

STATE OF ALASKA

DEPARTMENT OF LAW

OFFICE OF THE ATTORNEY GENERAL

Sean Parnell, Governor

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August 3, 2012

Via Email & First Class Mail

Ms. Lisa Jackson
Administrator
Environmental Protection Agency
USEPA Headquarters
Ariel Rios Building
1200 Pennsylvania Avenue, N.W.
Mail Code: 1101A
Washington, DC 20460
Jackson.lisap@epa.gov

Re: Red Devil Mine, Red Devil, Alaska

Dear Ms. Jackson:

Since 1988, Alaska has attempted to work with federal land managers to encourage the proper investigation – and eventual clean up – of the abandoned Red Devil mercury mine located in western Alaska. Despite Alaska's repeated requests, neither a thorough investigation of the nature and extent of the contamination nor an appropriate risk assessment to determine impacts on Alaska citizens have been completed. Effective investigation is critical because the site abuts the Kuskokwim River, a major river relied upon by the residents of the village of Red Devil and 23 other Native Alaskan communities downstream of the mine for subsistence, commercial and recreational fishing.

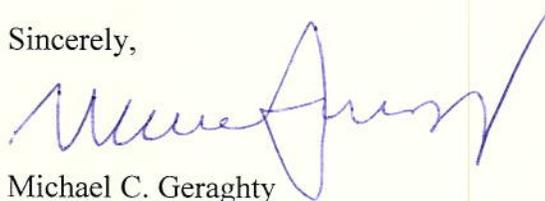
The Bureau of Land Management, manager of the federal lands on which the mine is located, has been unwilling to consider State comments and recommendations and has been unable to fulfill its responsibility on behalf of the federal government to properly assess and mitigate impacts from this abandoned mercury mine. Placing the site on the National Priorities List will provide consistent funding to perform these activities, and it will also ensure that concerns raised by the State regarding investigation and cleanup are appropriately considered and factored into the cleanup efforts.

For this reason, the State of Alaska strongly urges the U.S. Environmental Protection Agency to place the Red Devil Mine on the National Priorities List. The formal regulatory process provided by listing on the National Priorities List will help ensure that the federal government properly protects our citizens by investigating and cleaning up the soil, sediments

and surface waters impacted by the Red Devil Mine site. We respectfully request that EPA take this step quickly and expeditiously so that this contaminated site receives the proper regulatory oversight.

I am taking this action after consultation with, and at the direction of, Governor Sean Parnell who has authorized me to make this request.

Sincerely,



Michael C. Geraghty
Attorney General

cc: Via Email & 1st Class Mail:
Mathy Stanislaus, Assistant Administrator,
Office of Solid Waste & Emergency Response, stanislaus.mathy@epa.gov
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Honorable Sean Parnell, Governor of Alaska
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