



July 15, 2020

Senator John Thune  
United States Senate SD-511  
Washington, DC 20510

Senator Mike Rounds  
Hart Senate Office Bldg., Suite 502  
Washington, DC 20510

Congressman Dusty Johnson  
1508 Longworth HOB  
Washington, DC 20515

Dear Congressman and Senators,

This letter, on behalf of the City of Lead, is regarding the State of South Dakota's request to purchase federal U.S. Forest Service Property as part of the Gilt Edge Mine cleanup. We met with state officials on July 6, 2020 and received a presentation on the proposed legislation. We understand the need for this property to be conveyed to the state and do not have any concerns with the proposal.

The Brohm Mining Company went bankrupt and left the mine site in 1999 leaving the State of South Dakota with 150 million gallons of acidic heavy-metal laden water in three open pits, and an un-reclaimed heap leach pad and 60-acre waste rock dump. The site was listed as an EPA Superfund Site in 2000. EPA is currently conducting the site cleanup, which requires the State to provide a 10 percent cost share of the cleanup costs. After EPA completes the site cleanup, the State will be responsible for 100 percent of the costs to collect and treat the acid mine drainage at the site in perpetuity.

The State of South Dakota is also required to assure EPA any institutional controls established as part of the cleanup will remain in place when the State takes over responsibility for operation and maintenance. Institutional controls used at the site could be easements, zoning, covenants, restrictions, etc. To meet this requirement, the state has worked to acquire ownership and control of the property within the Superfund boundary. Since 2001 the state has acquired property within the Superfund boundary from responsible parties, private owners, and some small tract federal purchases. However, the state cannot place these controls on federal property.

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Therefore, based on the need for consolidated management of the Superfund cleanup remedy when the State of South Dakota assumes responsibility for the site, the City of Lead does not have any concerns with the sale and transfer of U.S. Forest Service property to the State. The property transfer will enable the State of South Dakota to efficiently put institutional controls in place, secure the site, manage water collection and treatment, and protect the cleanup remedy put in place by EPA.

Sincerely,

A handwritten signature in black ink, appearing to read "Ron Everett", with a stylized flourish at the end.

Ron Everett

Mayor, City of Lead