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November 19, 2010

Dennis McLerran, Regional Administrator  
EPA - Region 10  
1200 6th Ave., Suite 900  
Seattle, WA. 98101

Re: Coeur d'Alene Basin –EPA Proposed ROD Amendment  
Official Comments for the Record

Dear Administrator McLerran,

These are my official comments for the Coeur d'Alene Basin –EPA Proposed ROD Amendment.

The Silver Valley of Idaho is one of the most special places in America. It has a rich history where independence and hard work provided needed resources for our country to grow and prosper. However, the early methods of resource extraction required changes to mining practices, a renewed clean up of the land and water and for over 30 years the EPA and the State of Idaho has been doing just that.

Today, the EPA has proposed a massive expansion of its involvement in the Silver Valley. I am deeply concerned the proposed amendment goes too far, costs too much and does not fully respect the citizens of North Idaho. To allow the plan as written to move forward would be a decision that will negatively affect the Silver Valley for generations to come, and I cannot support such action.

The proposed plan carries with it a cost of at *least* \$1.3 billion and entrenches the EPA in the expanded Superfund site for the next 90 years. That is *three generations* of Idahoans who will live and work under EPA control, without any guarantee it would end there. Our children, and our grandchildren, will likely have passed away before the cleanup is complete. We can do better.

In many vital pieces of legislation, even ones dealing with national security, Congress often includes "sunset" language in legislation, requiring the law to be reviewed and reauthorized after a period of time – frequently three to five years. If EPA is responsive and does a credible job with cleanup in the Upper Basin, they should have nothing to fear from this periodic review that would result in a substantially shorter ROD Amendment timeframe, such as 10 or 15 years.

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The actual, real world costs of this amendment have been estimated to reach \$3-5 billion. Has the EPA identified a dedicated funding source for the entire plan including cost that will likely reach well over \$1.3 billion? Each day in the United States Senate I am working to stop spending money the Federal government does not have. I am eager to see Congress curtail spending and get deficits under control. At such a critical time in the financial crisis of our county, *we cannot afford this plan*. The EPA, along with the rest of the federal government must adopt a more fiscally responsible way of doing business. Rejecting this plan for a more reasoned and cost-effective approach is a good start.

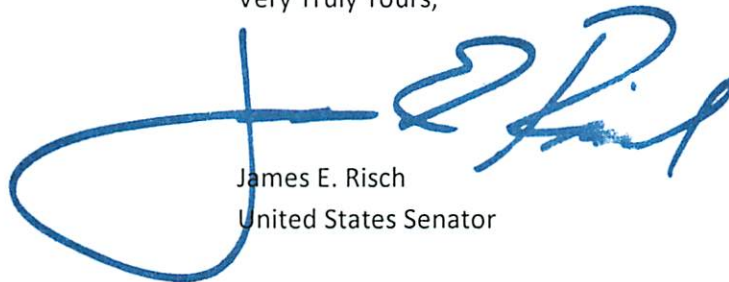
The proposed amendment is an unfunded mandate to the State of Idaho. As a former Governor and long-serving legislator I understand the challenges of balancing Idaho's budget. The CERCLA requirement that the state pay 10% of operations and maintenance in perpetuity and for an unknown amount is absurd, and simply not something the State of Idaho can do. We Idahoans do not conduct ourselves fiscally like the Federal government.

Finally, my deepest concern is for the lack of community support. Written into the CERCLA statute is a commitment to a very high value on the community voice. I have heard from many constituents and have listened carefully as this proposal has been discussed in public forums in North Idaho. I have yet to hear more than tepid support for this plan and indeed the vast majority do not support this plan. Residents of the Upper Basin are waiting to see that the EPA is listening to them and their voice has had a meaningful impact.

I ask that you reject the Coeur d'Alene Basin –EPA Proposed ROD Amendment. EPA can do better. There is currently a cleanup plan in place that allows the community and EPA adequate time to work out a more reasonable, less costly and more effective plan. Alternatives to the proposal, such as a shorter, 10-year timeframe deserve meaningful consideration.

Thank you for your time and consideration of my comments. I look forward to your response to the issues I have put forth.

Very Truly Yours,



James E. Risch  
United States Senator

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CC: Idaho Congressional Delegation  
Congressman -elect Labrador  
Governor Otter  
Bob Perciasepe, Deputy Administrator, USA EPA