Atlantic Richfield Company

Mike Mc Anulty Liability Manager

August 30, 2023

317 Anaconda Road Butte MT 59701 Direct (406) 782-9964 Fax (406) 782-9980

Nikia GreeneErin AgeeRemedial Project ManagerSenior Assistant Regional CounselUS EPA – Montana OfficeUS EPA Region 8 Office of Regional CounselBaucus Federal BuildingCERCLA Enforcement Section10 West 15th Street, Suite 32001595 Wynkoop StreetHelena, Montana 59626Denver, CO 80202
Mail Code: 8ORC-CDaryl ReedJonathan Morgan, Esq.

DEQ Project Officer P.O. Box 200901 Helena, Montana 59620-0901 Jonathan Morgan, Esq. DEQ, Legal Counsel P.O. Box 200901 Helena, Montana 59620-0901

RE: Butte Priority Soils Operable Unit (BPSOU) Unreclaimed and Insufficiently Reclaimed Sites Request for Change 2023-01

Agency Representatives:

On behalf of Atlantic Richfield Company, the BPSOU Unreclaimed and Insufficiently Reclaimed Sites Request for Change (RFC) 2023-01 is being submitted for review and consideration. The referenced RFC describes the interim field sampling approach to determine the extents of preliminary waste boundaries activities until a field X-ray fluorescence data regression method and path forward is finalized.

If you have any questions or comments, please call me at (907) 355-3914.

Sincerely,

Mike Mednulty

Mike Mc Anulty Liability Manager Remediation Management Services Company An affiliate of **Atlantic Richfield Company**



Atlantic Richfield Company

Mike Mc Anulty

Liability Manager

Cc: Chris Greco / Atlantic Richfield – email Josh Bryson / Atlantic Richfield – email Loren Burmeister / Atlantic Richfield – email Dave Griffis / Atlantic Richfield - email Jean Martin / Atlantic Richfield – email Irene Montero / Atlantic Richfield – email David A. Gratson / Environmental Standards – email Mave Gasaway / DGS – email Adam Cohen / DGS – email Brianne McClafferty / Holland & Hart – email David Shanight / CDM – email Curt Coover / CDM – email James Freeman / DOJ – email Amy Steinmetz / DEQ – email Dave Bowers / DEQ – email Katie Garcin-Forba / DEQ – email Jim Ford / NRDP – email Pat Cunneen / NRDP – email Katherine Hausrath / NRDP – email Ted Duaime / MBMG – email Gary Icopini / MBMG – email Becky Summerville / MR – email John DeJong / UP – email Robert Bylsma / UP – email John Gilmour / Kelley Drye – email Leo Berry / BNSF – email Robert Lowry / BNSF – email Brooke Kuhl / BNSF – email Lauren Knickrehm / BNSF – email Doug Brannan / Kennedy Jenks – email Matthew Mavrinac / RARUS – email Harrison Roughton / RARUS - email Brad Gordon / RARUS – email Mark Neary / BSB – email Eric Hassler / BSB – email Julia Crain / BSB – email Brandon Warner / BSB – email Abigail Peltomaa / BSB – email Eileen Joyce / BSB – email Sean Peterson/BSB – email Josh Vincent / WET – email Scott Bradshaw / W&C – email Emily Stoick / W&C – email



Atlantic Richfield Company

Mike Mc Anulty

Liability Manager

Pat Sampson / Pioneer – email Andy Dare / Pioneer – email Karen Helfrich / Pioneer – email Randa Colling / Pioneer – email Ian Magruder/ CTEC – email Joe Griffin / CTEC – email CTEC of Butte – email Scott Juskiewicz / Montana Tech – email

File: MiningSharePoint@bp.com - email BPSOU SharePoint - upload 317 Anaconda Road Butte MT 59701 Direct (406) 782-9964 Fax (406) 782-9980



