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August 15, 1986

AR0677

Mr. Thomas A. Mix
Regional Project Manager
U.S. EPA - Region IX
215 Fremont Street
San Francisco, CA 94105

Re: Feasibility Study Addendum
Iron Mountain Mine, Redding, California
EPA Project No. 48.9L17.0

Dear Mr. Mix:

Stauffer Chemical Company ("Stauffer") appreciates the opportunity to submit the following comments on the Feasibility Study Addendum ("FS Addendum") dated July 25, 1986 for the Iron Mountain site in Redding, California.

SUMMARY

As we have explained in our earlier comments, the commercial mining project proposed by the site owner, Iron Mountain Mines, Inc. ("IMMI") should be the option preferred by EPA for the control of metal leaching (acid mine drainage) from the Iron Mountain Mines site. We have been informed by IMMI that they have secured financing for this commercial mining venture and that the capital funds for this project have been committed. We are further informed that IMMI is willing to install and operate environmental control systems during the operation of the mining project and to provide an environmental trust fund and/or other financial measures to ensure that the mining site is environmentally secured once production is terminated. Clearly, the commercial development of the IMMI site is the most cost-effective means of controlling acid mine drainage and therefore, it is the alternative most consistent with the National Contingency Plan ("NCP"). We understand that IMMI will schedule a meeting with the EPA within the next thirty days to discuss the status of their mining proposal as well as the financing for the project.

The EPA has proposed two new remedial options CA-8 and CA-9 in the FS Addendum. These two new options increase the projected cost of remediation from the previous excessive levels to the exorbitant and wasteful range of $50 million to $70 million. These options are grossly inconsistent with the National Contingency Plan as they are beyond any possible argument that they meet the requirement of cost-effectiveness.

The EPA has adopted these two new options, apparently, upon the belief that they must abandon the "point of compliance" concept of the earlier options CA-1 through CA-7 which provides for compliance with water quality standards at a point in the Sacramento River just below the discharge from Keswick Dam. Rather, EPA now asserts that they will impose the most rigorous controls upstream from Keswick Dam to meet the requirements of the Clean Water Act ("CWA") and the concept of Best Available Technology Economically Achievable ("BAT").

This interpretation is entirely wrong. BAT for control of acid mine drainage from abandoned mines has never been established and hence, water quality compliance criteria must be negotiated on a case-by-case basis, taking into account many factors, including cost effectiveness.

Beyond all other factors, the new alternatives, CA-8 and CA-9 proposed in the FS Addendum are environmentally unsound. Alternative CA-8 would create a mountain of gypsum as the waste product of water treatment which would be operated in perpetuity. The costs of RCRA compliance has not been included in the cost estimate of the project, nor has the cost of disposal been included in the project cost beyond 20 years - although the project assumes that water treatment will continue forever. It is our opinion, however, that RCRA would not apply to the disposal of this waste product from the treatment of mine drainage.

Alternative CA-9 contemplates filling the mine workings with 1,500 acre feet or 65,340,000 cubic feet of low density cellular concrete! Low density cellular concrete (LDCC) - concrete mixed with a forming agent - as has been stated many times in the FS Addendum, is unproven technology and a high risk option - and, hence, clearly inconsistent with the NCP. As said in a Redding Record Searchlight editorial of July 26, 1986 discussing the cost of the proposal to fill the mine with concrete, "... seems to me that for that kind on money maybe we could have us a working mine that creates jobs and produces minerals ..." We couldn't agree more.

The unreasonableness of the EPA proposal CA-9 is further highlighted by the facts that:

- The mine - inactive for many decades - would have to be reworked before the plugging operation began
- The personnel safety hazards of reworking would be significant
- The operation would require the installation of an on site cement plant to be operated 24 hours a day for a minimum of two years and probably for many years beyond that!

In selecting among the various remedial options, EPA should be mindful of the fact that the acid mine drainage sought to be controlled does not present a threat to public health. The concern relates to relatively unusual conditions of rainfall and the control of water flow from Shasta dam which may lead to fish kills. In light of this lower order of environmental concern, the EPA should adopt a far more cost effective program for remediation than proposed in CA-8, CA-9 or any of the options previously proposed, i.e. alternatives CA-1 through CA-7.

