The dam was determined to be unsafe and could breach under dry and wet condition scenarios. Conditions identified that could cause the collapse of the dam included earthquakes, pressure from water and tailings behind the dam, or a combination of both. In September 2014, EPA and the USACE conducted a geotechnical investigation and collected soil samples from boreholes advanced by a drill rig through the tailings to bedrock in various locations behind the EMAD and LTD. One borehole was advanced through the crest of the LTD. The soil samples were analyzed for geophysical properties to assess the potential for liquefaction of soils, slope stability, slide potential and debris flow in the event the dam breaches. The geotechnical report is due at the end of December 2014. If there is a potential for a mud/debris flow, EPA will perform debris flow modeling to estimate the extent and magnitude of damages to life and property. The modeling will be conducted by CD Smith under a subcontract with RTI. RTI is a prime contractor for EPA's Office of Research & Development. In the interim, EPA has commissioned the USACE to monitor the dam for signs of failure, particularly in conjunction with rain events that could increase saturation and hence pressure behind the dam. This monitoring is being conducted in order to increase the chances that a timely warning could be provided if there were signs that the dam posed a risk of an imminent collapse and potential to injure down-gradient people and property.

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

The OSC has kept all Federal, State, Local and Tribal stakeholder agencies apprised of the removal action and dam safety investigation. These agencies include the Department of Toxics Substances Control, Central Valley Regional Water Quality Control Board, California Department of Conservation Office of Mine Reclamation, California Department of Fish and Game, California Department of Parks and Recreation Office of Historic Preservation, California Department of Water Resources Division of Safety of Dams, California Office of Emergency Services, Amador County

Environmental Health Department, Amador County Office of Emergency Services, Amador County Unified School District, City of Jackson, Ione Band of the Miwok Indians, Buena Vista Rancheria Tribe, U.S. Army Corps of Engineers, Federal Emergency Management Agency, and U.S. Fish & Wildlife Services.

The OSC is coordinating with agencies on the proposed removal action, traffic safety plan, measures to protect the health and safety of nearby residents, National Historic Preservation Act, cultural and historic resources survey and inventory, archaeological monitoring plan, and wetlands protection plan. These agencies are providing assistance within their respective authorities but have limited financial ability to conduct removal work. Nevertheless, in response to a request from the OSC, the City of Jackson is currently installing a fence and warning signs around the unsafe concrete dam structure and monitoring the dam following periods of heavy rainfall in order to protect public safety. On November 18, a community meeting was hosted jointly by EPA and the City of Jackson. The OSC presented information on the results of the removal assessment, proposed removal action and dam safety investigation.

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

EPA determined that conditions at the Argonaut Mine Site present a release and potential threat of release of CERCLA hazardous substances threatening to public health, or welfare, or the environment based upon the factors set forth in the National Oil and Hazardous Substances Pollution Contingency Plan ("NCP"), 40 C.F.R. § 300.415(b)(2). See Attachment 1. If the response action is not completed as planned because of the 12-month limitation, threats to the public health or welfare or the environment will continue, as considered in accordance with the NCP factors:

#### **1. Actual or potential exposure to hazardous substances or pollutants or contaminants by nearby human populations, animals or the food chain**

High concentrations of heavy metals, including but not limited to arsenic, lead and mercury have been detected in samples of semi-processed ore, mine tailings, cyanide and mercury processing waste, soil and sediments. Analytical results indicated that concentrations of heavy metals identified in these media greatly exceed background, EPA Regional Screening Levels (RSLs) for residential soils. Additionally, the total and leachable concentrations of arsenic in soils exceed California's hazardous waste limits.

#### **2. Actual or Potential Contamination of Drinking Water Supplies**

In 2008, URS collected groundwater samples in several borings. Arsenic, chromium, nickel and zinc exceeded the Maximum Contaminant Levels (MCLs) for drinking water in several of the ground water samples. There are no reported municipal wells or private wells in the area being used as a drinking water supply. The City of Jackson's purchases treated water from the Amador Water Agency. The water comes directly from the Mokelumne River. Contaminated runoff from several different mine sites in the area flow to Jackson Creek, which eventually flows to Lake Amador. Lake Amador is not currently used as a drinking water source; however, it is a popular recreational fishing resort and is stocked with fish from its own hatchery.

### **3. Hazardous Substances or Pollutants or Contaminants in Drums, Barrels, Tanks, or Other Bulk Storage Containers, that may pose a Threat of Release**

The former cyanide plant area has numerous concrete tanks and vats of various sizes and construction. The arsenic concentrations in the two of the four vats that were sampled ranged from 4,900 mg/kg to 12,000 mg/kg. Additionally, the waste in several tanks had elevated levels of lead and mercury above the RSLs.