ATLANTIC RICHFIELD COMPANY

RFC - REQUEST FOR CHANGE

DATE August 30, 2023	RFC NO. RFC-UR-2023-01 RFC-IR-2023-01	CONTRACTOR Pioneer Technical Services, Inc.	RFP NO. NA	
CONTRACT DESCRIPTION:		ATTENTION OF:		
Insufficiently Reclaimed Sites and Unreclaimed Sites Scope of Work, Appendix D, Attachment C, Section 7.0 and Section 8.0, respectively, of the BPSOU Consent Decree (EPA, 2020).		Nikia Greene and Daryl Reed		
SUBJECT: 2023 UR QAPP and 2023 IR QAPP Field Delineation of Extent of Waste				
OPERABLE UNIT: Butte Priority Soils Operable Unit (BPSOU) MAJOR WORK TASK:		REFERENCE DWG., P.O., TAG, SPECIFICATION NO. (FOR DEVIATIONS OR DEFICIENCIES) ETC:		
2023 Unreclaimed and Insufficiently Reclaimed Sites Remedial Boundary Delineation Procedure		BPSOU 2023 Final Unreclaimed Sites Quality Assurance Project Plan and BPSOU 2023 Final Insufficiently Reclaimed Sites Quality Assurance Project Plan		

PROBLEM DESCRIPTION:

Section 3.4 Field Delineation of Extent of Waste Sampling Objectives, as referenced in both the 2023 *Final Unreclaimed Sites Quality Assurance Project Plan* (2023 UR QAPP; Atlantic Richfield Company, 2023a) and the 2023 *Final Insufficiently Reclaimed Sites Quality Assurance Project Plan* (2023 IR QAPP; Atlantic Richfield Company, 2023b), describes additional field sampling and analysis to determine the extents of preliminary waste boundaries for proposal in site specific remedial action work plans (RAWPs). The procedure relies on field XRF analysis and stipulates a minimum laboratory confirmation sample frequency of 1 sample for every 20 field x-ray fluorescence (XRF) samples (or one per site). The minimum laboratory confirmation frequency was proposed with the assumption that field delineation of waste would occur in 2023, using approved XRF Field Limits (confirmed through regression analysis at a designated statistical confidence), as described in the technical memorandum *Field XRF to Laboratory Correlation and Regression Analysis Procedure for Unreclaimed (UR) and Insufficiently Reclaimed (IR) Sites* (Atlantic Richfield Company, 2023c). To allow additional time for Agency consideration of the proposed regression method and path forward, while also facilitating scheduled field remediation activities for 2023, this request for change (RFC) is proposed as described below.

2023 UR QAPP (SECTION 3.4) AND 2023 IR QAPP (SECTION 3.4) PROPOSED MODIFICATION:

In lieu of obtaining a minimum of 1 laboratory confirmation sample for every 20 field XRF samples (or one per site), laboratory confirmation sample frequency for field delineation of waste will follow logic as described in Section 3.2 of the respective 2023 QAPP and summarized as provided in Attachment 1 (Unreclaimed Sites) and Attachment 2 (Insufficiently Reclaimed Sites). The modification, as proposed, allows Atlantic Richfield Company to use laboratory-generated data to delineate waste boundaries where field XRF concentrations are near the required action limits. Field XRF data may still be used to delineate waste boundaries, but only where exhibited concentrations are outside the pertinent action level confirmation boundaries (plus or minus 35% Unreclaimed areas or plus or minus 25% Insufficiently Reclaimed areas).

Upon Agency approval, changes described herein will be implemented for scheduled field remediation activities until the proposed regression method and path forward are finalized. A preliminary list of sites where the proposed method may be implemented in 2023 includes but is not limited to UR-39/BRES No. 08, BRES No. 37, BRES No. 38, UR-01, and UR-40. Additional sites may be identified and communicated to the Agencies prior to implementation. All field XRF and laboratory data will be presented in site-specific RAWPs, to support Agency approval of proposed boundaries. Final data will be presented in site-specific construction completion reports.



