



Working with Communities to Protect Their Land, Air, and Water

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June 8, 2018

Jeryl R Gardner, P.E., C.E.M.
Supervisor, Abandoned Mine Lands Branch
Bureau of corrective Actions, NDEP
901 South Stewart Street
Carson City, NV, 90701

Re: *draft* COMMUNITY INVOLVEMENT AND PARTICIPATION PLAN (CIPP)
ANACONDA COPPER MINE SITE

Dear Mr Gardner,

Great Basin Resource Watch has reviewed the CIPP and we have a few comments.

State level permitting allows for an appeal of a permit before the State Environmental Commission. Will a similar process be provided for the Anaconda site? If not, why not? There does not seem to be any mention of this here. The appeal process was an aspect that GBRW had raised during the “roundtable” meetings in 2017.

Site Description and Brief Summary

Page 3, first paragraph: There should be a more complete and clear summary of the past actions. Included should be that EPA assumed lead agency control of the site 2004/2005 at the request of the state of Nevada and at that time Anaconda Mine became a Superfund Site. In addition there needs to be acknowledgment of the all of the characterization that occurred from 2004/2005 to 2018 by EPA in understanding of the site and conducting emergency actions.

In general the site description needs to summarize the extent of contamination that has occurs at the site including the groundwater contamination.

Public/Community Meetings

Page 4: public meetings should also be advertised by email notifications as well as those avenues mentioned in this paragraph.

Community Events and Outreach

NDEP needs to commit to a public record for all meetings with the community. In this way anyone from the community can understand what transpired at any of the meetings even if they cannot attend themselves. GBRW sees this as an important transparency and public trust component. Ideally, meetings can be recorded and then transcribed. In general, a transcript of the meeting is desired.

NDEP also needs to send out notification when any meeting with a community group or governmental body is to occur to give the public an option to attend.

Tribal Funding and Technical Assistance

Page 8: This paragraph states that:

“NDEP will support efforts to fund Tribal governments at levels that allow the Tribes to acquire technical assistance to interpret information relating to response actions and related decisions performed outside the reservations. The EPA will continue to fund technical support for response activities performed on the reservations.”

Does, this mean that funding for technical assistance will still be from EPA or that there will be joint funding mechanism for the tribes? All of the technical assistance was paid through EPA before deferment, is that now shifted to NDEP?

Community Technical Assistance

Please clarify “public agency.” Is this designation only for governmental bodies?

Could GBRW apply for technical assistant for members of the affected community that are also members of GBRW?

Technical Document Comment Process

Page 10.

The phrase “thematic position points” is unclear. Is this just a organizational process or a response process or both?

Documents technical and otherwise are connected to decisions regarding the site, so GBRW would like to see a more responsive public engagement than is outlined in this section. To facilitate this we suggest that after “Step 2” there should be a draft comment response document for public review to assure that the comments were clearly understood. Additionally, and if the commenter is not satisfied with the response then allow the commenter to lodge her reaction to the response.

Page 11.

GBRW would also like to see a comment response on any “Proposed Plan.” As discussed above, a draft “plan,” and then comment response, and then a final for review before going to a Record of Decision.

Please feel free to contact GBRW at 775-348-1986, john@gbrw.org if you want to discuss our comments in any way.

Sincerely,

A handwritten signature in black ink that reads "John Hadder". The signature is written in a cursive style with a large, looping initial "J".

John Hadder