



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IX

75 Hawthorne Street
San Francisco, Ca. 94105

AR0024

SFUND RECORDS CTR
88202746

24 JUN 1991

VIA FAX

Certified Mail P 470 096 012
RETURN RECEIPT REQUESTED

Frederick M. Droes
Acting Head of Environmental Services
State of Nevada-Department of Transportation
1263 S. Stewart Street
Carson City, Nevada 89712

Re: Order No. 91-14, Alternative Proposal, Dayton, Nevada,
Mercury Site

Dear Mr. Droes:

This letter is to notify the State of Nevada Department of Transportation (NDOT) that the Environmental Protection Agency (EPA) is in receipt of NDOT's alternative proposal workplan for Order No. 91-14 dated June 20, 1991.

As discussed in the conference call on June 20, 1991, NDOT was given verbal approval by On-Scene Coordinator (OSC) Robert Mandel of NDOT's alternative proposal for the Dayton, Nevada, Mercury Site as long as the submitted workplan was the same as discussed over the phone. After review of the submitted workplan by OSC Robert Mandel, notice is hereby given that the alternative proposal for limiting access to the mercury contaminated areas is found to be acceptable by EPA, and NDOT may proceed with the described work.

NDOT's proposed workplan of excavating a minimum of two feet of the ore material from US 50 to the right-of-way line, replacing it with clean fill material and transporting of the excavated material to an approved processing plant is an acceptable alternative to the requirement of Section V, paragraph 2 of Order No. 91-14 for fencing and posting the contaminated area. NDOT must inform EPA at least forty-eight (48) hours prior to any on-site work pursuant to Order No. 91-14. In addition to the matters addressed in your letter, this letter also documents our agreement that an alternative form of notice, other than the Order, may be used to notify persons in the chain of title, if subsequent sampling after the cleanup activity indicates the notice is still warranted. All other terms and requirements of Order No. 91-14 remain in effect.

NDOT shall submit a final report summarizing the actions taken to comply with Order No. 91-14 as described in Section V, paragraph 16, within 30 days of completion of work .

Should you have any questions regarding this letter, please phone Robert Mandel at (415) 744-2290.

Sincerely,



Jeff Zelikson, Director
Hazardous Waste Management Division

cc: Jolaine Johnson
Kent Hanson
John and Peggy Benum
Michael Hingerty
Bob Mandel
Brent Maier ✓
Enforcement File