Accordingly, as an option to the IMMI mining proposal, Stauffer has previously proposed an $8.1 million project which would comply with water quality standards at the "compliance point" at the Keswick Dam. This $8.1 million option has been described in written comments and reports (including a computer model study) submitted by Stauffer to EPA on August 23, 1985; October 1, 1985; November 20, 1985; January 28, 1986; and March 26, 1986. We strongly urge the EPA to consider this option as an alternative if the commercial mining option is not adopted.

We must express our disappointment with EPA's failure not only to consider Stauffer recommendations in the FS Addendum, but even more so the commercial mining alternative proposed by IMMI, the mine owner. Section 104(a)(1)) of the CERCLA Statute and section 300.61(b) of the NCP requires EPA to consider a site owner's willingness to undertake remedial action before the Agency performs the work itself. Further, in the original FS, the Agency acknowledged the "inherent advantage" of the IMMI alternative in that "it would be constructed and operated by IMMI" and "could be the only profitable alternative." (FS at pop. ES-8 to ES-9)

We must further express our disappointment that the EPA is unwilling to provide Stauffer with a copy of the Colorado School of Mines Research Institute report that EPA contracted for the review of the IMMI proposal. Although highly relevant to these and earlier comments, EPA has steadfastly refused to provide us a copy despite repeated requests and an FOIA demand.

Lastly, we must protest that the comment period is inadequate and in consistent with the CERCLA Statue and the community relations provisions of the NCP Section 300.67, which contemplates meaningful public comment on EPA's remedial action alternatives at a "Superfund" (CERCLA) site. The FS Addendum represents a sharp departure from the original Feasibility Study dated August 2, 1985 and important and complex technical issues are raised.

Under these circumstances, and especially in light of the eleven month delay since the issuance of the original FS, a public comment period limited to the absolute minimum three weeks required by the NCP, 40 CFR Section 300.67(d) is entirely too short. We are therefore reserving our right to supplement these comments within a reasonable time.

DISCUSSION

Alternatives CA-8 and CA-9 Are Based Upon An Improper Interpretation of the Clean Water Act

EPA has added remedial alternatives CA-8 and CA-9 based on Clean Water Act standards including (i) BAT effluent limitations for all pollution sources at Iron Mountain Mine, and (ii) ambient water quality criteria applicable to the Sacramento River and its tributaries. EPA justifies these additions on the ground that the NCP requires identification of alternatives that meet or exceed all "applicable or relevant" environmental standards.

The NCP, however, clearly specifies that applicable and relevant standards will be evaluated and "identified for the specific site." 40 CFR Section 300.68(i). Likewise, the preamble to the NCP "reemphasizes that the determination and implementation of applicable and relevant and appropriate requirements will be made on a case-by-case review is especially critical when applying Clean Water Act standards which are themselves based on complex, case-by-case analysis. Yet the FS Addendum fails even to acknowledge the diverse issues which the Agency will need to resolve before it can determine whether particular Clean Water Act standards should be deemed applicable or relevant to the Iron Mountain Mine site. These unresolved issues include at least the following:

- To the extent the acid mine drainage at the site has nonpoint sources, it is not appropriate to apply technology-based effluent limitations issued for point sources under the Clean Water Act. The Clean Water Act

recognizes that nonpoint sources are not amenable to technological solutions; instead they require site specific management practices or land use controls. Nonpoint source pollution is addressed by area wide water quality management plans developed under Section 208.

- To the extent the acid mine drainage has nonpoint sources, site-specific, water-quality-based effluent limitations are also not be appropriate. Under the Clean Water Act scheme for nonpoint sources, water quality standards are taken into account on a regional basis in the Section 208 plans. They are not, as a general rule, factored into the requirements for an individual source. In this fashion, the pollution from all sources in an area can be taken into account in developing nonpoint source pollution control requirements.

- To the extent the discharge from the mine has point sources, existing effluent limitations, e.g., for the iron ore subcategory of the ore mining and dressing point source category, 40 C.F.R. Part 440, are not appropriate either. Those standards apply to "discharges from (a) mines operated to obtain iron ore, regardless of the type of ore or its mode of occurrence," 40 C.F.R. Section 440.10 (emphasis added). They do not apply to inactive mines and were not based on a consideration of conditions associated with inactive mines. Rather, EPA based the standards on a study of waste water generation at operating mines, 47 Fed. Reg. 25683, 25688 (1982), where pollution control measures may be achievable more efficiently than in an abandoned mine.

