



United States Department of the Interior  
IDAHO FISH AND WILDLIFE OFFICE

Eastern Idaho Field Office  
4425 Burley Dr., Suite A  
Chubbuck, Idaho 83202  
Telephone (208) 237-6975  
<http://IdahoES.fws.gov>



October 8, 2015

Mitchell Hart  
Nu-West Mining, Inc.  
PO Box 758  
Soda Springs, Idaho 83276

Re: Notice of Intent to Perform and Invitation to Participate in a Natural Resource Damage Assessment at the Southeast Idaho Phosphate Mine Site, Idaho

Dear Mr. Hart:

This letter is to provide you with formal notice that the Department of Agriculture, Department of Interior, State of Idaho, and the Shoshone-Bannock Tribes have completed a Preassessment Screen (PAS, enclosed) for the release of hazardous substances at the Southeast Idaho Phosphate Mine Site (Site) pursuant to 43 C.F.R. §§ 11.23 – 11.25. Under the Comprehensive Environmental Response, Compensation, and Liability Act, (CERCLA), these entities are Trustees with management authority over natural resources potentially injured as a result of hazardous substance releases at the Site. Based on the PAS, the Trustees have made a determination that the criteria to perform a Natural Resource Damage Assessment (NRDA) under 43 C.F.R. § 11.23 (e) have been met. The enclosed PAS Determination and Notice of Intent outlines the criteria and associated rationale for the Trustees' determination to proceed with a NRDA and provides notice of the Trustees' intent to begin the Injury Assessment Phase. This same letter is being sent to the other identified potentially responsible parties included in the cc list at the end of this letter.

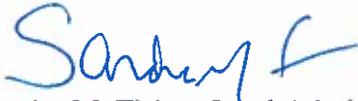
The PAS identifies natural resources, the services provided by those natural resources, and their supporting ecosystems that potentially have been injured by the releases of hazardous substances from the Site. Based upon the PAS, the Trustees have determined that further investigation and assessment is warranted. The Trustees will use the PAS to direct future NRDA activities, but the PAS will not preclude consideration of other resources later found to be affected or other parties found to be responsible for releases of hazardous substances.

Now that the Trustees have completed the PAS, the Trustees will begin developing an Injury Assessment Plan that will direct efforts to further evaluate the nature and extent of natural resource injuries at the Site. The goal of the assessment process is to efficiently and effectively identify and quantify injured natural resources, and their services, to determine restoration activities needed to return injured natural resources to baseline conditions and compensate the environment and the public for interim losses. The Trustees are now formally inviting you and other responsible parties to enter into a cooperative assessment process for the Site.

A cooperative assessment can lead to increased efficiency, reduced assessment costs, and a focus on restoration. Furthermore, a cooperative assessment benefits all parties involved: potentially responsible parties, the Trustees, and the public.

The Trustee Council requests you contact the undersigned, in writing, within thirty (30) days of receipt of this letter regarding the role you wish to play in the cooperative assessment process.

Sincerely,



Sandra M. Fisher, Lead Administrative Trustee  
Southeast Idaho Phosphate Mine Site NRDA Trustee Council

Enclosures

cc: CF Industries, Inc., Plant City, Florida (Kovach)  
FMC Corporation, Philadelphia, Pennsylvania (Toto)  
Huntsman Advanced Materials, Inc, The Woodlands, Texas (Nutt)  
Huntsman International, LLC, The Woodlands, Texas (Tullos)  
J.R.Simplot Company, Boise, Idaho (Prouty)  
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Solvay USA, Inc., Butte, Montana (Bersanti)  
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Shoshone-Bannock Tribes, Fort Hall, Idaho (Bacon)  
Office of the Idaho Attorney General, Boise, Idaho (Early)  
Forest Service, Pocatello, Idaho (Stumbo)  
Shoshone-Bannock Tribes, Fort Hall, Idaho (Chairman Edmo)  
Idaho Department of Environmental Quality, Pocatello, Idaho (Olenick)

Preassessment Screen Determination and Notice of Intent to  
Perform Injury Assessment Southeast Idaho Phosphate Mine Site

Notice is hereby given that the Southeast Idaho Phosphate Mine Site Natural Resource Trustee Council (“Trustee Council”), based on the Trustee Council’s Preassessment Screen (“PAS”) related to potential natural resource injury and damage potentially caused by the release of hazardous substances from the Southeast Idaho Phosphate Mine Site facilities (“Site”) of the Potentially Responsible Parties (“PRPs”) noticed herein, has made the determination that the criteria to perform a natural resource damage assessment under 43 C.F.R. § 11.23 (e) have been met:

1. A discharge of oil or a release of a hazardous substance has occurred.

Numerous studies have documented substantial releases of hazardous substances, particularly selenium, into the Bear, Blackfoot, and Salt River subbasins. These releases originated from the PRPs’ open-pit phosphate mining operations and phosphate ore processing facilities, located in Southeast Idaho, and have occurred over an extensive period of time.

2. Natural resources for which a State or Federal agency or Indian Tribe may assert trusteeship under CERCLA have been or are likely to have been adversely affected by the discharge or release.

Natural resources for which the State and Federal agencies or Indian Tribes may assert trusteeship have likely been adversely impacted in the past and are likely to continue to be adversely affected by the release of hazardous substances. Studies conducted across the Site have documented elevated concentrations of hazardous substances, particularly selenium, in water, sediment, soil, vegetation, and biological tissues, which have been attributed to releases from upstream sources, i.e., individual mines. Further, it is likely that contaminated natural resources could adversely impact other natural resources through various pathways of exposure, e.g., direct contact or dietary exposure.

3. The quantity and concentration of the discharged oil or released hazardous substance is sufficient to potentially cause injury to those natural resources.

Water, sediment, soil, vegetation, and biological tissue samples collected from the Site over decades of research contain hazardous substances at concentrations that:

- a. Exceed criteria or guidelines established for the protection of aquatic life;
  - b. Equal or exceed effect levels shown to cause injury to natural resources including, but not limited to, fish, birds, and mammals; and
  - c. Warrant consumption advisories for human populations.
4. Data sufficient to pursue an assessment are readily available or likely to be obtained at reasonable cost.

Data for the Site are numerous and will be useful to conduct an Injury Assessment in a cost effective manner. Additionally, data will continue to be collected as part of the

ongoing CERCLA remedial action investigations at the Site. Those data will also be utilized in the Injury Assessment. Additional studies will be needed to address data gaps, confirm pathways of exposure, and quantify injury and service losses. It is expected that these data can be obtained at reasonable costs.

5. Response actions from Superfund remedial activities carried out or planned do not or will not sufficiently remedy the injury to natural resources without further action.

The EPA, State of Idaho, Department of Interior, and United States Forest Service may identify and complete remedial actions which will likely reduce contaminant exposure within the Site. At this time it is not known what remedial actions will occur and, therefore, it is not possible to evaluate the expected natural resource benefits from those activities. However, given the geographic extent of the Site, it is clear that the remedial actions will not sufficiently remedy injury to resources, including past injury from historic mining activities, and it is expected that additional restoration actions will be required.

Furthermore, injury has likely occurred to-date as a result of existing contamination and will continue to occur until a fully protective remedy is implemented. Future remedial action will not address the natural resource service losses incurred from past and on-going injuries; therefore, additional restoration will be necessary.

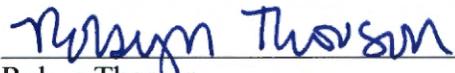
Notice is further given that the Trustee Council has determined that the initiation of a natural resource damage assessment for the Site, pursuant to § 107 of CERCLA, 42 U.S.C. § 9607, and applicable regulations, including, but not limited to, 43 C.F.R. pt. 11, is warranted and will begin the Injury Assessment phase. Agrium/Nu-West Mining, Inc. and other PRPs are invited to fully fund this Injury Assessment and to participate in the development, scope, and performance of the Injury Assessment pursuant to the direction and concurrence of the Trustee Council.

The Trustee Council requests your written response within thirty (30) days of this Determination and Notice regarding the role you wish to play in the funding and resulting participation in this Injury Assessment. The thirty (30) day notice period begins when you receive this Determination and Notice by certified mail. The Trustee Council will not proceed with the development of an Injury Assessment until after the expiration of this thirty-day (30) period. Written responses or questions should be provided to:

Sandra M. Fisher, Lead Administrative Trustee  
Southeast Idaho Phosphate Mine Site Natural Resource Trustee Council  
United States Fish and Wildlife Service  
4425 Burley Drive, Suite A  
Chubbuck, Idaho 83202  
208-237-6975 x 102  
Sandi\_Fisher@fws.gov

Thus, we the undersigned natural resource trustees, acting on behalf of the public, pursuant to Federal and State law, do find sufficient cause to initiate a natural resource damage assessment for the Site and intend to seek restoration and/or compensation for injuries suffered by natural resources over which we exercise trusteeship.