REFERENCES:

- Atlantic Richfield Company, 2023a. Butte Priority Soils Operable Unit (BPSOU) 2022 Final Unreclaimed Sites Quality Assurance Project Plan. Atlantic Richfield Company. June 14, 2023.
- Atlantic Richfield Company, 2023b. Butte Priority Soils Operable Unit (BPSOU) 2023 Final Insufficiently Reclaimed Sites Quality Assurance Project Plan. Atlantic Richfield Company. June 14, 2022.
- Atlantic Richfield Company, 2023c. Butte Priority Soils Operable Unit (BPSOU) Field XRF to Laboratory Correlation and Regression Analysis Procedure for Unreclaimed (UR) and Insufficiently Reclaimed (IR) Sites. Prepared by Pioneer Technical Services, Inc. July 3, 2023.
- EPA, 2020. Consent Decree for the Butte Priority Soils Operable Unit. Partial Remedial Design/Remedial Action and Operation and Maintenance. U.S. Environmental Protection Agency. February 13, 2020. Available at <u>https://www.co.silverbow.mt.us/2161/ButtePriority-Soils-Operable-Unit-Conse</u>.

ATTACHMENTS:

Attachment 1: 2023 Unreclaimed QAPP Laboratory Confirmation Sample Submittal Evaluation Logic

Attachment 2: 2023 Insufficiently Reclaimed QAPP Laboratory Confirmation Sample Submittal Evaluation Logic

	 Design Deficiency X Engineering Change Request X Agency Directive Construction Deficiency Schedule 	 Material Substitution Vendor Material Deficiency Scope Clarification/ Information Other Final Design Document 			
RESPONSE/DIRECTIVE					
Project Manager	at Som	Date	08/30/2023		
Atlantic Richfield Co. Representative Mike Mclwulty			08/30/2023		
EPA Representative					
DEQ Representative					
 Cc: Chris Greco / Atlantic Richfield – email Josh Bryson / Atlantic Richfield – email Loren Burmeister / Atlantic Richfield – email Dave Griffis / Atlantic Richfield – email Jean Martin / Atlantic Richfield – email Irene Montero / Atlantic Richfield – email David A. Gratson / Environmental Standards – email Mave Gasaway / DGS – email Adam Cohen / DGS – email Brianne McClafferty / Holland & Hart – email David Shanight / CDM – email Curt Coover / CDM – email James Freeman / DOJ – email Amy Steinmetz / DEQ – email Dave Bowers / DEQ – email 					