- If a discharge under the Clean Water Act is a nonpoint source, but technology-based effluent limitations which have been promulgated are not applicable, effluent limits normally are based on "best professional judgement" ("BPJ"). To the extent that effluent limitations based on BPJ are appropriate here, they should take into account a variety of technological and economic considerations for toxic and nonconventional pollutants. BPJ standards reflecting the best available technology economically achievable ("BAT") should take into account the technology, cost, and other factors identified in Section 304(b)(2) as well as the economic impact factors applicable in Section 301(c) variances. BPJ standards for conventional pollutants (e.g., total suspended solids, biochemical oxygen demand) reflecting "best conventional pollutant control technology" ("BCT"), should take into account the cost reasonableness tests contained in Section 304(b)(4)(B). It is unclear how these factors might appropriately be applied in calculating BPJ effluent limitations for the Iron Mountain Mine site.

- If promulgated Clean Water Act Effluent limitations are otherwise appropriate for the site, a Section 301(c) economic impact variance might still be available if the economic impacts of compliance are excessive; but in fact, there are no applicable standards.

- To the extent the mine discharge has point sources, water-quality-based effluent limitations may not be appropriate for reasons similar to those discussed above with regard to non-point sources. If there are other sources of pollution of the stream segment affected by the mine's discharge, including nonpoint sources from the Iron Mountain Mine site or other upstream sites, it would be appropriate to perform the water quality analysis on a regional basis.

- In assessing the water quality impacts of the mine discharge, it would be appropriate to define a reasonable "mixing zone" in the receiving waters.

The FS Addendum's failure to address these issues also makes it impossible for the Agency to perform at this stage a detailed analysis of alternatives CA-8 and CA-9 as required by the NCP, Section 300.68(b). For example, absent a determination of appropriate standards to be applied, the Agency's evaluation of engineering implementation, reliability, and constructibility of these alternatives (Section 300.68(h)(2)(iii)) is at best tentative. Similarly, the Agency's detailed cost estimation (Section 300.68(h)(2)(ii)) of $55.3 and $72.2 million for CA-8 and CA-9, respectively, are in all likelihood far to high. In these circumstances, a detailed analysis of alternatives CA-8 and CA-9 and comparison with other alternatives cannot reliably be performed.

To the extent an evaluation of CA-8 and CA-9 is presently appropriate at all, the analysis contained in the FS Addendum is inadequate. There is insufficient consideration of the "engineering implementation" or technical feasibility of each of the elements of these two new alternatives. The proposed use of the low-density cellular concrete ("LDCC") well represents an unproven technology which drives up the cost substantially and may provide little or no additional protection. There is also wholly insufficient consideration of the costs associated with CA-8 and CA-9. The estimated cost for either of the two new alternatives, if implemented, would represent one of the most expensive Superfund cleanups in the nation. Based on the environmental conditions at this site relative to other sites, these enormous cleanup costs simply cannot be justified.

Although the NCP normally requires selection of a remedy that meets applicable or relevant requirements, the FS Addendum finds that no remedial alternative would meet all potentially applicable or relevant requirements. If true, the Agency must then select the "cost-effective alternative" that provides adequate environmental protection, "considering cost, technology, and the reliability of the remedy." 40 C.F.R. Section 300.68(i)(3). The EPA has been presented with two such alternatives - first, the IMMI commercial mining proposal and second, as an alternative, the $8.1 million projected recommended in Stauffer's extensive reports and comments.

In any event, the designation of a "point of compliance" with water quality standards at a point in the Sacramento River below Keswick Dam continues to be justified. Such "point of compliance" should be the basis for determining the most cost effective alternative to be adopted by the EPA and for monitoring the effectiveness of such alternatives once implemented.

Iron Mountain Mines - The In-Situ Mining Project

We have been informed by Iron Mountain Mines, Inc. that financing for their commercial mining venture has been secured and that the capital funds for the project have been committed. We have further been informed that IMMI will meet with EPA within the next thirty days to review the status of this project, on site testing, and the acquisition of funding.

Iron Mountain Mines, Inc., the site owner in collaboration with Davey McKee Corporation has developed a low-cost metal recovery process for the in-situ mining of Iron Mountain Mines. Davey McKee Corporation is one of the world's

largest engineering and contracting organizations specializing in production facilities for the mining, metals, chemical, and petroleum industries. The purpose of this project is to economically develop the mineral resources at Iron Mountain Mines while at the same time resolving the long standing acid mine drainage problem. The proven ore reserves at Iron Mountain Mines are considerable - 12.8 million metric tons of massive sulfide ore deposits, 2.7 million metric tons of gossan deposits and 5.5 million metric tons of magnitite deposits and tailings.

