

LEADVILLE MINE POOL LEVELS PROGRESS UPDATE

TELEPHONE CONFERENCE

TUESDAY MAY 13, 2008

AGENDA

1. Introduction by Senator Tom Wiens

Lake County Board of County Commissioners (Hickman, Olsen, Karl), Martha Rudolph (CDPHE), Ann Humphries (Lake County Atty), Lambourn's Office (Joe Rawl), Carol Campbell (EPA), ECAO, Mike Ryan, Tom Wiens (State Senator), Herald Democrat (Media)

2. Update from Congressional Delegation Regarding Legislation and Appropriations

Colorado HB 1396 –Scanlon/Weins Bill has been passed and sent to Governor for signature. The bill provides \$325,000 to study existing studies to determine if Canterbury Tunnel is connected to the LMDT. If a connection is determined/identified early in the study process, the bill allows diverting money to the solution. CDPHE will be responsible for implementation. CDPHE is working with USGS on study options and will meet with them within the next month to develop study protocol - hope to initiate prior to receiving funding July 1.

Gibbs – Canterbury Study

Federal SB 2680 – Salazar – LMDT. No updates

HB 5511 Lamborn/Udall – LMDT. Hickman in DC last week for the (House) hearing and gave a summary. Hickman said by end of presentation no Congressionals were opposed to the bill. Only ones opposed were Reclamation and EPA. BOCC will submit written comments on the oral testimony for the record within the 10 day time limit.

3. Update from Lake County Commissioners

Olsen – drilling rig is on site. Conference call w/Allard and Salazar last week. During the call the BOCC was told Reclamation is having second thoughts on the remedy for OU6 specifically pertaining to the plug. This is the first BOCC were made aware of this development.

Hickman – have started the snow melt. Probably gotten 6-8 inches of snow today.

4. Progress Report on Immediate Work Commitments from Each Agency

a. **Report from Environmental Protection Agency (EPA)**

-Plan and scope of work of pipeline coming down to LMDT

-What is erosion control/re-vegetation plan and who will do it?

-EPA website update

-Pumping the Gaw status

-Drilling into the LMDT

-Technical issues:

What is proposed pumping rate of LMDT well?

Have pipeline specifications and engineering been completed for transmission of

water to LMDT plant?

Has pump for LMDT been sized and ordered?

What was the result of water quality test at monitoring well 46 & 66?

Is water from the surface being diverted down the Marion Shaft at present?

Additional technical issues

-Dye tracing of the Robert Emmet Shaft to trace water shift along fault lines, specifically the Pendery and Cloud City Faults.

-Water Quality standards update.

The drill rig is on site for the relief well – expect drilling to begin today but haven't received confirmation from the contractor. Will take several weeks from start to finish.

Pipeline work proceeding. Site will be re-contoured and re-vegetated after construction is completed.

Putting information on the Website.

Gaw pump is back online after shutdown for CDPHE California Gulch water testing.

Still working on establishing final pump rate - will depend on pump test. Have not finalized size of permanent pump – will also be based on pump test.

Water quality data from monitoring wells 46 and 66 has been sent to Reclamation and Lake County.

Surface water is flowing down Marian shaft. Estimate volume between 25,000-80,000 gallons per day based on temperature. Will get a total amount at the end of the year from automated monitoring stations. Most of the flow will probably come next week because of the forecast high of 60 degrees.

Contractor expects to be done laying pipe on the south side of the railroad tracks this week so that the railroad can start up May 24. Shooting for June 15 for everything to be up and running and pumping.

b. Report from Bureau of Reclamation (BOR)

-Increasing plant capacity/maximum pressure issues

What is the water quality of the water to be pumped behind the LMDT blockage?

Will the treatment plant need modification for this new contaminated water?

-Drilling into the LMDT

-List of technical issues to address and progress.

What is the status of access agreements and pipeline easement?

-Progress of Risk Assessment

-It is reported that BOR Commissioner, Bob Johnson, will be in Leadville this Thursday. The Commissioners would be pleased to meet with Commissioner Johnson, if asked.

Reclamation technical folks continue to work on several fronts. Reclamation continues to collaborate and coordinate with EPA on putting in short term relief efforts.

Expect treatment plant to be ready to receive water and treat it when the water comes.

Preparation of the risk assessment is on track for completion of draft by end of June for public review. Have asked for technical folks to contact the Regional Director at once if they find anything that indicates a significant risk to public health and the environment, so that actions can be initiated to address.

Question from Humphries on deadline for risk assessment timeline. Congressionals thought it would be done by June 1st. **Response** - The deadline is and has always been June 30.

Question from call between BOCC and Congressionals – Reclamation has recently stated a concern with the plug? **Response** - One of the reasons Reclamation is doing a risk assessment is to better understand the situation technically and what risks are there. The information received from the risk assessment will help evaluate remedy for OU6 as it pertains to the tunnel.

Question from Hickman – Please comment on 2 federal bills. **Response** - The Administration has presented its position with the testimony. If you do not have please let us know and we will get a copy to you.

Question from Hickman – Understand Commissioner Johnson will be in town Thursday? **Response** - He is considering making a trip because he is Denver for other business but he was not sure if he would be able to make it up to Leadville. **Hickman** - BOCC need to post public meetings 24 hours in advance and would like the Commissioner to give them a time for a meeting and can cancel if he can't make it.

Question from Olsen – Is Reclamation supporting remedy or are they changing their minds in the context of the ROD? **Response** - Risk assessment will help lead to an informed decision on future actions. Additional technical information has been made available since issuance of the ROD to help us make good decisions for long term decisions.

c. **Report from Colorado Department of Public Health and Environment (CDPHE)**

- Canterbury Tunnel analysis, including legal authority to perform work
 - Coordination with Parkville Water
 - Well drilling, cost and pump specifications
 - Long term maintenance of well: responsibility and funding
- Reducing surface water in Evans Gulch
 - Need engineering and costing
- Water quality analysis California Gulch.
- List of additional technical issues to address and progress
- What was the result of water quality testing when GAW pump was turned off?

Water quality samples were collected when the Gaw pump was turned off. Info will not be available for a couple of months. Looking at synoptic sampling as part of remedial action associated with Strayhorse Gulch and California Gulch. BCCO would like copies of the sampling data as soon as possible.

Hickman asked a question – you were at the Salazar hearing, please give a quick report on the (Senate) hearing? Hearing went well. Bureau gave the same type of testimony preferring to wait for the completion of the risk assessment then seek legislation. Not many questions asked. Not as active as the last week's (House) hearing.

Question Hickman to EPA on ROD – Does EPA still stand behind OU6 remedy? Yes, but like Reclamation, interested in the information from the risk assessment.

5. Funding Report

-Status of agency reviews of funding sources for both immediate and permanent
fix: EPA, BOR, CDPHE

EPA - Well and pipeline costing more than estimated but still have the money to pay for it. Currently at \$2.5 million. No possibility of stoppage of work.

Reclamation – no funding issues

CDPHE – OK with bill (State 1396) and with diverting funding if connection identified between tunnels. No other funding issues.

6. Legal Authority Report

-Are there any new legal authority issues identified by any of the agencies?

EPA – Reclamation and EPA still talking about authority issues and working together. Once long-term solution identified, further authorities may be needed.

Reclamation – Concur w/EPA

CDPHE - None

7. Date and time of next conference call

May 27 3:00 p.m.

*Ann Humphries will follow-up with the State congressional based on items from their last conference call, **trying to set up a meeting with all parties** within the first two weeks of June, and will assist BOCC with preparing written comments on last week's (House) hearing.*