**DEPARTMENT OF INTERIOR**

  
\_\_\_\_\_  
Robyn Thorson

Region 1, Regional Director, U.S. Fish and Wildlife Service

SEP 8 2015

\_\_\_\_\_  
Date

**DEPARTMENT OF AGRICULTURE  
UNITED STATES FOREST SERVICE**

\_\_\_\_\_  
Nora B. Rasure  
Intermountain Region (Region 4), Regional Forester – Forest Service

\_\_\_\_\_  
Date

**SHOSHONE- BANNOCK TRIBES**

\_\_\_\_\_  
Blaine Edmo  
Chairman, Fort Hall Business Council

\_\_\_\_\_  
Date

**STATE OF IDAHO**

\_\_\_\_\_  
Orville Green, Program Administrator  
Waste Management and Remediation - Idaho Department of Environmental Quality

\_\_\_\_\_  
Date

\_\_\_\_\_  
Virgil Moore, Director  
Idaho Department of Fish and Game

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UNITED STATES FOREST SERVICE**

*Nora B. Rasure*  
\_\_\_\_\_  
Nora B. Rasure  
Intermountain Region (Region 4), Regional Forester – Forest Service

*9-8-15*  
\_\_\_\_\_  
Date

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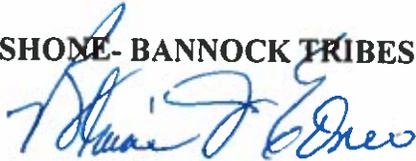
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*09/22/2015*  
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October 13, 2015

Attn: Melissa Bjella  
CF Industries, Inc.  
4 Parkway North, Suite 400  
Deerfield, Illinois 60015

Re: Notice of Intent to Perform and Invitation to Participate in a Natural Resource Damage Assessment at the Southeast Idaho Phosphate Mine Site, Idaho

Dear Ms. Bjella:

This letter is to provide you with formal notice that the Department of Agriculture, Department of Interior, State of Idaho, and the Shoshone-Bannock Tribes have completed a Preassessment Screen (PAS, enclosed) for the release of hazardous substances at the Southeast Idaho Phosphate Mine Site (Site) pursuant to 43 C.F.R. §§ 11.23 – 11.25. Under the Comprehensive Environmental Response, Compensation, and Liability Act, (CERCLA), these entities are Trustees with management authority over natural resources potentially injured as a result of hazardous substance releases at the Site. Based on the PAS, the Trustees have made a determination that the criteria to perform a Natural Resource Damage Assessment (NRDA) under 43 C.F.R. § 11.23 (e) have been met. The enclosed PAS Determination and Notice of Intent outlines the criteria and associated rationale for the Trustees' determination to proceed with a NRDA and provides notice of the Trustees' intent to begin the Injury Assessment Phase. This same letter is being sent to the other identified potentially responsible parties included in the cc list at the end of this letter.

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A cooperative assessment can lead to increased efficiency, reduced assessment costs, and a focus on restoration. Furthermore, a cooperative assessment benefits all parties involved: potentially responsible parties, the Trustees, and the public.

The Trustee Council requests you contact the undersigned, in writing, within thirty (30) days of receipt of this letter regarding the role you wish to play in the cooperative assessment process.

Sincerely,



Sandra M. Fisher, Lead Administrative Trustee  
Southeast Idaho Phosphate Mine Site NRDA Trustee Council

Enclosures

cc: Agrium/Nu-West Mining, Inc., Soda Springs, Idaho (Hart)  
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Huntsman Advanced Materials, Inc, The Woodlands, Texas (Nutt)  
Huntsman International, LLC, The Woodlands, Texas (Tullos)  
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October 13, 2015

Brian Land  
Kirkland & Ellis  
655 15<sup>th</sup> Street NW  
Washington, D.C. 20005

Re: Notice of Intent to Perform and Invitation to Participate in a Natural Resource Damage Assessment at the Southeast Idaho Phosphate Mine Site, Idaho

Dear Mr. Land:

This letter is to provide you with formal notice that the Department of Agriculture, Department of Interior, State of Idaho, and the Shoshone-Bannock Tribes have completed a Preassessment Screen (PAS, enclosed) for the release of hazardous substances at the Southeast Idaho Phosphate Mine Site (Site) pursuant to 43 C.F.R. §§ 11.23 – 11.25. Under the Comprehensive Environmental Response, Compensation, and Liability Act, (CERCLA), these entities are Trustees with management authority over natural resources potentially injured as a result of hazardous substance releases at the Site. Based on the PAS, the Trustees have made a determination that the criteria to perform a Natural Resource Damage Assessment (NRDA) under 43 C.F.R. § 11.23 (e) have been met. The enclosed PAS Determination and Notice of Intent outlines the criteria and associated rationale for the Trustees' determination to proceed with a NRDA and provides notice of the Trustees' intent to begin the Injury Assessment Phase. This same letter is being sent to the other identified potentially responsible parties included in the cc list at the end of this letter.

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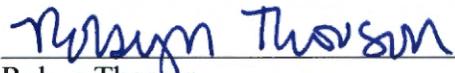
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**DEPARTMENT OF INTERIOR**

  
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Robyn Thorson  
Region 1, Regional Director, U.S. Fish and Wildlife Service

SEP 8 2015

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**DEPARTMENT OF AGRICULTURE  
UNITED STATES FOREST SERVICE**

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Nora B. Rasure  
Intermountain Region (Region 4), Regional Forester – Forest Service

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**SHOSHONE- BANNOCK TRIBES**

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Blaine Edmo  
Chairman, Fort Hall Business Council

\_\_\_\_\_  
Date

**STATE OF IDAHO**

  
\_\_\_\_\_  
Orville Green, Program Administrator  
Waste Management and Remediation - Idaho Department of Environmental Quality

8-21-15  
\_\_\_\_\_  
Date

\_\_\_\_\_  
Virgil Moore, Director  
Idaho Department of Fish and Game

\_\_\_\_\_  
Date

Thus, we the undersigned natural resource trustees, acting on behalf of the public, pursuant to Federal and State law, do find sufficient cause to initiate a natural resource damage assessment for the Site and intend to seek restoration and/or compensation for injuries suffered by natural resources over which we exercise trusteeship.

**DEPARTMENT OF INTERIOR**

\_\_\_\_\_  
Robyn Thorson  
Region 1, Regional Director, U.S. Fish and Wildlife Service

\_\_\_\_\_  
Date

**DEPARTMENT OF AGRICULTURE  
UNITED STATES FOREST SERVICE**

\_\_\_\_\_  
Nora B. Rasure  
Intermountain Region (Region 4), Regional Forester – Forest Service

\_\_\_\_\_  
Date

**SHOSHONE- BANNOCK TRIBES**

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Virgil Moore, Director  
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9/3/15  
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Date

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Region 1, Regional Director, U.S. Fish and Wildlife Service

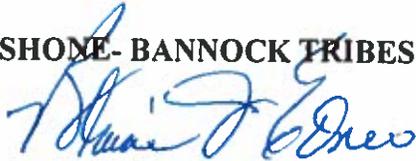
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Date

**SHOSHONE- BANNOCK TRIBES**



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Blaine Edmo  
Chairman, Fort Hall Business Council

*09/22/2015*  
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Date

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Date



United States Department of the Interior  
IDAHO FISH AND WILDLIFE OFFICE

Eastern Idaho Field Office  
4425 Burley Dr., Suite A  
Chubbuck, Idaho 83202  
Telephone (208) 237-6975  
<http://IdahoES.fws.gov>



October 8, 2015

Dina Toto  
FMC Corporation  
1735 Market Street  
Philadelphia, Pennsylvania 19103

Re: Notice of Intent to Perform and Invitation to Participate in a Natural Resource Damage Assessment at the Southeast Idaho Phosphate Mine Site, Idaho

Dear Ms. Toto:

This letter is to provide you with formal notice that the Department of Agriculture, Department of Interior, State of Idaho, and the Shoshone-Bannock Tribes have completed a Preassessment Screen (PAS, enclosed) for the release of hazardous substances at the Southeast Idaho Phosphate Mine Site (Site) pursuant to 43 C.F.R. §§ 11.23 – 11.25. Under the Comprehensive Environmental Response, Compensation, and Liability Act, (CERCLA), these entities are Trustees with management authority over natural resources potentially injured as a result of hazardous substance releases at the Site. Based on the PAS, the Trustees have made a determination that the criteria to perform a Natural Resource Damage Assessment (NRDA) under 43 C.F.R. § 11.23 (e) have been met. The enclosed PAS Determination and Notice of Intent outlines the criteria and associated rationale for the Trustees' determination to proceed with a NRDA and provides notice of the Trustees' intent to begin the Injury Assessment Phase. This same letter is being sent to the other identified potentially responsible parties included in the cc list at the end of this letter.

The PAS identifies natural resources, the services provided by those natural resources, and their supporting ecosystems that potentially have been injured by the releases of hazardous substances from the Site. Based upon the PAS, the Trustees have determined that further investigation and assessment is warranted. The Trustees will use the PAS to direct future NRDA activities, but the PAS will not preclude consideration of other resources later found to be affected or other parties found to be responsible for releases of hazardous substances.

Now that the Trustees have completed the PAS, the Trustees will begin developing an Injury Assessment Plan that will direct efforts to further evaluate the nature and extent of natural resource injuries at the Site. The goal of the assessment process is to efficiently and effectively identify and quantify injured natural resources, and their services, to determine restoration activities needed to return injured natural resources to baseline conditions and compensate the environment and the public for interim losses. The Trustees are now formally inviting you and other responsible parties to enter into a cooperative assessment process for the Site.

A cooperative assessment can lead to increased efficiency, reduced assessment costs, and a focus on restoration. Furthermore, a cooperative assessment benefits all parties involved: potentially responsible parties, the Trustees, and the public.

The Trustee Council requests you contact the undersigned, in writing, within thirty (30) days of receipt of this letter regarding the role you wish to play in the cooperative assessment process.

Sincerely,



Sandra M. Fisher, Lead Administrative Trustee  
Southeast Idaho Phosphate Mine Site NRDA Trustee Council

**Enclosures**

cc: Agrium/Nu-West Mining, Inc., Soda Springs, Idaho (Hart)  
CF Industries, Inc., Plant City, Florida (Kovach)  
Huntsman Advanced Materials, Inc, The Woodlands, Texas (Nutt)  
Huntsman International, LLC, The Woodlands, Texas (Tullos)  
J.R.Simplot Company, Boise, Idaho (Prouty)  
Monsanto/P<sub>4</sub> Production, Soda Springs, Idaho (Vranes)  
Solvay USA, Inc., Butte, Montana (Bersanti)  
Wells Cargo, Inc., Bartonville, Texas (Landrum)  
DOI-SOL, Portland, Oregon (Donahue)  
USDA-OGC, Denver, Colorado (Minckler)  
Shoshone-Bannock Tribes, Fort Hall, Idaho (Bacon)  
Office of the Idaho Attorney General, Boise, Idaho (Early)  
Forest Service, Pocatello, Idaho (Stumbo)  
Shoshone-Bannock Tribes, Fort Hall, Idaho (Chairman Edmo)  
Idaho Department of Environmental Quality, Pocatello, Idaho (Olenick)

Preassessment Screen Determination and Notice of Intent to  
Perform Injury Assessment Southeast Idaho Phosphate Mine Site

Notice is hereby given that the Southeast Idaho Phosphate Mine Site Natural Resource Trustee Council (“Trustee Council”), based on the Trustee Council’s Preassessment Screen (“PAS”) related to potential natural resource injury and damage potentially caused by the release of hazardous substances from the Southeast Idaho Phosphate Mine Site facilities (“Site”) of the Potentially Responsible Parties (“PRPs”) noticed herein, has made the determination that the criteria to perform a natural resource damage assessment under 43 C.F.R. § 11.23 (e) have been met:

1. A discharge of oil or a release of a hazardous substance has occurred.

Numerous studies have documented substantial releases of hazardous substances, particularly selenium, into the Bear, Blackfoot, and Salt River subbasins. These releases originated from the PRPs’ open-pit phosphate mining operations and phosphate ore processing facilities, located in Southeast Idaho, and have occurred over an extensive period of time.

