

Atlantic Richfield Company

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August 30, 2007

Mr. Jim Sickles and Ms. Nadia Hollan-Burke
Remedial Project Managers
USEPA Region 9
75 Hawthorne Street
San Francisco, CA 94105

Subject: Transmittal of the Draft Process Areas Remedial Investigation Work Plan for the Yerington Mine Site, Lyon County, Nevada: Administrative Order for Remedial Investigation and Feasibility Study, EPA Docket No. 9-2007-0005

Dear Mr. Sickles and Ms. Hollan-Burke:

This letter transmits Atlantic Richfield Company's ("ARC's") Draft Process Areas Remedial Investigation Work Plan ("Work Plan") for the Yerington Mine Site ("Site") in accordance with the requirements of the Scope of Work attached to the Administrative Order for Remedial Investigation (RI) and Feasibility Study (FS) dated January 12, 2007 issued to ARC by the U.S. Environmental Protection Agency ("EPA"). Two appendices to the Work Plan are provided as hard copies: A - Human Health Risk Assessment Work Plan and C - Habitat Survey and Screening Level Ecological Risk Assessment Work Plans. The remaining appendices are provided in electronic format (PDFs on compact disc). Your original copy contains a compact disc with the entire document in PDF format for posting on EPA's web site. If Work Plan recipients are unable to print out the appendices, they may contact Brown and Caldwell for hard copies.

Section 6.0 of the Work Plan, the Field Sampling and Analysis Plan ("FSAP"), describes a phased approach to conducting the investigations, which will ensure the most efficient use of resources and available data. Specifically, ARC requests the design of the next phase of soil sampling in the Process Areas include consideration of: 1) the existing soils data described and interpreted in the attached Work Plan; 2) the integrated results of EPA's and ARC's radiometric surveys in the Process Areas; and 3) the results of the background soils sampling recently completed at EPA-approved representative locations in the alluvial fan materials immediately west of the Site. In addition, the phased approach to soils investigations is important for characterization activities beneath the footprints of certain structures, process components and buildings in the Process Areas for which there is an indication that there may have been releases from those structures, process components or buildings into underlying soils. None of these features are owned by ARC, and it is ARC's belief that: 1) these features are owned by the Arimetco bankruptcy estate subject to bankruptcy court jurisdiction; and 2) ARC does not have the legal authority to disturb these features absent bankruptcy court approval. Once this issue is resolved, ARC will be able to pursue the required soils investigations beneath these features.

ARC also proposes to use final screening levels for soils characterization activities in the FSAP that will be developed from the results of the background soils study and the statistical comparison of the background data with existing Process Areas soil data. This approach requires ARC to submit an addendum to this Work Plan. ARC anticipates that such an addendum would be submitted prior to March 31, 2008, which fits with the proposed schedule for the phased implementation for soils investigations under the FSAP.

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Finally, ARC wishes to respectfully state for the record that it continues to disagree with EPA's requirement that AR utilize residential PRGs as soil sampling screening criteria because residential PRGs are not consistent with the industrial nature of the Site and the interests of local government (City of Yerington and Lyon County) to reuse the Site for mining, and light industrial and commercial re-development. Therefore, ARC reserves all of its rights under CERCLA relating to costs it will incur relating to increased step-out sampling required as a result of EPA's decision to require the use of residential PRGs, including ARC's right to seek reimbursement of such costs under section 106(b) of CERCLA. Please include a copy of this letter in the administrative record for the Site.

Please contact me at (661) 287-3855 if you have any questions regarding the attached draft Work Plan.

Sincerely,

Chuck Zimmerman for

Roy I. Thun
Environmental Business Manager

cc: Tom Olsen (BLM)
Joe Sawyer (NDEP)
Mark Evans (ATSDR)
Tad Williams (Walker River Tribe)
Duane Masters (Yerington Paiute Tribe)
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