Minutes and Discussion

Welcome - Roll Call

Last call was on 12/3/09. Activity has been slow because of the short time since the last conference call, and because of the holidays.

Any changes/comments to December minutes? Send to Reid’s e-mail address.

Discussion - Does the Subpart W website meet expectations with respect to type of information placed on website?

Travis Stills – settlement agreement letter and spirit contemplated a much broader and deeper set of documents on the website, similar to items that would be requested under a FOIA request. Reid explained that the website is not as complete as a rulemaking docket, and asked what else Travis would like to see on the website. Travis stated that the Plaintiffs would like to see all non-privileged documents while preparing Subpart W, and documents for ongoing work. Reid stated that to the best of his knowledge, it’s up on the website.

Sarah Fields – specific documents she would like to see posted. CCAT and RMCAA 8/2008 complaint and 10/2006 intent to file suit. A document references a Quality Assurance Program Plan – QAPP should be online as well. Other background documents on microfiche in DC (she
viewed them in DC). Sarah will send all this via e-mail to Reid. Were the people that prepared the documents contractors? Reid told her they are.

Paul Carestia – understands that 12 people on the Subpart W workgroup. Did workgroup contract out their work? Who reviewed/approved? Reid clarified the process, that the workgroup members are all EPA employees. After the contractor produces a document, the workgroup will review, revise or approve the work.

Sarah Fields – thinks radon should be addressed from other areas besides just tailings. Reid said she should e-mail comments/issues to him. Reid told her that he is bound by the provisions of the Clean Air Act and that we are to look at radon from mill tailings/ by product. Sarah also state that there should be a current enforcement action at the White Mesa Mill. There has been new cell construction, and no Subpart A construction approval request. 40 CFR Part 70.3b2…Title V. How is rulemaking affected by this?

Travis Stills – asked for an idea of where the Workgroup is and what we will be working on this quarter. (Reid - Research of legacy docket issues. Background information. Coordinating the reviews of the UMTRCA rulemaking and Subpart W. Trying to establish a timeline for tribal consultations.) Travis – overlapping documents should be on the website.

Date for meeting in Blanding, UT? No date yet, however, Reid would like to discuss venue with Sarah Fields.

Travis Stills - Dewatering of impoundments at Cotter. EPA needs to get a better idea of what goes on “on the ground”.

Phil Egidi – Surface impoundment is in the closure process, not operational. Cotter is making measurements, supplying reports to CDPHE. Phil is making visits to the site.

**EPA Activity before next call**

EPA will continue reviewing the risk assessment documents; research the legacy docket issue, the posting of contractor information, and alternatives to Method 115.

**Next call date and time**

Tuesday, April 6, 2010 at 11 AM EST
Call-in number: 866-299-3188
Conference code: 2023439563