2. Natural resources for which a State or Federal agency or Indian Tribe may assert trusteeship under CERCLA have been or are likely to have been adversely affected by the discharge or release.

Natural resources for which the State and Federal agencies or Indian Tribes may assert trusteeship have likely been adversely impacted in the past and are likely to continue to be adversely affected by the release of hazardous substances. Studies conducted across the Site have documented elevated concentrations of hazardous substances, particularly selenium, in water, sediment, soil, vegetation, and biological tissues, which have been attributed to releases from upstream sources, i.e., individual mines. Further, it is likely that contaminated natural resources could adversely impact other natural resources through various pathways of exposure, e.g., direct contact or dietary exposure.

3. The quantity and concentration of the discharged oil or released hazardous substance is sufficient to potentially cause injury to those natural resources.

Water, sediment, soil, vegetation, and biological tissue samples collected from the Site over decades of research contain hazardous substances at concentrations that:

- a. Exceed criteria or guidelines established for the protection of aquatic life;
  - b. Equal or exceed effect levels shown to cause injury to natural resources including, but not limited to, fish, birds, and mammals; and
  - c. Warrant consumption advisories for human populations.
4. Data sufficient to pursue an assessment are readily available or likely to be obtained at reasonable cost.

Data for the Site are numerous and will be useful to conduct an Injury Assessment in a cost effective manner. Additionally, data will continue to be collected as part of the

ongoing CERCLA remedial action investigations at the Site. Those data will also be utilized in the Injury Assessment. Additional studies will be needed to address data gaps, confirm pathways of exposure, and quantify injury and service losses. It is expected that these data can be obtained at reasonable costs.

5. Response actions from Superfund remedial activities carried out or planned do not or will not sufficiently remedy the injury to natural resources without further action.

The EPA, State of Idaho, Department of Interior, and United States Forest Service may identify and complete remedial actions which will likely reduce contaminant exposure within the Site. At this time it is not known what remedial actions will occur and, therefore, it is not possible to evaluate the expected natural resource benefits from those activities. However, given the geographic extent of the Site, it is clear that the remedial actions will not sufficiently remedy injury to resources, including past injury from historic mining activities, and it is expected that additional restoration actions will be required.

Furthermore, injury has likely occurred to-date as a result of existing contamination and will continue to occur until a fully protective remedy is implemented. Future remedial action will not address the natural resource service losses incurred from past and on-going injuries; therefore, additional restoration will be necessary.

Notice is further given that the Trustee Council has determined that the initiation of a natural resource damage assessment for the Site, pursuant to § 107 of CERCLA, 42 U.S.C. § 9607, and applicable regulations, including, but not limited to, 43 C.F.R. pt. 11, is warranted and will begin the Injury Assessment phase. FMC Corporation and other PRPs are invited to fully fund this Injury Assessment and to participate in the development, scope, and performance of the Injury Assessment pursuant to the direction and concurrence of the Trustee Council.

The Trustee Council requests your written response within thirty (30) days of this Determination and Notice regarding the role you wish to play in the funding and resulting participation in this Injury Assessment. The thirty (30) day notice period begins when you receive this Determination and Notice by certified mail. The Trustee Council will not proceed with the development of an Injury Assessment until after the expiration of this thirty-day (30) period. Written responses or questions should be provided to:

Sandra M. Fisher, Lead Administrative Trustee  
Southeast Idaho Phosphate Mine Site Natural Resource Trustee Council  
United States Fish and Wildlife Service  
4425 Burley Drive, Suite A  
Chubbuck, Idaho 83202  
208-237-6975 x 102  
Sandi\_Fisher@fws.gov

Thus, we the undersigned natural resource trustees, acting on behalf of the public, pursuant to Federal and State law, do find sufficient cause to initiate a natural resource damage assessment for the Site and intend to seek restoration and/or compensation for injuries suffered by natural resources over which we exercise trusteeship.

**DEPARTMENT OF INTERIOR**

*Robyn Thorson*

Robyn Thorson  
Region 1, Regional Director, U.S. Fish and Wildlife Service

SEP 8 2015

Date

**DEPARTMENT OF AGRICULTURE  
UNITED STATES FOREST SERVICE**

Nora B. Rasure  
Intermountain Region (Region 4), Regional Forester – Forest Service

Date

**SHOSHONE- BANNOCK TRIBES**

Blaine Edmo  
Chairman, Fort Hall Business Council

Date

**STATE OF IDAHO**

Orville Green, Program Administrator  
Waste Management and Remediation - Idaho Department of Environmental Quality

Date

Virgil Moore, Director  
Idaho Department of Fish and Game

Date

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*9-8-15*  
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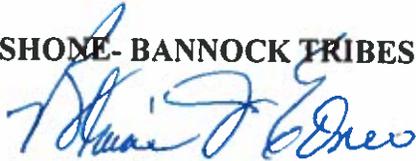
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*09/22/2015*  
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United States Department of the Interior  
IDAHO FISH AND WILDLIFE OFFICE

Eastern Idaho Field Office  
4425 Burley Dr., Suite A  
Chubbuck, Idaho 83202  
Telephone (208) 237-6975  
<http://IdahoES.fws.gov>



October 8, 2015

David Nutt  
Huntsman Advanced Materials, Inc.  
8600 Gosling Road, Suite 604  
The Woodlands, Texas 77381

Re: Notice of Intent to Perform and Invitation to Participate in a Natural Resource Damage Assessment at the Southeast Idaho Phosphate Mine Site, Idaho

Dear Mr. Nutt:

This letter is to provide you with formal notice that the Department of Agriculture, Department of Interior, State of Idaho, and the Shoshone-Bannock Tribes have completed a Preassessment Screen (PAS, enclosed) for the release of hazardous substances at the Southeast Idaho Phosphate Mine Site (Site) pursuant to 43 C.F.R. §§ 11.23 – 11.25. Under the Comprehensive Environmental Response, Compensation, and Liability Act, (CERCLA), these entities are Trustees with management authority over natural resources potentially injured as a result of hazardous substance releases at the Site. Based on the PAS, the Trustees have made a determination that the criteria to perform a Natural Resource Damage Assessment (NRDA) under 43 C.F.R. § 11.23 (e) have been met. The enclosed PAS Determination and Notice of Intent outlines the criteria and associated rationale for the Trustees' determination to proceed with a NRDA and provides notice of the Trustees' intent to begin the Injury Assessment Phase. This same letter is being sent to the other identified potentially responsible parties included in the cc list at the end of this letter.

The PAS identifies natural resources, the services provided by those natural resources, and their supporting ecosystems that potentially have been injured by the releases of hazardous substances from the Site. Based upon the PAS, the Trustees have determined that further investigation and assessment is warranted. The Trustees will use the PAS to direct future NRDA activities, but the PAS will not preclude consideration of other resources later found to be affected or other parties found to be responsible for releases of hazardous substances.

Now that the Trustees have completed the PAS, the Trustees will begin developing an Injury Assessment Plan that will direct efforts to further evaluate the nature and extent of natural resource injuries at the Site. The goal of the assessment process is to efficiently and effectively identify and quantify injured natural resources, and their services, to determine restoration activities needed to return injured natural resources to baseline conditions and compensate the environment and the public for interim losses. The Trustees are now formally inviting you and other responsible parties to enter into a cooperative assessment process for the Site.

A cooperative assessment can lead to increased efficiency, reduced assessment costs, and a focus on restoration. Furthermore, a cooperative assessment benefits all parties involved: potentially responsible parties, the Trustees, and the public.

The Trustee Council requests you contact the undersigned, in writing, within thirty (30) days of receipt of this letter regarding the role you wish to play in the cooperative assessment process.

Sincerely,



Sandra M. Fisher, Lead Administrative Trustee  
Southeast Idaho Phosphate Mine Site NRDA Trustee Council

Enclosures

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FMC Corporation, Philadelphia, Pennsylvania (Toto)  
Huntsman International, LLC, The Woodlands, Texas (Tullos)  
J.R.Simplot Company, Boise, Idaho (Prouty)  
Monsanto/P<sub>4</sub> Production, Soda Springs, Idaho (Vranes)  
Solvay USA, Inc., Butte, Montana (Bersanti)  
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Forest Service, Pocatello, Idaho (Stumbo)  
Shoshone-Bannock Tribes, Fort Hall, Idaho (Chairman Edmo)  
Idaho Department of Environmental Quality, Pocatello, Idaho (Olenick)

Preassessment Screen Determination and Notice of Intent to  
Perform Injury Assessment Southeast Idaho Phosphate Mine Site

Notice is hereby given that the Southeast Idaho Phosphate Mine Site Natural Resource Trustee Council (“Trustee Council”), based on the Trustee Council’s Preassessment Screen (“PAS”) related to potential natural resource injury and damage potentially caused by the release of hazardous substances from the Southeast Idaho Phosphate Mine Site facilities (“Site”) of the Potentially Responsible Parties (“PRPs”) noticed herein, has made the determination that the criteria to perform a natural resource damage assessment under 43 C.F.R. § 11.23 (e) have been met:

1. A discharge of oil or a release of a hazardous substance has occurred.

Numerous studies have documented substantial releases of hazardous substances, particularly selenium, into the Bear, Blackfoot, and Salt River subbasins. These releases originated from the PRPs’ open-pit phosphate mining operations and phosphate ore processing facilities, located in Southeast Idaho, and have occurred over an extensive period of time.

2. Natural resources for which a State or Federal agency or Indian Tribe may assert trusteeship under CERCLA have been or are likely to have been adversely affected by the discharge or release.

