*#**2**--article to be published in November issue of Rawhide*

EPA Responds to Spokane Tribe's Questions – Part Two

In late April 2000, EPA held a meeting at the Spokane Tribal Long House to talk about Midnite Mine and present the initial results of the 1999 environmental sampling. The Agency for Toxic Substances and Disease Registry (ATSDR - a federal health agency) presented information on radioactivity and health. At the conclusion of the meeting, Tribal and community members requested that EPA follow up with written responses to their questions and input.

The following is the second part of a two part series of questions and answers to fulfill this request. The first part was printed in last month's Rawhide. If you have any additional questions or concerns about this article, please contact Elly Hale, EPA Project Manager, (206) 553-1215 or Debra Packard, Community Involvement Coordinator, (206) 553-0247. For issues outside EPA's authority, we have provided contact names and numbers in the text below.

EPA's next meeting with the tribe is planned for January 2001. At this point, we have not yet set a time, date, place, or agenda. A postcard with this information will be mailed as soon as specific details are confirmed; please stay tuned.

1. **How toxic is the sludge that results from water treatment at Midnite Mine?**

The sludge generated by the process of removing contaminants in water collected at the mine is called "filtercake." It contains metals, including radioactive metals like uranium and thorium. It also contains chemicals that are used during the water treatment process to cause the contaminating metals to settle to the bottom and to correct the acidity of the water. It does not have characteristics (such as toxicity, persistence, carcinogenicity, corrosivity, ignitability, reactivity) that would cause it to be treated as "hazardous waste." However, because the filtercake contains radioactive materials, it is regulated by the Nuclear Regulatory Commission through the Washington Department of Health (DOH). It does not contain enough radioactive material to be regulated by the U.S. Department of Transportation.

2. **This waste travels through the center of the reservation in open trucks. Given the possibility of an accident or a spill, what precautions are being taken and who is responsible?**

The filtercake comes out of a press that removes excess water. When it

is loaded on the trucks, it is compact and moist, so it shouldn't be wet enough to slosh or dry enough to generate dust.

Dawn Mining Company employees transport the filtercake to the mill in dump trucks, covered by a tarp. Loaded trucks pass through Wellpinit twice a day while the treatment system is operating. The treatment system shuts down in the wintertime when roads cannot be used safely.

Dawn truck drivers are instructed not to exceed 20 miles per hour on the dirt haul road and are subject to speed limits on the paved road. Dawn developed a spill response plan in the event that a truck were to tip over and spill filtercake. A spill response kit and radio communication are elements of this plan. In the event of a filtercake spill, Dawn is responsible for addressing the spill and notifying agencies and the Tribe.

3. Since closed trucks exist, why aren't they being used to transport the filtercake?

The Washington State DOH regulations do not currently require the use of closed trucks. A fully enclosed tanker truck would be one way to improve the current transportation method. While the risk of an accident would not change with a fully enclosed tanker truck, the risk that the accident would result in a spill of filtercake would be reduced. Changing to a tanker truck would require a modification to the current loading system, at considerable cost. Fully enclosed tanker trucks have smaller capacity, so more truckloads would be necessary.

4. What health risks are associated with the radioactive dust generated by the unpaved roads between Midnite Mine and the paved highway? Is there some way to minimize exposure when driving on the road?

The two dirt roads of concern are the mine access road on the west side of the mine and the haul road leading from the treatment system to the paved highway. The gravel used for these roads came from crushed rock at the mine, and it appears to have elevated levels of radiation.

Dust raised by cars and trucks when the roads are dry could pose a risk if inhaled. The amount of risk depends on the size and radioactivity of the particles, as well as how much is inhaled and how often. With radiation, however, there is some potential risk at any level of exposure.

The best way to minimize risk is to minimize exposure. EPA hopes that the Spokane Tribe will help get the word out to users of the mine roads: ***Use these roads only if necessary, and keep your speed low and your windows closed.***

5. Watering or oiling the roads is common practice to minimize dust from logging roads and was common practice while the mine was active. Why isn't this done now?

EPA is discussing this question with the Spokane Tribe, Dawn, and the DOH. The purpose of watering or oiling would be primarily to protect workers, who use the roads daily, and to minimize air impacts from transport trucks. Currently workers use both the east access and west haul road (the two dirt roads of concern in question #4). Trucks use the east haul road to transport reagent chemicals to, and filtercake from, the treatment system.

Watering must be done frequently during dry weather, and some longer lasting dust suppressants, such as oil and other treatments, may have environmental impacts. This summer, Dawn worked with the Tribe to select an acceptable road treatment and applied it on the east haul road. Workers at the site may want to minimize their exposure to mine road dust by using the east haul road for site access. Others who periodically visit the site should take common sense measures to keep their exposure to a minimum until a permanent solution to this problem is reached.

When field activities are not underway, EPA and its contractors visiting the site minimize their exposure by keeping enough distance between vehicles to allow most of the dust to settle, keeping their windows closed, re-circulating the air in the car, and driving slowly. For occasional visitors, these precautions should be adequate until the roads are reclaimed.

6. What are the results of the road survey done last summer? Did the surveyors remove the radioactive material they found? If not, are these areas marked so tribal members will know where they are?

