



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105-3901

OFFICE OF THE
REGIONAL ADMINISTRATOR

DEC 8 0 2004

Leo M. Drozdoff, P.E.
Administrator
Nevada Division of Environmental Protection
333 W. Nye Lane
Carson City, Nevada 89706

RE: **NDEP Request for Change to EPA Oversight of the Yerington Mine Under Section 106**, dated December 10, 2004

Dear Mr. Drozdoff:

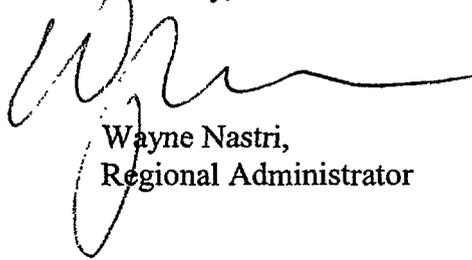
Thank you for your letter requesting our support at the Yerington Mine. We are willing to proceed as the lead regulatory Agency using our authority under CERCLA Section 106. My staff and management look forward to working out the details of how we can facilitate the transition and ensure continued site operations.

US EPA, Nevada Division of Environmental Protection (NDEP) and U.S. Bureau of Land Management (BLM), which signed the Memorandum of Understanding (MOU) March 28, 2002, have made progress working together on the Yerington Site. Our goal is to build on the progress which has been made. We agree that the situation at the Yerington Site is more complex than when the MOU was signed and that designation of a lead agency will improve progress. We will work to keep NDEP and BLM directly involved and informed as we proceed with the characterization and cleanup.

Your letter mentions the current cooperative relationship between Atlantic Richfield Company and NDEP. We hope to continue that relationship as we move forward under Superfund authorities. While we do not presently see the need to place the site on the Superfund National Priorities List, we must reserve the option to consider listing the site if it becomes necessary in order to achieve cleanup.

I would like to thank you, your management team and staff for the hard work that has gone into this project. Like NDEP, EPA's goal remains to protect human health and the environment at the site. Keith Takata, my Superfund Division Director, will contact you to address the details of transitioning the site from Nevada to federal lead. I know that he and his staff look forward to working with you to ensure continued site progress.

Sincerely,

A handwritten signature in black ink, appearing to read 'Wayne NASTRI', written over a printed name and title.

Wayne NASTRI,
Regional Administrator

cc: Governor Kenny Guinn, State of Nevada
Mr. Allen Biaggi, Director, Conservation & Natural Resources
Mr. Brian Sandoval, Attorney General, State of Nevada
Office of Senator Harry Reid, Bruce R. Thompson, Courthouse and Federal
Building, 400 South Virginia Street, Suite 902, Reno, Nevada 89501
Office of Congressman Jim Gibbons, 400 South Virginia Street, Suite 502, Reno,
Nevada 89501
Office of Senator John Ensign, Mr. John P. Lopez, Deputy Chief of Staff, 364
Russell Senate Building, Washington, DC 20510
Mr. Robert Abbey, Director, U.S. BLM State Office, 1340 Financial Blvd., P.O.
Box 12000, Reno, Nevada 89520
Mr. Dan Ferriter, Atlantic Richfield Company, 6 Centerpointe Drive, Room 6-
171, La Palma, California 90623