



United States
Department of
Agriculture

Forest
Service

Mt. Hood National Forest

16400 Champion Way
Sandy, OR 97055-7248
503-668-1700
FAX# 503-668-1641

File Code: 2160
Date: April 27, 2007

Ms. Janelle Waggy
Oregon Department of Environmental Quality
Site Assessment Program
1550 NW Eastman Parkway, Suite 290
Gresham, OR 97030

RE: Notice to Current and/or Past Owners and Operators of Proposal to Add Contaminated Property to DEQ's Confirmed Release List (CRL) and Inventory
Kiggins & Nisbet Mines
ECSI #3811 & 3812

Dear Ms. Waggy:

The United States Department of Agriculture, Forest Service notes the Oregon Department of Environmental Quality's (DEQ) intent to list the Kiggins and Nisbet mines on DEQ's Confirmed Release List (CRL) and Inventory. These mines were owned and operated by private entities. Since the Forest Service neither owned nor operated these mines, the Forest Service is not liable for the associated hazardous substance releases. However, because these mines are located on National Forest System (NFS) land, the Forest Service is addressing the release of hazardous substances at these mines pursuant to its authority under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA). As it proceeds with the CERCLA process, the Forest Service will continue to inform DEQ and to seek DEQ's input as provided by the CERCLA regulations, the National Oil and Hazardous Substance Pollution Contingency Plan (NCP).

The Environmental Cleanup Site Information Site Summary Report for the Nisbet Mine (ECSI #3811) includes information regarding the Ames-Bancroft Mine that DEQ should remove. As mentioned in previous letters to ODEQ, dated August 23, 2006, (copy enclosed) the Ames-Bancroft mine is a privately owned patented claim and thus not located on NFS land. Sampling stations NM-WR2-1, NM-WR3-1, and NM-WR4-1 are all located on the Ames-Bancroft Mine. Generally, the Forest Service's CERCLA authority does not extend to private property.

If you have any questions, please feel free to contact the Forest Service On-Scene Coordinator:

Dennis Boles
Ochoco National Forest
3160 NE 3rd Street
Prineville, OR 97754
541.923.0393
djboles@fs.fed.us

Sincerely,

/s/ Michael J. Hernandez for
GARY L. LARSEN
Forest Supervisor

Enclosure

cc: Andrei Rykoff
Dennis J Boles
Thomas G Deroo
Dick Sawaya
Robert W Fujimoto

