



John R. Kasich, Governor
Mary Taylor, Lt. Governor
Craig W. Butler, Director

May 1, 2014

Ms. Barbara Nielson
Manager, Remediation Division
Freeport-McMoRan Copper & Gold, Inc.
On Behalf of Cyprus Amax Minerals Company
333 N. Central Avenue
Phoenix, AZ 85004

RE: Revised Amendment Number 2 of the Interim Action Work Plan for the Former Satralloy Site.

Ms. Nielson,

Ohio EPA received a revised Amendment Number 2 of the Interim Action work Plan for the Former Satralloy Site (Site) on March 24, 2014. This original Amendment requested approval to remove saturated dust from building roofs that will be decommissioned as approved in the Interim Action Work Plan. The dusts would be removed from building roofs and then placed in a designated, unlined area for dewatering. Eventually, the area would be evaluated during the facility's Remedial Investigation/Feasibility Study (RI/FS).

In my March 6, 2014 correspondence, I commented on this Amendment requesting clarification on the origin and management of these newly discovered materials. For the most part, your explanation and other information provided sufficient answers to my comments. However, I also questioned why these water saturated dusts from the roofs are being treated differently from other dusts removed from the building during decommissioning. As you know, other dusts are being removed and stored in sacks as a requirement of the Interim Action Work Plan (IAWP). At the Site, the Director also issued an exemption order pursuant to Ohio Revised Code section 3734.02(G) (.02(G) Exemption). Generally, this .02(G) Exemption allows wastes at the Site to be managed in accordance with US EPA's Area of Contamination Policy, pursuant to certain conditions. While the exemption allows great flexibility in how wastes that potentially exhibit hazardous waste characteristics are managed, the exemption terminates when the interim action and the RI/FS is completed.

The revised Amendment indicated that a waste characterization approach was unnecessary as you felt the .02(G) Exemption for wastes to be handled in an Area of Contamination was sufficient to approve of the request. While it is unknown at this time whether the wastes in question exhibit hazardous waste characteristics, the methods of moving and storing the material comply with the IAWP. Therefore, I approve the revised Amendment Number 2 to the IAWP dated March 24, 2014 with the following provisions:

- Monthly inspections of the containment area will be made to determine if maintenance of the berm is needed or if wind blown dispersal of the dust is occurring and must be contained.
- The dust will be evaluated in accordance with and as necessary to implement the remedy selected for the Site.

Thank you for your efforts in making these revisions.

Sincerely

A handwritten signature in cursive script that reads "Erik Hagen".

Erik Hagen, Ph.D.

Site Coordinator

Ohio EPA, Division of Environmental Response and Revitalization