

Department of Interior  
Bureau of Land Management  
Hollister Field Office

# HAZARDOUS ASBESTOS AREA HEALTH AND SAFETY PLAN

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Clear Creek Management Area

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## **1. Introduction**

This health and safety plan establishes procedures and practices to protect employees and subcontractors from potential hazards posed by non-invasive field activities at the site. In this health and safety plan, measures are provided to minimize potential exposure, accidents, and physical injuries that may occur during daily onsite activities and during normal working conditions. Contingencies are also provided for emergency situations. This plan shall only be modified or amended by qualified BLM personnel or a contractor, assigned by BLM, qualified to make such modifications or amendments. A completed copy shall be provided to the State Safety Manager.

This plan has been prepared to ensure compliance with OSHA regulations in 29 CFR 1910.120 and 1910.1001, (any subsequent OSHA/EPA amendments will necessitate a document revision) which govern hazardous substance response operations under the Comprehensive Environmental Response Compensation and Liability Act (CERCLA) at the NPL and is a guide for the entire ACEC. This plan shall be reviewed annually and revised as necessary. Additional information is contained in a separate reference supplement to the HASP (all references to **Appendix A**, etc. are contained in this supplement.)

## **2. Site Description**

This document pertains to a portion of the 63,000-acre Clear Creek Management Area (CCMA) maintained by the Bureau of Land Management, Hollister Field Office (BLM), located in Southern San Benito and western Fresno Counties. Within this area, there is the 30,000-acre Serpentine Area of Critical Environmental Concern (ACEC), which is a region of Naturally Occurring Asbestos (NOA) mineral (chrysotile). This area has been designated as a hazardous asbestos area (HAA). The 200-acre Atlas Mine National Priority List (NPL) lies within the ACEC and the CCMA. This document provides guidance on required safety procedures for BLM personnel, contractors, and visitors utilizing the ACEC. The Atlas Mine NPL is further restricted and additional guidance can be found in **Appendix A**.

All employees will be potentially exposed to NOA, which is found in the soils and is airborne throughout the CCMA. The exposure threat is greater during arid periods of the year. During the fall, winter and spring under rainy conditions, the exposure to NOA & associated health hazards is much less likely. Those who work within the HAA are at risk of inhaling dusts containing asbestos, mercury, nickel, and other heavy metals. Inhalation of asbestos fibers is known to cause lung cancer, mesothelioma, and asbestosis. Exposure to asbestos has also been associated with cancers of the stomach, colon, kidney and larynx. Inhalation or ingestion of fibers from contaminated clothing and skin can also result in these diseases. The symptoms of these diseases generally do not appear for 15 or more years after initial exposure. There are no known acute effects from the inhalation of asbestos fibers. (29 CFR 1910.1001).

Drinking water, sanitary facilities, and telephone (831-385-1508) are located at the Section 8 Decontamination Facility at 7100 Coalinga Road, San Benito, CA.

### **3. Characterization of Site Hazards**

#### **3.1 Activities and Tasks**

This plan was prepared for all access, activities, and tasks associated with entry into the HAA, including but not limited to the following:

The functional tasks for employees working in the CCMA include:

##### **1. Vehicle Operations.**

- **SUV/Truck** – This involves LE Patrol and routine vehicle travel on main roads in a closed vehicle with no special modifications and is usually a Law Enforcement Officer on patrol or may be a staff specialist performing field work.
- **ATV** – This involves patrol, inspections, monitoring, and travel to work sites by LE or resource staff performing field work.
- **Motorcycle** - This involves patrol, inspections, and monitoring by LE or resource staff performing field work.

##### **2. Light Maintenance**

- This includes routine maintenance of recreation sites, Staging Areas, Kiosks, general clean up and repairs.
- **Restroom Cleaning** – Cleaning with power washer and general maintenance.
- **Emptying Dumpsters** – Emptying of garbage into dump truck with backhoe for removal to landfill.
- **General clearing and removal of brush.**

##### **3. Construction.**

- **Installation of Gates, Kiosks, fence posts and barriers** – This usually involves earth disturbing activities and the use of hand tools, power equipment, and can involve heavy equipment.
- **Fence construction** – Installation of T posts and stringing of wire and cable. This usually involves the use of hand tools only.
- **Installation of Signs and Route Markers** – Installation of Carsonite route markers and signs on wooden posts. This usually involves minor earth disturbing activities and the use of hand tools.
- **Restoration activities** – This activity involves placement of waddles, straw bales, woody debris, rocks and soil stabilization.
- **Fire Line construction** - This usually involves earth disturbing activities and the use of hand tools, power equipment, and can involve heavy equipment.

- ##### **4. Road Maintenance and Construction** - This is done using a dozer, grader, or backhoe which has enclosed cabs and custom hepa-filter systems included in the cab ventilation

systems. This may also involve auxiliary staff outside the equipment cab to assist with hand work.

5. **Trail Maintenance** - This is done using a SWECO (small bulldozer designed for trail maintenance and construction) or ASV (smaller tracked vehicle) has enclosed cabs and custom hepa-filter systems included in the cab ventilation systems. Trail maintenance work may also be performed with an ATV and harrow. This may also involve auxiliary staff outside the equipment cab to assist with hand work.
6. **Visitor Assistance** – Routine visitor contact and staffing of entrance station near roads.
7. **Resource Inventory and Habitat Monitoring** – Resource specialists conducting monitoring and inventory utilizing vehicle travel and hiking (foot travel).

Nearly all activities occurring in and around the CCMA pose some risk of exposure to asbestos, mercury, nickel and other heavy metals in the soil. Asbestos is a known carcinogen and is also the cause of other serious lung diseases such as asbestosis. Mercury is released by erosion, leaching, vapor emission, and by dust from ground disturbance. Most highly enriched mercury areas have been remediated. Nickel dust is also a lung irritant and a carcinogen. Risk Assessment documents will be provided for individual on-site work functions outlining various activities and their associated hazards and the precautions to undertake to reduce these hazards. These activities include; vehicle, motorcycle, and foot patrols, monitoring, construction, and other maintenance and operations activities, including search and rescue. Wearing of coveralls and BLM provided clothing (commercially laundered) and washable footwear is recommended for all activities.

Vehicle operation within the CCMA ACEC disturbs soils and contaminants. To prevent inhalation, vehicle windows shall be closed while within the HAA, and the air conditioning set to AC Max (re-circulating), to reduce transport of contaminants into the vehicle. Vehicles shall not follow closely and shall maintain an appropriate distance to reduce exposure to visible dust emissions.

Construction activities can pose a greater risk due to soil movement having the potential for producing the greatest volume of airborne contaminants. Coveralls and boots will be worn at all times for road construction/maintenance, and excavation activities.

Heat stress is a hazard we must always be aware of and must pay close attention to while wearing protective clothing and respirators. To prevent heat stress, personnel will be allowed the flexibility to schedule work during the cooler parts of the day. Alternating periods of work and rest will occur. Adequate supplies of cool drinking water will be taken into the field and workers will be encouraged to drink water frequently during the day. Each person will have the responsibility of observing any symptoms of heat stress and will insist that all safety precautions in this plan be followed. The signs and symptoms of heat stress are the following: profuse sweating, skin color change, increase heart rate, body temperature in excess of 100 F as measured by fever detectors (forehead strips) and vision problems. Anyone who exhibits any of these signs will be taken to a shaded area or air conditioned vehicle, will remove impervious

clothing and will drink cool water and put wet rags on the head and face until signs disappear. If the signs and symptoms appear critical, persist, or get worse, the affected person will immediately be driven or evacuated by helicopter to Coalinga District Hospital or the nearest medical facility.

### 3.2 Hazard Evaluation and Analysis

Substance	Concentration	Media	OSHA	FP/LEL/VP	Odor Thresh	IP	Symptoms	First Aid
Asbestos - chrysotile	Particulate	Air	1 fiber/cc 30 min. .1 fiber/cc 8hr TWA		None		Adverse pulmonary effects	N/A
Mercury & Mercury vapor	Bulk water and soil impregnation	Liquid Solids & Gas	N/A		None		Blood toxicity, adversity to brain function	N/A
Nickel & heavy	Same as above	Same	N/A		None		Same as above	N/A
Heat	NA	NA	NA	NA	NA	NA	Flushed, hot or clammy skin, dizzy, nausea, disoriented	Provide water, electrolytes, rest, cool off in shade, sponge baths, seek medical attention

Potential chemical exposure routes [provide an "X"]:

Route	Known	Possible	Unlikely
Inhalation	X		
Ingestion		X	
Dermal/Cutaneous		X	
Eye contact			X

**Chemical characteristics [provide an "X"]:**

<b>Hazard</b>	<b>Known</b>	<b>Possible</b>	<b>Unlikely</b>
<b>Toxic</b>	X		
<b>Ignitable</b>			X
<b>Reactive</b>			X
<b>Carcinogenic</b>	X		
<b>Volatile</b>			X
<b>Radioactive</b>			X
<b>Corrosive</b>			X
<b>Particulate/fibers (Inhalation /Ingestion)</b>	X		

**Possible physical hazards present during site review/preparation activities:**

<b>Hazard</b>	<b>Yes</b>	<b>No</b>	<b>Prevention</b>
<b>Terrain/Tripping</b>	X		<b>Wear sturdy footwear and be cognizant of surroundings at all times.</b>
<b>Heat/Cold</b>	X		<b>Dress properly for weather exposure. Ensure proper hydration, nourishment and physical condition.</b>
<b>Electrical</b>		X	
<b>Drowning</b>		X	
<b>Falling objects</b>	X		<b>Maintain an awareness of soils, slopes, vegetation and overall surroundings</b>
<b>Noise</b>	X		<b>Use hearing protection around heavy equipment.</b>
<b>Venomous</b>	X		<b>Be aware of the habitat where rattlesnakes or other venomous/poisonous animals or insects exist and carry necessary first aid treatment. Identify potential allergies.</b>
<b>Winter Driving</b>	X		<b>Maintain awareness of road conditions. Ensure tires have adequate tread. Use 4wd. Follow check-in check-out procedures with Porterville.</b>

## **4. Site Entry/ Control Program**

### **4.1 Site Control**

Site control consists of measures taken to prevent human exposure to hazardous materials at the site. The purpose of the site control program is to ensure that appropriate site control procedures are implemented to control employee exposure to hazardous substances and to reduce contamination from asbestos. Site conditions and the work proposed under this plan **do not** require the establishment of exclusion zones that limit trained employee access. However, employees should minimize potential exposures and the raising of dust. Workers are responsible for; 1) providing co-worker's with assistance, 2) observing co-worker's for evidence of chemical or heat exposure, 3) monitoring the integrity of co-worker's protective equipment, and 4) acting responsibly with regard to his/her own safety. Notify the work site team leader if emergency help is needed or any other irregularities, risks or hazards should develop.

The site control program is enforced by Field Manager/Assistant Field Manager who authorizes site entry. When air monitoring has indicated exposure levels are above 0.1 fibers/cc 8 hour TWA or (1 fiber/cc in any 30 minute period) or when no air sampling has occurred in the previous 30 days, respirators will be worn for all activities. All HFO BLM employees expected to access the CCMA ACEC, shall receive training meeting the requirements outlined in **Appendix B**, prior to being permitted to conducting any activities within the ACEC. All other BLM employees and volunteers expected to access the CCMA ACEC for greater than 10 days annually, shall also receive training meeting the requirements outlined in **Appendix B**, prior to being permitted to conducting any activities within the ACEC. All other authorized visitors shall be briefed on this Health and Safety Plan prior to accessing the CCMA ACEC. The Field Manager shall ensure that BLM contractors conducting activities within the CCMA ACEC follow the provisions in 29 CFR 1910.120 and 29 CFR 1926.65.

All work, except that which is absolutely necessary to the management of the area, will be rescheduled to times when airborne asbestos levels are less than 0.1 fibers/cc. BLM personnel, contractors, and authorized visitors will be required to have the Field Manager's/Assistant Field Manager's signature on the CCMA "Asbestos Hazard Area Site Entry Authorization" (**Appendix C**) prior to traveling to the site. The site entry policy applies to the entire ACEC or "red zone" also known as the Hazardous Asbestos Area. The following shall serve as a guide for site entry authorization:

- November – April

The site entry authorization may be issued for up to 30 days for all activities except road maintenance/construction and excavation activities (1 week maximum), provided that current and consistent airborne asbestos levels are below the Personal Exposure Limit (PEL/STEL). Air sampling shall be conducted weekly for all activity categories conducted, except road maintenance/construction and excavation activities (daily). Equipment Operators in HEPA filtered cabs will conduct weekly sampling. Variations to the air sampling schedules may be authorized by the Field Manager, Assistant Field Manager, and Respiratory Protection Program (RPP) Coordinator. Law Enforcement personnel may be issued site entry authorization for extended periods of time.

· May – October

The site entry authorization may be issued for up to 1 week for all activities, provided that current and consistent airborne asbestos levels are below the PEL/STEL. Air sampling shall be conducted weekly for all activity categories conducted, except road maintenance/construction and excavation activities (daily). If the PEL/STEL is reached authorization and air sampling will be on a daily basis. Law Enforcement personnel may be issued site entry authorization for extended periods of time.

Supervisors shall ensure that employees fill out the Employee Exposure Record on the reverse of the site entry authorization for multiple entries. Air sample readings shall be recorded for available work days.

When the PEL/STEL level is reached and respirators are required and the activity that is requiring respirators to be worn can be discontinued, employees may relocate a safe distance from the activity, to a dust free area for breaks (lunch, etc.). Potable water shall be available in order to facilitate hand and face washing prior to eating. Employees will not be permitted to eat, smoke, or chew gum within an area where the activity is causing the PEL/STEL to be exceeded.

The Administrative Site (Section 8) decontamination and shower facility is approximately 8 miles from the entrance to CCMA on the Coalinga/Los Gatos Road. It is recommended that the Admin Site will be the initial stop prior to entry into the Clear Creek Management Area. The decontamination supplies and other personal protective equipment (PPE) are located here. All unnecessary personal gear in the vehicle will be removed and deposited here and picked up at end of the day after the vehicle is decontaminated. The Decontamination Plans (**Appendix D, E**) further outline these procedures.

## **4.2 Management and Staff Guidelines**

### **4.2.1. Field Manager**

- 1) Ensure that all BLM personnel who may perform work within the CCMA HAA have read and understood this plan, and acknowledged such by signing the attached signature page on an annual basis.
- 2) Assures that site visits and all work performed by BLM personnel, contractors, volunteers, and any authorized visitor is conducted in accordance with this plan. May provide variance with certain procedures in this plan and will document on site entry authorization.
- 3) Assures that all required training will be provided in accordance with the schedule outlined in **Appendix B**.
- 4) Ensure that Position Descriptions clearly state the potential for exposure to asbestos hazard for positions required to work within CCMA HAA.
- 5) Informs affected applicants that they will be required to work within an area where asbestos naturally occurs and the hazards associated with this area, and assures that this notification



occurs in the vacancy announcement and interview.

6) Assures that all employees have project specific written authorization to access the ACEC HAA. This will be accomplished by use of the Asbestos Hazard Area Site Entry Authorization form, **Appendix C**. Reschedules field work if possible when asbestos levels routinely reach or exceed the OSHA action level of 0.1 fibers per cc 8 hour TWA (or 1 fiber/cc in any 30 minute period), which will require a respirator to be worn.

7) Assures that all authorized visitors and contractors are briefed on site safety procedures prior to accessing the CCMA ACEC.

8) Is responsible for establishing a program of medical monitoring for those employees required to access the ACEC hazardous asbestos area. Will insure that a full copy of the medical surveillance record for each affected employee will be maintained in the Hollister Field Office (HFO.) Will include a memo with each record requiring records be preserved and maintained for the duration of employment plus 30 years.

#### **4.2.2 Respiratory Protection Program Coordinator - Hazardous Materials Specialist**

1) Conducts initial site safety training and semi-annual safety briefings for all field personnel as described in this plan. Establishes a schedule of training requirements for BLM personnel

2) Insures that respiratory PPE for use by field personnel has been purchased and is maintained in a useable condition.

3) Is responsible for ensuring that all employees who may be required to wear a respirator have a physicians respirator clearance certificate.

4) Monitors personnel activities to insure the proper and consistent use of personal protective equipment (PPE).

5) Coordinates maintenance of records of BLM employees asbestos exposure, Site Entry Authorization forms, asbestos air sampling reports, and training.

6) Shall notify supervisors and affected employees of the results of monitoring if above OSHA's allowable exposure limits. Ensures posting of all air sample monitoring results at a centrally located place that is accessible to affected employees.

7) Trains BLM personnel in the proper use of respirators, maintenance, and their limitations, and trains BLM personnel to perform qualitative fit testing of respirators on at least an annual basis, or as new employees are hired.

8) Maintains records on all respirator qualitative fit testing.

9) Implements respirator quality assurance program and inspects all respirators prior to issue, and assigned respirators for serviceability annually.

10) Maintains asbestos sampling and calibrating equipment in good working order, and assures that equipment is sent to a manufacturer's authorized repair facility, as necessary. Ensures periodic calibration testing is performed according to manufacturer's recommendations.

11) Is responsible for providing, scheduling, and ensuring necessary paperwork is available for Annual Medical Monitoring Physicals for affected HFO personnel.

12) Maintain record keeping for the medical monitoring program, assuring that documentation relating to asbestos exposure is distributed and filed to the appropriate personnel files, and coordinates final disposition and distribution of records. Ensures record retention requirements are followed relating to all Asbestos associated records.

#### **4.2.3. Field Personnel**

1) Sign document stating you have read, understand and will follow all requirements in this plan.

2) Ensure that you have a Site Entry Authorization signed by the Field Manager permitting your access to the CCMA ACEC Hazardous Asbestos Area, and that you record dates of entry on back of form.

3) Report any unsafe practices or conditions to their supervisor.

4) Learn to perform qualitative fit testing (fit check) of respirators. Ensure proper use, maintenance, and storage of respirator.

5) Understand the need for proper hydration and the need to minimize extreme sun and heat exposure. Be aware and alert for signs and symptoms of heat stress while using PPE.

6) Ensure that proper air sampling procedures are followed in accordance with the attached supplement. Conduct sampling as required on Site Entry Authorization form. Complete the Employee Exposure Record on reverse of this form.

7) Shall strictly adhere to all decontamination procedures as outlined in the Section 8 Vehicle and Personal Decontamination Plan (**Appendix D**) and the Heavy Equipment Decontamination Plan (**Appendix E**).

#### **4.3 Medical Emergencies**

Should any medical emergency occur, dispatch will be immediately notified and the appropriate medical facility identified, along with the appropriate transportation method. BLM will notify the receiving facility that the person requiring medical attention is potentially contaminated with asbestos. If conditions allow, the person shall be decontaminated to the extent possible, prior to transport to prevent contamination of the transporting vehicle.

To reach the Coalinga District Hospital take the Los Gatos Creek Road into Coalinga and follow

the signs to the hospital. The phone number for the hospital is (559) 935-2051. Alternate hospital is available in King City via Hwy 25 and Bitterwater Road. Mee Memorial Hospital (831 385-6000). If helicopter evacuation is necessary, either the Holman mill site or the Hernandez airstrip will be used where practical. Medical and transport personnel will be advised on site conditions and asbestos hazards.

#### **4.4 Personal Protective Equipment**

##### **Protective work clothing and equipment**

\* Coveralls/BLM supplied clothing - BLM employees will be provided with this clothing and it is recommended to wear for all work activities. Coveralls will be worn at all times for road construction/maintenance, and excavation activities. Removal of asbestos from protective clothing and equipment by blowing or shaking is prohibited. Contaminated work clothing shall be placed in closed plastic bags or containers, which prevent dispersion of the asbestos outside the container. If clothing is not soiled and is to be re-worn it must be placed in plastic bags. This clothing will be commercially laundered, by a company with appropriate facilities designed to launder clothing potentially contaminated with hazardous asbestos, and notified of the potential harmful effects of exposure to asbestos. Bags shall be labeled to identify the asbestos hazard.

\* Personal Work Clothing – All potentially contaminated personal work clothing shall be removed in the Sec. 8 change room prior to entering the shower. Contaminated clothing shall be placed and stored in closed containers or plastic bags, which prevent dispersion of asbestos. Laundering of contaminated clothing shall be done separately, and so as to prevent the release of airborne fibers of asbestos in excess of the PEL.

\* Rubber boots or foot covering that can be hosed and washed off at the end of the work shifts shall be worn for all work activities.

#### **5. Respiratory Protection Program**

All employees who may be required to wear a tight-fitting respirator will be medically qualified to wear a respirator prior to entry into the HAA. In addition annual medical monitored must be conducted. Fit testing will be conducted for all required employees prior to respirator use.

\* Respiratory protection is required for all work activities when asbestos fiber counts exceed 0.1 fiber/cc (or 1 fiber/cc TWA in any 30 minute period) for a particular activity or when no air sampling has occurred in the previous 30 days. Respirators shall be worn until current and consistent readings are below the PEL/STEL. A Respirator Program has been established in accordance with 29 CFR 1910.134(b) through (d) (except (d)(1)(iii)), and (f) through (m), (and OSHA amendments for Short Term Excursion limits). Additional information relating to this program is outlined in **Appendix F**. Further guidance on BLM policy and the Respiratory Protection Program is contained in I.M. CA-99-103, attached in the appendix.