### **4. High Levels of Hazardous Substance or Pollutants or Contaminants in Soils at or Near the Surface that May Migrate**

The tailings, soils, sediments and process wastes have very high concentrations of arsenic, lead and mercury. The soils are too toxic to support plant life and can be easily eroded by the forces of wind and rain. Much of the contaminated material is very fine-grained and therefore likely to result in human exposure via inhalation or ingestion. The oxidation of pyrite and arsenopyrite ores have produced acid mine drainage which can mobilize the heavy metals. The soils have a low pH and are very corrosive to structures such as cyclone fences and sewer manholes. Mine wastes containing hazardous substances may be easily transported by water or entrained in naturally and mechanically generated dust or on the shoes and/or clothing of persons passing over the Site. The migration of contaminated mine tailings has been documented. Arsenic concentrations in sediment samples from the drainage below the concrete tailings dam exceeded California's hazardous waste criteria by a factor of nine. A previously undiscovered mercury amalgamation processing area was identified north of the cyanide plant in an area overgrown with vegetation. The concentration of mercury in exposed soils was as high as 130 mg/kg or 13 times greater than the RSL for mercury in residential soils.

### **5. Weather Conditions that may Cause Hazardous Substances or Pollutants or Contaminants to Migrate or be released.**

Analytical results from sediment analysis in the drainage suggest that mine wastes are being transported by runoff from the 5-acre pile to the concrete tailings dam. During periods of heavy rainfall, water flows through cracks and openings in the dam structure and washes into an intermittent tributary to Jackson Creek approximately 400 yards downstream. DTSC had observed water cascading over the top of the dam during a strong storm event in 2006. The culvert under Argonaut Drive was under-sized and water flooded in a deep ravine between the concrete dam and Argonaut Drive. Residents had observed water overtopping the ravine and flowing onto Argonaut Drive. Wind erosion also may result in migration of hazardous substances. The mine waste areas are fully exposed to wind. Fine-grained materials containing arsenic, lead and mercury may be transported from the site and deposited on roads and on residential properties or settle into houses.

### **6. Threat of Fire or Explosion**

None identified to date.

## **7. Availability of Other Appropriate Federal or State Response Mechanisms to Respond to the Release**

The State of California is unable to respond to the release due to insufficient funds to carry out a removal action. In August 2013, DTSC officially requested EPA assistance in conducting a removal action at the Argonaut Mine Site.

## **IV. ENDANGERMENT DETERMINATION**

The current Site conditions, including the presence of arsenic, lead and mercury contaminated materials, if not mitigated by completing the planned response actions, will continue to pose a threat to human health and the environment through direct contact, ingestion, inhalation, and migration of materials off-Site and into the food chain. Arsenic, lead and mercury are hazardous substances under Section 101(14) of CERCLA, 42 U.S.C. § 9601(14).

Consistent with the factors set forth at 40 C.F.R. § 300.415(b)(2), the actual or threatened releases of this hazardous substance, if not addressed by completing the response action as proposed in this memorandum, will continue to present a threat of exposure to arsenic, lead and mercury and an imminent and substantial endangerment to public health or welfare or the environment.

## **V. EXEMPTION FROM STATUTORY LIMITS**

Consistent with 42 U.S.C. § 9604(c)(1)(A) and 40 C.F.R. § 300.415(b)(5)(ii), EPA response staff believe that an exemption from the 12-month statutory limit for removal actions is warranted.

Standard for Exemption: An exemption from the 12-month time limit for removal actions is justifiable under the criteria of 42 U.S.C. § 9604(c)(1)(A) and 40 C.F.R. § 300.415(b)(5), which provide that the exemption is appropriate when EPA determines that: (i) the continuation of a response action is immediately required to prevent, limit or mitigate an emergency, (ii) there is an immediate risk to public health or welfare or the environment, and (iii) such assistance will not otherwise be provided on a timely basis.

An exemption from the 12-month time limit for removal actions is justifiable for the May 2014 Removal Action for the following reasons:

### **1. There is an immediate risk to public health or welfare or the environment.**

EPA previously determined that the actual or threatened releases of hazardous substances at the Site presents a threat of exposure to the public from arsenic, lead and mercury at the Site. Until the response action is complete, contaminated soils and surface water runoff will continue migrate to off-site areas frequented by the public. Without completion of the present response action, the Site continues to present an immediate threat to human health and the environment and an emergency exemption is warranted based on the threats posed by conditions at this Site.



**2. Continued response actions are immediately required to prevent, limit, or mitigate an emergency.**

If the response action is not continued, there will be a continuation of air and water erosion in areas with high concentrations of hazardous substances and continue to release hazardous substances from the Site. If response actions are not continued to reduce, abate, and prevent releases from the Site, then damage to the environment may continue, including the further contamination of soil, sediment, surface water, and groundwater. Continued action at this Site is necessary to prevent, limit or mitigate the potential for further releases of hazardous substances to the environment.

