

Sulphur Bank Superfund site to receive millions in federal stimulus funds

Contributed by Elizabeth Larson
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CLEARLAKE OAKS – A new allocation of federal stimulus money will soon be heading to Lake County. On Wednesday, Lisa P. Jackson, administrator of the federal Environmental Protection Agency, announced \$600 million in new funding through the American Recovery and Reinvestment Act of 2009 for Superfund cleanups around the nation. The money is meant to cleanup hazardous waste sites and create jobs.

In Lake County, up to \$5 million will be allocated to work on remediation that's already under way at the Sulphur Bank mercury mine Superfund site near Clearlake Oaks. It's one of 50 sites that will see new or expanded cleanup actions due to the allocation of recovery funds.

“EPA has an answer to these challenging economic times,” said Jackson. “Under the Recovery Act, we're getting harmful pollutants and dangerous chemicals out of these communities and putting jobs and investment back in.”

Laura Yoshii, the EPA's acting regional administrator for the Pacific Southwest, said in a written statement that the money will create dozens of jobs for tribal members and the community.

County Supervisor Jeff Smith called the report of the funds “great news,” adding that the effort to deal with the site has been going on a long time. He said the funds for this project will be “another piece in the puzzle.”

The federal government created the Superfund program in 1980 to clean up uncontrolled hazardous waste sites. Since then, the program has cleaned up more than 1,060 of the 1,596 sites placed on the National Priorities List.

The 150-acre Sulphur Bank mercury mine was placed on the National Priorities List in August of 1980, according to EPA records.

Kathleen Salyer, assistant director of the EPA's Superfund division, told Lake County News that the funds will be used to finish work on BIA 120, the road that is the main access into the Elem Indian Colony of Pomo Indians.

In the 1970s, the Bureau of Indian Affairs built the road using mercury-laden tailings from the mine, said Salyer.

In 2006, the EPA conducted a lengthy cleanup effort at the rancheria, which late last year became the focus of a complaint to the EPA's Office of the Inspector General.

Dr. John Parker, an archaeologist based in Lucerne who has studied the Elem culture for many years, submitted a complaint to the Public Employees for Environmental Responsibility (PEER) alleging the EPA violated the National Historic Preservation Act and destroyed hundreds of artifacts totaling more than \$50 million in its 2006 cleanup.

PEER, in turn, submitted the complaint to the EPA's Office of the Inspector General, which told Lake County News that the issue was forwarded to the EPA Office of the Inspector General's Office of Program Evaluation in January.

In 2008 the agency did another, smaller cleanup to remove mine waste from residential areas along Sulphur Bank Mine Road and Ward Road, and areas to the south and west of the mine, as Lake County News has reported.

In its previous work in the area, the EPA hadn't had the money to complete the work of removing all the mine tailings from the access road into the colony, said Salyer.

She said the Superfund projects received the money because they met the recovery bill's criteria to be “shovel-ready.” Such projects are meant to stimulate the economy and provide jobs quickly.

Salyer said EPA doesn't know yet if it will receive a full \$5 million to do the roadwork on BIA 120, which is expected to cost more than \$5 million. Part of the work will involve moving underground utility lines. The EPA will make up the difference between the stimulus funds and the full project amount, she said.

The full road project itself isn't likely to get under way until next spring, said Salyer. In the mean time, they can begin building a temporary access road and doing other prep work.

Over the summer, the EPA will coordinate with the Elem Colony to provide it with temporary water and sewer service, and access for residents during the cleanup work, officials reported.

Much more work still to be done

The EPA is still working on the main part of the mine site, said Salyer. That includes looking at how to address the Herman impoundment pit – which has been sitting open since the mine was abandoned in 1957 – plus mine tailings and discharges of mercury into the lake. A record of decision and plan is expected to be released in 2010, at which time public comment will be welcomed on the plans.

Rick Sugarek, project manager for the Superfund site, told Lake County News in an interview earlier this year that until there is a record of decision, projects don't make it onto the priority list, and competition for funding has been tough.

He said the EPA has been working with the state on a cleanup plan that everyone can endorse, but a main sticking point has been the need to run a treatment plant to deal with the water in the Herman Pit, which flows through a waste rock dam and out into the lake, contaminating the sediment with mercury.

“We need to stop that flow, and that's why we need the treatment plant,” he said.

The question, he said, is where should the water from the pit be discharged?

There is no good answer to that, he said. One of the options – with Smith said he had supported early on – was piping the water to The Geysers for injection. Sugarek said there are legal and technical problems with that plan.

There's also the need to remove 3.5 million cubic yards of mine waste – laced with arsenic and mercury from the mine grounds.

Sugarek said they're not too far away from being able to propose a cleanup plan, but getting a plan in place would be

five to 10 years out.

He estimated that the total cost to build a treatment plant and remove all of the mine waste could run between \$30 million and \$40 million.

The announcement about the new stimulus funds came a day after University of California, Davis researchers made a presentation at the Board of Supervisors about mercury levels in Clear Lake.

Salyer said cleaning up the lake's sediment is another project for the EPA, which may have a record of decision in 2012 that will be opened up for public comment.

She said cutting off the pathway between the mine and the lake is the ultimate goal – but it's complicated.

“We're a few year away from deciding what the best approach there is,” she said.

EPA is studying 15 years' worth of data, some of it from UC Davis, said Salyer.

There are two alternatives, said Salyer – dredging the lake or capping the contaminated sediments with clean materials.

Dr. Tom Suchanek of UC Davis told the Board of Supervisors on Tuesday that he and his fellow researchers didn't support dredging the lake, because it would disturb sediments and reintroduce more mercury into the lake. Dr. John Zebelean, a local proponent of dredging the lake, argued against Suchanek's assertion, saying new dredging technologies would cause little disturbance.

Salyer said they're not sure they know how the lake's chemistry would be impacted.

“I think that's what's incredibly complicated,” she said. “We're still trying to evaluate what would be best for Clear Lake.”

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