The RPP Coordinator is responsible for ensuring program compliance. The program consists of the following:

1. Respirators that are selected for use are based on the degree of protection that is needed and or employee medical examination designation. If asbestos concentrations do not exceed 2.0 fibers/cc, then a half-mask, air-purifying respirator with high efficiency filters (P100, N100, R100) is adequate. All respirators shall be NIOSH certified. Concentrations above 2.0 fibers/cc require full face-piece masks.

2. The user shall be instructed by the RPP Coordinator or other trained personnel in the proper use of respirators and their limitations. Everyone who wears a respirator shall receive fitting instructions including demonstrations and practice in how the respirator should be worn, how to adjust it, and how to determine if it fits properly. Respirators shall not be worn when conditions prevent a good face seal, as determined by fit testing. To assure proper protection, a user seal check shall be conducted by the wearer, each time the respirator is put on. Each person who uses a respirator will be permitted to change the filter elements when they believe it is needed or whenever an increase in breathing resistance is detected. (After the valves are checked for sticking or resistance). Filter elements shall at a minimum be replaced every six (6) months. Contaminated filters shall be placed in closed plastic bags, and disposed of properly in garbage.

3. Respirators shall be regularly cleaned and disinfected. Half-face respirators shall be issued individually. Full-face respirators checked out from the equipment supply room shall be thoroughly cleaned and disinfected before use and prior to being returned. Respirators shall be inspected during cleaning, and before and after each use. Worn or deteriorated parts shall be replaced. Replacement or repair shall be performed only by trained personnel, with parts designed for the respirator. No attempt shall be made to replace components or to make adjustment or repairs beyond the manufacturer's recommendations. All parts replacement and repair will be coordinated through the RPP Coordinator. The respirator will be tested after repairs have been completed.

After inspection, cleaning, and necessary repair, respirators shall be stored to protect against dust, sunlight, heat, extreme cold, excessive moisture, or damaging chemicals. Respirators should be placed in sealed plastic bags. Respirators should not be stored in places such as lockers or tool boxes unless they are in carrying cases or cartons

Respirators should be placed or stored so that the face-piece and exhalation valve will rest in a normal position.

4. Persons will not be assigned to tasks requiring use of respirators unless it has been determined that they are physically able to perform the work and use the equipment. Employees shall ensure respirators are available for use when needed. The BLM will provide a medical evaluation to determine the employee's ability to use a respirator, prior to being fit tested or required to wear the respirator in the workplace. The BLM shall identify a physician or other licensed health care professional to perform medical evaluations using the appropriate medical questionnaire attached in **Appendix G**. Medical clearance to wear respirators will be done each year as part of the medical examination.

5. Qualitative respirator fit testing will be conducted by the RPP Coordinator for each person who will be wearing a respirator. The testing will be done in the spring before the dry season

begins and every six months thereafter for those who have been assigned a respirator. All others will be tested when respirators are checked out of the supply room. All fit testing shall conform to OSHA accepted fit test protocols, as contained in **Appendix H**.

6. The RPP Coordinator will ensure respirators are inspected at least annually to determine serviceability and ensure the elastic straps have not become unserviceable, the cartridges are being replaced occasionally, cleaning is being done, the parts are all assembled properly, nothing is missing, and none of the parts are dried out or cracked.

## **6. Medical Surveillance Program**

Medical surveillance shall be provided in accordance with 29 CFR 1910.120 and 1910.1001 for employees exposed or potentially exposed to asbestos and heavy metal dusts. The program is required for employees who are or who may work within the CCMA ACEC Hazardous Asbestos Area for 30 days or more a year, and will be provided to all HFO personnel who access the HAA

Medical examinations and consultations shall be made available for each covered employee at the following times:

1. Prior to the beginning of the field assignment;
2. At least once every 12 months (annually);
3. The BLM shall provide, or make available a termination of employment examination to any employee who has been exposed to airborne concentrations of fibers of asbestos at or above the PEL/STEL. The examination will be given within 30 days before or after the date of termination.
4. As soon as possible upon notification by an employee that he/she has developed signs or symptoms indicating possible overexposure to asbestos and heavy metal dusts;
5. At more frequent times, if the examining physician determines that it is medically necessary, or if the employee has cause for alarm or reason to suspect a medical condition exists;

All medical examinations and procedures shall be performed by or under the supervision of a licensed physician or registered respiratory therapist, and shall be provided without cost to the employee, without loss of pay, and during regularly scheduled work hours.

The BLM shall provide the following information to the examining physician:

1. A copy of 29 CFR 1910.120 and 1910.1001 and appendices;
2. A description of the employees duties as they relate to the employee's exposures;
3. The employee's exposure levels or anticipated exposure levels;
4. A description of personal protective requirement used;

5. Information from previous medical examinations of the employee which is not readily available to the examining physician (with consent of the employee);

The employee Medical Monitoring File shall include at least the following information:

1. The name and social security number of the employee;
2. Physician's written opinions;
3. Any employee medical complaints related to exposure to asbestos and other heavy metal dusts;
4. A copy of the information provided to the physician.
5. The physicians written opinion, any recommended limitations, and authorization to proceed with assigned duties.

These records will be maintained for the duration of employment plus 30 years, in accordance with 29 CFR 1910.20. The records will be collected and maintained at the BLM HFO until termination or reassignment, at which time they will be forwarded to the BLM California State Office (CASO), for inclusion in the Official Personnel File (OPF). The results of the medical surveillance program must be made available to the employee (including a written opinion from the physician regarding the fitness of the employee for the required task.) Copies of these records can be released only with the employee's consent.

The BLM shall maintain an additional Personal Exposure File for each employee, to keep an accurate record of all measurements taken to monitor employee exposure to asbestos, and access to the HAA. This record shall include at least the following information:

1. The date of measurement;
2. The location and activity that is being monitored;
3. Sampling and analytical methods used and evidence of their accuracy;
4. Number, duration and results of samples taken;
5. Type of respiratory protective devices worn, if any;
6. Copies of the Site Entry Authorization form, indicating dates of access to the HAA;
7. Name and social security number and exposure of the employees whose exposures are represented, during that time period.

These records will be maintained for the duration of employment plus 30 years, in accordance with 29 CFR 1910.20. The records will be collected and maintained at the BLM HFO. Copies of these records can be released only with the employee's consent.

## **7. Decontamination**

### **Vehicle Decontamination-General Requirements**

Vehicles that are used at the site become contaminated. This contamination can be reduced to a great extent by following procedures identified in the Vehicle and Personal Decontamination Plan **Appendix D**. Procedures identified in this plan are mandatory for all BLM personnel accessing the CCMA HAA. Windows, vents and doors will be kept closed on vehicles while

traveling within HAA, except as necessary to enter and leave the vehicle. All vehicles will be thoroughly washed including washing of interiors with a damp rag and vacuuming of interiors with a HEPA vacuum prior to being used by other personnel. All vehicles will be washed and vacuumed at the wash rack located at the Section 8 administrative site, immediately, upon leaving the CCMA. During decontamination, it is recommended that coveralls and respirators will be worn. Washing of the engine compartment is not allowed. In the event the wash rack is in-operable vehicles shall be taken to a commercial car wash. All equipment shall be checked periodically to insure proper working order. Detailed requirements and procedures for vehicle decontamination are contained in **Appendix D**.

#### Personal Decontamination-Shower Trailer

All BLM personnel accessing the HAA, shall perform personal decontamination at the Section 8 administrative site, immediately, upon leaving the CCMA. In order for the decontamination process to work properly, an extra set of clothes is required to be placed at the "clean side" of the shower trailer prior to entry into the HAA. After field work has been completed within the HAA all work clothing will be removed at the shower trailer, placed in impervious plastic bags, and sealed. The BLM supplied coveralls will be bagged separately and tagged to indicate the size of overall and quantity. Each exposed person will shower and put on clean clothes and footwear. The contaminated laundry will be carried back to Hollister's office within the sealed plastic bag in the back of the truck, trunk of the car or in sealed double plastic bags in other vehicles. The contaminated coveralls will remain bagged and stored in a designated location for a commercial laundry to properly treat and clean the clothing. The laundry will be informed of the contents and the hazards of exposure to asbestos. Detailed requirements and procedures for personal decontamination are contained in **Appendix D**.

#### Decontamination Equipment Sources

All equipment purchases will be conducted by the RPP Coordinator. For air mask/respirators contact: Delta Rubber Company, 1356 Dayton Ave, Salinas, Ca 93901, Phone # (408) 757-6261, Vacuum bags and HEPA filters contact: CRSI 30510, Huntwood Ave, Hayward, Ca 94544, Phone # (415) 471-8383.

### **8. Air Monitoring Program**

The purpose of the program is, 1) to meet the monitoring requirements in 29 CFR 1910.1001 (and OSHA Short-term Excursion Limit Amendment), and 2) to develop baseline air monitoring data to evaluate the need for respirator use.

Monitoring frequency and samples shall be of such frequency and pattern as to represent with reasonable accuracy the levels of exposure of the employees.

Air monitoring is required to document asbestos emissions and exposure during work conditions. Asbestos air sampling will consist of the use of a personal air pump, set to sample between 2.0 and 2.5 liters of air per minute. The pumps will be worn clipped to employee's belt and the air cassette clipped to employee's shirt collar. Monitoring will be performed during the start-up of

any new work activity, not previously monitored for within the last month, or if conditions have changed (dry, dusty, windy conditions), samples will be taken daily. At minimum, weekly sampling will be performed for each work activity (i.e. vehicle patrols, fence repair, minor maintenance, road work).

If all results from the first round of sampling demonstrate that the personnel exposures are below the PEL of 0.1 fiber/cc or STEL 1.0 fiber/cc, then the frequency of air samples can be reduced to one per week. Frequency of sampling will increase to daily sampling for a specific activity if 0.1 fibers per cubic centimeter (or 1 fiber/cc in any 30 minute period) are exceeded in any one sample period.

The air-monitoring device will be calibrated before use and after use. The devices will be run at 2 - 2.5 liters per minute rate, and after sampling, data sheets will be filled out and submitted along with the filters to the HFO Administration Section. Data sheets should include a detailed description of the work activity.

The samples will be shipped via Federal Express overnight delivery. The filters are shipped in padded envelopes to minimize filter/fiber separation. After receipt of monitoring results the Administration section will enter into the appropriate spreadsheet and ensure posting of results in an appropriate central location accessible to the affected employees.

The Field Manager will be notified immediately after receiving any monitoring results exceeding 0.1 fibers per cubic centimeter (or 1 fiber/cc in any 30 minute period) and will inform employees that respirator use is required for that activity, if engineering controls and work practices cannot be modified to reduce exposure below the PEL.

All samples taken to satisfy the monitoring requirements shall be personal samples collected following the procedures specified in 29 CFR 1910.1001 and Attachment 1 to the HASP. Additional information is in separate Reference Guide, Appendix I

## **9. Training**

All BLM HFO personnel who access or work within the CCMA ACEC Hazardous Asbestos Area, shall receive training meeting the requirements of 29 CFR 1910.120 and 1910.1001, prior to being permitted to engage in any activities or operations within the HAA. The training provided shall insure that each employee is informed of the following:

1. The health effects associated with asbestos and other heavy metal exposures;
2. The relationship between smoking and exposure to asbestos in producing lung cancer;
3. The location of the hazardous asbestos area and the specific nature of operations which could result in exposure to asbestos and heavy metal dusts, and the Risk Assessment for each site task and operation;
4. The appropriate work practices by which an employee can minimize risks to hazards and from exposure to asbestos and heavy metal dusts;
5. Personal protective equipment to be used by employees for specific tasks and operations, including the purpose, proper use, and limitations;



6. The purpose, proper use, fitting instructions, and limitations of respirators as required by 29 CFR 1910.134;
7. The purpose, and description of the medical surveillance program and requirements;
8. The content of the above cited sections of the CFR;
9. Names of personnel responsible for site safety and health;
10. Frequency and types of air monitoring, sampling techniques and instrumentation to be used;
11. Decontamination procedures.
12. The consequences for failure to comply with the identified procedures and training in the HASP.

The BLM HFO shall maintain all related employee training records for one (1) year beyond the last date of employment of that employee. Specific training requirements are in **Appendix B.**

### **Mitigation Measures for Exposure to Asbestos and Heavy Metals**

Asbestos, nickel and mercury dust inhalation hazards can be reduced or mitigated by the following management practices.

- 1) Keep windows closed and ventilation on recirculation.
- 2) Avoid opening vehicle doors when exiting until any visible dust clouds have dissipated.
- 3) Lift gates and rear hatch door accumulated large amounts of dust, be careful when closing these, do not slam and be up wind if possible.
- 4) If work is required along heavily traffic areas, restrict vehicle traffic or close the road and/or trail (if possible) or wet soil in the immediate are of the job site to reduce emissions.
- 5) When the area has high wind conditions, above 15 mph, wear a respirator. Always work upwind of any dust disturbing activity.
- 6) During wet and muddy conditions, use boot covers or other techniques to avoid bringing in mud and soil into the vehicle.
- 7) When respirators are required, to be worn, you may take a rest break to eat or drink or rest in a clean enclosed vehicle.
- 8) When performing any construction or intensive surface disturbing activity in a new area, check with your supervisor or Field Manager to make sure this work area is not within a contaminated mercury zone.

The following is Revised Operations Procedures for Clear Creek Management Area. All Employees and Direct Reporting Supervisor(s) are Responsible for ensuring that the procedures are followed.

1. All HOFO Employees and Managers who will be working or managing work on-site at the Clear Creek Management Area in the Red Zone must have completed and be current with the HOFO Clear Creek Safety Plan Training (annual) Asbestos Training (annual), PPR Fit Testing (annual) and Medical Examination (annual or as instructed by the Medical Surveillance Management Program) prior to performing work at Clear Creek in the Red Zone.
2. The HOFO Physical Scientist will be responsible for coordinating, scheduling and ensuring employee compliance in meeting all required training and medical examinations for working in the Red Zone at the Clear Creek Management Area prior to employee requesting entry.
3. The HOFO Physical Scientist is responsible for notifying the Direct Reporting Supervisor and the Affected Employee of Completed Scheduled Dates, Times and Locations for Medical Examinations, Training and PPR Fit Testing. The Physical Scientist is also responsible to identify and notify the Affected Employee and the Direct Reporting Supervisor of any/all specific associated requirements that need to be known and/or completed prior to employee attending training or going to medical examinations at least 36 hours prior to scheduled event.
4. The HOFO Administrative Technician and/or the Administrative Officer has a copy of all Medical Forms that will be required to be filled out and given to the Medical Staff Performing Medical Examinations related to Clear Creek. The HOFO Physical Scientist will be responsible for requesting copies of the Medical Forms from the Administrative Technician or Administrative Manager to be given to the Direct Reporting Supervisor 36 hours prior to employee's medical examinations taking place.
5. After employees have completed their Medical Examinations, copies of the Employees Authorization for Disclosure Form and Medical Surveillance Management Program Medical History and Physical Examination Form Part VI (when faxed from Medical Department) need to be given to the HOFO Administrative Technician or Administrative Officer for immediate filing and to HOFO Physical Scientist.
6. Within 36 hours after each Annual or New Employee Training Session taking place, by which time all appropriate individuals will have had their Medical Examinations and PPR Fit Testing Performed, the HOFO Physical Scientist will issue a list of Qualified Employees who are cleared to enter the Red Zone at the Clear Creek Management Area for Work Related Purposes. This includes Field

Manager(s), Resource Personnel, Implementation Personnel, Law Enforcement Personnel and Fire Personnel. Office Visitors who request entry into the Red Zone at Clear Creek must be covered on the Clear Creek Management Safety Plan and must document in writing that they meet all Associated Medical and PPR Fit Testing Requirements for Entry into the Red Zone at the Clear Creek Management Area.

7. Within 36 Hours of each Annual or New Employee Training Session taking place, the HOFO Physical Scientist will submit all related training documents signed by employees documenting specific training (CC Safety Plan, Asbestos Training, Haz Com Training, PPR Fit Testing) to the HOFO Administrative Technician or Administrative Officer for immediate filing.
8. All employees deployed to work or manage work on – site in the Red Zone at Clear Creek, will have an Approved Asbestos Hazard Area Site Entry Authorization Form for EVERY ENTRY the employee makes into Clear Creek. The Form must be approved by one of the Field Managers, Initialed by the Direct Reporting Supervisor (initialed next to the Field Manger(s) Signature) and a copy of the approved form given to the HOFO Administrative Technician or Administrative Manager prior to leaving the HOFO for the work site.
9. All samples taken by employees at the Clear Creek Management Area are to be given directly to the HOFO Administrative Technician or Administrative Officer along with the Current CCMA Air Sampling Data Form by 3:45 p.m.(FedEx Daily Pickup Time) each work day for standard overnight mailing to R.J. Lee (laboratory) . If the employee returns to the office after 3:45 p.m., the sample will be sent out standard overnight mail the next work day for processing at the laboratory. If an 8 hour turnaround is designated on the CCMA Air Sampling Data Form then the Sample(s) will be sent Priority Overnight to the laboratory.
10. Once Initial Sample Results are faxed from the Laboratory, the HOFO Administrative Technician or Administrative Officer will electronically post the Sampling Data on the R.J. Lee Air Sample Spreadsheet within the same day of receipt of sample data being faxed. A copy of the Updated Spreadsheet will then be posted on the Board by the HOFO Administrative Technicians Desk which has been specific and used as the Designated Posting Area.
11. HOFO Field Manager(s), Physical Scientist, Affected Direct Reporting Supervisor(s) and Administrative Staff will be notified the same day that the initial sampling results are received and the sampling spreadsheet is updated, that new sampling data has been formally posted for a member of their organization. The Direct Reporting Supervisor is then responsible for timely notification to their employee(s) that their individual sampling results have been posted.

12. If an employee has a question or concern regarding Clear Creek, please fill out the attached Clear Creek Management Area Question/Response Form. Your question or concern will be addressed within 24 hrs in writing and in person (if employee is available). A Record of all Question/Response Forms will be kept in a centralized file along with all associated responses. The appropriate person responding to the Question/Response Form (Rick Cooper, George Hill, Tim Moore) will be responsible for ensuring that the all associated documents (Question/Response Form and Copy of Written Response) are given directly to the HOFO Administrative Technician or Administrative Officer for immediate filing.
13. If an employee has a question or concern that needs to be addressed immediately, the employee should go to their Direct Reporting Supervisor and both Employee and Supervisor should go to the HOFO Field Manager(s) and/or HOFO Physical Scientist for Direction. The Employee with the Question or Concern, the Direct Reporting Supervisor and the Field Manager or Physical Scientist giving direction should fill out the Question and Response Form together. The person giving direction should submit the Completed form with (handwritten response) to the HOFO Administrative Technician or Office Administrator directly after meeting for immediate filing.
14. The Centralized Filing System will be maintained by the HOFO Administrative Technician and will be Managed by the Administrative Officer. The Centralized Files for Clear Creek are managed as confidential records and are accessible only to Related Employees, their Direct Reporting Supervisors and Approved Individuals (HOFO Manager(s), HOFO Physical Scientist, HOFO Administrative Technician, Administrative Manager and Pre-Approved Inspecting Agency Representatives).
15. The Centralized Filing System is broken down into (3) categories:
  - 1a. Medical - which is in a 6- Pak Red File Folder which contains;
    - (a)1. Employees "Authorization for Disclosure" of Medical Information
    - (a)2. Medical Surveillance Mgmt. Program
    - (a)3. Certificate of Medical Examination
    - (a)4. Employee Training Documentation (CC Safety Plan, Asbestos Training, Haz Com Training)
    - (e)5. PPR Fit Testing Certification "Record of Fit Testing"
  - 2b. Sampling Results – which is in a 6 – Pak Yellow File Folder which contains;
    - (b)1. Annual Spreadsheet Sampling Results
    - (b)2. Number of Work Related Site Visits to Clear Creek Management Area Red Zone by Year (starting at YR 2003 for current records)
    - (b)3. Sampling Occurring in 2007, 2006, 2005, 2004, 2003 (current records)
      - Sampling Results are attached to Related Clear Creek Work Authorization Form.
      - Samples Results taken prior to 2003 are filed by year, by month, by employee.

16. The HOFO Field Manager(s) are responsible for ensuring that the Clear Creek Management Area Safety Plan is Kept Current and address all associated issues related to the Red Zone at Clear Creek. The HOFO Manager(s) are also responsible for ensuring that all HOFO Personnel follow the current procedures for Managing, Working and Administering the Current Clear Creek Safety Plan.
  
17. All Policy and Procedural changes made regarding the Clear Creek Management Area Program; Sampling Procedures, Safety Plan, Training and Medical Requirements will be presented in writing to all affected employees (employees performing and/or managing processes and/or working in the Red Zone).



Gerald  
Tuma/CASO/CA/BLM/DOI  
03/19/2007 04:46 PM

To Rick Cooper/CASO/CA/BLM/DOI@BLM  
cc Graig Butler/CASO/CA/BLM/DOI@BLM, Alexander  
Lomvardias/CASO/CA/BLM/DOI@BLM  
bcc

Subject Fw: Federal Citations, FTA's, warrants, help please!!!!!!

All four of us spoke about this today at different times, and here is my last communication that was sent to Capt. Nelson regarding the level of our citations. If you read down you will see where she calls our tickets infractions. This discussion has been had several times over the last year including our conversation with the AUSA who suggested we take any cases that we want to see action on through the state system.