The IMMI project will provide for environmental controls and safeguards during the project operation and at closure. The plant is expected to operate for a minimum of 20 years with the potential for extending operations to 50 years.

Two waste water treatment plants will be installed, one within the process facility and a second in the Slickrock Creek area. The initial operation of the Slickrock unit will begin by treating discharge water from the "Big Seep" and Old No. 8 mine portal. Subsequently, the collection pond discharge may be directed to the metals recovery process, should the concentrations be high enough for economic recovery.

The waste water treatment plant will be designed to handle 250 gpm with provision for handling up to 500 gpm for emergencies. The Slickrock plant will be capable of handling up to 750 gpm. Each plant will utilize two 36 ft. diameter thickners for ferric sulfate coagulation-lime softening systems. The process area plant will utilize a single neutralization tank, the Slickrock plant will utilize three neutralization tanks. Activated carbon columns will be inserted ahead of the pH neutralization tank to remove any remaining organic reagents. It is anticipated that the treatment systems will achieve 98% removal of iron, copper, cadmium, and zinc - based upon EPA studies of similar processes. The quality of water produced will meet the following California Regional Water Quality Control Board (CRWQCB) discharge criteria.

	Maximum For Any One Day	Average of Daily Values for 30 Consecutive Days
Cu	0.30 mg/l	0.15 mg/l
Zn	1.51 "	0.75 "
Cd	0.10 "	0.05 "
Pb	0.6 "	0.3 "
Hg	0.002 "	0.001 "
pH	6.5 - 8.5	6.5 - 8.5
TSS	30.0 "	20.0 "

These discharge criteria were specified by the CRWQCB, Central Valley Region. These are identical to Federal Regulations, EPA 40 CFR 4040 - Subpart J.

During operation, contribution will be made to an environmental trust fund to be applied to the costs of closure of the plant. At closure:

- Two operating treatment plants continue to be available after shutdown as needed to treat up to 1250 gpm
- The shut down transition will be gradual to prevent overload of the treatment plant

- o The water treatment plants would be operated as long as necessary to control acid mine drainage
- o Run off diversion and sealing measures would be implemented
- o Surface facilities,exclusive to the water treatment plants will be removed.

Additional measures might include (a) filling the Richmond and Lawson portals, utilizing high pressure seals and (b) utilization of the in-situ recycling system to introduce neutralizing solutions to cause in-situ precipitation and gradual sealing of the flow to reduce water access and drainage.

Clearly, these measures and other environmental controls will be subject to negotiation with the EPA and CRWQCB in this Superfund process and in the processes associated with acquisition of the necessary permits for construction and operation.

Clearly, the IMMI commercial mining proposal would be the remedial action alternative most consistent with the NCP, assuming that a proper level of environmental control was imposed during operation and at closure, together with an adequate level of funding in an environmental sinking fund.

Recommended Alternative to Commercial Mining

Stauffer has submitted three sets of comments, a report on a computer modeling study and a supplemental report on the modeling study all in support of an $8.1 million project which we believe would be a cost effective alternative to the IMMI mining project. The recommended remedial alternative includes stream diversion, capping and water treatment with an improved copper cementation plant. The proposed $8.1 million project would meet water quality criteria in the Sacramento River, at the point of compliance below Keswick Dam. The details of this proposal need not be reiterated in these comments in light of the comprehensive reports we have submitted. We must emphasize, however, that in the event that the IMMI mining proposal is not adopted, the $8.1 million project we have recommended should then be adopted by EPA as the most cost-effective and hence the alternative most consistent with the NCP.

Specific Comments on the FS Addendum

Stauffer's specific comments on certain aspects of the Feasibility Study Addendum are as follows:

1. Rejection of Complete Source Removal

Stauffer concurs with EPA's assessment that the cost and complexity of complete source removal, which would be the remedy that equals or exceeds the requirements of the Clean Water Act, are so exorbitantly costly and so impractical that they should be eliminated from consideration without further examination.