The road survey was conducted in late September of 1999. When EPA received the draft report in November, a copy was provided to the Spokane Tribe Department of Natural Resources.

The study involved driving a van with radiation measuring equipment along Turtle Lake-Sand Creek road (which is not impacted by the mine) and then along the road between Midnite Mine and the Dawn Mill (used to haul uranium ore.) The equipment picked up areas where radiation was higher than the overall levels seen in non-impacted areas. At these sites, the van was stopped and a handheld instrument was used to determine the exact location and nature of the radioactive material. In some cases, the source of the radiation appeared to be natural granite outcrops. Where the road passed through Wellpinit, our measurements did not appear to indicate any spilled ore.

About 17 locations were identified as having elevated radiation that did not appear related to granite outcrops. Most of the 17 locations were clearly

the result of spilled ore along the main road. One location was at a private driveway which was possibly covered with gravel from the mine. The 17 locations identified in the study were not marked, but their locations were recorded relative to numbered utility poles. EPA has since had its contractors obtain Global Positioning System readings to document the locations of spilled ore until they can be removed. The areas are not currently marked, but interested citizens can contact EPA or the Department of Natural Resources for more information about the ore.

7. **The road from Midnite Mine to Dawn Mill was regraded and paved in the 1970s. Before that, it was an exposed gravel road. Could spilled ore be below the surface of the current roadway? If so, could this threaten residential wells along the road corridor? Does the pavement on the current road limit the migration of radioactive material? What about material beyond the edge of the paving? Is EPA considering this?**

EPA has not made a decision about how to approach this complicated issue. EPA has started working with the Spokane Tribe and other agencies to gather information to determine: (1) where the old road grade is (if different from the current grade), (2) where water supply wells are located compared to the current and former road grade, (3) how the paving on the road may or may not "seal off" water and prevent radioactive materials from migrating, (4) whether testing in a tiered manner (looking for problems in the most likely places) might be appropriate, and (5) who should be responsible for such testing, if it is considered necessary.

8. **What criteria will guide our cleanup of the materials spilled along the road?**

EPA does not have a specific cleanup level or plan at this time. It may be possible to remove obvious ore spills. Gravel from the mine used for roads and driveways may require a different approach. EPA will continue to gather information and consult with the Tribe before deciding whether to address the ore and gravel as part of the overall Midnite Mine cleanup or in an earlier action.

9. **How does the cut in EPA’s budget for work at this site affect the time line, the goals for clean-up, and the activities planned for the short and long term?**

EPA's main effort is the study of Midnite Mine, including areas where mine-related contamination may have migrated. Initial work has been completed with two rounds of data collection in Fall 1999 and Spring 2000. EPA planned to conduct additional field sampling in Fall 2000. Due to funding constraints

this year, EPA was concerned that this work would be delayed until Spring 2001. EPA proceeded with planning in hopes that funds would be obtained, and at the end of summer obtained the funds when a competing project was funded from a separate source. As of the end of November, EPA has completed Phase 2 field work. As for long term funding, EPA will seek the funding necessary to assure that the study and cleanup proceeds as quickly as possible. Until the United States Congress acts to reinstate the tax that created the Superfund, the amount of funding available for cleanups across the nation is limited. Ultimately, if EPA funds are needed for cleanup, this site will be prioritized with others across the nation for cleanup funding.

10. Can the most dangerous areas of the site be identified now, before the cleanup is complete, so that people know what is really hazardous?

As noted above, EPA is gathering information about the mine, roadside ore, and areas such as Blue Creek where mine-related contamination may have spread. At this point, EPA doesn't know which specific areas of the site pose the greatest risk. Assessing risk is a complex process and depends on several interrelated factors. These include which chemical and radioactive materials are at the site and at what levels, how people are exposed to those materials, and the frequency and duration of the exposure. For this reason, it is best that people limit their use of Midnite Mine and the dirt roads leading to and from the mine while EPA completes its study.

11. The area in and around Midnite Mine is a central part of the reservation. Even though there are signs posted to discourage access, Tribal members will likely continue to go into this area. How can EPA say "stay off" when it is our land?

EPA often restricts access during Superfund studies to protect human health and the environment and has posted signs and installed locks on gates to advise visitors of potential site hazards. However, infrequent access to the site is not likely to pose a high risk if people are not drinking the water, touching the soil, or breathing in a lot of dust. The only way to ensure zero risk from the site, however, is to stay away entirely. EPA hopes people will recognize the risks posed by contaminants at the site and will observe the signs, fences, and gates until EPA completes its study and cleanup.

FOR MORE INFORMATION

Documents related to the Midnite Mine Superfund site and the Remedial Investigation and Feasibility Study currently underway can be found at the following locations:

Spokane Tribe Natural Resources Department
Wellpinit, WA

or

EPA Region 10 Records Center
Seventh Floor
1200 Sixth Avenue
Seattle, WA 98101
(206) 553-1200

If you have any questions or concerns, please feel free to contact EPA.

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EPA can also be reached by calling toll-free
1-800-424-4372

To ensure effective communication with everyone, additional services can be made available to persons with disabilities by contacting one of the numbers above.