Any ideas?

— Forwarded by Gerald Tuma/CASO/CA/BLM/DOI on 03/19/2007 04:43 PM —

Gerald  
Tuma/CASO/CA/BLM/DOI  
10/27/2006 01:04 PM

To "Nelson, Amy J. (CPT)" <Amy.Nelson@monterey.army.mil>  
cc "William\_Schwarz@ca.blm.gov "  
<IMCEAMAILTO-William+5FSchwarz+40ca+2Eblm+2Egov  
@monterey.army.mil>, "Bruun, Michael C."  
<Michael.Bruun@monterey.army.mil>,  
Rick\_Cooper@ca.blm.gov  
Subject Re: FW: Federal Citations, FTA's, warrants, help please!!!!!!

William-

I just need to make sure that we are all on the same page that all of our citations are misdemeanors. Anything written CFR 43 is a misdemeanor and we actually do not have any infractions that we enforce under the Code of Federal Regulations. This was my original concern as to why a magistrate wasn't automatically issuing bench warrants as the citation's PC statements act as a signatory if they accept our PC statement, creating such a warrant. Let me know if we are losing something in the translation.

Thanks,  
Jerry

"Nelson, Amy J. (CPT)" <Amy.Nelson@monterey.army.mil>



"Nelson, Amy J. (CPT)"  
<Amy.Nelson@monterey.army.mil>  
10/25/2006 03:15 PM

To "William\_Schwarz@ca.blm.gov "  
<IMCEAMAILTO-William+5FSchwarz+40ca+2Eblm+2Egov  
@monterey.army.mil>  
cc Gerald\_Tuma@ca.blm.gov, Rick\_Cooper@ca.blm.gov,  
"Bruun, Michael C." <Michael.Bruun@monterey.army.mil>  
Subject FW: Federal Citations, FTA's, warrants, help please!!!!!!

Ranger Schwartz,

This email just confirms our conversation today. Mr. DeRosa (one of the 4-wheeler guys, I believe) paid all of his tickets, so Mr. Donley is the only individual that I need to do some research on. I know that over the phone today I discussed drafting a motion to the judge asking him to issue a bench warrant for failure to appear in traffic court; however, I think that the more appropriate route in this case is to dismiss the

infractions for Mr. Donley and file a misdemeanor information (again, I need to research this, but I'm pretty sure that . Generally, I think that the feeling is that mag ct judges don't like to issue bench warrants for traffic infractions; however, it has been done in the past. Bottom line, if we have violations of the magnitude below in the future, we need to prosecute those as misdemeanors. Please bring my attention to them very shortly after they occur. Sorry for any confusion in the past. You are on my radar, and I look forward to working with you in the future and meeting you for a tour of the CCMA.

v/r,

CPT Amy J. Nelson  
Chief, Military Justice and SAUSA  
DLIFLC & POM  
(831)242-6394

-----Original Message-----

**From:** Nelson, Amy J. (CPT)  
**Sent:** Monday, October 16, 2006 3:04 PM  
**To:** 'William\_Schwarz@ca.blm.gov'  
**Cc:** Bruun, Michael C.  
**Subject:** RE: Federal Citations, FTA's, warrants, help please!!!!!!

Ranger Schwartz,

I can request that a bench warrant be issued, but I think that ultimately, the best solution is if you have the types of violations that you discussed below, please bring them to my attention in advance. Instead of prosecuting these as infractions, I'll file a misdemeanor information. As far as the below, by working together we can fix the enforcement of these types of violations in the future. I don't look at the infraction docket before the day of court unless my paralegal or someone else brings certain cases to my attention. I'm also including an email that I just received from Verdie (she's moved on to another position, but still gets SAUSA-related emails). Can you tell me the names of all of the individuals below, particularly the 2 that have not paid? If you have any other questions or concerns, please let me know.

Thanks!

V/r,

CPT Amy J. Nelson  
Chief, Military Justice and SAUSA  
DLIFLC & POM  
(831)242-6394

-----Original Message-----

**From:** William\_Schwarz@ca.blm.gov [mailto:William\_Schwarz@ca.blm.gov]  
**Sent:** Friday, October 06, 2006 8:43 AM  
**To:** amy.nelson@monterey.army.mil  
**Cc:** Gerald\_Tuma@ca.blm.gov; Rick\_Cooper@ca.blm.gov  
**Subject:** Federal Citations, FTA's, warrants, help please!!!!!!

Captain Nelson,

I was instructed to send you an e-mail by Mike Bruun, a para-legal in your office. I should first provide you with some introduction, history, and current situation we are in.

My name is William Schwarz. I am a Senior Law Enforcement Ranger with the Dept. of Interior, Bureau of Land Management in the Hollister Field Office. I've worked in this office since 1992, and the majority of my citations come from the Clear Creek Mangement Area (CCMA), located in the southern portion of San Benito County. This area is used primarily by Off Highway Vehicle (OHV) enthusiasts and hunters (deer and pig). We use CN-2 as our locator code for citations. The CCMA is unique in that it has a naturally occurring asbestos fiber in the soil (so we are regulated



by the EPA), numerous creeks and streams (regulated by Ca. Regional Water Control Board), a wilderness area, a Research Natural Area, and finally, endangered plant species regulated by the Endangered Species Act. A challenging area to manage as you can see.

Because of all these issues, along with pressure from all these regulatory agencies and special interest groups (especially environment groups such as the Ca. Native Plant society, Center For Biological Diversity, and Sierra Club, which have sued us for failure to manage the area properly), we recently completed an Environmental Impact Study and adopted a Record of Decision, which layout the guidelines for managing this area over the next ten years. The biggest component of this plan is to limit OHV use to designated trails/routes, and the elimination of hillclimbing on thousands of acres of "barrens" (large sections of land that have little to no plant life, comprised of dirt, and are extremely sloped, thus the desire for motorcyclists to want to climb them). Along with protecting areas with endangered species of plants, we in law enforcement have a challenge ahead in enforcing this plan. A note: I do most of my patrolling on a dirt bike myself. We are in the process of increasing our law enforcement staff from two ( myself and a supervisory Ranger), to four (4), which is scheduled for early 2007. We all plan to have some type of OHV enforcement capability.

Now you know the background, here is the problem. I was always told, most recently by Verdi in your office, that for ALL citations we wrote into your office, and then if the defendant would not appear for that citation, that the California DMV would collect the fines when the defendant went in to either renew their license or register a vehicle. I contacted the Central Violation Bureau (800-827-2982, ext6424), and was informed this was the case for "moving violations only"!!! Others were not captured by the DMV. This is why you can see I still have open citations dating back six, seven, eight years!!! Most recently, my supervisor and I, who happened to be accompanied by our new Field Office Manager, conducted an investigation where two individuals admitted to taking their four wheel drive vehicles into areas protected for endangered species, and tore up the area, ripped out trees, tagged rocks with spray paint cans, had unregistered vehicles, minors in possession of alcohol, and only one individual paid his fine. The other two failed to show up to court on citations that exceeded \$1,000. Again, I was told they would have to pay their fines to the DMV, which is not the case. To make matters even worse, we were told the the JAG office would not issue bench warrants for these individuals who fail to appear.

Recently I contacted the San Jose US Attorneys office and spoke with Martha Brown regarding this issue. She informed me that she had recently gone to the Salinas court and that a magistrate had issued 8 warrants for FTA's at the last court session.

Here is the bottom line. We need some teeth in our citation ability. If the word gets out that Federal citation aren't worth the paper they are written on, we are doomed to enforce laws in the CCMA along with all the other lands we manage. The Magistrate has the authority to issue a warrant based on our citation for failure to appear. We are requesting that these warrants be issued so that we can bring these individuals to stand before the court to answer for the charges brought before them.

We ask that you consult with the Magistrate and inform him of this request. We would be more than happy to provide you and the Magistrate with the opportunity to visit the CCMA and see the area for yourselves. We are committed to protecting public lands and still providing for a recreational opportunity. However, this does not come without responsibility and accountability by us and our users. I look forward to hearing back from you. My Supervisor (Jerry Tuma) and Field Office Manager (Rick Cooper) can be reached at 831-630-5000. My number is 831-206-0753 (cell). Our heavy use season begins around the first of November (rainy season). We would like to get off on the right foot.

Thank you again for your consideration and attention to this matter.

Respectfully,

William Schwarz

----- Message from "Salas, Verdie D" <Verdie.Salas@monterey.army.mil> on Mon, 16 Oct 2006 08:28:21 -0700 -----

**To:** "Bruun, Michael C." <Michael.Bruun@monterey.army.mil>

**cc:** "Nelson, Amy J. (CPT)" <Amy.Nelson@monterey.army.mil>

**Subject:** FW: Check Paid Report for hearing site MONE - 10/13/06

Good Morning!

More paid folks for you..

The listings for DeRosa should probably be followed-up on. The Rangers involved (Ranger Schwartz??) had been calling CPT Nelson about getting warrants for the defendants in the matter (originally there were 4 - I know that 2 have now paid), as they didn't show up for Court on 8/2/06. You may want to call them and let them know that the DeRosa matter is now considered closed by the Federal Court, so they'll let it go...

v/r,

Verdie Salas

Administrative Assistant

229th MI BN Command Group

-----Original Message-----

From: cvbmail@cvb.uscourts.gov [<mailto:cvbmail@cvb.uscourts.gov>]

Sent: Friday, October 13, 2006 8:10 PM

To: alias\_mone@cvb.uscourts.gov

Subject: Check Paid Report for hearing site MONE - 10/13/06

(ckpd.sh)

CENTRAL VIOLATIONS BUREAU  
CHECKS RECEIVED CONTROL REPORT  
FORWARD THIS REPORT TO: CVB MANAGER  
10/13/06

PAGE: 1

LOCATION CITATION	NAME	AMOUNT	TYPE	HRG DATE
CN14 0966376	WILSON, MATTHEW	45.00	IC AC	10/02/06 O

LOCATION TOTAL 45.00

CN2 L0113711 DEROSA, GRANT E 200.00 CW AC 08/07/06 O

CN2 L0113712 DEROSA, GRANT E 1075.00 CW AC 08/07/06 O

CN2 L0113718 DEROSA, GRANT E 160.00 CW AC 08/07/06 O

CN2 L0113720 DEROSA, GRANT E 125.00 CW AC 08/07/06 O

LOCATION TOTAL 1,560.00

DISTRICT TOTAL - CANO 1,605.00

(ckpd.sh)  
CENTRAL VIOLATIONS BUREAU  
CHECKS RECEIVED CONTROL REPORT  
FORWARD THIS REPORT TO: CVB MANAGER  
10/13/06

PAGE: 2

LOCATION CITATION	NAME	AMOUNT	TYPE	HRG DATE
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TOTAL FORFEITURES		1,605.00		
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CN14 A0584103	PANCHENKO, YURI	100.00	IC PF	10/02/06 O
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LOCATION TOTAL		100.00		
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DISTRICT TOTAL - CANO		100.00		
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(ckpd.sh)  
CENTRAL VIOLATIONS BUREAU  
CHECKS RECEIVED CONTROL REPORT  
FORWARD THIS REPORT TO: CVB MANAGER  
10/13/06

PAGE: 3

LOCATION CITATION	NAME	AMOUNT	TYPE HRG DATE
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TOTAL PAYMENTS 100.00

GRAND TOTAL 1,705.00

GRAND TOTAL TRANSACTIONS 6



Tim  
Radtke/PHS/OS/DOI@DOI  
04/24/2007 09:45 AM

To James Anger/CASO/CA/BLM/DOI@BLM, Rick  
Cooper/CASO/CA/BLM/DOI@BLM, Timothy  
Moore/CASO/CA/BLM/DOI@BLM  
cc Sandy Guches/WO/BLM/DOI@BLM, Sandra Y  
Jackson/WO/BLM/DOI@BLM, David P  
Bleicher/Partner/NPS@NPS

bcc

Subject Asbestos sampling results from March at Clear Creek (2nd  
round of samples)

History:  This message has been forwarded.

Jim, Rick, and Tim,

Attached are the results from the second round of sampling. This was from a four day period including an enduro race over the weekend. It was a dry, dusty week with heavy bike traffic. Although the results were higher than the initial sampling event, I was pleasantly surprised that we had no exposures exceeding the PEL for such "high dust" conditions. Six of the seven excursion samples were below the limit of detection with the one being 6% of the OSHA excursion limit. Two filters were above 0.05 f/cc for sampling period so we ran a TEM analysis on those (probably the reason for the delay from the lab). The asbestos content was 86% and 90% for those two. For this round of sampling, the highest 8-hr TWA exposure was 0.044 f/cc on the ATV rider and 0.042 f/cc on the sign installer. We still must be sure that actions to minimize exposures are implemented for our employees to keep exposures as low as possible. Once we have completed data collection, we will make recommendations for controlling exposures further. The 3rd round of sampling will be scheduled for later in May and we'll try to hit both Ukiah and Clear Creek. Please notify the employees of their sampling results. Thanks,

Tim

P.S. Thanks to David! He is continuing to help with analyzing the data that is coming in. He will be retiring



the end of next month, so I want to thank him for all his work on this project. NDA round 2 results summary.doc



John Key/CASO/CA/BLM/DOI

05/03/2007 12:53 PM

To Miyoshi W Stith/WO/BLM/DOI, Keith  
Tyler/WO/BLM/DOI@BLM  
cc George Hill/CASO/CA/BLM/DOI@BLM,  
Rick\_Cooper@ca.blm.gov@BLM, Timothy  
Moore/CASO/CA/BLM/DOI, Bruce  
bcc

Subject Atlas Asbestos Mine (CAZA) Medical Surveillance costs

At your request, I looked into the expenditures of \$ 22,000 for medical surveillance program in the Hollister Field Office that had been entered into the Bureau's management information system (MIS) - I had previously left telephone messages for Tim Moore, the Atlas Asbestos Mine Project Manager and Bruce Cotterill, the Hollister Field Office Budget lead. This morning, I did talk to George Hill, Hollister Field Office Associate Field Office Manager. George agree to research the expenditures for me. Later this morning George called me back and indicated the \$ 22,000 was originally planned for air monitoring - the requisition had been entered into IDEAS, but had not or should not have been obligated - George also indicated that they had decided to go a different way with the air monitoring and would withdrawn /cancel the requisition/procurement request. In additional discussion, George indicated that last year the Hollister Field Office spent about \$ 5,000 for medical surveillance for 8 personnel and this year they would be spending about \$ 11,000 for 22 personnel - these people are required to go into the naturally occurring asbestos contamination area at the Clear Creek Management Area (including the Atlas Asbestos Mine National Priority List site) as part of their job.

If you have any additional questions, please feel free to contact me.

John Key  
State Program Lead - HazMat/AML/NRDAR  
Bureau of Land Management - California State Office  
2800 Cottage Way, Suite W-1834, Sacramento, CA 95825  
(916) 978-4384; Fax (916) 978-4389





Timothy  
Moore/CASO/CA/BLM/DOI  
05/03/2007 01:50 PM

To George Hill/CASO/CA/BLM/DOI@BLM, Rick  
Cooper/CASO/CA/BLM/DOI@BLM, David  
Sliksager/CASO/CA/BLM/DOI@BLM, Gerald  
cc Tim Radtke/PHS/OS/DOI@DOI

bcc

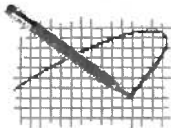
Subject Fw: Clear Creek Asbestos sampling proposed dates May 21

Looks like we need to have the employees ready to go for these two days (Monday & Tuesday 5/21 & 5/22)

Same drill as the last two times, probably meet at Oak Flat at 8:30 am to give out samplers.

Activities should also be similar, light maintenance, heavy equipment, motorcycle patrol, etc.

— Forwarded by Timothy Moore/CASO/CA/BLM/DOI on 05/03/2007 01:45 PM —



Tim  
Radtke/PHS/OS/DOI@DOI  
05/03/2007 10:21 AM

To Timothy Moore/CASO/CA/BLM/DOI@BLM  
cc

Subject Re: Clear Creek Asbestos sampling proposed dates May 21



Tim,

The plan is to fly into San Jose Sunday night and drive to King City and be ready to start sampling Monday. We'll sample in CCMA Mon and Tues and drive up to Ukiah on Wed and sample up there Thurs and Friday. Is that workable for you? We are always ready to alter plans based on weather.

Tim

-----Timothy Moore/CASO/CA/BLM/DOI wrote: -----

To: Tim Radtke/PHS/OS/DOI@DOI  
From: Timothy Moore/CASO/CA/BLM/DOI  
Date: 05/01/2007 03:27PM  
cc: George Hill/CASO/CA/BLM/DOI@BLM  
Subject: Clear Creek Asbestos sampling proposed dates May 21

Tim, that week looks fine, are you planning on staying in King City again, and start Monday morning?



Timothy  
Moore/CASO/CA/BLM/DOI  
05/07/2007 12:48 PM

To Rick Cooper/CASO/CA/BLM/DOI@BLM, Thomas  
Meagher/CASO/CA/BLM/DOI@BLM

cc

bcc

Subject Re: Fw: Clear Creek HDR Proposal 

Comments on HDR proposal:

#### Phase 1 - Preliminary Design Task 1

- 1) Occupational exposure samples for decon have been taken by both EPA & BLM.
- 2) Soil samples from the site will be taken to establish a baseline . What lab analysis will be performed on these CARB airboard 25% asbestos or PLM 1% asbestos?
- 3) Need to get an air sample from vehicle use the adjacent unpaved road which contains asbestos . This will confirm asbestos wind drift could be an issue .
- 4) Water sample for rinsate has been profiled at the Section 8 location, should use these as a baseline to evaluate sludge for hydrocarbons, metals and Ph.

#### Task 2 - Issues

- 1) Need to evaluate airborne drift from adjacent Clear Creek county unpaved road .
- 2) Need to determine amount of residual contamination after decon practice , when traveling on unpaved road containing asbestos.

#### Task 3 - Geotechnical

- 1) Need to question why all this geotech this is necessary . Load bearing of these structures will be very light, unless this is a building code requirement, need to be looked at as an "extra", only perc test needs to be done. Also the \$23,738 budget does not include the use of a "local contractor", for the perc tests. This cost around \$20,000, where will these funds come from?
- 2) Lab testing & engineering could be reduced in scope due to the simple nature of buildings proposed and the known site conditions exist which DO NOT include liquefaction , quick clays, seismic hazards, flood prone areas, etc..
- 3) Sampling & lab testing to evaluate the presence NOA will not be included , why? In Task #1 you call for soil tests, why not include asbestos?

#### Task #4 - Asbestos Best Practices

Task 4.1 what is the BLM Clear Creek Design Development Guideline ? the published EPA report? not EPS!!, what RJ Lee report?

Task 4.5 Post-Installation services - what kind of sampling is proposed here? Is this the leach field? What are you installing?

Assumption that all regulatory coordination will not exceed 28 hours, this estimate is way low, double or triple this number.

**Task 5 - Utility Coordination**

1) How many hours is set aside for this task? How was the \$5,080 number generated?

**Task 6- Concept Plan Tech Memo**

**Task 6.3 Review plan with Stakeholders & Agencies - How many hours will be devoted to this task?**

OVERALL this looks to be generally ok, the cost breakdown seems a little arbitrary, looks to be somewhat of a "lowball" bid. will probably cost more than this estimate.

At 210 days budgeted for this work, the estimate is \$133,150 this works out to \$635 per day or \$80 per hour. This seems very low to me, so I think they either won't make much money on this or the scope of work will suffer, OR they will make a lot of noise about CHANGE ORDERS, to increase the budget.



**John Key/CASO/CA/BLM/DOI**  
06/19/2007 12:27 PM

To Richard Grabowski/CASO/CA/BLM/DOI, Leroy Mohorich/CASO/CA/BLM/DOI, Steven J Borchard/CASO/CA/BLM/DOI@BLM, Hector Robert Nauert/CASO/CA/BLM/DOI@BLM, Mary Prinzbach/CASO/CA/BLM/DOI@BLM, Roberto Cabanez/CASO/CA/BLM/DOI@BLM, Joann

bcc

Subject The Department of the Interior's (DOI's) Central HazMat Fund (CHF)



As many of you are aware, financial management of the Department of the Interior's DOI's) Central HazMat Fund ( CHF) transferred from the BLM back to the DOI in 2006. As a result of this transfer, BLM will no longer be using subactivities 2640 and 2645. Subactivity 2640 (appropriated dollars) was replaced with 2641. Subactivity 2645 (recovered dollars spent) was replaced with 2642. Unliquidated obligations and expenses charged to the old accounts earlier were automatically converted to the new subactivities by the Business Center.

Additionally, please do not over spend in 2641 and expect to compensate for it in 2642 (and vice versa). We are being held accountable for not overspending at each subactivity level , especially when it is special departmental funding. If a project is overspent in a subactivity , the budget officer must find funds from another project, usually within the same state as the project is in , to cover the overrun.

CHF Project Managers - Tim Moore (Atlas Asbestos), Cheryl Seath (Black Rock Mine), Dick Forester (Rand Historic Mining Complex) and Dave Lawler (California Historic Mercury Mines) need to start updating their project plans and preparing their proposals for next year or closing out their project if they are completed (Black Rock Mine) - project submittals will probably be in September 2007 - with the data call coming out in August 2007. If you are planning on a new project (such as Buena Vista-Klau Mercury Mine - our newest Superfund/National Priority List Site) - you need to start planning now.