2. Diversion of Upper Slickrock Creek

Stauffer is pleased to see that EPA, and its contractor, have recognized in alternative CA-8 and CA-9 the substantial beneficial effect of diverting Upper

Slickrock Creek and included this diversion as one of the steps in each of these remedial alternatives. Stauffer pointed out the beneficial effect of this measure in its original comments. In order, therefore, to properly compare improvements achievable in alternative CA-8 and CA-9 with those originally considered (CA-1 thru CA-7) a re-analysis of the original seven alternatives should be completed in which the diversion of Upper Slickrock Creek is included.

To select any remedial alternative without first completing such an analysis and reporting on its results would be premature and improper.

3. Point of Compliance

As indicated in Stauffer's earlier comments to the 1985 Feasibility Study, Stauffer concurred with EPA's original objective of meeting water quality criteria at a point downstream of the Keswick Dam.

One of EPA's objectives of studying these additional, more costly alternatives, was an attempt to identify alternatives which complied with the requirements of the Clean Water Act. An attempt to meet these requirements and to meet water quality criteria at a site such as this is both impractical and not cost effective. In addition, it would be an improper application of current requirements of the Clean Water Act as we have outlined above at pages 3 to 5.

EPA, accordingly, has the responsibility under CERCLA and the Clean Water Act to select the most cost effective and practical point at which regulatory requirements would be met. This is clearly in the Sacramento river downstream of Keswick Dam.

4. Application of BAT (Best Available Technology) Requirements

An important consideration and cost factor in the two new alternatives, CA-8 and (to a lessor extent) CA-9, is the need for lime/limestone treatment to satisfy the BAT requirements of the Clean Water Act.

This is an improper application of this requirement. According to the Clean Water Act, BAT must be applied to these process streams and point source discharges for which effluent limits have been established after careful studies have been completed. None have been established for acid mine drainage for inactive mine sites. Water quality criteria should therefore be established on a cost-effectiveness/case-by-case basis.

In the case of the IMMI site, many of the discharges which are being addressed are non-point source and/or storm water discharges for which BAT and effluent guidelines have not been established.

A further shortcoming of this addendum (in fact the entire Feasibility Study) is the failure to include and properly cost the disposal of the waste from the lime/limestone treatment system. EPA has stated that under RCRA regulations, this waste might be characterized as a hazardous waste (we disagree). The requirements for disposal of this waste and the costs of such disposal are not properly considered or included in this Study. These requirements would add substantially to the cost of any alternative considered at this site employing lime/limestone treatment, but would have a particularly large impact on CA-8 because of the large volume of waste generated from the multiple streams being treated.

5. CA-8 and CA-9 Fail the Superfund Cost Effectiveness Test

A key requirement of any remedial action undertaken at a Superfund site is that the remedial action must be cost effective while achieving its objective of protecting the public health, welfare and the environment. This requirement is not met by either combined alternative CA-8 or CA-9.

Specifically, the Addendum to the Feasibility Study report (page 5-4) states that while some water quality improvement may be achieved, application of either of these two alternatives will probably result in a failure to meet EPA water quality standards in portions of Keswick Reservoir and the surface streams at the site. Thus, the substantial additional expenditure necessary to implement either of these alternatives compared either to Stauffer's recommended remedial action or to the alternative favored earlier by EPA (CA-7) cannot be justified under the cost effective requirements of the National Contingency Plan, based on the questionable and marginal improvements in stream quality.

6. Alternative CA-9 - Unproven Technology

Alternative CA-9, the use of low density cellular concrete (LDCC) to fill mine workings and thereby reduce or eliminate the need for a limestone treatment system, while interesting technically, is clearly inconsistent with the requirements of the National Contingency Plan and must be rejected.

Specifically, the NCP, Part 300.68(i)(2)(A) requires that remedial actions at Superfund sites emphasize the use of established technology. Likewise, Part 300.68(j) requires the use of the lowest cost alternative that is technically feasible.

Since the concept of using low density cellular concrete to fill mine workings is acknowledged throughout the FS Addendum report to be an unproven technology and as the cost of this alternative is vastly greater than the other alternatives which have been identified as suitable, the technological feasibility and established technology requirements of the NCP are not satisfied.

The option should be rejected out-of-hand.

7. Use of Cost Benefit Index Numbers

The introduction in the Addednum of Index Numbers purporting to show the relative cost benefits of different remedial measures is useful. However, since the method of calculation was not given, it is not possible to assess the correctness of the numbers assigned.

