



REGION 8

DENVER, CO 80202

ACTION MEMORANDUM AMENDMENT 1

SUBJECT: Approval of 12-month statutory exemption and Continued Approval and Funding for a Removal Action at the Buckskin Joe Site, Alma, Park County, Colorado

FROM: Todd DeGarmo, OSC
Oil Section

THRU: Steve Merritt, Supervisor
Oil Section

Deirdre Rothery, Manager
Emergency Management Branch

Aaron Urdiales, Director
Superfund and Emergency Management Division

TO: K.C. Becker
Regional Administrator

Site ID # A848

I. PURPOSE

The purpose of this Action Memorandum is to request and document approval of the 12-month statutory limit, updated proposed actions and expanded site boundaries to include the roads leading to the London Mine for the on-going removal action described herein for the Buckskin Joe Site (Site) in Alma, Park County, Colorado. This time-critical removal action involves mitigating threats posed by water running over mine waste rock and tailings, loading heavy metals into Buckskin Gulch. The drinking water intake gallery for the town of Alma is on Buckskin Gulch approximately one mile downstream of the mine site. Conditions existing at the Site present a threat to public health or welfare or the environment and meet the criteria for initiating a removal action under 40 CFR 300.415(b)(2) of the National Contingency Plan (NCP).

This removal action involves no nationally significant or precedent-setting issues. This time-critical removal action will not establish any precedent for how future response actions will be taken and will not commit the US Environmental Protection Agency (EPA) to a course of action that could have a significant impact on future responses or resources.

II. SITE CONDITIONS AND BACKGROUND

Site Name: Buckskin Joe Site
Removal Category: Time Critical Removal Action (TCRA)
Site Spill ID (SSID): A848
NRC Case Number: N/A
CERCLIS Number: CON000802907
Site Location: Alma, Park County, CO
Lat/Long: 39.283878, -106.062798
Potentially Responsible Party (PRP):
NPL Status: Non-NPL
Removal Start Date: 08/22/2023

A. Site Description

1. Removal site evaluation

Please refer to the original Action Memorandum dated June 22, 2023.

2. Physical location

Please refer to the original Action Memorandum dated June 22, 2023.

3. Site characteristics

Please refer to the original Action Memorandum dated June 22, 2023.

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

Please refer to the original Action Memorandum dated June 22, 2023.

5. NPL Status

This Site is neither on nor currently being considered for listing on the NPL.

6. Maps, pictures and other graphic representations

A map of the Site and expanded boundaries is available in Attachments 2 and 3.

B. Other Actions to Date

1. Previous actions

None.

2. Current actions

There are no current activities on the Site.

C. State and Local Authorities' Roles

1. State and local actions to date

Please refer to the original Action Memorandum dated June 22, 2023.

2. Potential for continued State/local response

Please refer to the original Action Memorandum dated June 22, 2023.

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

Please refer to the original Action Memorandum dated June 22, 2023.

IV. EXEMPTION FROM STATUTORY LIMITS

Emergency Exemption – continued work beyond 12 months is anticipated due to short work and growing seasons at the Site’s altitude. The short field season makes complete implementation of a remedy very difficult when a portion of the remedy requires re-establishment of plant cover on any cap or restored areas. Performing minor repairs from erosion damage caused from rain and snow run-off before vegetation can be established. Option 1 (Re-use of Tailings) requires MineWater LLC to get new permits to receive tailings and waste rock from Buckskin Joe Site and this may delay completion this project too. The requirements outlined in this paragraph will likely extend this project beyond the 12-month timeframe.

V. PROPOSED ACTIONS AND ESTIMATED COSTS

A. Proposed Actions

1. Proposed action description

The time critical removal action on the Buckskin Joe Site will consist largely of the following tasks to address the fluvial tailings and waste rock:

EXCAVATION AND CONSOLIDATION

The tailings and waste rock will be removed from the banks of Buckskin Joe Creek shown in areas 3, 4, 5, 8, 9 and 10 and consolidated in area 2 (see map in Attachment 2), where the tailings will be staged to be hauled to London Mine (option 1) or for the repository (option 2.)

RE-USE OF TAILINGS (Option 1, preferred option)

Approximately 7,500 tons of mine waste rock and tailings will be transported to the London Mine, owned and operated by MineWater LLC, for beneficial reuse. Waste rock with

valuable minerals will be sorted at the London Mine using x-ray technology and transferred to the Lucky Strike Mill (MineWater LLC) in Gunnison, Colorado, for processing into a metal concentrate. Waste rock with low mineral content will be sorted at London Mill and may be transferred back to Buckskin Joe for landscaping and backfill, if deemed necessary. The processed materials will be tested to ensure they are clean enough for re-use.

The option requires that London Mine and Lucky Strike Mill owned by MineWater LLC are in compliance with the CERCLA Off-Site Rule requirements.

ON-SITE REPOSITORY, CAPPING AND SEEDING (Option 2)

An on-site repository will be built in area 2. Material will be used to cap the repository with approximately 12-18 inches of cover. Once capping is complete, the repository will be seeded with a native blend of grass seed and then covered with straw mat to facilitate growth and reduce erosion.

2. Contribution to remedial performance

Please refer to the original Action Memorandum dated June 22, 2023.

3. Engineering Evaluation/Cost Analysis (EE/CA)

An EE/CA is not required for a time-critical removal action.

4. Applicable or relevant and appropriate requirements (ARARs)

Please refer to the original Action Memorandum dated June 22, 2023.