If you have any questions, concerning the DOI CHF, please feel free to contact me.

John Key  
State Program Lead - HazMat/AML/NRDAR  
Bureau of Land Management - California State Office  
2800 Cottage Way, Suite W-1834, Sacramento, CA 95825  
(916) 978-4384; Fax (916) 978-4389



Timothy  
Moore/CASO/CA/BLM/DOI  
06/20/2007 12:26 PM

To Rick Cooper/CASO/CA/BLM/DOI@BLM  
cc  
bcc  
Subject Fw: Heads-up draft CHF IM

— Forwarded by Timothy Moore/CASO/CA/BLM/DOI on 06/20/2007 12:26 PM —



Timothy  
Moore/CASO/CA/BLM/DOI  
12/14/2006 01:42 PM

To John Key/CASO/CA/BLM/DOI  
cc George Hill/CASO/CA/BLM/DOI@BLM  
Subject Fw: Heads-up draft CHF IM

this is the chf submission. the stuff I talked about on the call was off-the-cuff.

EPA will provide BM with a new risk assessment for CCMA in Spring 2007. This will start a new EIS for CCMA (the third).

OSHA had cited BLM for 5 serious violations, a settlement agreement was worked out for Hollister & Ukiah.

BLM will conduct in-house air sampling QA/QC by DOI Certified Industrial Hygienists, in 2007.

BLM did conduct a environmental site assessment at the existing decontamination facility (6 Geoprobe cores, water samples) to determined contamination was spread into soils & groundwater from this unpermitted discharge. This work in Oct 2006, cost around \$40,000. A EPA permit and State Regional Water Quality Control Board permit still is needed to operate this site. It currently is shut down.

A new decontamination facility is planned for 2008, estimated costs exceed \$2,000,000. In 2007 a feasibility study is being conducted. BLM engineering has lead.


BLM will conduct some sediment removal at Atlas in 2007, our cost cap is \$45,000.

Our 12-13-06 verbal request was \$253,000, which is \$50,000 over our July 2006 submittal.

— Forwarded by Timothy Moore/CASO/CA/BLM/DOI on 12/14/2006 01:31 PM —



Timothy  
Moore/CASO/CA/BLM/DOI  
07/11/2006 03:10 PM

To Kris Doebbler/DWO/BLM/DOI  
cc John Key/CASO/CA/BLM/DOI@BLM, George Hill/CASO/CA/BLM/DOI@BLM, Rick Cooper/CASO/CA/BLM/DOI@BLM  
Subject Re: Heads-up draft CHF IM 

In FY07, for the Atlas Superfund site, we will request identical funding as was given in FY 06.

In fiscal year 2006 our office received \$203,000, this was split into these main categories (dollar amounts are estimates only):

- 1- Support salary of project manager for 1/2 year (\$60,000),
- 2-Operation & maintenance work (\$45,000),
- 3- OSHA compliance, air monitoring, medical monitoring, personal protective equipment (\$25,000),
- 4-Oversight costs for EPA and Cal-EPA (estimated at \$25,000), training, travel and vehicle (\$48,000).

Accomplishments for Atlas Superfund Project in FY06 include:

- 1) EPA is preparing it's second 5 year site review report, this is a requirement prior to delisting the site, the report is expected by the end of September 2006.
- 2) In response to a BLM employee compliant to OSHA, a newly proposed asbestos employee decontamination feasibility report was funded with deferred maintenance/new construction dollars, the feasibility study was funded for \$100,000. If formally approved by WO a \$2,000,000 request will be made to build this facility. This will support activities as the Atlas mine site and the larger Clear Creek Management Area.
- 3) BLM coordinated with EPA Region 9, on a Human Health Risk Assessment, for the exposure to employees & public in hazardous asbestos area, also known as the Clear Creek Management Area, a 30,000 acre off-highway vehicle recreational area. This report is connected to EPA's Record of Decision for the Atlas Mine site. This report was fully funded by EPA and the report can be found on the internet [www.epa.gov/region9/toxic/noa](http://www.epa.gov/region9/toxic/noa).



Timothy  
Moore/CASO/CA/BLM/DOI  
06/20/2007 01:03 PM

To Rick Cooper/CASO/CA/BLM/DOI@BLM, George Hill/CASO/CA/BLM/DOI@BLM  
cc  
bcc  
Subject Fw: ccma health risks

fyi

----- Forwarded by Timothy Moore/CASO/CA/BLM/DOI on 06/20/2007 01:03 PM -----



Riveland.Nancy@epa.gov  
06/20/2007 12:21 PM

To Suer.Lynn@epamail.epa.gov,  
Johnson.Jere@epamail.epa.gov  
cc Timothy\_Moore@ca.blm.gov  
Subject Re: ccma health risks

Lynn (and Tim):

Welcome back!

Yes, we have selected Jere Johnson as the RPM on the Atlas/CCMA site to backfill Lynn. Jere currently works in the site assessment group in the Superfund division and has alot of experience working on asbestos issues. She will be officially starting to work as an RPM on July 9th as she is wrapping up her current assignments. If you have any questions, give me a call. Thank you!

Nancy Riveland  
Chief, Site Cleanup Section 2  
Superfund Division, Region 9  
US EPA  
(415) 972-3251

Lynn  
Suer/R9/USEPA/US

06/19/2007 09:27  
AM

To Timothy\_Moore@ca.blm.gov  
cc Nancy Riveland/R9/USEPA/US@EPA  
Subject Re: ccma health risks(Document link: Nancy Riveland)

Hi Tim,

I've been gone for a month. Sorry for the delay in getting back to you.

I don't know what the status is for getting a new RPM for Atlas/CCMA. Nancy Riveland (cc'd), the section supervisor, may have an update.

Lynn

Timothy\_Moore@ca  
.blm.gov

05/16/2007 01:55  
PM

Lynn Suer/R9/USEPA/US@EPA

To

cc

Subject

ccma health risks

Hi Lynn, did you start your new job yet?

Hope all is well, just wanted to pass this along, also do you think the health risk report will be out in June?

We need to talk about having a public meeting once it comes out.

take care!

(See attached file: BLM to Enforce Dry Season Use Restrictions in the Clear Creek Management Area (05-10-2007).htm)



BLM to Enforce Dry Season Use Restrictions in the Clear Creek Management Area (05-10-2007).htm





Timothy  
Moore/CASO/CA/BLM/DOI  
06/20/2007 03:21 PM

To George Hill/CASO/CA/BLM/DOI@BLM, Rick  
Cooper/CASO/CA/BLM/DOI@BLM

cc

bcc

Subject Fw: Heads-up draft CHF IM

Why my original funding request was changed .....I have no clue..... and no notification until today almost 1 year from when I submitted it!!!.....


— Forwarded by Timothy Moore/CASO/CA/BLM/DOI on 06/20/2007 03:20 PM —



Timothy  
Moore/CASO/CA/BLM/DOI  
07/11/2006 03:10 PM

To Kris Doebbler/DWO/BLM/DOI

cc John Key/CASO/CA/BLM/DOI@BLM, George  
Hill/CASO/CA/BLM/DOI@BLM, Rick  
Cooper/CASO/CA/BLM/DOI@BLM

Subject Re: Heads-up draft CHF IM 

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- 1) EPA is preparing it's second 5 year site review report, this is a requirement prior to delisting the site, the report is expected by the end of September 2006.
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Timothy  
Moore/CASO/CA/BLM/DOI  
06/26/2007 08:29 AM

To George Hill/CASO/CA/BLM/DOI@BLM, Rick  
Cooper/CASO/CA/BLM/DOI@BLM, tim\_radtke@ios.doi.gov  
cc  
bcc  
Subject Asbestos HVAC system

I am trying to scope out the design needs for the HEPA system, so that bidders can actually procure & install this system, slated to be operational in Fall 2007..

So far I have a little bit of information from Tim Radtke and some basic assumptions that I want to get confirmation on before we go out for bids.

- 1) The new building needs to be fitted or retrofitted with a self-closing door
- 2) The new building needs to have a relief air opening and relief damper installed .
- 3) We need to know actual dimensions of the window opening to determine air flow demand .
- 4) Will the fresh air intake be aboveground or below ground ?
- 5) Can we use the NPS Pinnacle National Monument drawings as a model for our unit ?
- 6) How much (if any) of this system will BLM install ? For example if below grade air intake system is selected, will BLM do the trenching & back filling ?

I am somewhat at a loss to get any reasonable vendor quotes until BLM firms up on some of these issues and we can then write up a scope of work for this professional service procurement .

I know deadlines are getting close to the cut off dates (mid-July) , I was just assigned this task last week to call vendors & get quotes.

Hopefully, if some confirmation on item #1-6 the quotes and procurement will go much faster.



Timothy  
Moore/CASO/CA/BLM/DOI  
07/11/2007 09:15 AM

To riveland.nancy@epamail.epa.gov  
cc  
bcc Rick Cooper/CASO/CA/BLM/DOI  
Subject Human Health Risks Tech Report for the Clear Creek  
Management Area

Hello, this is just a follow up to my voicemail message this morning .

Can please let me know when we can expect the latest tech memo from CH2MHILL, regarding the asbestos activity based air sampling that was performed in 2004 & 2005, in the Clear Creek Management Area?

thanks!


Tim Moore  
Atlas Project Manager  
20 Hamilton Court  
Hollister, CA 95023  
831.630.5027

Tim  
Radtke/PHS/OS/DOI@DOI  
07/11/2007 01:31 PM

To James Anger/CASO/CA/BLM/DOI@BLM, Rick  
Cooper/CASO/CA/BLM/DOI@BLM, George  
Hill/CASO/CA/BLM/DOI@BLM, Timothy  
cc Robert Garbe/PHS/OS/DOI@DOI, Sandra Y  
Jackson/WO/BLM/DOI@BLM

bcc

Subject 3rd round of asbestos results

History:  This message has been replied to.

All,

I received the TEM results and have tabulated the latest round of sampling. We had our first sample that indicated an exposure above the 0.1 f/cc PEL. It was from the SWECO operator at CCMA who said it was the dustiest conditions he had seen. His result was 0.109 f/cc on the second day with 86.6% of the fibers being asbestos. Since this was the last workday on clear creek for the season, we will make recommendations on this in the final report. But needless to say, this type of work should not be conducted during these extreme dry conditions.

Knoxville continued to show low level exposures presumably due to the lower asbestos concentration in the soil. The SWECO operator at Knoxville experienced very dusty conditions without an enclosed cab and his asbestos exposures were below the limit of detection.


Please share these results with the employees who were sampled.

Tim



NOA round 3 results summary.doc

Rick  
Cooper/CASO/CA/BLM/DOI  
07/11/2007 03:15 PM

To Tim Radtke/PHS/OS/DOI@DOI  
cc  
bcc  
Subject Re: 3rd round of asbestos results 

Tim

I will share with all staff.

We still have not gotten the final report from EPA. Not sure what the hold up is.

Thanks for your continued assistance and expertise.

Rick Cooper  
Field Manager  
Hollister Field Office  
20 Hamilton Court  
Hollister, CA 95023  
phone: (831) 630-5010

Rick  
Cooper/CASO/CA/BLM/DOI  
07/20/2007 03:05 PM

To David Wheeler/CASO/CA/BLM/DOI  
cc  
bcc  
Subject Response Union

Dave,

Any suggestions on my response? I have discussed with Ken. We are not in total agreement on #1. He wants a permanent facility adjacent to the entrance station. Ken suggested that if an employee left the entrance station to use rest-room that they might get disciplined. I stated employees could leave site as needed for a restroom break.

Background: The Clear Creek Entrance Station and the planned Decon Facility/Work Center are located within 1200 feet of one another. The Decon Facility/Work Center is funded. Construction could begin in late 2008 or early 2009.

The Decon Facility/Work center will provide the permanent facilities (potable water, restrooms, showers etc.) to support the Entrance Station. The entrance station is scheduled for construction ahead of the decon facility to assist the agency in starting a recreation fee program in 2008. The BLM will provide bottled water, and a portable toilet facility for BLM employees until the decon facility is completed. The temporary facilities will be for employees only. The decon facility use will be for employees only as well.

Response

1. Onsite restrooms for the Entrance Station will be provided at the planned site for the new Decon Facility located 1200 feet west of the Entrance Station. (See attached map). These facilities will be for employees only. As a temporary measure until permanent onsite facilities are built, "portalets" and bottled water will be supplied. Employees will have transportation while working at the entrance station. Employees will be allowed to lock up the entrance as needed and direct visitors to self registration when using the restrooms. During large events or busy weekends "portalets" will be placed adjacent to entrance station for employee convenience

2. OK


3. OK ( Move to item 4)

4. (revise move to item 3) The site will be regularly monitored for airborne asbestos. If asbestos concentrations exceed safety and health standards, mitigative measures to suppress dust (airborne particulates) will be put in place. These measures will be in accordance with Bureau and OSHA guidance.

Let me know what you think. I will get this off to ken ASAP.

Rick Cooper  
Field Manager  
Hollister Field Office  
20 Hamilton Court  
Hollister, CA 95023  
phone: (831) 630-5010

Thomas  
Meagher/CASO/CA/BLM/DOI  
07/20/2007 06:04 PM

To Thomas Meagher/CASO/CA/BLM/DOI@BLM  
cc David Slibsager/CASO/CA/BLM/DOI@BLM, Eric  
Antrim/CASO/CA/BLM/DOI@BLM, Paul  
Fulkerson/CASO/CA/BLM/DOI@BLM, Rick  
bcc  
Subject Re: Fw: Clear Creek asbestos 

Semi interesting: <http://www.slate.com/id/2170761/nav/tap3/>

### **How Much Asbestos Is Too Much?**

#### **Lots of fibers, for years and years.**

By Michelle Tsai

Posted Thursday, July 19, 2007, at 7:15 PM ET

No asbestos was found in the air after Wednesday's steam pipe explosion by New York's Grand Central Station, though debris and dust in the area did contain the carcinogenic mineral. City officials said that brief exposures are "very unlikely" to cause long-term health problems. Just how much asbestos does it take to make you sick?

Usually, it takes years of continued exposure to high levels of asbestos—like those in an industrial environment—to cause health problems. People working under those conditions are more likely to develop lung cancer, mesothelioma, asbestosis, or abnormalities in the lining of their lungs. (According to an EPA review of asbestos data, factory workers exposed for a year to a significant dose of 44 asbestos fibers per cubic centimeter of air had their rates of lung cancer go up by 2.8 percent.) Scientists have plenty of data on these severe cases but much less information about what happens when you inhale small amounts of asbestos—e.g., at rates of less than one fiber per cc of air. At low levels of exposure, the effects may depend on the type of asbestos fiber inhaled, as well as the genetic makeup of the victim and whether he or she is a smoker.

But anecdotal evidence shows that very low levels of exposure can make you sick decades down the road. In Libby, Mont., a town whose largest employer for 70 years was a vermiculite mine, the CDC found rates of asbestosis in the population that were 40 to 60 times higher than expected. Since these illnesses take so long to crop up in general, it's hard to gauge original levels of exposure. Researchers believe that in some cases, the victims had exposure below what current OSHA standards allow in the workplace. According to federal rules, employers must make sure there's less than 0.1 asbestos fiber per cubic centimeter of air averaged over an eight-hour workday. Workers can be subjected to levels of one fiber per cubic centimeter over periods of half an hour. (In industries like plastics manufacturing, which involves asbestos, the limits are pushed up to half a fiber per cc over the course of a workday, or 2.5 fibers for half an hour.) For any commuters caught in Wednesday's blast, though, the health risk was essentially zero.





Timothy  
Moore/CASO/CA/BLM/DOI  
07/24/2007 11:27 AM

To "Christian Hartley" <chartley@rpwb.com>  
cc George Hill/CASO/CA/BLM/DOI@BLM, Rick  
Cooper/CASO/CA/BLM/DOI@BLM,  
suer.lynn@epamail.epa.gov,  
bcc

Subject Re: CCMA amphibole asbestos 

Well a lot has happened since your last email. EPA will be finishing up there health risk assessment for the public exposure to asbestos in the Clear Creek Management Area. After BLM has a chance to review EPA's report, we will begin to ask for public input to amend our land use plan, via an Environmental Impact Statement.

Lynn Suer has changed position in EPA and the Atlas/Clear Creek Project Manager is Jere Johnson, I have included both of them in my response to your email.

I don't think your observations are a surprise to those of us who have dealt with this issue over the last few years (or decades as the case may be!).

I think all of the technical issues will be professionally addressed in the final EPA and BLM reports that will be developed over the next few months, have you looked at the EPA's draft technical reports that are posted on their website?

Thanks for your interest and concern regarding the asbestos exposure in the Clear Creek Management Area.

"Christian Hartley" <chartley@rpwb.com>



"Christian Hartley "  
<chartley@rpwb.com>  
07/24/2007 11:01 AM

To <Timothy\_Moore@ca.blm.gov>  
cc

Subject CCMA amphibole asbestos

Tim:

I hope this email finds you well. It is time for may latest follow up on what is happening regarding the asbestos issues at CCMA. Since we last communicated, I have established that EPA has routinely found amphibole in the air samples out there and amphiboles make up about 4-12% of the airborne asbestos found in CCMA. This is huge news which must be made public. People should be made aware of the real risks of recreating there so they can choose whether to take that risk and expose their children to the risk.

There are many websites which claim that Clear Creek asbestos is short fiber chrysotile which is safe. The evidence is that the fiber is not all short or all chrysotile (EPA has stated such). This news needs to be posted on the web and at the CCMA by EPA/BLM so that people have the truth, rather than relying on people with vested interests (ATV people, rock hounds, and asbestos companies) who are ill-informed or trying to make use of bought-and-paid-for science to help in lawsuits.

Union Carbide has actually employed someone to use cancer (SEER) data from Monterey and San Benito county to say that since the reported cases in those counties are the same as background rates on average, there is no risk. This is bogus science since we do not know anything about the population, where they have been, how much asbestos they were exposed to, and how long they've been there.

Union Carbide also commissioned studies of this asbestos (25 years after the last time they sold asbestos) which 'shockingly' show no effects on animals thereby proving, according to Union Carbide's experts, that this Clear Creek asbestos is safe. The papers I am talking about include a series by Ilgren and Chatfield and others by Bernstein et al. These are showing up on Clear Creek related websites in misguided discussions about the hazards of the asbestos there. For example, <http://www.picacho.org/more-home.html> mentions the Union Carbide lawyer-sponsored article by Bernstein in suggesting the asbestos in CCMA is safe.

I implore you to give me the data relating to air monitoring. I want to make sure people are not at risk due to the bought-and-paid-for litigation reports which get published in 4th tier corporate front journals (such as Indoor+Built Environment and Inhalation Toxicology).

Is there some reason I should not get the raw air monitoring data? If not, I would love to get it by email or fax ASAP!

Thanks,

Christian

*This communication may be attorney-client privileged or otherwise confidential. If you are not the intended recipient, please delete this message and notify the sender of this error.*



"Christian Hartley "  
<chartley@rpwb.com>  
07/24/2007 12:08 PM

To <Timothy\_Moore@ca.blm.gov>  
cc <George\_Hill@ca.blm.gov>, <Rick\_Cooper@ca.blm.gov>,  
<suer.lynn@epamail.epa.gov>,  
<johnson.jere@epamail.epa.gov>, <tim\_radke@ios.doi.gov>  
bcc

Subject RE: CCMA amphibole asbestos

Tim:

Thanks for the quick reply. I was aware of the change in the guard and sent a similar email to Jere, Lynn, and Arnold Den. However, I would really like to get the raw data if possible.

I have looked at the documents on EPA's site (hence my statement about long fibers), but there is no mention of amphibole. While I realize that there is no real reason to mention amphibole since EPA wisely treats all asbestos as equally hazardous, it is important to point this out since there are a lot of Flat-Earth Society types out there (mainly asbestos industry consultants like JC McDonald, Bruce Case and Ed Ilgren, who argue that chrysotile is the friendly fiber that is innocuous. Even those Friendly Fiber people have to admit that 4-12% amphibole fiber is a risk of which people must be made aware. Canadian asbestos mine area air samples yielded much less amphibole than 4-12% and McDonald, Case et al blame all the mesotheliomas in Canada on the tremolite. Of course, this tremolite hypothesis is a sham which is not supported by reliable science, but if it were, there is still a major problem with the Coalinga asbestos deposit.

I also found out that R.G. Coleman, who wrote the purported risk assessment a while back has been consulting with Union Carbide and helping their litigation witnesses. It is sad to see Dr. Coleman (geologist, as you know) making unscientific statements about the worker population to justify a risk assessment when it is clear that the absence of evidence of disease in such a small population of workers would be expected, even if the workers had tremendous lifetime exposures. See page 17. As it turns out, the Union Carbide/KCAC plant was modern, had extensive dust control and other protections, and only a few workers had long careers there. Of course, Coleman did not report the findings on X-ray of many markings consistent with asbestos-related disease and was not told that there was no effort to follow up on the workers who worked there for a short time.

In light of the evidence of air contamination with tremolite, is it safe to rely on Coleman's statement that a small amount of tremolite exists in the area. 4-12% seems to be more than a minor amount.

Is there some reason the data about the air quality cannot be release to me? Let me know as soon as possible.