Natural resources for which the State and Federal agencies or Indian Tribes may assert trusteeship have likely been adversely impacted in the past and are likely to continue to be adversely affected by the release of hazardous substances. Studies conducted across the Site have documented elevated concentrations of hazardous substances, particularly selenium, in water, sediment, soil, vegetation, and biological tissues, which have been attributed to releases from upstream sources, i.e., individual mines. Further, it is likely that contaminated natural resources could adversely impact other natural resources through various pathways of exposure, e.g., direct contact or dietary exposure.

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Furthermore, injury has likely occurred to-date as a result of existing contamination and will continue to occur until a fully protective remedy is implemented. Future remedial action will not address the natural resource service losses incurred from past and on-going injuries; therefore, additional restoration will be necessary.

Notice is further given that the Trustee Council has determined that the initiation of a natural resource damage assessment for the Site, pursuant to § 107 of CERCLA, 42 U.S.C. § 9607, and applicable regulations, including, but not limited to, 43 C.F.R. pt. 11, is warranted and will begin the Injury Assessment phase. Huntsman Advanced Materials, Inc. and other PRPs are invited to fully fund this Injury Assessment and to participate in the development, scope, and performance of the Injury Assessment pursuant to the direction and concurrence of the Trustee Council.

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SEP 8 2015

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Thus, we the undersigned natural resource trustees, acting on behalf of the public, pursuant to Federal and State law, do find sufficient cause to initiate a natural resource damage assessment for the Site and intend to seek restoration and/or compensation for injuries suffered by natural resources over which we exercise trusteeship.

**DEPARTMENT OF INTERIOR**

\_\_\_\_\_  
Robyn Thorson  
Region 1, Regional Director, U.S. Fish and Wildlife Service

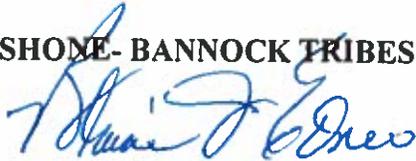
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Date

**DEPARTMENT OF AGRICULTURE  
UNITED STATES FOREST SERVICE**

\_\_\_\_\_  
Nora B. Rasure  
Intermountain Region (Region 4), Regional Forester – Forest Service

\_\_\_\_\_  
Date

**SHOSHONE- BANNOCK TRIBES**



\_\_\_\_\_  
Blaine Edmo  
Chairman, Fort Hall Business Council

*09/22/2015*  
\_\_\_\_\_  
Date

**STATE OF IDAHO**

\_\_\_\_\_  
Orville Green, Program Administrator  
Waste Management and Remediation - Idaho Department of Environmental Quality

\_\_\_\_\_  
Date

\_\_\_\_\_  
Virgil Moore, Director  
Idaho Department of Fish and Game

\_\_\_\_\_  
Date



United States Department of the Interior  
IDAHO FISH AND WILDLIFE OFFICE

Eastern Idaho Field Office  
4425 Burley Dr., Suite A  
Chubbuck, Idaho 83202  
Telephone (208) 237-6975  
<http://IdahoES.fws.gov>



October 8, 2015

Lon Tullos  
Huntsman International LLC  
8600 Gosling Road  
The Woodlands, Texas 77381

Re: Notice of Intent to Perform and Invitation to Participate in a Natural Resource Damage Assessment at the Southeast Idaho Phosphate Mine Site, Idaho

Dear Mr. Tullos:

This letter is to provide you with formal notice that the Department of Agriculture, Department of Interior, State of Idaho, and the Shoshone-Bannock Tribes have completed a Preassessment Screen (PAS, enclosed) for the release of hazardous substances at the Southeast Idaho Phosphate Mine Site (Site) pursuant to 43 C.F.R. §§ 11.23 – 11.25. Under the Comprehensive Environmental Response, Compensation, and Liability Act, (CERCLA), these entities are Trustees with management authority over natural resources potentially injured as a result of hazardous substance releases at the Site. Based on the PAS, the Trustees have made a determination that the criteria to perform a Natural Resource Damage Assessment (NRDA) under 43 C.F.R. § 11.23 (e) have been met. The enclosed PAS Determination and Notice of Intent outlines the criteria and associated rationale for the Trustees' determination to proceed with a NRDA and provides notice of the Trustees' intent to begin the Injury Assessment Phase. This same letter is being sent to the other identified potentially responsible parties included in the cc list at the end of this letter.

The PAS identifies natural resources, the services provided by those natural resources, and their supporting ecosystems that potentially have been injured by the releases of hazardous substances from the Site. Based upon the PAS, the Trustees have determined that further investigation and assessment is warranted. The Trustees will use the PAS to direct future NRDA activities, but the PAS will not preclude consideration of other resources later found to be affected or other parties found to be responsible for releases of hazardous substances.

Now that the Trustees have completed the PAS, the Trustees will begin developing an Injury Assessment Plan that will direct efforts to further evaluate the nature and extent of natural resource injuries at the Site. The goal of the assessment process is to efficiently and effectively identify and quantify injured natural resources, and their services, to determine restoration activities needed to return injured natural resources to baseline conditions and compensate the environment and the public for interim losses. The Trustees are now formally inviting you and other responsible parties to enter into a cooperative assessment process for the Site.

A cooperative assessment can lead to increased efficiency, reduced assessment costs, and a focus on restoration. Furthermore, a cooperative assessment benefits all parties involved: potentially responsible parties, the Trustees, and the public.

The Trustee Council requests you contact the undersigned, in writing, within thirty (30) days of receipt of this letter regarding the role you wish to play in the cooperative assessment process.

Sincerely,



Sandra M. Fisher, Lead Administrative Trustee  
Southeast Idaho Phosphate Mine Site NRDA Trustee Council

**Enclosures**

cc: Agrium/Nu-West Mining, Inc., Soda Springs, Idaho (Hart)  
CF Industries, Inc., Plant City, Florida (Kovach)  
FMC Corporation, Philadelphia, Pennsylvania (Toto)  
Huntsman Advanced Materials, Inc, The Woodlands, Texas (Nutt)  
J.R.Simplot Company, Boise, Idaho (Prouty)  
Monsanto/P<sub>4</sub> Production, Soda Springs, Idaho (Vranes)  
Solvay USA, Inc., Butte, Montana (Bersanti)  
Wells Cargo, Inc., Bartonville, Texas (Landrum)  
DOI-SOL, Portland, Oregon (Donahue)  
USDA-OGC, Denver, Colorado (Minckler)  
Shoshone-Bannock Tribes, Fort Hall, Idaho (Bacon)  
Office of the Idaho Attorney General, Boise, Idaho (Early)  
Forest Service, Pocatello, Idaho (Stumbo)  
Shoshone-Bannock Tribes, Fort Hall, Idaho (Chairman Edmo)  
Idaho Department of Environmental Quality, Pocatello, Idaho (Olenick)

Preassessment Screen Determination and Notice of Intent to  
Perform Injury Assessment Southeast Idaho Phosphate Mine Site

Notice is hereby given that the Southeast Idaho Phosphate Mine Site Natural Resource Trustee Council (“Trustee Council”), based on the Trustee Council’s Preassessment Screen (“PAS”) related to potential natural resource injury and damage potentially caused by the release of hazardous substances from the Southeast Idaho Phosphate Mine Site facilities (“Site”) of the Potentially Responsible Parties (“PRPs”) noticed herein, has made the determination that the criteria to perform a natural resource damage assessment under 43 C.F.R. § 11.23 (e) have been met:

1. A discharge of oil or a release of a hazardous substance has occurred.

Numerous studies have documented substantial releases of hazardous substances, particularly selenium, into the Bear, Blackfoot, and Salt River subbasins. These releases originated from the PRPs’ open-pit phosphate mining operations and phosphate ore processing facilities, located in Southeast Idaho, and have occurred over an extensive period of time.

2. Natural resources for which a State or Federal agency or Indian Tribe may assert trusteeship under CERCLA have been or are likely to have been adversely affected by the discharge or release.

Natural resources for which the State and Federal agencies or Indian Tribes may assert trusteeship have likely been adversely impacted in the past and are likely to continue to be adversely affected by the release of hazardous substances. Studies conducted across the Site have documented elevated concentrations of hazardous substances, particularly selenium, in water, sediment, soil, vegetation, and biological tissues, which have been attributed to releases from upstream sources, i.e., individual mines. Further, it is likely that contaminated natural resources could adversely impact other natural resources through various pathways of exposure, e.g., direct contact or dietary exposure.

3. The quantity and concentration of the discharged oil or released hazardous substance is sufficient to potentially cause injury to those natural resources.

Water, sediment, soil, vegetation, and biological tissue samples collected from the Site over decades of research contain hazardous substances at concentrations that:

- a. Exceed criteria or guidelines established for the protection of aquatic life;
  - b. Equal or exceed effect levels shown to cause injury to natural resources including, but not limited to, fish, birds, and mammals; and
  - c. Warrant consumption advisories for human populations.
4. Data sufficient to pursue an assessment are readily available or likely to be obtained at reasonable cost.

Data for the Site are numerous and will be useful to conduct an Injury Assessment in a cost effective manner. Additionally, data will continue to be collected as part of the

ongoing CERCLA remedial action investigations at the Site. Those data will also be utilized in the Injury Assessment. Additional studies will be needed to address data gaps, confirm pathways of exposure, and quantify injury and service losses. It is expected that these data can be obtained at reasonable costs.

5. Response actions from Superfund remedial activities carried out or planned do not or will not sufficiently remedy the injury to natural resources without further action.

The EPA, State of Idaho, Department of Interior, and United States Forest Service may identify and complete remedial actions which will likely reduce contaminant exposure within the Site. At this time it is not known what remedial actions will occur and, therefore, it is not possible to evaluate the expected natural resource benefits from those activities. However, given the geographic extent of the Site, it is clear that the remedial actions will not sufficiently remedy injury to resources, including past injury from historic mining activities, and it is expected that additional restoration actions will be required.

Furthermore, injury has likely occurred to-date as a result of existing contamination and will continue to occur until a fully protective remedy is implemented. Future remedial action will not address the natural resource service losses incurred from past and on-going injuries; therefore, additional restoration will be necessary.