5. Project schedule

This removal action started in late summer 2023. Completion is expected by October 30, 2024. However, additional work, including reseeding and minor repairs, may be required the following summer.

B. Estimated Costs

	Original Ceiling	Proposed Increase	Proposed New Ceiling
ERRS contractor	\$960,000	\$564,000	\$1,524,000
START contractor	\$30,000	\$30,000	\$60,000
Other Extramural Costs (Strike Team, other Fed Agencies)	\$ 0	\$80,000	\$ 80,000
SUBTOTAL	\$990,000	\$674,000	\$1,664,000
Contingency costs (20% of subtotal)	\$198,000	\$134,800	\$332,800
Total Removal Project Ceiling	\$1,188,000	\$808,800	\$1,996,800

*EPA direct and indirect costs, although cost recoverable, do not count toward the Removal Ceiling for this removal action. Liable parties may be held financially responsible for costs incurred by the EPA as set forth in Section 107 of CERCLA

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

A delay in action or no action at this Site would increase the actual or potential threats to the public health and/or the environment.

VII. OUTSTANDING POLICY ISSUES

Please refer to the original Action Memorandum dated June 22, 2023.

VIII. ENFORCEMENT

Please refer to the original Action Memorandum dated June 22, 2023.

IX. RECOMMENDATION

This decision document represents the selected removal action for the Buckskin Joe Site, in Alma, Park County, CO, developed in accordance with CERCLA as amended, and is not inconsistent with the NCP. This decision is based on the administrative record for the site.

Conditions at the site meet the NCP section 300.415(b) criteria for a removal and the CERCLA section 104(c) emergency exemption from the 12-month limitation, and I recommend your approval of the proposed removal action and 12-month exemptions. The total project ceiling if approved will at \$1,996,800, of which an estimated \$1,996,800 million amount will be funded from the Regional removal allowance.

Approve

K.C. Becker
Regional Administrator
EPA Region 8

Date

Disapprove

K.C. Becker
Regional Administrator
EPA Region 8

Date

Attachments

Attachment 1: Original action memo, dated June 22, 2023

Attachment 2: Map of Buckskin Joe Areas
Attachment 3: Transportation routes

Attachment 1 – Original Action Memo

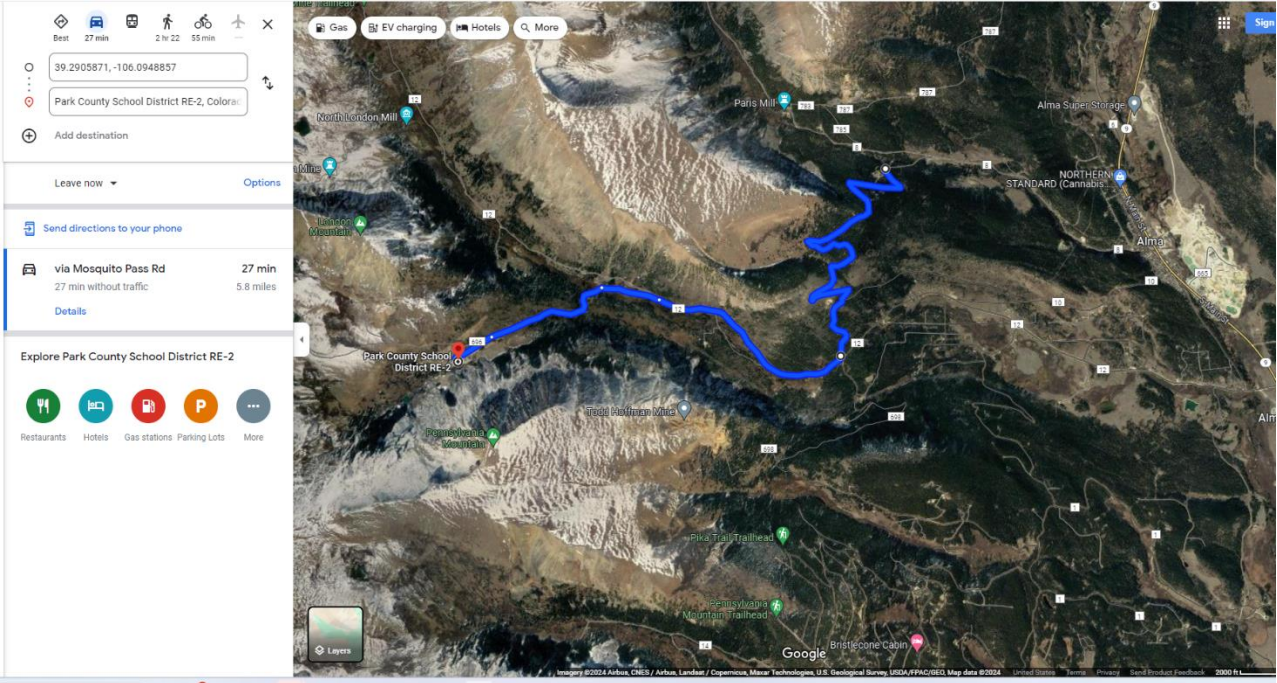
Attachment 2 – Map of areas on Buckskin Joe



Buckskin Joe Mine Site. Area 2 is the proposed repository. Areas 3, 4, 5, 8, 9, and 10 are in the flood plan and will be addressed during this removal action. Area 1 will not be part of this project due to funding constraints as well as it can be improved with the installation of onsite drainage controls. Areas 6 and 7 may be addressed separately by the USFS.

Attachment 3: Transportation routes to London Mine for Option 1

Off-highway



On highway