Thanks,

Christian

---

**From:** Timothy\_Moore@ca.blm.gov [mailto:Timothy\_Moore@ca.blm.gov]  
**Sent:** Tuesday, July 24, 2007 2:28 PM  
**To:** Christian Hartley  
**Cc:** George\_Hill@ca.blm.gov; Rick\_Cooper@ca.blm.gov; suer.lynn@epamail.epa.gov;  
johnson.jere@epamail.epa.gov; tim\_radke@ios.doi.gov  
**Subject:** Re: CCMA amphibole asbestos

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Thanks for your interest and concern regarding the asbestos exposure in the Clear Creek Management Area.

"Christian Hartley" <chartley@rpwb.com>

07/24/2007 11:01 AM

To <Timothy\_Moore@ca.blm.gov>  
cc

Subject CCMA amphibole asbestos

Tim:

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[attachment "NEW IDRIA SERPENTINITE A LAND MANAGEME\_COLEMAN, R. G. 1996.pdf" deleted by Rick Cooper/CASO/CA/BLM/DOI]



Suer.Lynn@epamail.epa.gov

07/24/2007 12:22 PM

To "Christian Hartley" <chartley@rpwb.com>

cc George\_Hill@ca.blm.gov, Johnson.Jere@epamail.epa.gov,  
Rick\_Cooper@ca.blm.gov, Timothy\_Moore@ca.blm.gov,  
tim\_radke@ios.doi.gov

bcc

Subject RE: CCMA amphibole asbestos

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Lynn

"Christian  
Hartley"  
<chartley@rpwb.c  
om>

07/24/2007 12:08  
PM

<Timothy\_Moore@ca.blm.gov>

To

cc

<George\_Hill@ca.blm.gov>,  
<Rick\_Cooper@ca.blm.gov>, Lynn  
Suer/R9/USEPA/US@EPA, Jere  
Johnson/R9/USEPA/US@EPA,  
<tim\_radke@ios.doi.gov>

Subject

RE: CCMA amphibole asbestos

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"Christian Hartley" <chartley@rpwb.com>

07/24/2007 11:01 AM

To  
<Timothy\_Moore@ca.bl  
m.gov>

CC

Subject  
CCMA amphibole  
asbestos

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Subject RE: CCMA amphibole asbestos

Lynn:

Thanks. Does that mean that 4-12% of the fibers which would be visible with phase contrast microscope (using NIOSH 7400) are amphibole, but that because of the large number of thin fibers (which would not be resolved by PCM limitations), the actual percentage is much smaller? It makes sense and the data would be comparable to the Canadian mining data since they also counted only NIOSH 7400 fibers (I believe). I hope this makes sense.

Thanks,

Christian

-----Original Message-----

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 Sent: Tuesday, July 24, 2007 3:23 PM  
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Moore/CASO/CA/BLM/DOI  
07/24/2007 12:40 PM

To "Christian Hartley" <chartley@rpwb.com>

cc George\_Hill@ca.blm.gov, johnson.jere@epamail.epa.gov,  
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Subject RE: CCMA amphibole asbestos 

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Thus, if you are looking for the "better" data, EPA has this, the BLM data is only useful for the evaluation of the OSHA 8-hour TWA and 30 minute STEL, thresholds.

You probably need to talk with Lynn Suer. some of their data is contained in the CH2MHill's Tech Memo's which are posted on their NOA/CCMA web page.

Does this help you?

"Christian Hartley"  
<chartley@rpwb.com>

07/24/2007 12:08 PM

To <Timothy\_Moore@ca.blm.gov>

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Subj RE: CCMA amphibole asbestos  
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<chartley@rpwb.com>  
07/24/2007 02:59 PM

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cc <George\_Hill@ca.blm.gov>, <johnson.jere@epamail.epa.gov>, <Rick\_Cooper@ca.blm.gov>, <suer.lynn@epamail.epa.gov>  
bcc  
Subject RE: CCMA amphibole asbestos

I have NIOSH 7400 and it states the limits of detection. I just wondered if the PCME rules counted thin fibers which are long (a phenomenon more common with CCMA asbestos than other chrysotile). Coalinga asbestos is thinner than Canadian on a fiber-for-fiber basis. Thus, for a given mass of Coalinga asbestos and Canadian, the Coalinga has many more fibers and an equal number of long fibers. Therefore, an air sample of equal masses of Coalinga compared to Canadian chrysotile would be read by NIOSH 7400 such that there were many more long fibers in the Canadian when that is not true. In fact, most evidence shows that it is long, thin fibers which are the most hazardous. It would seem to me that the Coalinga PCME measurements might actually understate the risk.

Is EPA and BLM considering this possibility?

---

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**Subject:** RE: CCMA amphibole asbestos

1) yes..... the 7400 Niosh is available on the web , just try any search engine such as GOOGLE , you will be able to read the protocol.

2) I am not sure about the 40 micron question, I think Niosh method only counts fibers which are .05 micron wide and 5 microns long.

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SubjectRE: CCMA amphibole asbestos  
t

Sorry to bother you all one more time, but I am wondering if the PCME methodology you are using is found in a public document? Also, does the PCME methodology mean that long, thin fibers will be excluded from the count due to the fact that a PCM would not be able to resolve a thin fiber that is 40 microns long?

Union Carbide went around the country doing dust counts at their Coalinga customers plants and used the NIOSH 7400 method and reported the results knowing that their asbestos was generally so thin that they were missing numerous long fibers which would fit the definition of fiber (3-1 aspect ration and longer than 5 microns). Internal memos detailed the potentially misleading reports they were giving people from their surveys.

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Does this help you?

"Christian Hartley"  
<chartley@rpwb.com>

07/24/2007 12:08 PM

To<Timothy\_Moore@ca.blm.gov>  
cc<George\_Hill@ca.blm.gov>, <Rick\_Cooper@ca.blm.gov>, <suer.lynn@epamail.epa.gov>,  
<johnson.jere@epamail.epa.gov>, <tim\_radke@ios.doi.gov>  
Subject: RE: CCMA amphibole asbestos  
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cc

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07/25/2007 12:55 PM

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bcc

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om>

07/24/2007 02:23  
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 <chartley@rpwb.com>  
 07/25/2007 01:17 PM

To <Suer.Lynn@epamail.epa.gov>  
 cc <George\_Hill@ca.blm.gov>, <Rick\_Cooper@ca.blm.gov>,  
 <Timothy\_Moore@ca.blm.gov>, <tim\_radke@ios.doi.gov>  
 bcc

Subject RE: CCMA amphibole asbestos

Thanks, Lynn. So, would you agree that since many of the longer Coalinga asbestos structures are too thin to be counted under the counting protocol (Coalinga chrysotile and many amphiboles types, unlike Canadian chrysotile, are thinner than 0.25 um), the PCME will undercount long fibers actually present compared to PCM counts where similar masses of Canadian Chrysotile is counted? I think that is important to consider if we are going to use dose-response models to estimate risk in CCMA. PCME counting rules underestimate the exposures that would have comparable measure in a Canadian chrysotile exposure.

-----Original Message-----

From: Suer.Lynn@epamail.epa.gov [mailto:Suer.Lynn@epamail.epa.gov]  
 Sent: Wednesday, July 25, 2007 3:56 PM  
 To: Christian Hartley  
 Cc: George\_Hill@ca.blm.gov; suer.lynn@epamail.epa.gov;  
 Rick\_Cooper@ca.blm.gov; Timothy\_Moore@ca.blm.gov; tim\_radke@ios.doi.gov  
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07/24/2007 02:23  
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James  
Anger/CASO/CA/BLM/DOI  
07/26/2007 08:15 AM

To Rick Cooper/CASO/CA/BLM/DOI@BLM  
cc Paul Fulkerson/CASO/CA/BLM/DOI@BLM  
bcc  
Subject Re: Proposed CCMA Entrance Station 

History:  This message has been replied to.

Rick/Paul,  
I've been giving this some thought. I have some questions about this entrance station...

The employee(s) posted at the station will have adequate drinking water, sanitation and wash facilities, correct? Will you be taking into account asbestos exposures and mitigation measures for those exposures? Based on the IH samplings, it seems that clear (and enforced) administrative controls and limited seasonal access could probably take care of most high exposure periods. I'm just asking if this has been taken into account. Maybe a HASP for this particular situation.

Has anyone considered HEPA filtration or some type of positive fresh air flow within the stations for periods where the particulates might be borderline or over the PEL?

Does the enclosure take into account something akin to a ticket gate (enclosed Kiosk) where the employee is surrounded by, say, plexiglass with a minimal opening to slide currency, pamphlets or whatever functions that person would be expected to do?

Finally, is the purpose of the entrance station to receive or exchange recreation fees? Is this something new that we're doing and if so...does this have implied liabilities or tacit reassurance for the health and safety of the publics? ie; are we potentially increasing our vulnerability to litigation, should a claimant sue for exposure to a health hazard known to exist by the BLM?

Rick I'm aware that these questions might seem a little "overguarded" but on the issue of this entrance station, I'm sorta coming into the project midstream...  
I figured the questions were worth asking if for no other reason than to bring me up to snuff with the planning and progression of this project. (As I mentioned to you over the phone...Dave Wheelers input was a bit cryptic--I didn't get the full picture from him.)

Your thots?

Jim Anger  
State Occupational Safety and Health Manager  
BLM - California  
janger@ca.blm.gov  
(916) 978-4521  
Rick Cooper/CASO/CA/BLM/DOI

Rick  
Cooper/CASO/CA/BLM/DOI  
07/19/2007 03:07 PM

To James Anger/CASO/CA/BLM/DOI@BLM, Paul  
Fulkerson/CASO/CA/BLM/DOI@BLM  
cc  
Subject Proposed CCMA Entrance Station


I am getting some feed back on requirements for employees who will man entrance station facility we intend to install at the entrance to the Clear Creek MA this fall. This is a prefab concrete structure which

will be intermittently staffed during the high use season . We intended to provide a portable toilet facility with hand wash unit, until the new decon facility is constructed . The new decon facility would provide the future amenities for the entrance station site.

Call me tommorrow if you have some suggestions .

Rick Cooper  
Field Manager  
Hollister Field Office  
20 Hamilton Court  
Hollister, CA 95023  
phone: (831) 630-5010

**Rick  
Cooper/CASO/CA/BLM/DOI**  
07/26/2007 09:08 AM

To James Anger/CASO/CA/BLM/DOI  
cc Paul Fulkerson/CASO/CA/BLM/DOI@BLM  
bcc George Hill/CASO/CA/BLM/DOI  
Subject Re: Proposed CCMA Entrance Station 

Jim,

BLM has a ROD signed by the State Director in 2006 designated open routes for OHV use. BLM has been authorizing activities in a known asbestos area since 1989. We have studied the issue and have continued to allow the activity and build improvements for almost 20 years. We have stated BLM will intensively manage and control recreation use in the area to protect endangered species in the area. All of this is done in an Hazardous Asbestos Area as classified by EPA. I don't think putting an entrance station in will increase any liability that might exist.

The collection of fees are necessary to offset costs of doing business in this environment. The entrance will provide another venue to educate the public.


We will have a HEPA filtered environmental system on the station with positive air flow. There will be a self registration kiosk for those times when the entrance station is not attended. We may add SOP addendum for this site onto our existing HASP for the CCMA.

Employees will be provided with water and sanitation facilities. The new Decon facility will be 1200 feet west of the entrance which will afford them more permanent amenities in 2009.

Rick Cooper  
Field Manager  
Hollister Field Office  
20 Hamilton Court  
Hollister, CA 95023  
phone: (831) 630-5010  
James Anger/CASO/CA/BLM/DOI



**James  
Anger/CASO/CA/BLM/DOI**  
07/26/2007 08:15 AM

To Rick Cooper/CASO/CA/BLM/DOI@BLM  
cc Paul Fulkerson/CASO/CA/BLM/DOI@BLM  
Subject Re: Proposed CCMA Entrance Station 

Rick/Paul,

I've been giving this some thought. I have some questions about this entrance station...

The employee(s) posted at the station will have adequate drinking water, sanitation and wash facilities, correct? Will you be taking into account asbestos exposures and mitigation measures for those exposures? Based on the IH samplings, it seems that clear (and enforced) administrative controls and limited seasonal access could probably take care of most high exposure periods. I'm just asking if this has been taken into account. Maybe a HASP for this particular situation.

Has anyone considered HEPA filtration or some type of positive fresh air flow within the stations for periods where the particulates might be borderline or over the PEL?

Does the enclosure take into account something akin to a ticket gate (enclosed Kiosk) where the



employee is surrounded by, say, plexiglass with a minimal opening to slide currency, pamphlets or whatever functions that person would be expected to do?

Finally, is the purpose of the entrance station to receive or exchange recreation fees? Is this something new that we're doing and if so...does this have implied liabilities or tacit reassurance for the health and safety of the publics? ie; are we potentially increasing our vulnerability to litigation, should a claimant sue for exposure to a health hazard known to exist by the BLM?

Rick I'm aware that these questions might seem a little "overguarded" but on the issue of this entrance station, I'm sorta coming into the project midstream...

I figured the questions were worth asking if for no other reason than to bring me up to snuff with the planning and progression of this project. (As I mentioned to you over the phone...Dave Wheelers input was a bit cryptic--I didn't get the full picture from him.)

Your thots?

Jim Anger  
State Occupational Safety and Health Manager  
BLM - California  
janger@ca.blm.gov  
(916) 978-4521  
Rick Cooper/CASO/CA/BLM/DOI

Rick  
Cooper/CASO/CA/BLM/DOI  
07/19/2007 03:07 PM

To James Anger/CASO/CA/BLM/DOI@BLM, Paul  
Fulkerson/CASO/CA/BLM/DOI@BLM  
cc

Subject Proposed CCMA Entrance Station

I am getting some feed back on requirements for employees who will man entrance station facility we intend to install at the entrance to the Clear Creek MA this fall. This is a prefab concrete structure which will be intermittently staffed during the high use season. We intended to provide a portable toilet facility with hand wash unit, until the new decon facility is constructed. The new decon facility would provide the future amenities for the entrance station site.

Call me tommorrow if you have some suggestions.

Rick Cooper  
Field Manager  
Hollister Field Office  
20 Hamilton Court  
Hollister, CA 95023  
phone: (831) 630-5010

Miyoshi W Stith /WO/BLM/DOI  
07/26/2007 01:26 PM

To John Key/CASO/CA/BLM/DOI@BLM  
cc Joann Nunn/CASO/CA/BLM/DOI@BLM, Kris  
Doebbler@blm.gov, Leroy  
Mohorich/CASO/CA/BLM/DOI@BLM, Richard  
bcc

Subject Re: Fw: CHF - My response to you

History: This message has been forwarded.

Hi John,

This email responds to your question regarding additional funding for Atlas to offset the overspending . I checked with the DOI and have concluded that there are no available funds for this effort. As you aware over spending is pretty much forbidden and is almost never rewarded . I'm not sure how this happened. I'm available for a conference call if you like but the bottom line is the DOI will be looking for CA to correct this negative balance with your own base not CHF dollars . As you know if this problem is not corrected by the end of the year the BLM budget office will look to balance the books by taking funding from another CHF project in CA. I encourage you to resolve this matter before that happens because it could adversely impact our ability to receive funding in the future . Please call if you have questions.

John Key/CASO/CA/BLM/DOI



John Key/CASO/CA/BLM/DOI

07/23/2007 06:34 PM

To Miyoshi W Stith/WO/BLM/DOI

cc Kris Doebbler@blm.gov, Rick\_Cooper@ca.blm.gov@BLM,  
Joann Nunn/CASO/CA/BLM/DOI@BLM, Robert  
Nauert/CASO/CA/BLM/DOI@BLM, Richard  
Grabowski/CASO/CA/BLM/DOI, Leroy  
Mohorich/CASO/CA/BLM/DOI

Subject Fw: CHF

Miyoshi -

I have all ready forwarded to you a copy of an electronic message from Rick Cooper , Hollister Field Office Manager expressing his concern about central HazMat funding for his field office . This year, the Hollister Field Office has overspent their central haz mat fund account for 2641 CAZA for the Atlas Asbestos Mine (\$ 145,000) and charged additional funding to the 2642 account where they had no funding this year. I have notified that field office (Rick Cooper & Tim Moore), the appropriate budget analyst (Joann Nunn in CenCal), and the state office budget staff (Rob Nauert) of this situation and indicated that these charges had to be backed out and other appropriate programs charged for the expenditures. Now the field office would like me to request additional funding for them. I indicated that I would ask, but they should not expect relief for overspending in those DOI controlled accounts . I would appreciate your consideration and thoughts in this matter.

John Key  
State Program Lead - HazMat/AML/NRDAR  
Bureau of Land Management - California State Office  
2800 Cottage Way, Suite W-1834, Sacramento, CA 95825  
(916) 978-4384; Fax (916) 978-4389

--- Forwarded by John Key/CASO/CA/BLM/DOI on 07/16/2007 01:40 PM ----

**Rick  
Cooper/CASO/CA/BLM/DOI**  
07/11/2007 01:18 PM

To John Key/CASO/CA/BLM/DOI@BLM  
cc Robert Nauert/CASO/CA/BLM/DOI@BLM, Joann  
Nunn/CASO/CA/BLM/DOI@BLM  
Subject CHF

John,

What is your strategy for assisting Hollister FO in the CHF account for 2007. Nauret had asked in an earlier email about requesting additional funds. Is that still an option based on the add on expenses incurred by this office in 2007.

Rick Cooper  
Field Manager  
Hollister Field Office  
20 Hamilton Court  
Hollister, CA 95023  
phone: (831) 630-5010

Rick  
Cooper/CASO/CA/BLM/DOI  
07/30/2007 04:06 PM

To Mike Pool  
cc Jim Abbott/CASO/CA/BLM/DOI@BLM, George Hill/CASO/CA/BLM/DOI  
bcc  
Subject Fw: Conference Call on CCMA Exposure Scenarios

Mike,

The August 23, 2007 meeting is an information sharing session to flesh out exposure scenarios in CCMA. BLM will provide EPA with accurate information regarding combinations of uses that occur in CCMA.

BLM will have Cooper, Hill, David Moore(ORP), Tim Moore(Geologist), David Slibsager, Jerry Tuma and Sky Murphy.

EPA will have Jeanne Geselbracht, EPA (manager), Jere Johnson, EPA (Atlas Mine Project lead), Arnold Den EPA(Asbestos Expert) and Carolin Ziegler CH2MHill (contractor)

The intent of the call will be to provide EPA and CH2MHill input on the exposure scenarios so they can complete the summary report.

In addition the discussion will give us some insight into EPA's final summary. We will discuss timing for the public meeting, that EPA and BLM will host, following the release of the report.

Rick Cooper  
Field Manager  
Hollister Field Office  
20 Hamilton Court  
Hollister, CA 95023  
phone: (831) 630-5010

----- Forwarded by Rick Cooper/CASO/CA/BLM/DOI on 07/30/2007 02:25 PM -----



Johnson.Jere@epamail.epa.gov

07/27/2007 03:37 PM

To ricooper@ca.blm.gov, Sross@dtsc.ca.gov, JTjosvol@dtsc.ca.gov  
cc Carolin.Ziegler@CH2M.com, Geselbracht.Jeanne@epamail.epa.gov, Den.Arnold@epamail.epa.gov, Stralka.Daniel@epamail.epa.gov  
Subject Conference Call on CCMA Exposure Scenarios

We plan on distributing a matrix the week of August 13 with the proposed exposure scenarios for the CCMA Risk Assessment. We'd like to have a conference call to discuss the matrix on Thursday, August 23 from 10:00 to 12:00.

Please let me know if the date and time work for you. Rick - Please forward this e-mail to the rest of the involved BLM staff.

I'll forward contact info after we confirm the call. I'll be on vacation the next two weeks, so the info will come the week of August 13. Thanks!

Jere Johnson  
Remedial Project Manager (SFD 7-2)  
EPA Region 9  
75 Hawthorne Street  
San Francisco, CA 94105  
415-972-3094  
415-947-3526 (fax)

Thomas  
Meagher/CASO/CA/BLM/DOI  
08/03/2007 02:03 PM

To David Slipsager/CASO/CA/BLM/DOI@BLM, Rick  
Cooper/CASO/CA/BLM/DOI@BLM, Timothy  
Moore/CASO/CA/BLM/DOI@BLM

cc

bcc

Subject Fw: Clear Creek asbestos data

History:  This message has been replied to.

Hello Hollister - Please see the note below - I know dave has been out - but is there any recent / additional compiled data on asbestos our consultant can look at? If Dagmar could look it over before a kick off in about week of Aug 17 , that would be beneficial. Please call / email me if there something electronic - or I guess we could fed ex something.

Thanks, Tom Meagher, BLM, Sacramento

----- Forwarded by Thomas Meagher/CASO/CA/BLM/DOI on 08/03/2007 01:56 PM -----



JEFFREY JONES  
<fungjones@sbcglobal.net>  
08/02/2007 04:48 PM

To "Akins, Amy" <Amy.Akins@hdrinc.com>,  
Thomas\_Meagher@ca.blm.gov

cc

Subject RE: Clear Creek asbestos data

I tried to talk with Dave, but I only got the answering machine. I left a query about data for asbestos, waste water and waste soil contaminants at the vehicle washing area. I asked him to please call to let me know if these exist or not. And I sent it as an urgent request. Hopefully, I'll hear back soon. I will be leaving early Saturday morning, so Friday will be the last day for any real communications for setting up sampling gear/analytical laboratory materials. Dagmar

"Akins, Amy" <Amy.Akins@hdrinc.com> wrote:

Tom,

My understanding from Dagmar is that she has already contacted Dave Slipsager to get this information. In fact, I believe she initiated this contact some time ago. (Dagmar can provide you with a date of initial contact, or thereabouts, I'm sure.) They just have not sent her everything she needs. HSA needs to have background data for more than just asbestos levels (waste water, soil levels of lead, oil,...). We are unsure if Hollister has that additional info. It's my feeling that the kickoff meeting has to be the cutoff date for data gathering, otherwise the project may be delayed.

