

Central Valley Regional Water Quality Control Board

TO: ADVISORY TEAM

FROM: PROSECUTION TEAM

SUBJECT: **RedLined Revisions of Findings 17 & 18, Cleanup and Abatement Order No. R5-2013-0701**

17. The Cordero Mining Company mined at the Mount Diablo Mine Site from November 1954 to December 1955. Cordero repaired the DMEA shaft, drove new underground tunnels to develop ore, connected new areas to pre-existing mine workings, and discharged liquid and solid mine waste. Drainage from Cordero's mine workings continues to contribute to contamination at the site.

There is no record of mercury production for this time period and the amount of mercury production, if any, from this time period is unknown. The United States Environmental Protection Agency (USEPA), Region IX, named Sunoco Inc. a responsible party for Mount Diablo Mercury Mine in the Unilateral Administrative Order for the Performance of a Removal Action, USEPA Docket No. 9-2009-02, due to its corporate relationship to the Cordero Mining Company. Sunoco Inc. is a named Discharger in this Order for the same reasons. Sunoco was the sole shareholder of Cordero Mining Company. Upon dissolution of Cordero, Sunoco received all of Cordero's remaining assets and accepted all of its liabilities.

18. Nevada Scheelite Corporation, a subsidiary of Kennametal Inc., assumed Cordero Mining Co.'s lease with Mount Diablo Quicksilver and investigated the mine in 1956. Minutes of a 25 March 1956 Mount Diablo Quicksilver Co Directors' Meeting with managers representing Nevada Scheelite Corporation discuss Nevada Scheelite's lease and activities at the mine. Nevada Scheelite installed a deep-well pump with 550 gallons per minute capacity to dewater the shaft and engaged in a drilling program near the open pit. Downstream landowners objected to the discharge of acid mine drainage and Nevada Scheelite discontinued de-watering the shaft. The drilling program did not develop sufficient reserves to meet the company's requirements and the lease was relinquished later in 1956 after discharging an unknown amount of solid mine waste from the drilling program. The solid waste likely remains where it was left and contributes to the total pollution problem. Because of its ownership and control of Nevada Scheelite, Kennametal Inc. is named a Discharger in this Order.