



STATE OF IDAHO
DEPARTMENT OF
ENVIRONMENTAL QUALITY

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C.L. "Butch" Otter, Governor
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August 12, 2009

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Dear Mr. Stanislaus and Ms. Michelle Pirzadeh:

I look forward to meeting you next week and believe your visit to north Idaho will provide you a first hand understanding of the scope of the public health and environmental issues at the Bunker Hill Superfund Site. In advance of our meeting, I thought it might be helpful to provide DEQ's perspective on the East Mission Flats Repository (EMFR). Simply put, further delay or halting of the EMFR will seriously jeopardize the completion of remedial actions that are necessary to protect the health of individuals, particularly children that reside in homes and areas that have not been remediated. EPA, DEQ and mining companies have remediated over 5,000 properties within the site. We estimate that 1,500 properties remain to be remediated in the next 2-3 years. Without EMFR, the residents of these properties within the Site will continue to face unacceptable exposures.

DEQ supports EPA's commitment to obtaining broad community support of Superfund cleanups. In the face of significant community opposition to the need for any federal or state cleanup actions, DEQ and EPA have partnered to collaborate with local interests throughout nearly two decades of Superfund activities at the Bunker Hill Site. The agencies have taken extraordinary actions at this Site, including the creation of the Basin Environmental Improvement Commission, to obtain broad community participation and support for cleanup actions. We understand that community support is not unanimous; many individuals and local interests continue to resist all cleanup actions while a smaller number seek alternative or additional measures.

The siting of repositories critical to completing the cleanup is and will continue to be a particularly challenging community issue regardless of location, and technical suitability. The reality at this Site is that potential repository locations are limited and every potential location will be objectionable to some portion of the population.

In evaluating concerns regarding EMFR it is important to appreciate two overarching matters:

- Concerns regarding aesthetics, process, cultural artifacts, road wear, and groundwater impacts have been, and will continue to be, thoroughly addressed by the agencies, but none of these concerns, singly or collectively, are equal in significance to the importance of continuing remedial actions to protect individuals still residing, working and recreating on properties that pose a risk to their health.
- Risks regarding any flooding of EMFR are insignificant in comparison to the very real flooding risks that exist within the overall Site.

The continuation of the property cleanups is critical to the both the health and welfare of the community. Although community interests have had varying opinions on the necessity of cleanup, years of community outreach and collaboration have resulted in general public support for remedial actions protective of public health. Door to door interaction with residents to seek participation in the property cleanup program has resulted in over 90% cooperation in the established towns and about 70% in the rural lower Basin areas. Community leaders understand the necessity of the cleanup for their communities to grow and develop. When the remedial actions were initiated over 50% of the children in the core site communities had elevated blood lead levels. At the same time the communities also suffered high unemployment due to loss of smelter and mining jobs. As the cleanup progressed, child blood lead levels dropped to national levels and unemployment dropped below 10% for the first time in nearly 20 years (until the current national recession).

Federal programs, and particularly the Superfund, have not been popular in the State of Idaho. Just as it has been difficult to gain local community support, obtaining statewide political and legislative support for the Bunker Hill Site in terms of State match and O&M obligations is an ongoing challenge. With the assistance of key local legislators and the governor, DEQ has been able to obtain such support, largely because of the economic benefits of the cleanup that; 1) opened the doors for development by making the Silver Valley a safe place to live and invest; and 2) provided local jobs. Without EMFR the ongoing cleanup of residential and commercial properties will come to a stop in 2010. In that event, ongoing public health threats remain unaddressed, the fragile economy of the Silver Valley will suffer and state support for Bunker Hill cleanup may be threatened.

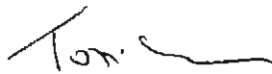
Secondly, although the risk of EMFR flooding is one of the issues that was taken seriously and thoroughly vetted during the technical evaluation, it is important to take a step back and look at this concern as compared to the scale of contaminated material that exists throughout the valley and the very real threat of entire communities flooding. The plain fact is that much of the Bunker Hill Superfund Site, including the areas that have been remediated by the placement of a layer of clean cover, remains contaminated at depth. The risk of a flood discharging the contaminants that remain in these vast unprotected areas is immeasurable versus the risk of a flood discharging contaminants from the engineered and constructed EMFR. Any flood which might threaten the EMFR would have a devastating effect on integrity of hundreds of millions of dollars of remediation work that has been performed in the greater valley. Significant releases of contaminants could occur as a result of widespread flooding, but the source of such releases would not be the EMFR. Unfortunately, neither EPA nor DEQ have a tool in the box to easily address the risks associated with widespread flooding of the South Fork of the Coeur d'Alene River. We need the help and focused attention of flood control agencies at the national level. This is an issue that warrants EPA Headquarters focus and any assistance would be welcomed by both DEQ and the communities.

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Construction of the EMFR has been delayed for over a year. During that time, two independent EPA reviewers brought in at the request of the OIG concluded the technical work done by our staff and contractors' has adequately addressed the issues related to potential release of contaminants to groundwater in the area of the EMFR. We believe that the modeling work performed to-date demonstrates that the site is not a risk to groundwater. We also intend to monitor the site to make sure our determinations are correct. Further delay to the EMFR will not serve to further address or serve any productive purpose.

I understand that not all community members are in favor of EMFR. However, the studies and analysis completed to date demonstrate that EMFR is a technically acceptable location and design for storing waste material. DEQ and EPA must continue to address all community interests and issues concerning EMFR but at the same time it is imperative that we move the project forward for the protection of real people facing real ongoing risks.

Sincerely,



Toni Hardesty
Director

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