In view of these serious shortcomings and the availability of a viable, commercial alternative to these proposals, Stauffer again urges EPA to fully consider and allow implementation of the IMMI solution mining proposal. Absent that alternative for whatever reason, the $8.1 million project comprising stream diversion, capping and cementation plant water treatment which has been recommended by Stauffer in its earlier comments continues to be the remedial action plan of choice. The present cementation plant has demonstrated its ability to effectively reduce the copper content of the discharge, yet none of the alternatives discussed in the feasibility study (other than Stauffer's) provide for its continued operation.

The Level of Environmental Concern at the Iron Mountain Site Does Not Justify the Exorbitant Level of Expenditures Proposed

The Iron Mountain Mine Site presents no risk to human health. The environmental concern created by acid mine drainage from the site concerns a risk to fish life under unusual conditions of heavy rainfall and low flow rates in the Sacramento River when the U.S. Bureau of Reclamation retains, rather than releases, water from the Shasta Dam.

The Iron Mountain Mine site is currently ranked number 73 on the National Priority List ("NPL") with an HRS score of 56.16, as determined by a staff member of the California Regional Water Quality Board, Central Valley Region at Redding, California. This rating has apparently not been confirmed by any independent EPA investigation.

It appears that this rating is improper and that subsequent evaluation by Robert S. Miller & Associates in December, 1984 would indicate a rating substantially below 28.5, which would qualify the Iron Mountain Mine site for removal from the NPL.

Iron Mountain Mines, Inc. has submitted comments together with the Miller & Associates report to the Hazardous Site control Division, Office of Emergency and Remedial Response, EPA, Washington, DC in response to the EPA Notice in the Federal register; June 10, 1986; page 21109; 40 CFR, Part 300, "Amendment to NOHSCP, National Priorities List." In these comments IMMI demonstrates that the HRS scoring for the site should not exceed 9.4.

The estimated costs of the remedial options outlined in the FS and FS Addendum would make the Iron Mountain Mine site one of the most costly Superfund projects in the country - particularly if alternatives CA-8 or CA-9 were to be adopted. Such massive expenditures would not be justified and would violate the NCP requirement for cost-effectiveness, particularly in light of the relatively low level of environmental concern and the fact that the Iron Mountain Mine site probably should not have been listed on the NPL in the first place.

CONCLUSION

The Feasibility Study Addendum report has added two new alternatives, CA-8 and CA-9 which serve to vastly increase the cost of acid mine drainage control at Iron Mountain Mines without a real environmental benefit. If adopted, either of these options costing $50 to $70 million would render the Iron Mountain Site one of the most costly in the entire country - but for a site where there is no human health risk, rather the risk of fish kills under unusual conditions of rainfall and flow in the Sacramento River. Alternatives CA-8 and CA-9 are based on misinterpretations of the Clean Water Act. Rather than imposing the most stringent water quality standards on streams local to the Iron Mountain Mine site, the act requires the negotiation of cost-effective controls under the concept of BAT. BAT therefore would permit the designation of a point of compliance in the Sacramento River at Keswick Dam - as originally contemplated by EPA in the original Feasibility Study. Further, alternative CA-8 is environmentally unsound, as it will create an unmanageable quantity of waste gypsom for disposal. Alternative CA-9 involves unproven technology in the form of a proposal to plug the mine workings with an absurdly large quantity of concrete which would require an on site cement plant to operate day and night for at least two years!

Stauffer has previously recommended in extensive comments and reports, an $8.1 million project of capping, stream diversion and water treatment with an improved copper cementation plant. This project is considerably more cost-effective than any of the proposals CA-1 through CA-9 found in the FS and FS Addendum. The $8.1 million project should therefore be adopted over any of these alternatives.

More importantly, primary consideration should be given to the commercial mining project proposed by the Iron Mountain Mines owner, which would provide for control of acid mine drainage and which would be economically supported by the beneficial use of the valuable mineral resources at the site. All other alternatives would not only involve wasteful expenditures, but as well would render the IMMI site useless for almost any commercial purpose.

We understand that IMMI has secured financing for this commercial mining venture and the capital funds for the project have been committed; we further understand that IMMI will meet with EPA to discuss its project within the next thirty days.

Meanwhile, Stauffer continues to be prepared to meet with EPA and its contractors to more fully explain these and previously submitted comments and to continue our dialog with EPA as to the implementation of the most cost effective solution at the site.

Very truly yours,

John T. Ronan III/JEE

John T. Ronan, III
Director,
Law Department

JTR/jb