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Approval letter for the Butte Priority Soils Operable Unit (BPSOU) Draft Final Solid Media Management Program Plan (dated August 1, 2022)

Nikia Greene

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**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
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Ref: 8MO

November 30, 2022

Mr. Mike McAnulty
Liability Manager
Atlantic Richfield Company
317 Anaconda Road
Butte, Montana 59701

Re: Approval letter for the Butte Priority Soils Operable Unit (BPSOU) Draft Final Solid Media Management Program Plan (dated August 1, 2022)

Dear Mike:

The U. S. Environmental Protection Agency (EPA), in consultation with the Montana Department of Environmental Quality (DEQ), is approving the *Draft Final Solid Media Management Program Plan*, with minor comments below. Please address these comments and distribute the document as final. In addition, please update links to documents in the appendices as they become approved by agencies.

Comments

- General. While the SMMP does discuss institutional controls (ICs), specifically “BSB ordinances and access controls”, and is believed to be sufficiently addressed within text, EPA is concerned that activities relating to the BSB Excavation Ordinance is not specifically addressed appropriately within the Unreclaimed quality assurance project plan (QAPP), Reclaimed Areas Monitoring and Maintenance Plan, or the Residential Metals Abatement Program (RMAP) (Non-residential or Residential) QAPPs. The ICIAP (Appendix E to the 2020 CD) Section 3.1.4 states “The procedures for sampling and analysis of excavated materials are provided in the Atlantic Richfield 2018 *Final Unreclaimed Sites Quality Assurance Project Plan* and/or the *Atlantic Richfield Final Reclaimed Areas Maintenance and Monitoring Quality Assurance Project Plan*. BSB shall report on the monitoring and enforcement of the Excavation Ordinance on a yearly basis...”. Because sampling/investigation may occur on properties because of the BSB excavation ordinance policies/procedures, greater detail should be added into each of the QAPPs listed, including the RMAP QAPPs, specifically regarding the data quality objectives (DQOs) and sampling design relating to the BSB excavation ordinance. Please include detailed sampling framework discussion and language to DQOs addressing activities related to the BSB Excavation ordinance into future revisions of the affected QAPPs.

- Section 4.0, Unreclaimed Areas. Please reword the fourth sentence of the first paragraph to read: “Most sites identified as insufficiently reclaimed were sites where reclamation took place prior to the establishment of the BHRS (BPSOU CD).”
- Section 5.0, Residential Metals Abatement Program. Please modify the third sentence of the second paragraph to read as follows: “Although the areas outside of the BPSOU *and WSSOU are generally* not historically associated with...”
- Section 8.0, Data Management. Please update the date in the citation in Section 8 and in the reference section for the data management plan. The approved data management plan was submitted to the EPA on May 2, 2022.
- Figures. Figure 2 of the SMMP does not match the RMAP boundaries of Figure 2 in Appendix E of the Consent Decree. Please revise and attach all of the figures prior to the distribution of this plan.

If you have any questions or concerns, please call me at (406) 457-5019.

Sincerely,

Nikia Greene
Remedial Project Manager

cc: (email only)
Butte File
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