**3. Assistance will not otherwise be provided on a timely basis.**

The California Environmental Protection Agency, Regional Water Quality Control Board and Amador County Department of Environmental Health do not have the funding necessary to undertake the necessary removal as described in this Action Memorandum. An ongoing threat to the public health, welfare, and the environment continues due to the lack of resources available to the state and local governments.

In summary, as stated above, there is an immediate risk posed by the conditions at the Site and the statutory criteria for an emergency exemption to the 12-month statutory limit have been met.

**VI. PROPOSED ACTIONS AND ESTIMATED COSTS**

**A. Proposed Actions**

Please see Attachment 1 for a description of the general planned removal action. The removal activities at the Site were delayed by significant early rain, which shut down operations for the winter season. Anticipated actions will include: excavation of contaminated hotspot areas and consolidation of all waste materials in a 5-acre repository; stabilization, restoration, and erosion control for excavated areas; construction of a capillary barrier evapotranspiration cover and drainage system in a 5-acre repository; protection of historic structures and wetland areas and; abating the hazards posed by open sink holes. The purpose of continuing and concluding the removal action is to mitigate the imminent and substantial threats posed to public health, or welfare, or the environment, and to ensure the integrity of the completed action.

**1. Proposed Action Description**

Specifically, the following activities are proposed to complete the response action:

- 1) Capping, erosion control and restoration of excavated areas and the repository;
- 2) Completion of the installation of drainage measures around the repository;
- 3) Plugging several sink holes behind the Lower Earthen Tailings Dam;
- 4) Restoration of properties affected by the response action; and
- 5) Maintenance of slopes, erosion control and water management until repository is stabilized.

## **2. Contribution to Remedial Performance**

The threat posed by the presence of arsenic, lead and mercury meet the criteria listed in 40 C.F.R. § 300.415(b)(2) and are consistent with any long-term remedial action that may be required. The On-Scene Coordinator has initiated planning with the remedial program to assure the removal action will not conflict with future remedial cleanup options. The OSC has begun to make provisions for post-removal Site control consistent with the provisions of 40 C.F.R. § 300.415(k). It is likely that DTSC or the CVRWQCB will be responsible for operation and maintenance of the repository. The nature of the removal, managing the contaminated materials in an engineered repository, is expected to minimize the need for post-removal Site control.

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

No alternative technologies have been utilized at this Site to date.

## **4. Applicable or Relevant and Appropriate Requirements**

Please see Attachment 1 for a discussion of the applicable or relevant and appropriate requirements. As required by 40 C.F.R. § 300.415(j), this emergency response removal action meets, to the extent practicable, applicable or relevant and appropriate requirements under federal environmental and state environmental laws.

## **B. Project Schedule and Estimated Costs**

It is expected the removal action will require 8 weeks of on-site work to complete. Phase I will require 2 weeks and Phase II will require 6 weeks to complete. Phase I excavation and limited repository construction is scheduled to commence in March 2015. The excavation activities and street closures will be timed to take place during school spring vacation. Phase I costs are estimated to be \$300,000. A Task Order has been issued to ERRS for this phase of the removal action.

Phase II excavation and repository construction activities are scheduled to commence in the summer or fall of 2015, depending on available funding. Phase II costs are estimated to be \$1.5 million and are currently not funded. Additional funding will be needed to perform Phase II removal activities and complete the removal action.

## **Estimated Cost Breakdown**

Please see Attachment 1 and the Action Memorandum dated May 15, 2014.

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

As discussed above, if the complete removal action anticipated in Attachment 1 is not concluded, releases of hazardous substances from the Site will continue to pose threats to public health or welfare or the environment.

## VIII. OUTSTANDING POLICY ISSUES

There are no outstanding policy issues for the Argonaut Mine Site.

## IX. ENFORCEMENT

Enforcement strategies for the Site are addressed in Attachment 2.

## IX. RECOMMENDATION

This decision document recommends that you approve an exception to the 12-month limitation for removal actions otherwise set forth at 42 U.S.C. § 9604(c)(1)(A), with respect to the removal action for the Argonaut Mine Site, in Amador County, California, in accordance with the standards laid out in 42 U.S.C. § 9604 (c)(1)(A) and 40 C.F.R. Section 300.415(b)(5). Because conditions at the Argonaut Mine Site meet the criteria for waiving the 12-month limitation for a removal action, we recommend that you approve this exemption. Please indicate your decision by signing below.

Approve:



Daniel Meer, Assistant Director  
Response, Planning, and Assessment Branch

Date

11 February 2015

Disapprove:

\_\_\_\_\_  
Daniel Meer, Assistant Director  
Response, Planning, and Assessment Branch

\_\_\_\_\_  
Date

Attachments:

1. May 15, 2014 Action Memorandum
2. Enforcement Confidential Addendum