Notice is further given that the Trustee Council has determined that the initiation of a natural resource damage assessment for the Site, pursuant to § 107 of CERCLA, 42 U.S.C. § 9607, and applicable regulations, including, but not limited to, 43 C.F.R. pt. 11, is warranted and will begin the Injury Assessment phase. Huntsman International, LLC and other PRPs are invited to fully fund this Injury Assessment and to participate in the development, scope, and performance of the Injury Assessment pursuant to the direction and concurrence of the Trustee Council.

The Trustee Council requests your written response within thirty (30) days of this Determination and Notice regarding the role you wish to play in the funding and resulting participation in this Injury Assessment. The thirty (30) day notice period begins when you receive this Determination and Notice by certified mail. The Trustee Council will not proceed with the development of an Injury Assessment until after the expiration of this thirty-day (30) period. Written responses or questions should be provided to:

Sandra M. Fisher, Lead Administrative Trustee  
Southeast Idaho Phosphate Mine Site Natural Resource Trustee Council  
United States Fish and Wildlife Service  
4425 Burley Drive, Suite A  
Chubbuck, Idaho 83202  
208-237-6975 x 102  
Sandi\_Fisher@fws.gov

Thus, we the undersigned natural resource trustees, acting on behalf of the public, pursuant to Federal and State law, do find sufficient cause to initiate a natural resource damage assessment for the Site and intend to seek restoration and/or compensation for injuries suffered by natural resources over which we exercise trusteeship.

**DEPARTMENT OF INTERIOR**

*Robyn Thorson*

Robyn Thorson  
Region 1, Regional Director, U.S. Fish and Wildlife Service

SEP 8 2015

Date

**DEPARTMENT OF AGRICULTURE  
UNITED STATES FOREST SERVICE**

Nora B. Rasure  
Intermountain Region (Region 4), Regional Forester – Forest Service

Date

**SHOSHONE- BANNOCK TRIBES**

Blaine Edmo  
Chairman, Fort Hall Business Council

Date

**STATE OF IDAHO**

Orville Green, Program Administrator  
Waste Management and Remediation - Idaho Department of Environmental Quality

Date

Virgil Moore, Director  
Idaho Department of Fish and Game

Date

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*Nora B. Rasure*  
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*9-8-15*  
\_\_\_\_\_  
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**STATE OF IDAHO**

  
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Orville Green, Program Administrator  
Waste Management and Remediation - Idaho Department of Environmental Quality

8-21-15  
\_\_\_\_\_  
Date

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Virgil Moore, Director  
Idaho Department of Fish and Game

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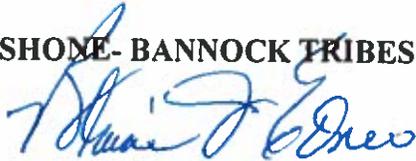
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**SHOSHONE- BANNOCK TRIBES**



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*09/22/2015*  
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Orville Green, Program Administrator  
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United States Department of the Interior  
IDAHO FISH AND WILDLIFE OFFICE

Eastern Idaho Field Office  
4425 Burley Dr., Suite A  
Chubbuck, Idaho 83202  
Telephone (208) 237-6975  
<http://IdahoES.fws.gov>



October 8, 2015

Alan Prouty  
J.R. Simplot Company  
PO Box 27, One Capital Center  
999 Main Street, Ste 1300  
Boise, Idaho 83707-0027

Re: Notice of Intent to Perform and Invitation to Participate in a Natural Resource Damage Assessment at the Southeast Idaho Phosphate Mine Site, Idaho

Dear Mr. Prouty:

This letter is to provide you with formal notice that the Department of Agriculture, Department of Interior, State of Idaho, and the Shoshone-Bannock Tribes have completed a Preassessment Screen (PAS, enclosed) for the release of hazardous substances at the Southeast Idaho Phosphate Mine Site (Site) pursuant to 43 C.F.R. §§ 11.23 – 11.25. Under the Comprehensive Environmental Response, Compensation, and Liability Act, (CERCLA), these entities are Trustees with management authority over natural resources potentially injured as a result of hazardous substance releases at the Site. Based on the PAS, the Trustees have made a determination that the criteria to perform a Natural Resource Damage Assessment (NRDA) under 43 C.F.R. § 11.23 (e) have been met. The enclosed PAS Determination and Notice of Intent outlines the criteria and associated rationale for the Trustees' determination to proceed with a NRDA and provides notice of the Trustees' intent to begin the Injury Assessment Phase. This same letter is being sent to the other identified potentially responsible parties included in the cc list at the end of this letter.

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Now that the Trustees have completed the PAS, the Trustees will begin developing an Injury Assessment Plan that will direct efforts to further evaluate the nature and extent of natural resource injuries at the Site. The goal of the assessment process is to efficiently and effectively identify and quantify injured natural resources, and their services, to determine restoration activities needed to return injured natural resources to baseline conditions and compensate the environment and the public for interim losses. The Trustees are now formally inviting you and

other responsible parties to enter into a cooperative assessment process for the Site. A cooperative assessment can lead to increased efficiency, reduced assessment costs, and a focus on restoration. Furthermore, a cooperative assessment benefits all parties involved: potentially responsible parties, the Trustees, and the public.

The Trustee Council requests you contact the undersigned, in writing, within thirty (30) days of receipt of this letter regarding the role you wish to play in the cooperative assessment process.

Sincerely,



Sandra M. Fisher, Lead Administrative Trustee  
Southeast Idaho Phosphate Mine Site NRDA Trustee Council

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FMC Corporation, Philadelphia, Pennsylvania (Toto)  
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Huntsman International, LLC, The Woodlands, Texas (Tullos)  
Monsanto/P<sub>4</sub> Production, Soda Springs, Idaho (Vranes)  
Solvay USA, Inc., Butte, Montana (Bersanti)  
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Office of the Idaho Attorney General, Boise, Idaho (Early)  
Forest Service, Pocatello, Idaho (Stumbo)  
Shoshone-Bannock Tribes, Fort Hall, Idaho (Chairman Edmo)  
Idaho Department of Environmental Quality, Pocatello, Idaho (Olenick)

Preassessment Screen Determination and Notice of Intent to  
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1. A discharge of oil or a release of a hazardous substance has occurred.

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2. Natural resources for which a State or Federal agency or Indian Tribe may assert trusteeship under CERCLA have been or are likely to have been adversely affected by the discharge or release.

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Notice is further given that the Trustee Council has determined that the initiation of a natural resource damage assessment for the Site, pursuant to § 107 of CERCLA, 42 U.S.C. § 9607, and applicable regulations, including, but not limited to, 43 C.F.R. pt. 11, is warranted and will begin the Injury Assessment phase. J.R. Simplot Company and other PRPs are invited to fully fund this Injury Assessment and to participate in the development, scope, and performance of the Injury Assessment pursuant to the direction and concurrence of the Trustee Council.

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Sandi\_Fisher@fws.gov

Thus, we the undersigned natural resource trustees, acting on behalf of the public, pursuant to Federal and State law, do find sufficient cause to initiate a natural resource damage assessment for the Site and intend to seek restoration and/or compensation for injuries suffered by natural resources over which we exercise trusteeship.

**DEPARTMENT OF INTERIOR**

*Robyn Thorson*

Robyn Thorson  
Region 1, Regional Director, U.S. Fish and Wildlife Service

SEP 8 2015

Date

**DEPARTMENT OF AGRICULTURE  
UNITED STATES FOREST SERVICE**

Nora B. Rasure  
Intermountain Region (Region 4), Regional Forester – Forest Service

Date

**SHOSHONE- BANNOCK TRIBES**

Blaine Edmo  
Chairman, Fort Hall Business Council

Date

**STATE OF IDAHO**

Orville Green, Program Administrator  
Waste Management and Remediation - Idaho Department of Environmental Quality

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Virgil Moore, Director  
Idaho Department of Fish and Game

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*9-8-15*  
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**SHOSHONE- BANNOCK TRIBES**

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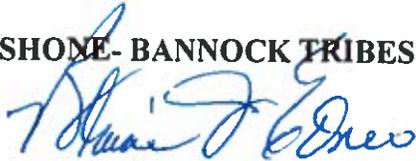
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October 8, 2015

Randy Vranes  
Monsanto Company  
Soda Springs Operations  
1853 Highway 34  
Soda Springs, Idaho 83276

Re: Notice of Intent to Perform and Invitation to Participate in a Natural Resource Damage Assessment at the Southeast Idaho Phosphate Mine Site, Idaho

Dear Mr. Vranes:

This letter is to provide you with formal notice that the Department of Agriculture, Department of Interior, State of Idaho, and the Shoshone-Bannock Tribes have completed a Preassessment Screen (PAS, enclosed) for the release of hazardous substances at the Southeast Idaho Phosphate Mine Site (Site) pursuant to 43 C.F.R. §§ 11.23 – 11.25. Under the Comprehensive Environmental Response, Compensation, and Liability Act, (CERCLA), these entities are Trustees with management authority over natural resources potentially injured as a result of hazardous substance releases at the Site. Based on the PAS, the Trustees have made a determination that the criteria to perform a Natural Resource Damage Assessment (NRDA) under 43 C.F.R. § 11.23 (e) have been met. The enclosed PAS Determination and Notice of Intent outlines the criteria and associated rationale for the Trustees' determination to proceed with a NRDA and provides notice of the Trustees' intent to begin the Injury Assessment Phase. This same letter is being sent to the other identified potentially responsible parties included in the cc list at the end of this letter.

The PAS identifies natural resources, the services provided by those natural resources, and their supporting ecosystems that potentially have been injured by the releases of hazardous substances from the Site. Based upon the PAS, the Trustees have determined that further investigation and assessment is warranted. The Trustees will use the PAS to direct future NRDA activities, but the PAS will not preclude consideration of other resources later found to be affected or other parties found to be responsible for releases of hazardous substances.