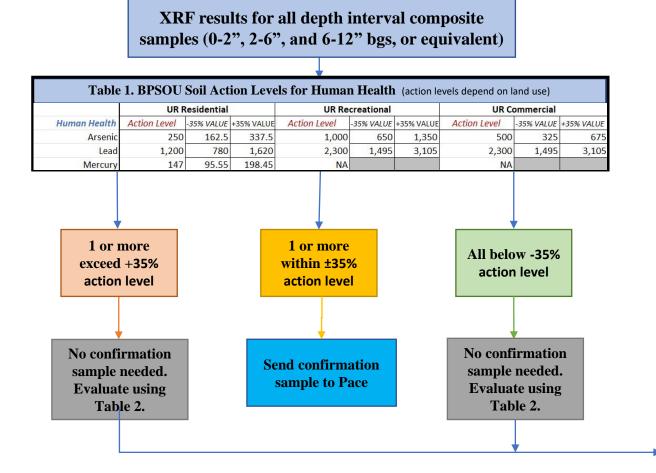


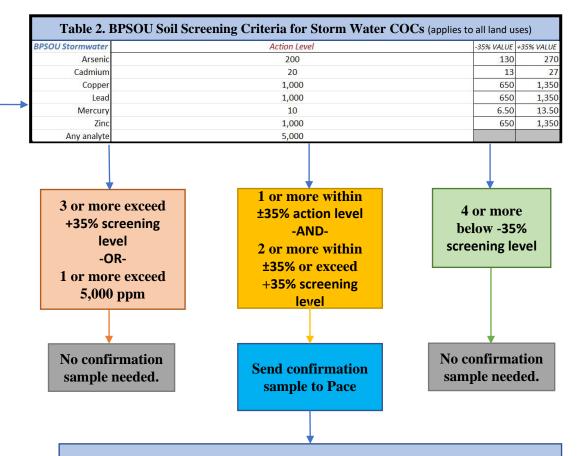
Carolina Balliew / DEQ - email Katie Garcin-Forba / DEQ – email Jim Ford / NRDP – email Pat Cunneen / NRDP – email Katherine Hausrath / NRDP - email Ted Duaime / MBMG – email Gary Icopini / MBMG - email Becky Summerville / MR - email John DeJong / UP – email Robert Bylsma / UP – email John Gilmour / Kelley Drye - email Leo Berry / BNSF – email Robert Lowry / BNSF - email Brooke Kuhl / BNSF – email Lauren Knickrehm / BNSF - email Doug Brannan / Kennedy Jenks - email Matthew Mavrinac / RARUS - email Harrison Roughton / RARUS - email Brad Gordon / RARUS – email Mark Neary / BSB - email Eric Hassler / BSB - email Julia Crain / BSB – email Brandon Warner / BSB – email Abigail Peltomaa / BSB - email Eileen Joyce / BSB – email Sean Peterson/BSB - email Josh Vincent / WET – email Scott Bradshaw / W&C - email Emily Stoick / W&C - email Pat Sampson / Pioneer – email Andy Dare / Pioneer - email Karen Helfrich / Pioneer - email Randa Colling / Pioneer – email Ian Magruder/ CTEC – email Joe Griffin / CTEC – email CTEC of Butte – email Scott Juskiewicz / Montana Tech - email

File: MiningSharePoint@bp.com - email BPSOU SharePoint - upload RFC Logbook



2023 Unreclaimed Sites Quality Assurance Project Plan (QAPP) Laboratory Confirmation Sample Submittal Evaluation Logic



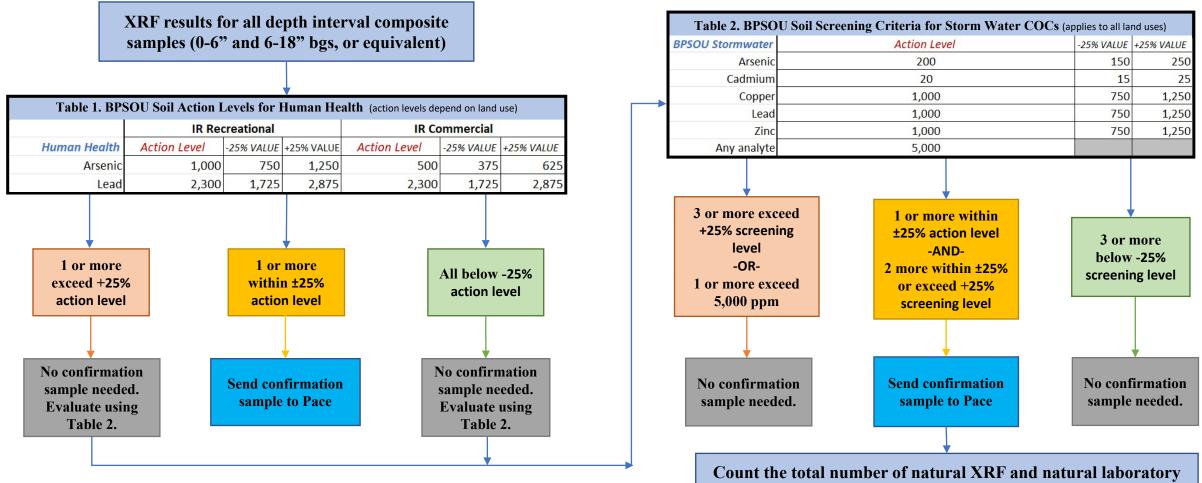


Count the total number of natural XRF and natural laboratory samples *for each site*. Ensure a minimum of 1/20 (5%) XRF samples collected are submitted for laboratory confirmation. If the 5% minimum is not met, randomly select additional XRF samples to send to Pace for confirmation.

When XRF results are <LOD, compare error value to ±35% action/screening level.

Note:

2023 Insufficiently Reclaimed Sites Quality Assurance Project Plan (QAPP) Laboratory Confirmation Sample Submittal Evaluation Logic



samples *for each site*. Ensure a minimum of 1/20 (5%) XRF samples collected are submitted for laboratory confirmation. If the 5% minimum is not met, randomly select additional XRF samples to send to Pace for confirmation.

When XRF results are <LOD, compare error value to ±25% action/screening level.

Note: