

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D. C. 20460

OFFICE OF  
SOLID WASTE AND EMERGENCY  
RESPONSE

The Honorable James A Gibbons  
House of Representatives  
100 Cannon House Office Building  
Washington, D. C.

Dear Congressman Gibbons,

Thank you for your August 17, 1998 letter to the Administrator regarding the Agency's site visit to the Barrick Goldstrike mine on August 17 and 18, 1998. Your letter requested clarification of why the Agency was visiting a mine which is generating wastes exempted from regulation under RCRA Subtitle C as a result of the Bevill exemption.

I am sorry for any confusion that occurred as a result of our site visit This visit to the Barrick Goldstrike mine was the result of a longstanding offer from the company to visit their facility so that we would have a better understanding of waste generation and management at world-class gold mines The purpose of our visit to Barrick Goldstrike was to learn more about mining operations and was not an official compliance inspection. While on site, the staff of Barrick Goldstrike were very cooperative and assisted US in our information collection, We very much appreciate this cooperation

As our office is responsible for interpretations related to the Bevill exemption, we are frequently asked by states and mining companies to issue regulatory interpretive letters which clarify whether a particular waste stream is or is not exempt from being regulated as a hazardous waste under the Bevill exemption. To better serve our customers, we believe it is important that we visit mining operations on a regular basis to collect information about their operations and waste management practices to assure that we make informed decisions regarding the Bevill status of wastes For this reason, we have conducted 10 site visits similar to the visit to Barrick Goldstrike since 1991 as part of our ongoing information collection activities related to our Bevill responsibilities. Our site visit to Barrick Goldstrike was a continuation of these activities.

Your letter also raised concerns related to Title V of the Clean Air Act Our site visit to Barrick Goldstrike was not related in any way to regulations developed or

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being developed under authority of the Clean Air Act I appreciate your concerns regarding implementation of the Clean Air Act and have forwarded your letter to the Office of Air and Radiation which will address your concerns in a separate cover letter

Thank you for your interest in the Agency's mining activities If you have further questions regarding our mining program, please contact Robert Dellinger, Director, Municipal and Industrial Solid Waste Division. Office of Solid Waste at 703-308-8254

Sincerely,

Elizabeth A. Cotsworth  
Acting Director