Now that the Trustees have completed the PAS, the Trustees will begin developing an Injury Assessment Plan that will direct efforts to further evaluate the nature and extent of natural resource injuries at the Site. The goal of the assessment process is to efficiently and effectively identify and quantify injured natural resources, and their services, to determine restoration activities needed to return injured natural resources to baseline conditions and compensate the environment and the public for interim losses. The Trustees are now formally inviting you and

other responsible parties to enter into a cooperative assessment process for the Site. A cooperative assessment can lead to increased efficiency, reduced assessment costs, and a focus on restoration. Furthermore, a cooperative assessment benefits all parties involved: potentially responsible parties, the Trustees, and the public.

The Trustee Council requests you contact the undersigned, in writing, within thirty (30) days of receipt of this letter regarding the role you wish to play in the cooperative assessment process.

Sincerely,



Sandra M. Fisher, Lead Administrative Trustee  
Southeast Idaho Phosphate Mine Site NRDA Trustee Council

#### Enclosures

cc: Agrium/Nu-West Mining, Inc., Soda Springs, Idaho (Hart)  
CF Industries, Inc., Plant City, Florida (Kovach)  
FMC Corporation, Philadelphia, Pennsylvania (Toto)  
Huntsman Advanced Materials, Inc, The Woodlands, Texas (Nutt)  
Huntsman International, LLC, The Woodlands, Texas (Tullos)  
J.R.Simplot Company, Boise, Idaho (Prouty)  
Solvay USA, Inc., Butte, Montana (Bersanti)  
Wells Cargo, Inc., Bartonville, Texas (Landrum)  
DOI-SOL, Portland, Oregon (Donahue)  
USDA-OGC, Denver, Colorado (Minckler)  
Shoshone-Bannock Tribes, Fort Hall, Idaho (Bacon)  
Office of the Idaho Attorney General, Boise, Idaho (Early)  
Forest Service, Pocatello, Idaho (Stumbo)  
Shoshone-Bannock Tribes, Fort Hall, Idaho (Chairman Edmo)  
Idaho Department of Environmental Quality, Pocatello, Idaho (Olenick)

Preassessment Screen Determination and Notice of Intent to  
Perform Injury Assessment Southeast Idaho Phosphate Mine Site

Notice is hereby given that the Southeast Idaho Phosphate Mine Site Natural Resource Trustee Council (“Trustee Council”), based on the Trustee Council’s Preassessment Screen (“PAS”) related to potential natural resource injury and damage potentially caused by the release of hazardous substances from the Southeast Idaho Phosphate Mine Site facilities (“Site”) of the Potentially Responsible Parties (“PRPs”) noticed herein, has made the determination that the criteria to perform a natural resource damage assessment under 43 C.F.R. § 11.23 (e) have been met:

1. A discharge of oil or a release of a hazardous substance has occurred.

Numerous studies have documented substantial releases of hazardous substances, particularly selenium, into the Bear, Blackfoot, and Salt River subbasins. These releases originated from the PRPs’ open-pit phosphate mining operations and phosphate ore processing facilities, located in Southeast Idaho, and have occurred over an extensive period of time.

2. Natural resources for which a State or Federal agency or Indian Tribe may assert trusteeship under CERCLA have been or are likely to have been adversely affected by the discharge or release.

Natural resources for which the State and Federal agencies or Indian Tribes may assert trusteeship have likely been adversely impacted in the past and are likely to continue to be adversely affected by the release of hazardous substances. Studies conducted across the Site have documented elevated concentrations of hazardous substances, particularly selenium, in water, sediment, soil, vegetation, and biological tissues, which have been attributed to releases from upstream sources, i.e., individual mines. Further, it is likely that contaminated natural resources could adversely impact other natural resources through various pathways of exposure, e.g., direct contact or dietary exposure.

3. The quantity and concentration of the discharged oil or released hazardous substance is sufficient to potentially cause injury to those natural resources.

Water, sediment, soil, vegetation, and biological tissue samples collected from the Site over decades of research contain hazardous substances at concentrations that:

- a. Exceed criteria or guidelines established for the protection of aquatic life;
  - b. Equal or exceed effect levels shown to cause injury to natural resources including, but not limited to, fish, birds, and mammals; and
  - c. Warrant consumption advisories for human populations.
4. Data sufficient to pursue an assessment are readily available or likely to be obtained at reasonable cost.

Data for the Site are numerous and will be useful to conduct an Injury Assessment in a cost effective manner. Additionally, data will continue to be collected as part of the

ongoing CERCLA remedial action investigations at the Site. Those data will also be utilized in the Injury Assessment. Additional studies will be needed to address data gaps, confirm pathways of exposure, and quantify injury and service losses. It is expected that these data can be obtained at reasonable costs.

5. Response actions from Superfund remedial activities carried out or planned do not or will not sufficiently remedy the injury to natural resources without further action.

The EPA, State of Idaho, Department of Interior, and United States Forest Service may identify and complete remedial actions which will likely reduce contaminant exposure within the Site. At this time it is not known what remedial actions will occur and, therefore, it is not possible to evaluate the expected natural resource benefits from those activities. However, given the geographic extent of the Site, it is clear that the remedial actions will not sufficiently remedy injury to resources, including past injury from historic mining activities, and it is expected that additional restoration actions will be required.

Furthermore, injury has likely occurred to-date as a result of existing contamination and will continue to occur until a fully protective remedy is implemented. Future remedial action will not address the natural resource service losses incurred from past and on-going injuries; therefore, additional restoration will be necessary.

Notice is further given that the Trustee Council has determined that the initiation of a natural resource damage assessment for the Site, pursuant to § 107 of CERCLA, 42 U.S.C. § 9607, and applicable regulations, including, but not limited to, 43 C.F.R. pt. 11, is warranted and will begin the Injury Assessment phase. Monsanto/P<sub>4</sub> Production and other PRPs are invited to fully fund this Injury Assessment and to participate in the development, scope, and performance of the Injury Assessment pursuant to the direction and concurrence of the Trustee Council.

The Trustee Council requests your written response within thirty (30) days of this Determination and Notice regarding the role you wish to play in the funding and resulting participation in this Injury Assessment. The thirty (30) day notice period begins when you receive this Determination and Notice by certified mail. The Trustee Council will not proceed with the development of an Injury Assessment until after the expiration of this thirty-day (30) period. Written responses or questions should be provided to:

Sandra M. Fisher, Lead Administrative Trustee  
Southeast Idaho Phosphate Mine Site Natural Resource Trustee Council  
United States Fish and Wildlife Service  
4425 Burley Drive, Suite A  
Chubbuck, Idaho 83202  
208-237-6975 x 102  
Sandi\_Fisher@fws.gov

Thus, we the undersigned natural resource trustees, acting on behalf of the public, pursuant to Federal and State law, do find sufficient cause to initiate a natural resource damage assessment for the Site and intend to seek restoration and/or compensation for injuries suffered by natural resources over which we exercise trusteeship.

**DEPARTMENT OF INTERIOR**

*Robyn Thorson*

Robyn Thorson  
Region 1, Regional Director, U.S. Fish and Wildlife Service

SEP 8 2015

Date

**DEPARTMENT OF AGRICULTURE  
UNITED STATES FOREST SERVICE**

Nora B. Rasure  
Intermountain Region (Region 4), Regional Forester – Forest Service

Date

**SHOSHONE- BANNOCK TRIBES**

Blaine Edmo  
Chairman, Fort Hall Business Council

Date

**STATE OF IDAHO**

Orville Green, Program Administrator  
Waste Management and Remediation - Idaho Department of Environmental Quality

Date

Virgil Moore, Director  
Idaho Department of Fish and Game

Date

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UNITED STATES FOREST SERVICE**

*Nora B. Rasure*  
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Nora B. Rasure  
Intermountain Region (Region 4), Regional Forester – Forest Service

*9-8-15*  
\_\_\_\_\_  
Date

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Blaine Edmo  
Chairman, Fort Hall Business Council

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Waste Management and Remediation - Idaho Department of Environmental Quality

8-21-15  
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Idaho Department of Fish and Game

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Virgil Moore, Director  
Idaho Department of Fish and Game

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Robyn Thorson  
Region 1, Regional Director, U.S. Fish and Wildlife Service

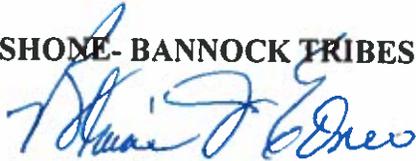
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UNITED STATES FOREST SERVICE**

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Nora B. Rasure  
Intermountain Region (Region 4), Regional Forester – Forest Service

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Chairman, Fort Hall Business Council

  
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**STATE OF IDAHO**

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Orville Green, Program Administrator  
Waste Management and Remediation - Idaho Department of Environmental Quality

\_\_\_\_\_  
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\_\_\_\_\_  
Virgil Moore, Director  
Idaho Department of Fish and Game

\_\_\_\_\_  
Date



United States Department of the Interior  
IDAHO FISH AND WILDLIFE OFFICE

Eastern Idaho Field Office  
4425 Burley Dr., Suite A  
Chubbuck, Idaho 83202  
Telephone (208) 237-6975  
<http://IdahoES.fws.gov>



October 8, 2015

Dan Bersanti  
Solvay USA, Inc.  
PO Box 3146  
Butte, Montana 59701

Re: Notice of Intent to Perform and Invitation to Participate in a Natural Resource Damage Assessment at the Southeast Idaho Phosphate Mine Site, Idaho

Dear Mr. Bersanti:

This letter is to provide you with formal notice that the Department of Agriculture, Department of Interior, State of Idaho, and the Shoshone-Bannock Tribes have completed a Preassessment Screen (PAS, enclosed) for the release of hazardous substances at the Southeast Idaho Phosphate Mine Site (Site) pursuant to 43 C.F.R. §§ 11.23 – 11.25. Under the Comprehensive Environmental Response, Compensation, and Liability Act, (CERCLA), these entities are Trustees with management authority over natural resources potentially injured as a result of hazardous substance releases at the Site. Based on the PAS, the Trustees have made a determination that the criteria to perform a Natural Resource Damage Assessment (NRDA) under 43 C.F.R. § 11.23 (e) have been met. The enclosed PAS Determination and Notice of Intent outlines the criteria and associated rationale for the Trustees' determination to proceed with a NRDA and provides notice of the Trustees' intent to begin the Injury Assessment Phase. This same letter is being sent to the other identified potentially responsible parties included in the cc list at the end of this letter.

