

STATE OF ALASKA

DEPT. OF ENVIRONMENTAL CONSERVATION
OFFICE OF THE COMMISSIONER

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November 6, 2009

Ms. Michelle Pirzadeh
Acting Regional Administrator, Region 10
U.S. Environmental Protection Agency
1200 Sixth Avenue, Suite 900
Seattle, Washington 98101-3140

Re: United States Bureau of Land Management, Red Devil Mine

Dear Ms. Pirzadeh:

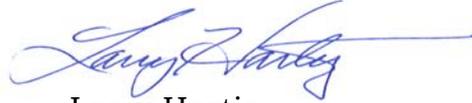
I am writing to inform you of our position on further plans and measures to address the Red Devil mine contaminated site.

I understand the U.S. Environmental Protection Agency (EPA) and the U.S. Bureau of Land Management (BLM) are considering executing a binding interagency agreement as an alternative to including the site on the National Priorities List and invoking the associated processes. I want you to have the benefit of our input as options are considered and plans developed.

Any agreement between the federal agencies needs to include the five elements enumerated in an October 1, 2009 letter from Mr. Mathy Stanislaus, EPA Assistant Administrator, Office of Solid Waste and Emergency Response (OSWER) to Mr. Robert V. Abbey, Director, BLM. It must also provide for a meaningful oversight role for the state consistent with state and federal law. In the event EPA decides executing an agreement is not possible or desirable, the state would not object to including the site on the National Priorities List (NPL) consistent with my letter of July 17, 2009. We understand and expect the NPL listing process would begin in March 2010 if no agreement is reached before then. Finally, while these administrative matters primarily involve the federal agencies, the state is keenly interested in seeing a course set for the site so that final assessment and remediation can proceed as quickly as possible.

Please let me know if you have questions or if we can otherwise contribute. Again, we appreciate EPA's and BLM's efforts to properly and timely address the threats at this site.

Sincerely,



Larry Hartig
Commissioner

cc: Mathy Stanislaus, Assistant Administrator, US EPA OSWER
Robert V. Abbey, Director, US BLM