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DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES
DIVISION OF ENVIRONMENTAL PROTECTION

333 W. Nye Lane, Room 138

Carson City, Nevada 89706

Memorandum

Date: December 1, 2003

To: Steve Simanonok
USEPA Region IX
Project Officer

From: Tim Murphy
Nevada Division of Environmental Protection
Bureau of Corrective Actions
Superfund Programs

Subject: Old Hawthorne Landfill: Concurrence on the Technical justification
and approval for 128(a) cleanup.

The NDEP is requesting USEPA Region IX's concurrence on the technical document (attached) and approval to use cleanup funds as identified in the 128(a) Grant for the Old Hawthorne Landfill. The NDEP has received a letter from the Mineral County Commissioners, governing board for the town of Hawthorne, requesting State of Nevada Brownfields financial assistance for the cleanup of the Old Hawthorne Landfill.

The technical justification, which is attached, documents the presence or likely presence of hazardous substances at the site, which would warrant the use of Brownfields funding. The document explains the State's position that chemical sampling is not necessary at the site and would only delay the Mineral County/Town of Hawthorne's efforts to cleanup the site. Additionally, the State will be using Brownfields 128(a) grant funding to assist Hawthorne with cleanup activities at the site. These activities will take place on public property owned by the Town of Hawthorne and will provide for security fencing and signage on the perimeter of the site to control traffic and access to the landfill and to deter additional dumping. The State of Nevada and Mineral County, as a coalition partner,

applied for and received a Brownfields Pilot grant from EPA in the amount of \$2,000,000. This funding is for the capitalization of a revolving loan fund to be used to provide financial resources for cleanup of sites under the Nevada Brownfields Cleanup Revolving Loan Fund (BCRLF). Once completed, it is the Town of Hawthorne's intention to access BCRLF funding to cleanup the landfill in compliance with federal and state statutes and regulations.

The NDEP is requesting USEPA Region IX's concurrence on the technical document (attached) and approval to use 128(a) cleanup funds for the Old Hawthorne Landfill. We have provided a location, below for your signature for approval of these activities. If, after signing, you could provide NDEP with a copy for our files it would be greatly appreciated.

If you have any questions, feel free to contact Tim Murphy at (775) 687-9381 or tmurphy@ndep.nv.gov.

Steve Simanonok
EPA Project Officer
USEPA Region IX

Attachments:
Technical document
Hawthorne letter

Woody & Carolyn Isom
P. O. Box 670
Hawthorne, NV 89415

February 13, 2004

Mineral County Commissioners
P. O. Box 1450
Hawthorne, NV 89415

Sirs;

We hereby give our permission for you to fence and clean the area of our property identified by the Denson Survey for the Brownfields Cleanup and the boundary that was established by the EPA and Brownfields staff. It is further identified as Cell 21 of the Phase II Physical Characteristics Assessment dated October 2001 and prepared by US Army Corps of Engineers.

I understand this is to be done at no cost or further requirements to us.

Sincerely,


Woody Isom


Carolyn Isom