



**United States
Department of
Agriculture**

**Forest
Service**

**Rocky
Mountain
Region**

**Box 25127
Lakewood, CO 80225-0127
Delivery: 740 Simms St.
Golden, CO 80401**

File Code: 2160

Date: December 1, 1995

**LELAND BARON
SENIOR SCIENTIST
GROUND WATER QUALITY PROGRAM
SOUTH DAKOTA DEPARTMENT OF ENVIRONMENT
AND NATURAL RESOURCES
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SD 57501-3181**

Dear Mr. Baron:

The USDA-Forest Service has initiated a non-time critical removal action under CERCLA Section 104(a), 42 U.S.C. 9604(a), at the Nemo Workstation Site located in Section 27, Township 3 North, Range 5 East, BHM, Lawrence County, South Dakota (the Site). This Site is located on lands under the jurisdiction, custody or control of the Spearfish/Nemo Ranger District, Black Hills National Forest (National Forest System lands) and encompasses an area of approximately 20 acres.

Our records indicate that there may be four backfilled dump sites, which have a combined area of 0.23 acres, which may have been used to dispose of excess and damaged equipment and materials during the 1970's. Excess spray comprised of ethylene dibromide (EDB) and Lindane mixed with diesel fuel was reportedly buried in five-gallon fuel cans in these pits. It is possible that between 200 and 250 fuel cans may have been buried. A possibility of empty cyanide barrels, quantity unknown, from surrounding mines could also have been buried.

One of the options we are considering as part of the CERCLA removal, will be for the Forest Service to excavate these pits to remove and properly dispose of the contaminated fuel cans and/or barrels. In the event of leakage from these containers, any additional contaminated material will also be removed and treated accordingly.

This Forest Service lead removal action should not be construed as any sort of admission relating to liability or responsibility under any federal or state law for the above Site. However, to fulfill its role in protecting the environment, and pursuant to its authority under Section 104 of CERCLA, 42 USC 9604, Federal Executive Order 12580, and 7 CFR 2.60(a)(40)(1995), the Forest Service has invoked its discretionary authority as lead agency and initiated a CERCLA action for the Nemo Workstation Site on National Forest System Lands.



Caring for the Land and Serving the People

This removal action and any future response actions on National Forest System lands will be conducted consistent with the National Oil and Hazardous Substance Pollution Contingency Plan (NCP; 40 CFR 300 et seq., 1995), and be at the direction of an On-Scene Coordinator. As set forth in 40 CFR 300.415(i), this removal action shall, to the extent practical considering the exigencies of the situation, attain applicable or relevant and appropriate requirements (ARARs).

In light of these cleanup guidelines, I respectfully request that you identify in writing all South Dakota ARARs relating to this Site. I would also appreciate it if you could identify other state agencies that the Forest Service should contact with regard to applicable ARARs.

Please send the ARARs to the attention of Bill Schleining, On-Scene Coordinator, on the Black Hills National Forest by January 15, 1996. This will allow the Forest to evaluate its planned removal options, and better plan any future response actions. If your agency cannot, or will not, provide the above-requested ARARs by January 15, 1996, the Forest Service, consistent with the NCP at 40 C.F.R. 300.400(g)(4) & 300.515(h)(2), will make its own ARAR identification.

Thank you for your cooperation in this matter. We look forward to working with you on addressing our mutual environmental concerns at this Site. Please direct questions regarding the removal action at the Nemo Workstation site to Bill Schleining at 605-673-2251. Legal questions may be directed to Mr. Schleining, or to Kenneth Pitt in our USDA-Office of General Counsel, P.O. Box 25005, Denver, CO 80225-0005.

Sincerely,

/s/Steve Deitemeyer
FOR

Elizabeth Estill
Regional Forester

C:
E, B. Shark
OGC, K. Pitt
OSC, B. Schleining
Black Hills NF, Forest Supervisor

BLS:km



MESSAGE SCAN FOR GARY HEEZEN

To G.HEEZEN

From: SO MAILROOM

Postmark: Dec 01,95 11:17 AM

Delivered: Dec 01,95 11:17 AM

Subject: Forwarded: 2160 LELAND BARON

Comments:

From: SO MAILROOM:R02F03A

Date: Dec 01,95 11:17 AM

Previous comments:

From: DIRECTOR, ENG:R02A

Date: Dec 01,95 10:16 AM

TWO PAGE LETTER. THESE ARE THE ELECTRONIC CC'S. ORIGINAL IS BEING
MAILED HARD COPY TO THE ADDRESSEE.

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ARARS - Nemo

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PHEEECTOGOCaring for the Land and Serving the People
ELOGOC36A

ECT060United StatesNEEForest
ECT0Department ofNEEService
ECT0Agriculture
ECT0

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Mountain
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Box 25127
Lakewood, CO 80225-0127
Delivery: 740 Simms St.
Golden, CO 80401

ECT0266

M7N7R

File Code: M2160

Date: M December 1, 1995

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Black Hills NF, Forest Supervisor

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