If you can help us get the information we need from Hollister, or convey the importance of getting this sooner rather than later, that would be much appreciated.

Thanks,  
Amy

-----Original Message-----

From: Thomas\_Meagher@ca.blm.gov [mailto:Thomas\_Meagher@ca.blm.gov]  
Sent: Tuesday, July 31, 2007 2:31 PM  
To: Akins, Amy  
Cc: JEFFREY JONES; Romzick, William M.; David\_Slibsager@ca.blm.gov;  
Timothy\_Moore@ca.blm.gov; James\_Anger@ca.blm.gov  
Subject: Re: Clear Creek asbestos data

Hi Amy - BLM Hollister has a lot of asbestos data (BLM, EPA, Interior)  
- and is currently in the process of collecting more - an industrial  
hygenist "Radtke" is conducting some asbestos exposure testing at Clear  
Creek. I will try to get the latest info to Dagmar (jeffery jones?)  
for her review  
if I can. Dagmar should contact Dave Slibsager at 831-595-5440 in  
Hollister to discuss testing and data directly if she wants.

I suggest that we go ahead and schedule the kick off meeting asap so  
everyone can meet, look over the site and the asbestos data . If we  
conclude that addnl testing is warranted, we can issue a contract mod.  
Asbestos concentration in the air varies with weather conditions and  
activities, so hopefully the years of data collected will be sufficient.

Thanks, Tom Meagher, BLM, Sacramento

"Akins, Amy"

.com>  
To

07/31/2007 01:47  
cc  
PM "Romzick, William M."

,  
"JEFFREY

JONES"

Subject  
Scope task 4.4

Tom,

Per Dagmar, to date no baseline information has been received from Hollister. As we described in task 4.4 of the proposal (attached), HSA can do this work for an additional fee. This data is necessary to complete the project. I would like to confirm that Hollister does not have this data, and move toward modifying the contract to include this scope. I have not spoken with Dagmar about scheduling the sampling, but it would be convenient to collect samples on the same trip as the kickoff meeting.

Regardless, the sooner we can get this information, the better, so that this project can begin in earnest. Tom, how do you suggest we move forward from here?

Thanks,  
Amy

Amy M. Akins, P.E.

HDR ONE COMPANY | Many Solutions



115 Sansome Street, Suite 800 | San Francisco, CA | 94104-3622  
Phone: 415.434.0900 ext. 149 | Fax: 415.956.6220  
Email: amy.akins@hdrinc.com

[attachment "07102 Clear Creek Phase 1 Proposal.pdf" deleted by Thomas Meagher/CASO/CA/BLM/DOI]



John Key/CASO/CA/BLM/DOI  
08/09/2007 04:47 PM

To Miyoshi W Stith/WO/BLM/DOI, Kris Doebbler@blm.gov  
cc Rick\_Cooper@ca.blm.gov@BLM, Timothy  
Moore/CASO/CA/BLM/DOI  
bcc

Subject Fw: FY08 CHF ATLAS ALLOCATION

Attached find the 2008 CHF submission for the Atlas Asbestos Mine National Priority List Site (CAZA) sent to me this afternoon by Tim Moore, Atlas Asbestos Mine NPL site Project Manager. If you have any questions, please feel free to contact me or Tim Moore.

John Key  
State Program Lead - HazMat/AML/NRDAR  
Bureau of Land Management - California State Office  
2800 Cottage Way, Suite W-1834, Sacramento, CA 95825  
(916) 978-4384; Fax (916) 978-4389

----- Forwarded by John Key/CASO/CA/BLM/DOI on 08/09/2007 04:41 PM -----

Timothy  
Moore/CASO/CA/BLM/DOI  
08/09/2007 01:28 PM

To John Key/CASO/CA/BLM/DOI@BLM  
cc Rick Cooper/CASO/CA/BLM/DOI@BLM, George  
Hill/CASO/CA/BLM/DOI@BLM  
Subject FY08 CHF ATLAS ALLOCATION

John,

Here is our FY08 CHF Atlas Superfund submission.

If you have any questions or make any changes or corrections to this, please let us know, so that we can determine what impact it would have to the project.



ATLAS ASBESTOS MINE08.doc



**John Key/CASO/CA/BLM/DOI**  
08/16/2007 12:58 PM

To Miyoshi W Stith/WO/BLM/DOI  
cc Keith Tyler/WO/BLM/DOI@BLM, Kris Doebbler@blm.gov,  
Robert Nauert/CASO/CA/BLM/DOI@BLM, Bill  
Dunkelberger/CASO/CA/BLM/DOI@BLM, Richard  
bcc

Subject Available Central HazMat Funding (2642)

Miyoshi

I had a conversation with Bishop Field Office Manager Bill Dunkelberger this morning regarding central HazMat funding (CHF) for the Black Rock Millsite Project (Project Code CAZI). Bill was following up a previous inquiry from me concerning \$ 35,000 of carryover funding for the Black Rock Mine Project. In our conversation, Bill indicated that he had talked to the Project Manager Cheryl Seath recently (Cheryl is away from the office in Alaska attending minerals training). Cheryl told him that she would not be needing the CHF for the work left on site - it would be more appropriate to use base 1640 funding - some this year and some next year to complete the project - mostly cleaning up the discarded containers (some metal drums and small metal containers) and scrap metal on site. So as a result of this conversation, \$ 35,000 is available in 2642 for redistribution.

I am proposing three options for using that funding here in California :

Option # 1 - use the funding to cover excess spending in 2641 & 2642 (departmental funding) for the Atlas Asbestos Mine NPL Project (Project Code CAZA) by the Hollister Field Office - this is about \$ 30,000 (\$ 29, 238.25 to be exact according the last report I have dated August 4, 2007) and send the remainder to the Rand Historic Mining Complex Project (Project Code KELY) - about \$ 5,000.

Option # 2 - use the entire \$ 35,000 for the Rand Historic Mining Complex Project (Project Code KELY) .

Option # 3 - return the \$ 35,000 to the Central HazMat Fund for redistribution within the department on projects approved by the department.

This afternoon, I will be meeting with our Associate State Director Jim Abbott, CASO Budget Officer Rob Nauret, and my supervisor Leroy Mohorich concerning the current budget over-expenditures in the Hollister Field Office and the Ridgecrest Field Office. I let you know what their guidance and directions are concerning this situation.

**John Key**  
State Program Lead - HazMat/AML/NRDAR  
Bureau of Land Management - California State Office  
2800 Cottage Way, Suite W-1834, Sacramento, CA 95825  
(916) 978-4384; Fax (916) 978-4389

# Meeting Notes

Subject:	Kickoff Meeting		
Client:	Bureau of Land Management		
Project:	Clear Creek Asbestos Decon Facility	Project No:	67374
Meeting Date:	August 24, 2007 @ 8AM	Meeting Location:	Hollister BLM Office, project site
Attendees:	BLM: Tom Meagher, Rick Cooper, Dave Šlibsager, George Hill, Brad _____, Tim Moore HDR: Amy Akins, Mark Hammer HSA: Dagmar Fung		
Notes by:	Amy Akins		

## I. Topics Discussed at BLM Hollister office prior to site visit:

- A. EPA report: The EPA is scheduled to finish its tech note next week (Aug 27 – 31), then its draft final summary in September and the final summary in October. After that, BLM will schedule a public meeting, at which the EPA will make a presentation summarizing the potential risks to the public.
- B. BLM is working on the EIS, the main focus of which is the health risk assessment. After the EIS, they will focus on mitigation measures, such as reducing recreation, etc.
- C. The existing decontamination facility will be taken down, remediated, and set up as camp storage.
- D. The new facility will be intended for BLM staff, and possibly used for the public in the future. However, it is recognized that managing a public site would be difficult.
- E. It was noted that Tim Moore gave Dagmar Fung the Human Health Risk Assessment (HHRA) for decon, and the water quality profiles for waste.
- F. BLM has topo for the site, and will email it to the project team.
- G. Facility purpose and details:
  1. Support decon of BLM employees
  2. Provide staging area for storage (may be funding dependent)
  3. BLM wants the current decon facility items from the old site moved to the new site (the camp area will be removed, as it is not needed)
  4. BLM wants the new site to be fenced off to force the correct flow through the facility
  5. The fuel tanks may be able to be reused, but not much else
  6. BLM suggested looking at the Caterpillar facility in Willows for the truck wash
- H. Leach field discussion:
  1. Underground Injection Control was discussed (closed loop system)
  2. There may be oil and gas issues related to the leach field
  3. If you have a sump, it has to be permitted by the EPA (not necessary with a closed-loop system)

## II. Topics Discussed During the Site Visit

- A. The existing site is composed of the following features:
  1. A open slab with a sump, used for vehicle decontamination, adjacent to a leach field
  2. Adjacent to the vehicle decon are an electric pressure wash, a water tank, a gas-driven back-up wash, and a vacuum stored in a temporary building

3. A well house with generator, gas storage tank with pump, and a camp building (no longer in use)
  4. In the center of the circle drive are the personal decon trailer, a hazmat storage cabinet, and the admin building and adjacent shop
  5. Up the slope from the facility is an outdoor storage area and several large metal storage containers
- B. BLM has several specific needs for the new facility, based in part on the shortcomings of the existing facility:
1. The vehicle decon area must be large enough to accommodate a minimum length of 60 to 80 feet – the approximate length of the longest vehicle, corresponding to a grader on a low-bed truck trailer. At other times, this space is intended to be used to wash several vehicles at a time.
  2. The new facility should force the flow of traffic for decontamination.
  3. The existing personal decon trailer is too small (2 showers), and is not gender specific. This slows the decon process for groups larger than 2, or any mixed-gender work group wishing to decon on the shortest amount of time.
  4. The new personal decon should have pressure differentials between the clean and dirty sides, but does not have to be a trailer like the existing facility. The new facility should have as many as 15 lockers, as opposed to the 8 or so there currently.
  5. The hazmat storage shed is needed, and will be moved by BLM to the new facility.
  6. A very basic plumbed restroom is needed on the dirty side. BLM prefers a restroom set on a slab.
  7. The office or admin structure should be on the clean side and should be large enough for 2 or 3 work stations, a restroom, lunch table and refrigerator. The building should be HVAC controlled, with positive pressure and air sampling capabilities. Hot and cold water will also be required.
  8. The shop and enclosed storage should be in the same building, with a minimum 16 foot roof. BLM has requested a minimum 14 foot roll top door for a vehicle entrance. The shop should be on the dirty side, and does not need to be HVAC controlled.
  9. A 10,000W generator is currently in the well house, but a generator with more capacity is needed. BLM will need to specify the capacity required prior to design.
  10. For storage, the facility needs 4 containers similar to the existing, plus an open storage area, and a separate storage structure for law enforcement. A canopy structure is desired, but will be cost dependent.
  11. Turning radii should accommodate a 3 axle truck with a 40 foot trailer.

### III. Further Discussion at BLM Hollister After the Site Visit

- A. Well drilling has been rescheduled for late September.
- B. For asbestos and other contaminant samples, most of what Dagmar needs has been provided by Tim Moore. Dagmar is working with Tim Moore and Tim Radke in Denver to obtain any remaining information. Soil samples will be obtained by Tim Moore during geotechnical drillings. Water samples from the well will be pulled by John at BLM. Tim Moore has already provided test results from the existing facility for rinsate water contaminants.
- C. The expected volume of wash water generated was discussed, and was estimated at 7.5 gpm for high pressure wash. BLM is to provide the numbers for amount of water used and number of vehicles at the existing facility – this information should be found in the Water Board report.
- D. The geotechnical scope assumed USA utility clearance would be required. There are no utilities on site, therefore USA will not be needed. There is, however, a pipe running to/from the water trough at the new site. The layout of this pipe is unknown.
- E. For regulatory coordination, Rick Cooper of the BLM can provide contact names to Dagmar.
- F. For occupational and environmental sampling, Dagmar is still in need of ambient level readings.
- G. The creation of Standard Operating Procedures (SOP)s is not currently in the scope of work, but may be requested by BLM. It was suggested to start by looking at the existing SOPs.

- H. Well design is not currently in the scope. BLM has suggested that this be added, once the BLM specifies the required capacity. BLM will request that HDR design the tank on the hill as well as the piping. This information should be available to HDR in early October.
- I. Electrical service to the site is PG&E, 200 amperage, single phase power. BLM may want to make the power drop in 60 to 90 days (October – November).
- J. The phone line does not run on the power poles, instead it runs along the road. BLM is to supply the name of the phone provider.
- K. BLM also noted that the Visitor Contact Station needs water, phone service, and power.
- L. BLM noted that the EA does not currently address the facility.
- M. The schedule was discussed, and BLM requested that the tasks be shown in a gantt chart.



Timothy  
Moore/CASO/CA/BLM/DOI  
08/30/2007 11:45 AM

To Rick Cooper/CASO/CA/BLM/DOI@BLM, George  
Hill/CASO/CA/BLM/DOI@BLM, Tim  
Radtke/PHS/OS/DOI@DOI, Thomas  
cc James Anger/CASO/CA/BLM/DOI@BLM

bcc

Subject asbestos HVAC system

After last week's meeting with HDR and Health Science Associates at the Asbestos Decontamination Facility (old site & new proposed site), it was discussed that they would scope out positive pressure HEPA HVAC systems for our new facility and ancillary office building (s).

I had a thought, since I am not having much luck with getting local firms to design/build/install this type of system for our Entrance Fee Toll Booth, couldn't HDR/Health Science Associates perform this task for us for a small fee?

If not, then we (I) will keep plodding along, but at some point BLM will reach a critical point in November when this building arrives without any HVAC or HEPA filtration, and employees may be working in an enclosed building with airborne asbestos.

I hope we can get some local interest, I have contacted and re-contacted most local HVAC firms with no one submitting any bids or showing much interest.



Timothy  
Moore/CASO/CA/BLM/DOI

08/30/2007 12:12 PM

To George Hill/CASO/CA/BLM/DOI@BLM, Rick  
Cooper/CASO/CA/BLM/DOI@BLM  
cc Sky Murphy/CASO/CA/BLM/DOI@BLM, David  
Slibsager/CASO/CA/BLM/DOI@BLM, Mario  
Marquez/CASO/CA/BLM/DOI@BLM

bcc

Subject Laguna Mountain Burn - Serpentine Concern

Looking at a geologic map for the fuelbreak area which will be cleared using heavy equipment, about 1 mile currently is planned where a Serpentine formation is located. It is not known if this serpentine does contain asbestos, but should be tested prior to any major surface disturbance.

If the enclosed HEPA cab is used the operator should be protected from asbestos exposure above any OSHA thresholds. However, if hand work is being considered, then asbestos (if it is present) could be an OSHA issue to all those BLM employees working on the hand crew.


I will try to get some soil samples from this area to the lab very soon, to see what further mitigations to reduce employee exposure to asbestos.



David  
Slihsager/CASO/CA/BLM/DOI  
08/30/2007 05:38 PM

To Timothy Moore/CASO/CA/BLM/DOI@BLM  
cc George Hill/CASO/CA/BLM/DOI@BLM, Mario  
Marquez/CASO/CA/BLM/DOI@BLM, Rick  
Cooper/CASO/CA/BLM/DOI@BLM, Sky  
bcc

Subject Re: Laguna Mountain Burn - Serpentine Concern 

History:  This message has been replied to.

Tim, why did this not come up earlier? If we needed soil samples we could have gotten them today!  
Timothy Moore/CASO/CA/BLM/DOI



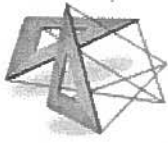
Timothy  
Moore/CASO/CA/BLM/DOI  
08/30/2007 12:12 PM

To George Hill/CASO/CA/BLM/DOI@BLM, Rick  
Cooper/CASO/CA/BLM/DOI@BLM  
cc Sky Murphy/CASO/CA/BLM/DOI@BLM, David  
Slihsager/CASO/CA/BLM/DOI@BLM, Mario  
Marquez/CASO/CA/BLM/DOI@BLM  
Subject Laguna Mountain Burn - Serpentine Concern


Looking at a geologic map for the fuelbreak area which will be cleared using heavy equipment, about 1 mile currently is planned where a Serpentine formation is located. It is not know if this serpentine does contain asbestos, but should be tested prior to any major surface disturbance.

If the enclosed HEPA cab is used the operator should be protected from asbestos exposure above any OSHA thresholds. However, if hand work is being considered, then asbestos (if it is present) could be an OSHA issue to all those BLM employees working on the hand crew.

I will try to get some soil samples from this area to the lab very soon, to see what further mitigations to reduce employee exposure to asbestos.



Paul  
Fulkerson/CASO/CA/BLM/DOI  
09/12/2007 11:02 AM

To James Anger/CASO/CA/BLM/DOI@BLM  
cc Thomas Meagher/CASO/CA/BLM/DOI@BLM, Wilma  
Kominek/CASO/CA/BLM/DOI@BLM, Rick  
Cooper/CASO/CA/BLM/DOI@BLM  
bcc  
Subject Re: Fw: asbestos HVAC system 

This is an easy design/build. All you need is more air going into the building than is recirculated with a barometric louver for the exhaust - that's positive pressure. The supply air has the HEPA filter. There may be a requirement out there for clean rooms I have forgotten. I'd give it a ballpark of at least 10%. Any more than that and your ears may pop like they do from elevation changes.

Paul Fulkerson, P.E.  
California State Engineer  
Bureau of Land Management  
(916)978-4439

James Anger/CASO/CA/BLM/DOI



James  
Anger/CASO/CA/BLM/DOI  
09/05/2007 01:25 PM

To Wilma Kominek/CASO/CA/BLM/DOI@BLM, Paul  
Fulkerson/CASO/CA/BLM/DOI@BLM, Thomas  
Meagher/CASO/CA/BLM/DOI@BLM  
cc  
Subject Fw: asbestos HVAC system

FYI...

Jim Anger  
State Occupational Safety and Health Manager  
BLM - California  
janger@ca.blm.gov  
(916) 978-4521

— Forwarded by James Anger/CASO/CA/BLM/DOI on 09/05/2007 01:25 PM —



Timothy  
Moore/CASO/CA/BLM/DOI  
08/30/2007 11:45 AM

To Rick Cooper/CASO/CA/BLM/DOI@BLM, George  
Hill/CASO/CA/BLM/DOI@BLM, Tim  
Radtke/PHS/OS/DOI@DOI, Thomas  
Meagher/CASO/CA/BLM/DOI@BLM  
cc James Anger/CASO/CA/BLM/DOI@BLM  
Subject asbestos HVAC system

After last week's meeting with HDR and Health Science Associates at the Asbestos Decontamination Facility (old site & new proposed site), it was discussed that they would scope out positive pressure HEPA HVAC systems for our new facility and ancillary office building (s).

I had a thought, since I am not having much luck with getting local firms to design/build/install this type of

system for our Entrance Fee Toll Booth, couldn't HDR/Health Science Associates perform this task for us for a small fee?

If not, then we (I) will keep plodding along, but at some point BLM will reach a critical point in November when this building arrives without any HVAC or HEPA filtration, and employees may be working in an enclosed building with airborne asbestos.

I hope we can get some local interest, I have contacted and re-contacted most local HVAC firms with no one submitting any bids or showing much interest.



Timothy  
Moore/CASO/CA/BLM/DOI  
09/18/2007 01:06 PM

To Rick Cooper/CASO/CA/BLM/DOI@BLM, George  
Hill/CASO/CA/BLM/DOI@BLM, Mario  
Marquez/CASO/CA/BLM/DOI@BLM  
cc John Key/CASO/CA/BLM/DOI@BLM, James  
Anger/CASO/CA/BLM/DOI@BLM  
bcc

Subject Serpentine (NOA) in a proposed prescribed fire

I took 5 soil samples at Laguna Mountain in native serpentine soils to determine if asbestos was present .

The lab results were faxed today and 4 out of the 5 sample results are above California Air Resources Board (CARB) Air Toxic Control Measure (ATCM) for Construction, Quarrying and Surface Mining Operations.

If we do not report this project (with the soil analysis results) to the Monterey Bay Unified APCD it would be a violation, we could ask for a remote area exemption (we have one for the CCMA).

However, even with the remote area exemption, specific CARB safety and health mitigation and stipulations still apply .

If this project goes forward, BLM employees must also be protected so that OSHA asbestos thresholds are not exceeded.

A hard copy of the lab results and CARB ATCM has been give to George Hill .

Thomas  
Meagher/CASO/CA/BLM/DOI  
09/19/2007 06:14 PM

To David Slibsager/CASO/CA/BLM/DOI@BLM, Rick  
Cooper/CASO/CA/BLM/DOI@BLM, Timothy  
Moore/CASO/CA/BLM/DOI@BLM, George  
cc John Wrobel/CASO/CA/BLM/DOI@BLM  
bcc

Subject Fw: Clear Creek Issues List

Hello Hollister - Here, attached below is an issues list - please look over and note if you have comments and additions. Between these issues, minutes and sketch, I think we can start to come up with a plan - especially when HDR/sage determine soil perc and recommend a wash water disposal scheme (RWQCB). Things probably still seem a bit confused right now, but HDR and BLM will soon start zeroing in on a plan as HDR gets criteria resolved.

