Reading file

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

October 2, 2008

Kirk Laird
Bureau of Land Management
Elko Field Office
3900 East Idaho Street
Elko, NV 89801-0611

Subject: Betze Pit Expansion Draft Supplemental Environmental Impact Statement (SEIS), Elko and Eureka counties, Nevada [CEQ #20080315]

The U.S. Environmental Protection Agency (EPA) has reviewed the above referenced document. Our review and comments are provided pursuant to the National Environmental Policy Act (NEPA), the Council on Environmental Quality (CEQ) NEPA Implementation Regulations at 40 CFR 1500-1508, and our NEPA review authority under Section 309 of the Clean Air Act.

We have appreciated the opportunity to work closely with you during the preparation of this Draft SEIS consistent with the draft Memorandum of Understanding between the Nevada Bureau of Land Management (BLM) and EPA on mining-related NEPA projects. We believe this process was helpful in early resolution of some issues we raised during the EIS preparation process, including ecological risk assessment, mercury emissions, facility design, and mitigation measures. We have concerns, however, regarding the potential impacts to soils, vegetation, and air quality after dewatering ceases, as well as the potential impacts associated with tailings closure. We recommend the Final SEIS provide additional information to address these issues. We have, therefore, rated this Draft SEIS as EC-2 – Environmental Concerns-Insufficient Information (see enclosed "Summary of Rating Definitions and Follow-Up Action").

Specifically, we remain concerned that, after dewatering ceases, formerly saturated lands below TS Ranch Reservoir will dry up, and up to 10,000 acres of irrigated agricultural lands could be taken out of production by the land owner Newmont Mining Corporation. Adverse impacts could include soil salinity accumulations and the resultant saline and/or alkaline runoff conditions, accelerated eolian or surface water erosion, fire, and cheatgrass or other weed infestations. EPA has raised these concerns on past Betze project EISs and recommended mitigation commitments (see November 2000, September 2000, and January, 2003 EPA comment letters to BLM), but no efforts have been made to satisfactorily address them. The current Draft SEIS identifies measures to minimize these potential significant adverse impacts, but states that Barrick Goldstrike Mines, Inc., (BGMI) has declined to pursue an agreement with Newmont to implement them. We recommend that BLM include commitments in the Final SEIS and Record of Decision to

work with BGMI, Newmont, and appropriate resource agencies to develop a transition plan to minimize these potential significant, adverse impacts.

In addition, in our February 28, 2008, comments to you on the preliminary draft SEIS, we recommended that tailings closure methods be described in greater detail. According to page 2-54 of the Draft SEIS, passive disposal methods, including evaporation or evapotranspiration cells, would be used to dispose of draindown from the tailings facility. Although these facilities are proposed to be located on private lands, they should be described in greater detail in the Final SEIS, and their locations should be included on project maps such as 2-11 and 2-15. The Final SEIS should describe the design, operation, and closure of these systems and address the potential ecological risks posed by the evapotranspiration cells. For example, metals and salts could accumulate in the substrate and in the plants and invertebrates in these cells. The discussion should address cations such as sodium, which at high concentrations can affect plant growth.

We request a copy of the Final SEIS when it is filed with our Washington, D.C. office. If you have any questions, please call me at (415) 972-3521, or Jeanne Geselbracht at (415) 972-3853.

Sincerely,

Kathleen M. Goforth

Kathleen M. Goforth, Manager
Environmental Review Office

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Enclosures: EPA's Summary of Rating Definitions and Follow-Up Action

Cc: David Gaskin, Nevada Division of Environmental Protection

Summary of Rating Definitions and Follow-up Action

Environmental Impact of the Action

LO--Lack of Objections
The EPA review has not identified any potential environmental impacts requiring substantive changes to the proposal. The review may have disclosed opportunities for application of mitigation measures that could be accomplished with no more than minor changes to the proposal.

EC--Environmental Concerns
The EPA review has identified environmental impacts that should be avoided in order to fully protect the environment. Corrective measures may require changes to the preferred alternative or application of mitigation measures that can reduce the environmental impact. EPA would like to work with the lead agency to reduce these impacts.

EO--Environmental Objections
The EPA review has identified significant environmental impacts that must be avoided in order to provide adequate protection for the environment. Corrective measures may require substantial changes to the preferred alternative or consideration of some other project alternative (including the no action alternative or a new alternative). EPA intends to work with the lead agency to reduce these impacts.

EU--Environmentally Unsatisfactory
The EPA review has identified adverse environmental impacts that are of sufficient magnitude that they are unsatisfactory from the standpoint of public health or welfare or environmental quality. EPA intends to work with the lead agency to reduce these impacts. If the potentially unsatisfactory impacts are not corrected at the final EIS stage, this proposal will be recommended for referral to the CEQ.

Adequacy of the Impact Statement

Category 1--Adequate
EPA believes the draft EIS adequately sets forth the environmental impact(s) of the preferred alternative and those of the alternatives reasonably available to the project or action. No further analysis or data collection is necessary, but the reviewer may suggest the addition of clarifying language or information.

Category 2--Insufficient Information
The draft EIS does not contain sufficient information for EPA to fully assess environmental impacts that should be avoided in order to fully protect the environment, or the EPA reviewer has identified new reasonably available alternatives that are within the spectrum of alternatives analyzed in the draft EIS, which could reduce the environmental impacts of the action. The identified additional information, data, analyses, or discussion should be included in the final EIS.

Category 3--Inadequate
EPA does not believe that the draft EIS adequately assesses potentially significant environmental impacts of the action, or the EPA reviewer has identified new, reasonably available alternatives that are outside of the spectrum of alternatives analyzed in the draft EIS, which should be analyzed in order to reduce the potentially significant environmental impacts. EPA believes that the identified additional information, data, analyses, or discussions are of such a magnitude that they should have full public review at a draft stage. EPA does not believe that the draft EIS is adequate for the purposes of the NEPA and/or Section 309 review, and thus should be formally revised and made available for public comment in a supplemental or revised draft EIS. On the basis of the potential significant impacts involved, this proposal could be a candidate for referral to the CEQ.