



ENVIRONMENTAL PROTECTION AGENCY

FRL-9982-55-Region 8

**Settlement Agreement and Order on Consent: Eagle Mine
Superfund Site, Minturn, Eagle County, Colorado.**

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of proposed agreement; request for public
comment.

SUMMARY: In accordance with the requirements of section 122
of the Comprehensive Environmental Response, Compensation,
and Liability Act of 1980, as amended ("CERCLA"),
notice is hereby given of the proposed settlement under
section 122 (h) (1) of CERCLA, between the U.S.

Environmental Protection Agency ("EPA"), the Colorado
Department of Public Health and Environment ("CDPHE"), and
Battle North, LLC and Battle South, LLC ("Owners"). The
proposed Settlement Agreement provides for the performance
of work by Owners, the payment of certain response costs
incurred, or to be incurred, by the United States, and the
release and waiver of a lien at or in connection with the
Property. The Owners consent to and will not contest the
authority of the United States to enter into the Agreement
or to implement or enforce its terms. CDPHE and Owners
recognize that the Agreement has been negotiated in good

faith and that the Agreement is entered into without the admission or adjudication of any issue of fact or law.

DATES: Comments must be submitted on or before **[insert date 30 days after date of publication in the Federal Register]**.

For thirty (30) days following the date of publication of this notice, the Agency will receive written comments relating to the agreement. The Agency will consider all comments received and may modify or withdraw its consent to the agreement if comments received disclose facts or considerations that indicate that the agreement is inappropriate, improper, or inadequate.

ADDRESSES: The proposed agreement and additional background information relating to the agreement, as well as the Agency's response to any comments are or will be available for public inspection at the EPA Superfund Record Center, 1595 Wynkoop Street, Denver, Colorado, by appointment. Comments and requests for a copy of the proposed agreement should be addressed to Matt Hogue, Enforcement Specialist, Environmental Protection Agency-Region 8, Mail Code 8ENF-RC, 1595 Wynkoop Street, Denver, Colorado 80202-1129, and should reference the Eagle Mine Superfund Site.

FOR FURTHER INFORMATION, CONTACT: Kayleen Castelli,
Enforcement Attorney, Legal Enforcement Program,
Environmental Protection Agency-Region 8, Mail Code 8ENF-L,
1595 Wynkoop Street, Denver, Colorado 80202,
(303) 312-6174.

Dated: August 1, 2018.

Suzanne Bohan, Assistant Regional Administrator, Office of
Enforcement, Compliance and Environmental Justice, U.S.
Environmental Protection Agency, Region VIII.
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