Hello Amy - Yes, Lets discuss toll booth HVAC, perc results, process soon - say friday, Sep 21, afternoon. Then set up a mtg / conf call with Hollister as we resolve things. Regarding toll booth HVAC, a contractor will prob install, but we need a recommendation (considering cost, maintenance, durability, vandalproofness), installation sketch,,talk friday.

Thanks, Ciao, Tom M

Some addnl info from Amy:

Following are notes from the conversation I had with Dagmar today, Sep 18, fyi. I will follow up internally as required. Tom, I think between these issues and the toll booth, we should talk soon. Also, if we can get the toll booth specs from Tim, we can set up a phone call between you, Dagmar and our mechanical engineer in Folsom (Ted Kontonickas) to get the HVAC recommendation going - this week? I spoke to Ted and he is in the office and available this week. We need to know building type construction, roof type, allowable loads, etc. Also need to know what you are looking for: just a model number? schematic detail? Also, who is installing? BLM or outside contractor?

**Layout comments:**

Personal decon needs to be closer to the truck wash.

Dagmar's understanding is that people don't want to walk very far from the decon to the office - maybe move the office closer to the decon area.

HEPA vacuum connections should be located in several spots adjacent to the truck wash area.

The parking spots adjacent to the truck wash are not necessary, as the truck should not be moved to the clean side until an employee has completed decon of the vehicle cab and personal decon.

**General decon flow:**

Dagmar's envisioned system for decon for a two-person crew (the understanding is that employees are rarely working alone) is as follows:

One person decons the truck interior, the other the exterior. Interior decon person brushes themselves off, the cleans out the cab with the vacuum and/or wet wipes. This person proceeds to the personal decon trailer while the other washes the exterior of the vehicle. The now clean interior decon employee drives the clean truck from the truck wash onto the clean side of the facility while the exterior decon employee does personal decon.

**Vehicle Decon:**

Discussed truck wash equipment cut sheets (Stanton Systems) provided by HDR. Concern was that detergents will not be used as a component of the wash liquid - including detergents may make leach field use problematic and cause a hazmat issue. Discussed need for ability to wash the underside of the trucks as well as the sides. Suggested employees be located at a lower level than the vehicles, to eliminate bending over to wash wheels, etc. Research on underside sprayers may make this suggestion a moot point.

**Personal decon:**

Discussed personal decon trailer cut sheets (Ameri-Can Engineering) provided by HDR. Concern was

that cut sheets did not refer to pressurization of the trailer. May have to add it to an otherwise pre-fab trailer.

**Best Practices for Asbestos Decon:**

It comes down to what is determined to be an acceptable level of "clean." Dagmar has done research and will summarize.

**Decon for Construction:**

It may be necessary to provide decon facilities for construction/grading work on site. Dagmar is doing more research to determine requirements. One possibility is to purchase the decon equipment up front and have it available for construction crew use, then later installed for facility use.

**Required information:**

Dagmar is still waiting on an explanation for the initials on the sampling sheet from Tim Moore. Final EPA report has not been provided. Please provide to HDR and HSA as soon as it's available. Ambient background data for asbestos levels at new site (Can Tim Moore obtain sample for testing while out with the geotech? I assume since this data hasn't been provided to Dagmar yet, BLM does not have it?)

**Toll Booth HVAC:**

Dagmar's effort will be minimal, but she will need to provide input and buy off on system proposed by HDR.

**HSA Next Steps:**

Finalize Best Practices Summary for HDR by the end of the week (9/21).  
Contact vehicle wash equipment manufacturer to inquire about detergents and modifications to spray locations.  
Read up on grading and construction regulations for decon during construction.  
Provide proposal to HDR for effort associated with Toll Booth HVAC.

----- Forwarded by Thomas Meagher/CASO/CA/BLM/DOI on 09/19/2007 05:54 PM -----



"Akins, Amy"  
<Amy.Akins@hdrinc.com>  
09/19/2007 04:04 PM

To <Thomas\_Meagher@ca.blm.gov>  
cc "Hammer, Mark" <Mark.Hammer@hdrinc.com>, "JEFFREY JONES" <fungjones@sbcglobal.net>, "Kontonickas, Ted" <Ted.Kontonickas@hdrinc.com>  
Subject RE: Clear Creek Issues List

Tom,

Sure, no problem to make changes. Please see attached.

Line 12 - check mark in wrong column...  
Line 22 - will note date change  
Line 29 - will note options  
Line 44 - will note BLM request

CAT truck wash - Will add issue to list. Please see attached phone record. We have made several attempts to get some information over the phone, with little success. We can schedule a visit and let you know of the associated effort since it's not in our current scope.

Tom - I'm tied up in training all day tomorrow - I'll try to check my email when I can, if not, I'll check in to see if you had further comments on Friday.

Ted and Dagmar are ready to talk about the toll booth HVAC with you, but will need more info about the shack before they can get going. What

they need is mentioned in the issues list. Ted's number is 916-817-4857  
- feel free to contact him directly if discussion is needed tomorrow  
while I'm tied up.

Thanks,  
Amy

-----Original Message-----

From: Thomas\_Meagher@ca.blm.gov [mailto:Thomas\_Meagher@ca.blm.gov]  
Sent: Wednesday, September 19, 2007 3:29 PM  
To: Akins, Amy  
Subject: Re: Clear Creek Issues List

Hi Amy - Nice organized list

can you make a few changes? -

Line 12 - Permiability by BLM ? Soil perc? Isnt that the SAGE data +  
HDR design?

Line 22 - Well drilling happening Oct 2 now

Line 29 - Plese mention single wide, double wide, stick , or modular

Line 44 - generator - HDR sould recommend a generator size based on  
designed facility

Please add - VISIT CAT DEALER wash facility in WILLOWS + pesticide,  
fertilizer wash facility in Willows

Tom,

Here's the Issues List with the latest email topics included. If you  
can think of anything else, please let me know. Otherwise, please  
distribute to BLM staff as necessary. Thanks.

Amy M. Akins, P.E.

HDR ONE COMPANY | Many Solutions  
115 Sansome Street, Suite 800 | San Francisco, CA | 94104-3622  
Phone: 415.814.6708 | Fax: 415.814.6801 | Cell: 415.377.9063

Email: amy.akins@hdrinc.com


[attachment "Issues List.xls" deleted by Thomas  
Meagher/CASO/CA/BLM/DOI]



BLM Telephone Record.doc Issues List.xls



Sky  
Murphy/CASO/CA/BLM/DOI  
09/20/2007 10:56 AM

To Rick Cooper/CASO/CA/BLM/DOI@BLM  
cc George Hill/CASO/CA/BLM/DOI@BLM  
bcc  
Subject Re: Briefing Paper on the CCMA RMP 

The attached documents include some of the background, relation to policy, and controversy with regards to CCMA, asbestos, and uncertainty of EPA data included in their Health Risk Study. The information is taken from the Record of Decision for the ATLAS Superfund Site, the EPA CCMA webpage, and their Atlas Superfund Site 5 Year Review.

In particular, the ATLAS Superfund Site.doc describes the risk calculations and uncertainties associated with their study (starting on page 4). Also included in this doc. is the history of EPA's involvement in the area and efforts to delist the superfund site. The 5 YEAR RVW.doc is a product of that effort and includes a description of the measures they've taken to avoid off-site transport of asbestos fibers. Appendix C2 of the 5YR RVW also includes some of the EPA sampling results that were shown to exceed the EPA and OSHA standards, but nowhere do they address the conflicts/issues regarding (OSHA) PCM time-weighted averages and (EPA) TEM analyses & PCME....

I can take a stab at compiling the relevant information, but not sure exactly who/what the briefing paper is intended for.... probably need help describing issues/conflicts with OSHA vs. EPA standards as well...

[attachment "NOI-WO-Briefing Paper\_07-23-07.doc" deleted by Rick Cooper/CASO/CA/BLM/DOI]  
[attachment "BriefingPaper-CCMA-RMP-071007.doc" deleted by Rick Cooper/CASO/CA/BLM/DOI]  
[attachment "ATLAS Superfund Site.doc" deleted by Rick Cooper/CASO/CA/BLM/DOI] [attachment "EPA 5 YEAR RVW.doc" deleted by Rick Cooper/CASO/CA/BLM/DOI]

Sky Painter Murphy  
BLM Hollister Field Office  
20 Hamilton Court  
Hollister, CA 95023  
(831) 630-5039  
Rick Cooper/CASO/CA/BLM/DOI

Rick  
Cooper/CASO/CA/BLM/DOI  
09/20/2007 08:11 AM

To Sky Murphy/CASO/CA/BLM/DOI@BLM  
cc George Hill/CASO/CA/BLM/DOI  
Subject Briefing Paper on the CCMA RMP

Lets get this paper started. Issues related health risk, possible conflicts between EPA and OSHA data.

In addition to David Christy I want to keep Tim Radtke and Karen Barnette in the loop on our plan efforts.


Sky, have been in communication with the new planning lead in SO.

Rick Cooper  
Field Manager  
Hollister Field Office  
20 Hamilton Court



Hollister, CA 95023  
phone: (831) 630-5010

Rick  
Cooper/CASO/CA/BLM/DOI  
09/26/2007 09:58 AM

To Timothy Moore/CASO/CA/BLM/DOI  
cc  
bcc  
Subject Re: Ft. Ord asbestos 

Tim,

In the future please call Dave direct on his C phone. Especially when he is working on the project site. Having the info as soon as you know it might afford him the opportunity to deal with the material more efficiently. Thanks for taking care of this.

Rick Cooper  
Field Manager  
Hollister Field Office  
20 Hamilton Court  
Hollister, CA 95023  
phone: (831) 630-5010  
Timothy Moore/CASO/CA/BLM/DOI



Timothy  
Moore/CASO/CA/BLM/DOI  
09/26/2007 08:50 AM

To Rick Cooper/CASO/CA/BLM/DOI@BLM, George  
Hill/CASO/CA/BLM/DOI@BLM, David  
Slibsager/CASO/CA/BLM/DOI@BLM  
cc John Key/CASO/CA/BLM/DOI@BLM  
Subject Ft. Ord asbestos

Yesterday I coordinated with the Marina Landfill to accept the transite (asbestos) water pipe that was dug up by BLM staff.

The proper disposal method is to double wrap and securely tape the plastic, then transport the material with the completed paperwork (manifest - generator waste profile) to the Marina Landfill.

I gave the paperwork to Marty this morning to take over for Dave. I also gave Marty the information stated above, verbally.

The cost of disposal is \$68 per ton. Given the small amount of material, it should be \$25 or so dollars.

Also if need be this is a reportable accomplishment, not accounted for in FY07.



"Ray Iddings"  
<ray@3rocks.org>

10/01/2007 03:09 PM

Please respond to  
<ray@3rocks.org>

To "Rick Cooper" <Rick\_Cooper@ca.blm.gov>

cc "Erik Zaborsky" <Erik\_Zaborsky@ca.blm.gov>, "Christopher Mitchell" <cmitch@stanford.edu>

bcc

Subject Coalinga Chrysotile ...

Attached is a Coalinga Chrysotile article differentiating it from other asbestos:

Ilgren, Dr E.B. "Coalinga Chrysotile: A Short Fibre, Amphibole Free, Chrysotile: Part V – Lack of Amphibole Asbestos Contamination." Indoor Built Environment. July 2004

Regards,

Ray Iddings

Three Rocks Research

142 Iowa Drive

Santa Cruz, Calif., 95060

Ph. (831) 427-0918

Fx. (831) 427-0928

[attachment "Coalinga\_Chrysotile.pdf" deleted by Rick Cooper/CASO/CA/BLM/DOI]

**Rick  
Cooper/CASO/CA/BLM/DOI**  
11/12/2007 07:36 AM

To Jim Abbott/CASO/CA/BLM/DOI  
cc  
bcc  
Subject Fw: EPA Risk Assessment Conference Call

Rick Cooper  
Field Manager  
Hollister Field Office  
20 Hamilton Court  
Hollister, CA 95023  
phone: (831) 630-5010

--- Forwarded by Rick Cooper/CASO/CA/BLM/DOI on 11/12/2007 07:35 AM ---



**Scott.Jeff@epamail.epa.gov**  
11/08/2007 11:03 AM

To Rick\_Cooper@ca.blm.gov  
cc Mike\_Pool@blm.gov, Blazej.Nova@epamail.epa.gov  
Subject Re: EPA Risk Assessment Conference Call

I've been away on travel, I'm sorry for the delay in responding to both of you.

I am very disappointed with the delay in our Agency putting together the analysis. I understand you all face significant budget and ultimately communication and implementation issues on this project. I understand that the analysis may identify significant risks based upon off-road vehicle use, etc.. Based upon my initial assessment, it appears that the delay occurred due to a number of factors including: turnover of key project staff; a lack of thorough understanding of all parties involved of the amount of work associated with the project, and the need to get 4 different organizational "stovepipes" to feed into the process. I've asked Nova to work with the management of the other orgs involved to verify their understanding of their roles, the need to make and meet deadlines, and I will be following up at the senior level to reinforce this.

I will also look into getting you all information sooner in the development process per your message below. There may be concerns out of EPA HQ on all of this based upon ongoing asbestos litigation in another part of the country. We will need to look at what we can get out of EPA HQ (I am concerned that legal concerns there could slow up the process, so we will need to try to pin them down in the coming weeks).

Again my apologies for the delay. We will be in touch.

Jeff Scott, Director  
Communities and Ecosystems Division  
U.S. EPA Region 9  
75 Hawthorne Street  
San Francisco, CA 94105  
(415) 947-8704 or (415) 972-3311  
fax: (415) 947-8026

Rick\_Cooper@ca.blm.gov

11/01/2007 04:46 PM

Mike\_Pool@blm.gov, Jeff Scott/R9/USEPA/US@EPA

To

cc

Subject  
EPA Risk Assessment Conference Call

Mike,

BLM and EPA held a conference call today at 1PM to discuss EPA's need to change the date for completion of the Risk Assessment for the CCMA Project.

Nova Blazej, Jere Johnson, Lynn Suer, Jeanie Geselbracht, and Kathy were on the call for EPA

Rick Cooper, George Hill and Tim Moore were on the call for BLM

Nova started the meeting by telling us that EPA will not be able to meet the agreed upon timeline for completion of the study. EPA had underestimated the time needed for the additional analysis. EPA was going to be writing the report in house (No contractor). With current workloads and holidays approaching EPA felt that January was the earliest they could complete the report and get the report through internal review at Headquarters.

The end of January would be the time that BLM would get the report. If we commented or wanted changes made that would take additional time. This could push the public meeting into March.

Holding off scoping until the end of March will preclude Hollister from completing the Draft EIS by the end of the fiscal year as currently scheduled.

The January date is problematic and the EPA staff admitted that it was soft date because of the headquarters review might take longer.

BLM and EPA agreed to work together over the next three months on some

aspects of the planning. However no hard commitment was made by EPA to allow BLM to look at the draft summary prior to the January period. I hope to obtain EPA concurrence to let us review the various drafts of the summary and provide comments during the development. In that way the report can immediately go final at end of January. EPA can get the FRN out and hopefully have the meeting in February. To delay any part of the process will push the meeting to March or April and the follow up scoping to April/May.

I pointed out that this was a 24 month under estimation of time needed to complete the assessment. EPA stated that the ongoing delays and broken deadlines were the result of difficult data formatting issues and obtaining headquarters guidance on child risk assessment (6-8 month delay).

We should discuss when I return from my trip.

Rick Cooper  
Field Manager  
Hollister Field Office  
20 Hamilton Court  
Hollister, CA 95023  
phone: (831) 630-5010



Timothy  
Moore/CASO/CA/BLM/DOI  
11/16/2007 10:17 AM

To hpackard@waterboards.ca.gov  
cc Rick Cooper/CASO/CA/BLM/DOI@BLM, George  
Hill/CASO/CA/BLM/DOI@BLM  
bcc  
Subject BLM Truck Washing Facility Permit

Harvey,

I know you were recently given this project due to Cecile's medical absence, however I was wondering why this permit approval is taking so long?

BLM submitted the permit application (Form 200) back in March 2007, you indicated via telephone it will March 2008 until approval is expected, why does it take 1 year for this approval?.

Is there no way to expedite this approval? We had expected our permit would be on the Regional Water Quality Control Board agenda back this Summer and then we were told it got bumped for the Fall agenda. Now it is bumped again for the Spring 2008 agenda.

This asbestos decontamination site is critically needed during our busy winter OHV use season, which will be in full swing starting next week and public OHV use will peak in Feb 2008 and begin to trail off in the Spring.

Having the approval in March 2008, really crimps out ability to manage this highly used area for the next 4 months.

Thanks in advance for your response.

Tim Moore  
Geologist/Hazardous Materials  
Soil/Water/Air Specialist



Timothy  
Moore/CASO/CA/BLM/DOI  
11/20/2007 10:17 AM

To David Moore/CASO/CA/BLM/DOI@BLM, David  
Slibsager/CASO/CA/BLM/DOI@BLM, Marisela  
Esqueda/CASO/CA/BLM/DOI@BLM, Rick  
cc George Hill/CASO/CA/BLM/DOI@BLM, Angela  
Bradley/CASO/CA/BLM/DOI@BLM, Harrison  
Gruman/CASO/CA/BLM/DOI@BLM

bcc

Subject asbestos air sampling - need to bring up "field blanks" &  
change in lab

This email instruction is to re-confirm BLM's OSHA air sampling protocol regarding "field blanks".

Since we are beginning the busy Clear Creek field work season, it is important to follow this OSHA procedure: When air sampling is performed, at a minimum (once a week), bring up 2 unused "blank" cassettes that are to be shipped to the lab. Fill out the lab paperwork using the usual numbering sequence and add a suffix (B). Example 11-04-2007-30-B

See the following website link to review the field blank procedure .

[http://www.osha.gov/pls/oshaweb/owadisp.show\\_document?p\\_table=INTERPRETATIONS&p\\_id=19710](http://www.osha.gov/pls/oshaweb/owadisp.show_document?p_table=INTERPRETATIONS&p_id=19710)

I will review the number of actual "real field samples" taken that week and determine how many additional "blank" field samples, need to be shipped to the lab, which is 10% or minimum of 2 blanks, per week.

On another related note, we will be changing labs, RJ Lee has closed down their local lab & samples are being shipped to the East Coast, at a substantial delay for the results.

I will be selecting a new lab later this month and new lab slips will be available, ASAP.

any questions?





Timothy  
Moore/CASO/CA/BLM/DOI  
11/21/2007 10:48 AM

To George Hill/CASO/CA/BLM/DOI@BLM, Rick  
Cooper/CASO/CA/BLM/DOI@BLM  
cc Tim Radtke/PHS/OS/DOI@DOI, Lenore  
Avila-Pino/CASO/CA/BLM/DOI@BLM  
bcc

Subject new asbestos lab selection

I have looked at the following three labs (all EPA certified) for OSHA asbestos air analysis for the Clear Creek Hazardous Asbestos Area.

We typically send approximately 200-250 samples to the lab per year, if we select lab #2 the estimated routine lab analysis costs are expected to be between \$2500 to \$3,500, annually.

- 1) RJ Lee
- 2) Forensic Analytical
- 3) Kellco-Macs

RJ Lee price per sample is \$9.00 (same day results),  
As of November 1, 2007 results are actually delayed at least 1 day due to the lab being moved to the East Coast.  
Email results are not available from RJ Lee

Forensic Analytical price per sample is \$9.00 (same day results), the lab will email the results to BLM.

Kellco-Macs price per sample is \$10.00 per sample (same day results), the lab will email the results to BLM.

**Recommendation:**

Discontinue sending samples to RJ Lee, since price and best value to the Government is now with another lab.

Begin in mid- December or early-January 2008, sending air samples to Forensic Analytical.



# United States Department of the Interior



## BUREAU OF LAND MANAGEMENT

Hollister Field Office  
20 Hamilton Court  
Hollister, CA 95023  
Phone (831) 630-5000 Fax (831) 630-5055  
[www.ca.blm.gov/hollister](http://www.ca.blm.gov/hollister)

November 27, 2007

***In Reply Refer to:***  
1610 (P)  
CA-190-.38

Jeanne Geselbracht  
U.S. EPA – Region 9  
75 Hawthorne St.  
San Francisco, CA 94105-3901

Dear Jeanne Geselbracht:

The purpose of this letter is to address the role of EPA as a formal 'Cooperating Agency' in the preparation of analyses and documentation for the Clear Creek Management Area Resource Management Plan and associated environmental impact statement, pursuant to the National Environmental Policy Act (NEPA). The CEQ regulations addressing cooperating agencies status (40 C.F.R. §§ 1501.6 & 1508.5) implement the NEPA mandate that Federal agencies responsible for preparing NEPA analyses and documentation do so "in cooperation with State and local governments" and other agencies with jurisdiction by law or special expertise. (42 U.S.C. §§ 4331(a), 4332(2)).