The PAS identifies natural resources, the services provided by those natural resources, and their supporting ecosystems that potentially have been injured by the releases of hazardous substances from the Site. Based upon the PAS, the Trustees have determined that further investigation and assessment is warranted. The Trustees will use the PAS to direct future NRDA activities, but the PAS will not preclude consideration of other resources later found to be affected or other parties found to be responsible for releases of hazardous substances.

Now that the Trustees have completed the PAS, the Trustees will begin developing an Injury Assessment Plan that will direct efforts to further evaluate the nature and extent of natural resource injuries at the Site. The goal of the assessment process is to efficiently and effectively identify and quantify injured natural resources, and their services, to determine restoration activities needed to return injured natural resources to baseline conditions and compensate the environment and the public for interim losses. The Trustees are now formally inviting you and other responsible parties to enter into a cooperative assessment process for the Site.

A cooperative assessment can lead to increased efficiency, reduced assessment costs, and a focus on restoration. Furthermore, a cooperative assessment benefits all parties involved: potentially responsible parties, the Trustees, and the public.

The Trustee Council requests you contact the undersigned, in writing, within thirty (30) days of receipt of this letter regarding the role you wish to play in the cooperative assessment process.

Sincerely,



Sandra M. Fisher, Lead Administrative Trustee  
Southeast Idaho Phosphate Mine Site NRDA Trustee Council

Enclosures

cc: Agrium/Nu-West Mining, Inc., Soda Springs, Idaho (Hart)  
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J.R.Simplot Company, Boise, Idaho (Prouty)  
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Shoshone-Bannock Tribes, Fort Hall, Idaho (Chairman Edmo)  
Idaho Department of Environmental Quality, Pocatello, Idaho (Olenick)

Preassessment Screen Determination and Notice of Intent to  
Perform Injury Assessment Southeast Idaho Phosphate Mine Site

Notice is hereby given that the Southeast Idaho Phosphate Mine Site Natural Resource Trustee Council (“Trustee Council”), based on the Trustee Council’s Preassessment Screen (“PAS”) related to potential natural resource injury and damage potentially caused by the release of hazardous substances from the Southeast Idaho Phosphate Mine Site facilities (“Site”) of the Potentially Responsible Parties (“PRPs”) noticed herein, has made the determination that the criteria to perform a natural resource damage assessment under 43 C.F.R. § 11.23 (e) have been met:

1. A discharge of oil or a release of a hazardous substance has occurred.

Numerous studies have documented substantial releases of hazardous substances, particularly selenium, into the Bear, Blackfoot, and Salt River subbasins. These releases originated from the PRPs’ open-pit phosphate mining operations and phosphate ore processing facilities, located in Southeast Idaho, and have occurred over an extensive period of time.

2. Natural resources for which a State or Federal agency or Indian Tribe may assert trusteeship under CERCLA have been or are likely to have been adversely affected by the discharge or release.

Natural resources for which the State and Federal agencies or Indian Tribes may assert trusteeship have likely been adversely impacted in the past and are likely to continue to be adversely affected by the release of hazardous substances. Studies conducted across the Site have documented elevated concentrations of hazardous substances, particularly selenium, in water, sediment, soil, vegetation, and biological tissues, which have been attributed to releases from upstream sources, i.e., individual mines. Further, it is likely that contaminated natural resources could adversely impact other natural resources through various pathways of exposure, e.g., direct contact or dietary exposure.

3. The quantity and concentration of the discharged oil or released hazardous substance is sufficient to potentially cause injury to those natural resources.

Water, sediment, soil, vegetation, and biological tissue samples collected from the Site over decades of research contain hazardous substances at concentrations that:

- a. Exceed criteria or guidelines established for the protection of aquatic life;
  - b. Equal or exceed effect levels shown to cause injury to natural resources including, but not limited to, fish, birds, and mammals; and
  - c. Warrant consumption advisories for human populations.
4. Data sufficient to pursue an assessment are readily available or likely to be obtained at reasonable cost.

Data for the Site are numerous and will be useful to conduct an Injury Assessment in a cost effective manner. Additionally, data will continue to be collected as part of the

ongoing CERCLA remedial action investigations at the Site. Those data will also be utilized in the Injury Assessment. Additional studies will be needed to address data gaps, confirm pathways of exposure, and quantify injury and service losses. It is expected that these data can be obtained at reasonable costs.

5. Response actions from Superfund remedial activities carried out or planned do not or will not sufficiently remedy the injury to natural resources without further action.

The EPA, State of Idaho, Department of Interior, and United States Forest Service may identify and complete remedial actions which will likely reduce contaminant exposure within the Site. At this time it is not known what remedial actions will occur and, therefore, it is not possible to evaluate the expected natural resource benefits from those activities. However, given the geographic extent of the Site, it is clear that the remedial actions will not sufficiently remedy injury to resources, including past injury from historic mining activities, and it is expected that additional restoration actions will be required.

Furthermore, injury has likely occurred to-date as a result of existing contamination and will continue to occur until a fully protective remedy is implemented. Future remedial action will not address the natural resource service losses incurred from past and on-going injuries; therefore, additional restoration will be necessary.

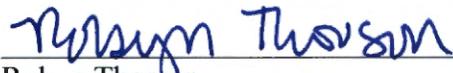
Notice is further given that the Trustee Council has determined that the initiation of a natural resource damage assessment for the Site, pursuant to § 107 of CERCLA, 42 U.S.C. § 9607, and applicable regulations, including, but not limited to, 43 C.F.R. pt. 11, is warranted and will begin the Injury Assessment phase. Solvay USA, Inc. and other PRPs are invited to fully fund this Injury Assessment and to participate in the development, scope, and performance of the Injury Assessment pursuant to the direction and concurrence of the Trustee Council.

The Trustee Council requests your written response within thirty (30) days of this Determination and Notice regarding the role you wish to play in the funding and resulting participation in this Injury Assessment. The thirty (30) day notice period begins when you receive this Determination and Notice by certified mail. The Trustee Council will not proceed with the development of an Injury Assessment until after the expiration of this thirty-day (30) period. Written responses or questions should be provided to:

Sandra M. Fisher, Lead Administrative Trustee  
Southeast Idaho Phosphate Mine Site Natural Resource Trustee Council  
United States Fish and Wildlife Service  
4425 Burley Drive, Suite A  
Chubbuck, Idaho 83202  
208-237-6975 x 102  
Sandi\_Fisher@fws.gov

Thus, we the undersigned natural resource trustees, acting on behalf of the public, pursuant to Federal and State law, do find sufficient cause to initiate a natural resource damage assessment for the Site and intend to seek restoration and/or compensation for injuries suffered by natural resources over which we exercise trusteeship.

**DEPARTMENT OF INTERIOR**

  
\_\_\_\_\_

Robyn Thorson  
Region 1, Regional Director, U.S. Fish and Wildlife Service

SEP 8 2015

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**DEPARTMENT OF AGRICULTURE  
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Nora B. Rasure  
Intermountain Region (Region 4), Regional Forester – Forest Service

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**SHOSHONE- BANNOCK TRIBES**

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Blaine Edmo  
Chairman, Fort Hall Business Council

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**STATE OF IDAHO**

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Orville Green, Program Administrator  
Waste Management and Remediation - Idaho Department of Environmental Quality

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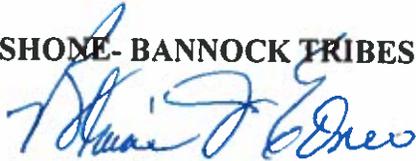
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*09/22/2015*  
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United States Department of the Interior  
IDAHO FISH AND WILDLIFE OFFICE

Eastern Idaho Field Office  
4425 Burley Dr., Suite A  
Chubbuck, Idaho 83202  
Telephone (208) 237-6975  
<http://IdahoES.fws.gov>



October 8, 2015

Shawn Landrum  
Wells Cargo, Inc.  
901 Noble Champions Way  
Bartonville, Texas 76226

Re: Notice of Intent to Perform and Invitation to Participate in a Natural Resource Damage Assessment at the Southeast Idaho Phosphate Mine Site, Idaho

Dear Mr. Landrum:

This letter is to provide you with formal notice that the Department of Agriculture, Department of Interior, State of Idaho, and the Shoshone-Bannock Tribes have completed a Preassessment Screen (PAS, enclosed) for the release of hazardous substances at the Southeast Idaho Phosphate Mine Site (Site) pursuant to 43 C.F.R. §§ 11.23 – 11.25. Under the Comprehensive Environmental Response, Compensation, and Liability Act, (CERCLA), these entities are Trustees with management authority over natural resources potentially injured as a result of hazardous substance releases at the Site. Based on the PAS, the Trustees have made a determination that the criteria to perform a Natural Resource Damage Assessment (NRDA) under 43 C.F.R. § 11.23 (e) have been met. The enclosed PAS Determination and Notice of Intent outlines the criteria and associated rationale for the Trustees' determination to proceed with a NRDA and provides notice of the Trustees' intent to begin the Injury Assessment Phase. This same letter is being sent to the other identified potentially responsible parties included in the cc list at the end of this letter.

The PAS identifies natural resources, the services provided by those natural resources, and their supporting ecosystems that potentially have been injured by the releases of hazardous substances from the Site. Based upon the PAS, the Trustees have determined that further investigation and assessment is warranted. The Trustees will use the PAS to direct future NRDA activities, but the PAS will not preclude consideration of other resources later found to be affected or other parties found to be responsible for releases of hazardous substances.

Now that the Trustees have completed the PAS, the Trustees will begin developing an Injury Assessment Plan that will direct efforts to further evaluate the nature and extent of natural resource injuries at the Site. The goal of the assessment process is to efficiently and effectively identify and quantify injured natural resources, and their services, to determine restoration activities needed to return injured natural resources to baseline conditions and compensate the environment and the public for interim losses. The Trustees are now formally inviting you and other responsible parties to enter into a cooperative assessment process for the Site.

A cooperative assessment can lead to increased efficiency, reduced assessment costs, and a focus on restoration. Furthermore, a cooperative assessment benefits all parties involved: potentially responsible parties, the Trustees, and the public.

The Trustee Council requests you contact the undersigned, in writing, within thirty (30) days of receipt of this letter regarding the role you wish to play in the cooperative assessment process.

