



THE STATE
of **ALASKA**
GOVERNOR SEAN PARNELL

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January 23, 2013

Via Email to Stanislaus.Mathy@epa.gov & First Class Mail

Mr. Mathy Stanislaus
Assistant Administrator, OSWER
Environmental Protection Agency
USEPA Headquarters
Ariel Rios Building
1200 Pennsylvania Avenue, N.W.
Mail Code: 1101A
Washington, DC 20460

Re: Red Devil Mine, Red Devil, Alaska

Dear Mr. Stanislaus:

After our meeting in Anchorage in August, I followed up with a letter on September 11, 2012 setting out our understanding of what would occur following that meeting. Specifically, I stated that while the State was requesting that Red Devil Mine be listed on the National Priorities List, we would consider a Superfund Alternative Agreement as an alternative to listing. At the meeting, you agreed to send out a Red Devil Mine site specific draft of an Alternative Agreement so that all parties could review it and consider its provisions. Second, we rearticulated our position that while we would explore this option, any agreement needed to have a number of critical elements, such as established timelines, stipulated penalties, dispute resolution and community involvement.

Since the August meeting, I have received only one letter from EPA, dated October 12, 2012, in which you stated that you were having discussions with BLM regarding an Alternative Agreement. We never received a draft agreement, any other information, and we have not been consulted with regard to the contents of any agreement. We had previously asked for deadlines so that the process was not indefinitely prolonged, but none were given.

As a result, we are once again requesting that the Red Devil Mine be placed on the April 2013 listing package. I feel that this is the only way to ensure that this site, directly affecting the health of Alaskans, the Alaskan subsistence lifestyle, and the environment, is appropriately and responsibly addressed by the federal government.

Sincerely,



Michael C. Geraghty
Attorney General

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