

Responsiveness Summary

Matterhorn Mill Non-Time Critical Removal Action EE/CA

Public Comment Period – May 29, 2020 through June 28, 2020

1. INTRODUCTION

The US Forest Service (USFS) Grand Mesa, Uncompahgre, and Gunnison (GMUG) National Forests (NF) solicited comments on the Matterhorn Mill Non-Time Critical Removal Action Engineering Evaluation/Cost Analysis (EE/CA) (2013, HRL Compliance Solutions, Inc.) and the USFS 2020 Amendment during a public comment period that began on May 29, 2020 and ended on June 28, 2020.

The preferred alternative for the site was amended to select Alternative 2A as the preferred alternative. The amendment was made to allow the mill structure to be made available for a County restoration effort at a rough cost of \$198,000. This alternative includes:

- Removal of mill waste from inside the mill building and consolidation with tailings
- Removal of contaminated soil berm and consolidation with tailings
- Consolidation of County-owned tailings with USFS owned tailings
- Grading and revegetation
- Controlling surface water flow around reclaimed tailings

The USFS GMUG NF received five written comments during the public comment period. The USFS GMUG NF did not hold a public meeting due to COVID-19 San Miguel County Public Health social distancing and crowd-size limitations. The USFS responses to those comments are provide in Section 1.3 below.

1.1 Community Involvement Background

It is the intent of USFS that the citizens of Colorado have the opportunity to be actively involved in the USFS decision-making process with respect to USFS Comprehensive Environmental Response Compensation and Liability Act (CERCLA) sites. Cleanup at the Matterhorn Mill Site is being addressed as a non-time critical removal action site in accordance with CERCLA, with the USFS as the lead Federal agency.

1.2 Notification of Public Comment Period

Printed notices of availability for the Matterhorn Mill EE/CA report were published in the *Telluride Watch*, the *Telluride Daily Planet* and the *Norwood Post* weekly newspapers, a Fact Sheet was mailed to San Bernardo and Lake Fork subdivision residents, and the EE/CA report was provided for public review on the USFS GMUG NF website.

1.3 Explanation of Responsiveness Summary

All comments received during the public comment period on the Matterhorn Mill EE/CA report have been reviewed and considered by USFS in the decision-making process and are addressed in this Responsiveness Summary. To assist in developing responses, USFS combined comments of similar topics and paraphrased the written comments received during the Public Notice period.

Comment 1: Although commenters support the preservation of the mill building and cleanup of wastes currently located on site, they are not in favor of importing and storage of off-site mine or “toxic” wastes for the following reasons:

- a) The site is located below Hope Lake and Trout Lake reservoirs which are subject to breaching and washing tailings into the Lake Fork;
- b) The tailings are subject to be washed into the Lake Fork by the breach of the PSCo penstock, which is over 100 years old and has had many breaks in it over the last 50 years;
- c) The site is located adjacent to the Lake Fork of the San Miguel River, a critical water source located at the top of the watershed;
- d) The site is located adjacent to the San Bernardo residential community, “that already has a high level of background radiation, heavy metal and toxic dust blowing around”;
- e) The site is located upstream of the Lake Fork subdivision. Any imported mine wastes are subject to contaminating the Lake Fork drinking water well which has a shallow (less than 10 feet deep) groundwater infiltration gallery located 15 feet from the Lake Fork, in addition to the existing Butterfly mine and tailings located below the Matterhorn Mill site next to the Lake Fork, and the Roanoke Tailings pile that already threatens the domestic drinking water supply from the Howard Fork;
- f) The site is accessed from roads that already experience high volumes of traffic;
- g) The Matterhorn Mill EE/CA does not address the “Offsite Mine Waste Repository”;
- h) The site is recognized as a designated historic site. As such, the importation of off-site tailings undermines the historic integrity of the site;
- i) The site has had, and will continue to spend, considerable public funds to rehabilitate and preserve the Matterhorn Mill. Importation of off-site tailings would run the risk of converting a rehabilitated historic site into an off-site waste deposit site;
- j) There must be other, less sensitive sites that could handle off-site tailings that are not in direct proximity to an historic site;
- k) The site enjoys consistent access and viewing by the regional community, which is likely to increase once rehabilitated and conveyed to San Miguel County; and
- l) Importation of off-site tailings would be a concern for the safety and welfare of the visiting public.