Sincerely,



Sandra M. Fisher, Lead Administrative Trustee  
Southeast Idaho Phosphate Mine Site NRDA Trustee Council

Enclosures

cc: Agrium/Nu-West Mining, Inc., Soda Springs, Idaho (Hart)  
CF Industries, Inc., Plant City, Florida (Kovach)  
FMC Corporation, Philadelphia, Pennsylvania (Toto)  
Huntsman Advanced Materials, Inc, The Woodlands, Texas (Nutt)  
Huntsman International, LLC, The Woodlands, Texas (Tullos)  
J.R.Simplot Company, Boise, Idaho (Prouty)  
Monsanto/P<sub>4</sub> Production, Soda Springs, Idaho (Vranes)  
Solvay USA, Inc., Butte, Montana (Bersanti)  
DOI-SOL, Portland, Oregon (Donahue)  
USDA-OGC, Denver, Colorado (Minckler)  
Shoshone-Bannock Tribes, Fort Hall, Idaho (Bacon)  
Office of the Idaho Attorney General, Boise, Idaho (Early)  
Forest Service, Pocatello, Idaho (Stumbo)  
Shoshone-Bannock Tribes, Fort Hall, Idaho (Chairman Edmo)  
Idaho Department of Environmental Quality, Pocatello, Idaho (Olenick)

Preassessment Screen Determination and Notice of Intent to  
Perform Injury Assessment Southeast Idaho Phosphate Mine Site

Notice is hereby given that the Southeast Idaho Phosphate Mine Site Natural Resource Trustee Council (“Trustee Council”), based on the Trustee Council’s Preassessment Screen (“PAS”) related to potential natural resource injury and damage potentially caused by the release of hazardous substances from the Southeast Idaho Phosphate Mine Site facilities (“Site”) of the Potentially Responsible Parties (“PRPs”) noticed herein, has made the determination that the criteria to perform a natural resource damage assessment under 43 C.F.R. § 11.23 (e) have been met:

1. A discharge of oil or a release of a hazardous substance has occurred.

Numerous studies have documented substantial releases of hazardous substances, particularly selenium, into the Bear, Blackfoot, and Salt River subbasins. These releases originated from the PRPs’ open-pit phosphate mining operations and phosphate ore processing facilities, located in Southeast Idaho, and have occurred over an extensive period of time.

2. Natural resources for which a State or Federal agency or Indian Tribe may assert trusteeship under CERCLA have been or are likely to have been adversely affected by the discharge or release.

Natural resources for which the State and Federal agencies or Indian Tribes may assert trusteeship have likely been adversely impacted in the past and are likely to continue to be adversely affected by the release of hazardous substances. Studies conducted across the Site have documented elevated concentrations of hazardous substances, particularly selenium, in water, sediment, soil, vegetation, and biological tissues, which have been attributed to releases from upstream sources, i.e., individual mines. Further, it is likely that contaminated natural resources could adversely impact other natural resources through various pathways of exposure, e.g., direct contact or dietary exposure.

3. The quantity and concentration of the discharged oil or released hazardous substance is sufficient to potentially cause injury to those natural resources.

Water, sediment, soil, vegetation, and biological tissue samples collected from the Site over decades of research contain hazardous substances at concentrations that:

- a. Exceed criteria or guidelines established for the protection of aquatic life;
  - b. Equal or exceed effect levels shown to cause injury to natural resources including, but not limited to, fish, birds, and mammals; and
  - c. Warrant consumption advisories for human populations.
4. Data sufficient to pursue an assessment are readily available or likely to be obtained at reasonable cost.

Data for the Site are numerous and will be useful to conduct an Injury Assessment in a cost effective manner. Additionally, data will continue to be collected as part of the

ongoing CERCLA remedial action investigations at the Site. Those data will also be utilized in the Injury Assessment. Additional studies will be needed to address data gaps, confirm pathways of exposure, and quantify injury and service losses. It is expected that these data can be obtained at reasonable costs.

5. Response actions from Superfund remedial activities carried out or planned do not or will not sufficiently remedy the injury to natural resources without further action.

The EPA, State of Idaho, Department of Interior, and United States Forest Service may identify and complete remedial actions which will likely reduce contaminant exposure within the Site. At this time it is not known what remedial actions will occur and, therefore, it is not possible to evaluate the expected natural resource benefits from those activities. However, given the geographic extent of the Site, it is clear that the remedial actions will not sufficiently remedy injury to resources, including past injury from historic mining activities, and it is expected that additional restoration actions will be required.

Furthermore, injury has likely occurred to-date as a result of existing contamination and will continue to occur until a fully protective remedy is implemented. Future remedial action will not address the natural resource service losses incurred from past and on-going injuries; therefore, additional restoration will be necessary.

Notice is further given that the Trustee Council has determined that the initiation of a natural resource damage assessment for the Site, pursuant to § 107 of CERCLA, 42 U.S.C. § 9607, and applicable regulations, including, but not limited to, 43 C.F.R. pt. 11, is warranted and will begin the Injury Assessment phase. Wells Cargo, Inc. and other PRPs are invited to fully fund this Injury Assessment and to participate in the development, scope, and performance of the Injury Assessment pursuant to the direction and concurrence of the Trustee Council.

The Trustee Council requests your written response within thirty (30) days of this Determination and Notice regarding the role you wish to play in the funding and resulting participation in this Injury Assessment. The thirty (30) day notice period begins when you receive this Determination and Notice by certified mail. The Trustee Council will not proceed with the development of an Injury Assessment until after the expiration of this thirty-day (30) period. Written responses or questions should be provided to:

Sandra M. Fisher, Lead Administrative Trustee  
Southeast Idaho Phosphate Mine Site Natural Resource Trustee Council  
United States Fish and Wildlife Service  
4425 Burley Drive, Suite A  
Chubbuck, Idaho 83202  
208-237-6975 x 102  
Sandi\_Fisher@fws.gov

Thus, we the undersigned natural resource trustees, acting on behalf of the public, pursuant to Federal and State law, do find sufficient cause to initiate a natural resource damage assessment for the Site and intend to seek restoration and/or compensation for injuries suffered by natural resources over which we exercise trusteeship.

**DEPARTMENT OF INTERIOR**

*Robyn Thorson*

Robyn Thorson  
Region 1, Regional Director, U.S. Fish and Wildlife Service

SEP 8 2015

Date

**DEPARTMENT OF AGRICULTURE  
UNITED STATES FOREST SERVICE**

Nora B. Rasure  
Intermountain Region (Region 4), Regional Forester – Forest Service

Date

**SHOSHONE- BANNOCK TRIBES**

Blaine Edmo  
Chairman, Fort Hall Business Council

Date

**STATE OF IDAHO**

Orville Green, Program Administrator  
Waste Management and Remediation - Idaho Department of Environmental Quality

Date

Virgil Moore, Director  
Idaho Department of Fish and Game

Date

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**DEPARTMENT OF INTERIOR**

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Robyn Thorson  
Region 1, Regional Director, U.S. Fish and Wildlife Service

\_\_\_\_\_  
Date

**DEPARTMENT OF AGRICULTURE  
UNITED STATES FOREST SERVICE**

*Nora B. Rasure*  
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Nora B. Rasure  
Intermountain Region (Region 4), Regional Forester – Forest Service

*9-8-15*  
\_\_\_\_\_  
Date

**SHOSHONE- BANNOCK TRIBES**

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Blaine Edmo  
Chairman, Fort Hall Business Council

\_\_\_\_\_  
Date

**STATE OF IDAHO**

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Orville Green, Program Administrator  
Waste Management and Remediation - Idaho Department of Environmental Quality

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Robyn Thorson  
Region 1, Regional Director, U.S. Fish and Wildlife Service

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Date

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UNITED STATES FOREST SERVICE**

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Nora B. Rasure  
Intermountain Region (Region 4), Regional Forester – Forest Service

\_\_\_\_\_  
Date

**SHOSHONE- BANNOCK TRIBES**

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Blaine Edmo  
Chairman, Fort Hall Business Council

\_\_\_\_\_  
Date

**STATE OF IDAHO**

  
\_\_\_\_\_  
Orville Green, Program Administrator  
Waste Management and Remediation - Idaho Department of Environmental Quality

8-21-15  
\_\_\_\_\_  
Date

\_\_\_\_\_  
Virgil Moore, Director  
Idaho Department of Fish and Game

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Date

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**DEPARTMENT OF INTERIOR**

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Robyn Thorson  
Region 1, Regional Director, U.S. Fish and Wildlife Service

\_\_\_\_\_  
Date

**DEPARTMENT OF AGRICULTURE  
UNITED STATES FOREST SERVICE**

\_\_\_\_\_  
Nora B. Rasure  
Intermountain Region (Region 4), Regional Forester – Forest Service

\_\_\_\_\_  
Date

**SHOSHONE- BANNOCK TRIBES**

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Blaine Edmo  
Chairman, Fort Hall Business Council

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Date

**STATE OF IDAHO**

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Orville Green, Program Administrator  
Waste Management and Remediation - Idaho Department of Environmental Quality

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Date

  
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Virgil Moore, Director  
Idaho Department of Fish and Game

\_\_\_\_\_  
9/3/15  
Date

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**DEPARTMENT OF INTERIOR**

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Robyn Thorson  
Region 1, Regional Director, U.S. Fish and Wildlife Service

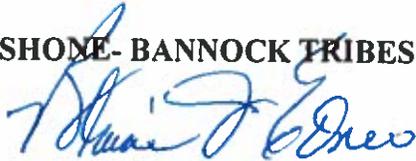
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**DEPARTMENT OF AGRICULTURE  
UNITED STATES FOREST SERVICE**

\_\_\_\_\_  
Nora B. Rasure  
Intermountain Region (Region 4), Regional Forester – Forest Service

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Date

**SHOSHONE- BANNOCK TRIBES**



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Blaine Edmo  
Chairman, Fort Hall Business Council

*09/22/2015*  
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Date

**STATE OF IDAHO**

\_\_\_\_\_  
Orville Green, Program Administrator  
Waste Management and Remediation - Idaho Department of Environmental Quality

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Date

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Virgil Moore, Director  
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