EPA involvement in the CCMA resource management planning is important to ensure BLM decision makers have the information necessary to make informed and timely decisions efficiently. Cooperating agency status is a major component of interagency involvement that neither enlarges nor diminishes the decision making authority of EPA in the NEPA process, nor does it require an agency to provide financial assistance to a cooperating agency.

The benefits of enhanced cooperating agency participation in the preparation of NEPA analyses include: disclosing relevant information early in the analytical process; applying available technical expertise and staff support; avoiding duplication with other Federal, State, Tribal and local procedures; and establishing a mechanism for addressing intergovernmental issues. Other benefits of enhanced cooperating agency participation include fostering intra- and intergovernmental trust (e.g., partnerships at the community level) and a common understanding and appreciation for various governmental roles in the NEPA process, as well as enhancing agencies' ability to adopt environmental documents. EPA has jurisdiction by law and special expertise with respect to the human health risk associated with exposure to naturally occurring asbestos in CCMA, which will be the subject of the NEPA analysis.

Therefore, BLM must determine EPA's level of interest and capability of assuming the responsibilities of becoming a cooperating agency under 40 C.F.R. § 1501.6. If EPA elects not to become cooperating agencies, agency representatives would still be considered for inclusion in interdisciplinary teams engaged in the NEPA process and on distribution lists for review and comment on the draft and final CCMA RMP/EIS. Federal agencies declining to accept cooperating agency status in whole or in part are obligated to respond to the request and provide a copy of their response to the Council. (40 C.F.R. § 1501.6(c)).

In order to assure that the NEPA process proceeds efficiently, the CEQ urges agencies responsible for NEPA analysis to set time limits, identify milestones, assign responsibilities for analysis and documentation, specify the scope and detail of the cooperating agency's contribution, and establish other appropriate ground-rules addressing issues such as availability of pre-decisional information. Agencies are encouraged in appropriate cases to consider documenting their expectations, roles and responsibilities (e.g., Memorandum of Agreement/Understanding or correspondence). BLM requests that the EPA and Hollister Field Office establish such a relationship based on the following outline for cooperating agency roles and responsibilities.

BLM role as Lead Agency is to ensure that the CCMA RMP meets that planning requirements established under the Federal Land Policy and Management Act, National Environmental Policy Act, the Code of Federal Regulations, and the National Land Use Planning Handbook. BLM assumes responsibility for all major tasks associated with development and publication of the draft and final RMP/EIS including public involvement, impact analysis, response to public comments and protests. However, EPA is uniquely qualified to provide technical support and assistance in the development of alternatives, affected environment, and environmental consequences with regard to human health risk from naturally occurring asbestos. Therefore, BLM proposes a conference call to follow-up on this request to identify milestones, assign responsibilities for analysis and documentation, specify the scope and detail of the cooperating agency's contribution to the CCMA RMP/EIS, and establish other appropriate ground-rules addressing issues such as availability of pre-decisional information.

Sincerely,

Rick Cooper,  
Field Manager



Richard  
Grabowski /CASO/CA/BLM/DO  
I

12/11/2007 07:02 AM

To Rick Cooper/CASO/CA/BLM/DOI@BLM  
cc Marc\_Springer@ca.blm.gov@BLM, David  
Lawler/CASO/CA/BLM/DOI@BLM,  
John\_Key@ca.blm.gov@BLM, Timothy  
bcc

Subject Fw: New Idria chrysotile deposit questions

History:

✉ This message has been forwarded.

Rick,

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I've also asked Dick Forester to take a copy of this e-mail to Temi Berger to get her perspective relative to legal sensitivities. If she has any concerns, I've asked Dick to get back to you...

----- Forwarded by Richard Grabowski/CASO/CA/BLM/DOI on 12/11/2007 06:29 AM -----



"Tony Sain"  
<TSAIN@linerlaw.com>  
12/10/2007 05:53 PM

To <Richard\_Grabowski@ca.blm.gov>  
cc

Subject New Idria chrysotile deposit questions

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Entering

Clear Creek

Management Area

Caution

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**Tony Sain, Esq.**

**LINER YANKELEVITZ SUNSHINE & REGENSTREIF LLP**



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main: 310.500.3500

dir: 310.500.3498

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Rick  
Cooper/CASO/CA/BLM/DOI  
12/11/2007 08:06 AM

To George Hill, Timothy Moore/CASO/CA/BLM/DOI  
cc  
bcc  
Subject Fw: New Idria chrysotile deposit questions

Provide me some answers to questions. Bullets with some explanation . I can draft response and float back by you for accuracy.

Rick Cooper  
Field Manager  
Hollister Field Office  
20 Hamilton Court  
Hollister, CA 95023  
phone: (831) 630-5010

--- Forwarded by Rick Cooper/CASO/CA/BLM/DOI on 12/11/2007 08:03 AM ---



Richard  
Grabowski/CASO/CA/BLM/D  
OI  
12/11/2007 07:02 AM

To Rick Cooper/CASO/CA/BLM/DOI@BLM  
cc Marc\_Springer@ca.blm.gov@BLM, David  
Lawler/CASO/CA/BLM/DOI@BLM,  
John\_Key@ca.blm.gov@BLM, Timothy  
Moore/CASO/CA/BLM/DOI@BLM, Richard  
Forester/CASO/CA/BLM/DOI, Leroy  
Mohorich/CASO/CA/BLM/DOI@BLM  
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**Tony Sain, Esq.**

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John  
Dearing/CASO/CA/BLM/DOI  
12/17/2007 11:55 AM

To Rick Cooper/CASO/CA/BLM/DOI@BLM  
cc Joseph Fontana/CASO/CA/BLM/DOI@BLM  
bcc  
Subject Fw: Clear Creek Asbestos Warning Sign

History: This message has been replied to.

Rick - received this in while I was away on vacation . Would you please respond.

John F. Dearing  
Media Relations  
BLM California State Office  
(916) 978-4622

--- Forwarded by John Dearing/CASO/CA/BLM/DOI on 12/17/2007 11:54 AM ---



"Tony Sain"  
<TSAIN@linerlaw.com>  
12/10/2007 05:55 PM

To <John\_Dearing@ca.blm.gov>  
cc  
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Rick  
Cooper/CASO/CA/BLM/DOI  
12/17/2007 12:39 PM

To John Dearing/CASO/CA/BLM/DOI  
cc  
bcc  
Subject Re: Fw: Clear Creek Asbestos Warning Sign 

John,

I can answer all the questions posed.

When Grabowski sent this over he indicated I might get some feedback or approach strategy from Forester and the Solicitor Office. No one has contacted me.

I will respond by Wednesday this week.

Rick Cooper  
Field Manager  
Hollister Field Office  
20 Hamilton Court  
Hollister, CA 95023  
phone: (831) 630-5010  
John Dearing/CASO/CA/BLM/DOI



John  
Dearing/CASO/CA/BLM/DOI  
12/17/2007 11:55 AM

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Timothy  
Moore/CASO/CA/BLM/DOI  
12/18/2007 11:27 AM

To Richard Grabowski/CASO/CA/BLM/DOI@BLM  
cc David Lawler/CASO/CA/BLM/DOI@BLM,  
John\_Key@ca.blm.gov, Leroy  
Mohorich/CASO/CA/BLM/DOI@BLM,  
bcc

Subject Re: Fw: New Idria chrysotile deposit questions

History: This message has been replied to.

here is my draft response.



ASBESTOSFOAI.doc

Richard Grabowski/CASO/CA/BLM/DOI



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Grabowski/CASO/CA/BLM/D  
OI  
12/11/2007 07:02 AM

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John Key/CASO/CA/BLM/DOI  
12/18/2007 12:06 PM

To Timothy Moore/CASO/CA/BLM/DOI  
cc David Lawler/CASO/CA/BLM/DOI@BLM, Leroy  
Mohorich/CASO/CA/BLM/DOI@BLM,  
Marc\_Springer@ca.blm.gov, Richard  
bcc

Subject Re: Fw: New Idria chrysotile deposit questions



To All -

I have talked to George Stone (National AML Program Lead) about this request - after consultation with the Solicitor's Office in Washington - he recommends that we do not respond to this individual - please feel free to contact George [at (202) 557-3573] if you have any questions.

John Key  
State Program Lead - HazMat/AML/NRDAR  
Bureau of Land Management - California State Office  
2800 Cottage Way, Suite W-1834, Sacramento, CA 95825  
(916) 978-4384; Fax (916) 978-4389

Timothy Moore/CASO/CA/BLM/DOI



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Moore/CASO/CA/BLM/DOI  
12/18/2007 11:27 AM

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Forester/CASO/CA/BLM/DOI@BLM, Rick  
Cooper/CASO/CA/BLM/DOI@BLM  
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OI

12/11/2007 07:02 AM

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Subj Fw: New Idria chrysotile deposit questions  
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12/10/2007 05:53 PM

To <Richard\_Grabowski@ca.blm.gov>

cc

Subject New Idria chrysotile deposit questions

To Whom It May Concern:

I recently came across a sign posted by the Bureau of Land Management at the New Idria chrysotile deposit. It says:

"Bureau of Land Management

Entering

Clear Creek

Management Area

Caution

Soils, Dust and Water in this Area Contain Asbestos Which Could Be Hazardous to Health"

I have some questions about this sign I was hoping you (or someone you know) could answer:

1) What is the "Clear Creek Management Area"?

2) How does the BLM generally decide to put up such warning signs? Is there a commentary/advisory process, or did the BLM just act on its own judgment?

3) On what was the BLM's decision to post this sign based? Studies? Reports from external groups or other agencies? Citizen requests or complaints? History of health problems arising at the site?

4) Who decided to post this sign? When was it posted?

5) Why was the above language chosen for this sign? Specifically, what significance, if any, should readers draw from the wording that the asbestos "could" be hazardous, as opposed to the asbestos actually being hazardous? What, if anything, did the BLM have in mind as to the potential hazards to "health"?

6) Are there other warning signs in the area? Are there any other warning signs related to asbestos? What is the wording of warning signs in the area to "hazards" other than asbestos?

7) Is the wording on these signs ever changed over time and what is the process that is followed before such a sign is changed?

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9) Must people obtain a permit or recreational pass or the like to enter (or hike/walk or use off-road vehicles) in the Clear Creek Mgmt Area? If so, what is the process for obtaining such a permit? Is a waiver of some form involved?

10) Are there any places in the CCMA where the general population is not allowed to go at all?

Any information you can provide on the above would be helpful as we try to learn more about the New Idria deposit. Thanks!

**Tony Sain, Esq.**

**LINER YANKELEVITZ SUNSHINE & REGENSTREIF LLP**



1100 Glendon Avenue | 14th Floor

Los Angeles, CA 90024.3503

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**[tsain@linerlaw.com](mailto:tsain@linerlaw.com)**

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Notice of Privilege/Confidentiality Privileged and Confidential information may be contained in this message. If you are not the addressee indicated in this message (or Responsible for delivery of the message to such person), you may not copy or deliver this message to anyone. In such case, you should destroy this message and kindly notify the sender by reply email. Please advise immediately if you or your employer does not consent to Internet email for messages of this kind. Opinions, conclusions and other information in this message that do not relate to the official business of my firm shall be understood as neither given nor endorsed by it.

IRS Circular 230 Disclosure: To ensure compliance with Treasury Department Regulations, we advise you that, unless otherwise expressly indicated, any federal tax advice contained in this communication was not intended or written to be used, and cannot be used, for the purpose of (i) avoiding tax-related penalties under the Internal Revenue Code or applicable state or local tax law provisions or (ii) promoting, marketing or recommending to another party any tax-related matter addressed herein.



ASBESTOSFOAI.doc

Rick  
Cooper/CASO/CA/BLM/DOI  
12/18/2007 12:48 PM

To Rick\_Cooper@blm.gov  
cc  
bcc  
Subject

Mr. Sain,

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For additional information on the Clear Creek Management Area I have included the following links:

1) What is the "Clear Creek Management Area"?

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2) How does the BLM generally decide to put up such warning signs? Is there a commentary/advisory process, or did the BLM just act on its own judgment?

In general BLM will place warning or hazard signs up based on the best information available. As hazards are found and determined significant BLM will post those signs.

3) On what was the BLM's decision to post this sign based? Studies? Reports from external groups or other agencies? Citizen requests or complaints? History of health problems arising at the site?

In this case BLM requested and received advice from the Solicitor regarding sign placement. This request for guidance was based on the results of a study contracted in the late 1970's and early 1980's with the University of California at Berkeley to study the asbestos exposure of the public use associated with the off-highway vehicles. EPA listed the Atlas Asbestos Mine in the CCMA in 1983. It was during this time, the BLM posted the aforementioned sign. BLM does confer with the EPA, Agency for Toxic Substances Disease Registry and OSHA on a frequent basis to determine if signage is adequate for this area. BLM is also working with the EPA on a new Human Health Risk Assessment for the Clear Creek Management Area. Some of this new information is posted on EPA Region 9's website, see link above.

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The Hollister BLM Area Manager in 1983.

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7) Is the wording on these signs ever changed over time and what is the process that is followed before such a sign is changed?

Signs are updated with new information such as contact telephone numbers.

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This is a brief response to your questions. If you have need of more detailed information please contact me directly.

Rick Cooper  
Field Manager  
Hollister Field Office  
20 Hamilton Court  
Hollister, CA 95023  
phone: (831) 630-5010



Richard Grabowski/CASO/CA/BLM/DOI

12/18/2007 01:03 PM

To John\_Key@ca.blm.gov@BLM  
cc David Lawler/CASO/CA/BLM/DOI@BLM, George M Stone/WO/BLM/DOI@BLM, Leroy Mohorich/CASO/CA/BLM/DOI@BLM,  
bcc

Subject Re: Fw: New Idria chrysotile deposit questions

History: This message has been replied to.

John and Tim,  
Dick Forester and I discussed this e-mail last week and decided get some guidance from Temi Berger. Dick took a copy of the Mr Sain's e-mail over to Temi and she was going to contact Sain to obtain further information. I'm not sure of the status at this point, but I do have a call in to Temi....more to follow.  
John Key/CASO/CA/BLM/DOI



John Key/CASO/CA/BLM/DOI

12/18/2007 12:06 PM

To Timothy Moore/CASO/CA/BLM/DOI  
cc David Lawler/CASO/CA/BLM/DOI@BLM, Leroy Mohorich/CASO/CA/BLM/DOI@BLM, Marc\_Springer@ca.blm.gov, Richard Forester/CASO/CA/BLM/DOI@BLM, Richard Grabowski/CASO/CA/BLM/DOI@BLM, Rick Cooper/CASO/CA/BLM/DOI@BLM, George M Stone/WO/BLM/DOI, Miyoshi W Stith/WO/BLM/DOI

Subject Re: Fw: New Idria chrysotile deposit questions



To All -

I have talked to George Stone (National AML Program Lead) about this request - after consultation with the Solicitor's Office in Washington - he recommends that we do not respond to this individual - please feel free to contact George [at (202) 557-3573] if you have any questions.

John Key  
State Program Lead - HazMat/AML/NRDAR  
Bureau of Land Management - California State Office  
2800 Cottage Way, Suite W-1834, Sacramento, CA 95825  
(916) 978-4384; Fax (916) 978-4389

Timothy Moore/CASO/CA/BLM/DOI



Timothy Moore/CASO/CA/BLM/DOI

12/18/2007 11:27 AM

To Richard Grabowski/CASO/CA/BLM/DOI@BLM  
cc David Lawler/CASO/CA/BLM/DOI@BLM, John\_Key@ca.blm.gov, Leroy Mohorich/CASO/CA/BLM/DOI@BLM, Marc\_Springer@ca.blm.gov, Richard Forester/CASO/CA/BLM/DOI@BLM, Rick Cooper/CASO/CA/BLM/DOI@BLM



Subject Re: Fw: New Idria chrysotile deposit questions

here is my draft response.

Richard  
Grabowski/CASO/CA/BLM/DOI

12/11/2007 07:02 AM

To Rick Cooper/CASO/CA/BLM/DOI@BLM  
cc Marc\_Springer@ca.blm.gov@BLM, David Lawler/CASO/CA/BLM/DOI@BLM,  
John\_Key@ca.blm.gov@BLM, Timothy Moore/CASO/CA/BLM/DOI@BLM, Richard  
Forester/CASO/CA/BLM/DOI, Leroy Mohorich/CASO/CA/BLM/DOI@BLM  
Subj Fw: New Idria chrysotile deposit questions  
ect

Rick,

I received this e-mail this morning from Mr. Sain (who apparently is an LA attorney) regarding signage in the Clear Creek Management Area. Since this is an area within your jurisdiction, your folks are most likely better positioned to respond to his questions.

I've also asked Dick Forester to take a copy of this e-mail to Temi Berger to get her perspective relative to legal sensitivities. If she has any concerns, I've asked Dick to get back to you...

----- Forwarded by Richard Grabowski/CASO/CA/BLM/DOI on 12/11/2007 06:29 AM -----

"Tony Sain" <TSAIN@linerlaw.com>

12/10/2007 05:53 PM

To <Richard\_Grabowski@ca.blm.gov>  
cc  
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ASBESTOSFOAI.doc

Rick  
Cooper/CASO/CA/BLM/DOI  
12/18/2007 02:37 PM

To TSAIN@linerlaw.co  
cc Marc\_Springer@ca.blm.gov@BLM, David  
Lawler/CASO/CA/BLM/DOI@BLM,  
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Rick Cooper  
Field Manager  
Hollister Field Office  
20 Hamilton Court  
Hollister, CA 95023  
phone: (831) 630-5010

Rick  
Cooper/CASO/CA/BLM/DOI  
12/20/2007 07:59 AM

To Richard Grabowski/CASO/CA/BLM/DOI  
cc  
bcc  
Subject Fw: Warning Signs in Clear Creek

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Forester/CASO/CA/BLM/DOI@BLM, Leroy  
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Richard  
Grabowski/CASO/CA/BLM/DO  
I  
12/20/2007 08:48 AM

To Rick Cooper/CASO/CA/BLM/DOI@BLM  
cc  
bcc  
Subject Re: Fw: Warning Signs in Clear Creek

Thanks Rick.... Happy Holidays!!  
Rick Cooper/CASO/CA/BLM/DOI

Rick  
Cooper/CASO/CA/BLM/DOI  
12/20/2007 07:59 AM

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This is a brief response to your questions. If you have need of more detailed information please contact me directly.

**Rick Cooper**  
**Field Manager**  
**Hollister Field Office**  
**20 Hamilton Court**  
**Hollister, CA 95023**  
**phone: (831) 630-5010**



Richard  
Grabowski/CASO/CA/BLM/DO  
I  
12/20/2007 10:27 AM

To Rick Cooper/CASO/CA/BLM/DOI@BLM  
cc Marc\_Springer@ca.blm.gov@BLM, David  
Lawler/CASO/CA/BLM/DOI@BLM,  
John\_Key@ca.blm.gov@BLM, Timothy  
bcc  
Subject Re: Fw: Warning Signs in Clear Creek

History: This message has been replied to.

Rick, et al.  
I just spoke with Temi Berger relative to Mr. Sain's request for information and Hollister's response below. Without going into details, Temi is going to speak with Harvey Blank and has requested that any future requests for information be directed to her.

Happy Holidays!

Rick Cooper/CASO/CA/BLM/DOI

Rick  
Cooper/CASO/CA/BLM/DOI  
12/20/2007 07:59 AM

To Richard Grabowski/CASO/CA/BLM/DOI@BLM  
cc  
Subject Fw: Warning Signs in Clear Creek

I thought I had sent this to you. After your call I noticed you were not in the CC.

Rick Cooper  
Field Manager  
Hollister Field Office  
20 Hamilton Court  
Hollister, CA 95023  
phone: (831) 630-5010

---- Forwarded by Rick Cooper/CASO/CA/BLM/DOI on 12/20/2007 07:58 AM ----

Rick  
Cooper/CASO/CA/BLM/DOI  
12/18/2007 02:37 PM

To TSAIN@linerlaw.co  
cc Marc\_Springer@ca.blm.gov@BLM, David  
Lawler/CASO/CA/BLM/DOI@BLM,  
John\_Key@ca.blm.gov@BLM, Timothy  
Moore/CASO/CA/BLM/DOI@BLM, Richard  
Forester/CASO/CA/BLM/DOI@BLM, Leroy  
Mohorich/CASO/CA/BLM/DOI@BLM  
Subject Warning Signs in Clear Creek

Mr. Sain,

Richard Grabowski has requested I respond to your questions. I am the Hollister Field Office Manager with responsibilities for the management of the Clear Creek Management Area.

For additional information on the Clear Creek Management Area I have included the following links:

<http://www.epa.gov/region09/toxic/noa/clearcreek/index.html>

 Hollister Field Office web page

1) What is the "Clear Creek Management Area"?

The BLM manages approximately 63,000 acres of public land in Southern San Benito and Western Fresno Counties, this area has been designated as the Clear Creek Management Area (CCMA). Within the CCMA there is a 30,000 acre area of serpentine rock outcrops and soils containing asbestos. The area has been extensively explored and mined for mercury, asbestos and chromite minerals. The last active asbestos mine in the United States was located on BLM lands in CCMA. The mine was closed in 2002. No commercial mining takes place today, the road access is utilized by recreational off-highway vehicles(OHV). The area is a popular destination point for OHV users. The area is also host to a unique flora due to the serpentine soil. The mineral character of the area and the historic mining make the area of interest to rock hounds, gem collectors and historian.

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