Response 1: The Matterhorn Mill EE/CA addresses the cleanup of mill wastes located inside the mill building to be consolidated and remediated with two existing tailings features and contaminated soil located outside the mill building. In an effort to be transparent and proactive, the USFS Matterhorn Mill Fact Sheet intended to inform the public of *potential future plans* being considered to import mine waste to the property to construct another mine waste repository.

Any project that may be the source of mine waste to be considered for storage at the Matterhorn Site is required to have its own EE/CA performed, along with associated Community Involvement Plan and Public Notice and Public Comment Period. Should the Matterhorn Mill Site be considered as the location for an “Off-site Mine Waste Repository”, comments regarding such will be addressed as part of a future EE/CA public comment period for the project from which the source of those mine wastes originate.

Comment 2: It was understood that the Matterhorn Mill EE/CA “mill waste consolidation” applies to tailings on the Matterhorn Mill Site property and the adjacent real property owned by San Miguel County and known as the “Pathfinder Gravel pit”.

Response 2: To clarify, the Matterhorn Mill EE/CA “mill waste consolidation” refers to removing mill wastes located inside the mill building, and excavating tailings located in the “settling pond” and

contaminated soil berm, and consolidating them with the primary tailings pile located on the Matterhorn Mill Site property. The tailings located in the “settling pond” and contaminated soil berm are located on property owned by San Miguel County, situated immediately west of the Matterhorn site.

The Pathfinder Gravel Pit, also owned by San Miguel County, is a separate parcel located to the north of the Matterhorn Property. There are no mine wastes from the gravel pit that will be consolidated with the Matterhorn Mill tailings. Any non-mineralized material taken from the gravel pit may be used for road construction, cap material or plant growth material for tailings remediation.

Comment 3: There is a concern that migration of mine wastes from the Matterhorn Mill Site may contaminate two groundwater drinking water supply wells at the downstream Lake Fork subdivision. It was requested that the most thorough alternative, i.e., Alternative 3A, be selected to ensure that the domestic use water quality stays the same or improves.

Response 3: As presented in Section 6.1 of the Matterhorn Mill EE/CA, both Alternatives 2 and 3 were considered equally effective with respect the following criteria:

- a) Compliance with the Remedial Action Objectives, i.e., reduce actual or potential exposure of site workers and the general public to the threats posed by mill wastes inside the mill building; prevent or reduce actual or potential exposure of humans and the local biotic community from direct contact with tailings within the settling pond and contaminated soil such that no land use restrictions would be placed on the lands on which the settling pond and berm are located; prevent or reduce actual or potential exposure of human and the local biotic community from direct contact with tailings around the outside of the mill building and within the tailings pond; prevent or reduce the potential of off-site migration of contaminants as a result of erosion and mass wasting processes; reduce the potential for generation of leachate in the tailings at the tailing pond and settling pond as a result of direct infiltration of precipitation and precipitation runoff; protect the stability and integrity of the mill building and its contents; maintain natural character of the mill site to the maximum extent practical; satisfy state and federal ARAR’s.
- b) Overall protection of human health and the environment;
- c) Long-term effectiveness and permanence;
- d) Reduction of toxicity, mobility or volume; and
- e) Short term effectiveness.

In addition to increased costs, the disadvantage of Alternative 3 requires the *disturbance of all the mine waste and contaminated soil on site* during excavation, transportation and placement in a different, nearby location. This additional disturbance is subject to creating additional volume, as the materials are loosened from the original compacted location and moved. Alternative 3 requires the materials to be handled multiple times prior to being compacted in the new location. The hazards associated with additional handling, worker and environmental exposure, and costs were considered in addition to anticipated long-term benefits of a more robust repository.

The USFS considers Alternative 2A the preferred alternative for the Matterhorn Mill Site.