



BILLING CODE 6560-50-P

ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OLEM-2026-3103; FRL-13427-01-OLEM]

Good Samaritan Remediation Permit for the Bodie Mine Project

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: The Bodie Mine is a mine site located in Okanogan County, Washington.

On June 11, 2026, Trout Unlimited Inc. (Trout Unlimited) applied for a Good Samaritan remediation permit pursuant to the Good Samaritan Remediation of Abandoned Hardrock Mines Act of 2024 (2024 Good Samaritan Act or Act). The EPA has preliminarily determined that the application is complete and meets all applicable requirements of the Act. The EPA has also made the preliminary determination that the site and parties are eligible for a Good Samaritan permit, the activities are low risk, and the activities will result in measurable progress towards achieving improved soil, sediment compared to baseline conditions at the site. After the comment period closes and all comments have been considered, the EPA will determine whether to grant the permit.

DATES: Comments must be received on or before **[INSERT DATE 30 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER]**.

ADDRESSES: You may send comments, identified by Docket ID No. EPA-HQ-OLEM-2026-3103, by any of the following methods:

- Federal eRulemaking Portal: <https://www.regulations.gov/> (our preferred method). Follow the online instructions for submitting comments.
- Mail: U.S. Environmental Protection Agency, EPA Docket Center, Office of

Mountains, Deserts and Plains Docket, Mail Code 28221T, 1200 Pennsylvania Avenue NW, Washington, DC 20460.

- Hand Delivery or Courier: EPA Docket Center, WJC West Building, Room 3334, 1301 Constitution Avenue, NW, Washington, DC 20004. The Docket Center's hours of operations are 8:30 a.m.-4:30 p.m., Monday-Friday (except Federal Holidays).

Instructions: All submissions received must include the Docket ID No. for this document. Comments received may be posted without change to <https://www.regulations.gov/>, including any personal information provided. For detailed instructions on sending comments and additional information on the public review and comment process, see the "Public Participation" heading of the **SUPPLEMENTARY INFORMATION** section of this document.

FOR FURTHER INFORMATION CONTACT: Jamey Watt, Office of Land and Emergency Management, Office of Mountains, Deserts and Plains, Environmental Protection Agency, 1200 Pennsylvania Ave. NW; telephone number: (202) 566-0196; email address: watt.jamey@epa.gov.

SUPPLEMENTARY INFORMATION:

I. Public Participation

Written Comments

Submit your comments, identified by Docket ID No. EPA-HQ-OLEM-2026-3103, at <https://www.regulations.gov> (our preferred method), or the other methods identified in the **ADDRESSES** section. Once submitted, comments cannot be edited or removed from the docket. The EPA may publish any comment received on its public

docket. Do not submit to EPA's docket at <https://www.regulations.gov> any information you consider to be Confidential Business Information (CBI), Proprietary Business Information (PBI), or other information whose disclosure is restricted by statute. Multimedia submissions (audio, video, etc.) must be accompanied by a written comment. The written comment is considered the official comment and should include discussion on all points you wish to make. The EPA will generally not consider comments or comment contents located outside of the primary submission (i.e., on the web, cloud, or other file sharing system). Please visit <https://www.epa.gov/dockets/commenting-epa-dockets> for additional submission methods; the full EPA public comment policy; information about CBI, PBI, or multimedia submissions; and general guidance on making effective comments.

II. General Information

The Good Samaritan Remediation of Abandoned Hardrock Mines Act of 2024 (Good Samaritan Act or Act) was signed into law on December 17, 2024 (Public Law 118-155). The Act creates a pilot program that authorizes EPA to issue up to 15 remediation permits for eligible projects to qualified "Good Samaritans" to voluntarily clean up "abandoned hardrock mine sites." These permits enable Good Samaritans and Cooperating Persons to carry out remediation activities while being protected from certain liability risks under the Comprehensive Environmental Response, Compensation, and Liability Act and the Clean Water Act, provided the work complies with the terms of the permit. Specifically, Good Samaritan projects, as compared to baseline conditions, must make measurable progress towards achieving applicable water quality standards, improved soil quality, improved sediment quality, other improved environmental or

safety conditions, or reductions in the threats to soil, sediment, or water quality or other environmental or safety conditions.

This notice for public review and comment is prepared in support of a Bodie Mine Good Samaritan remediation permit pursuant to the 2024 Good Samaritan Act and is limited to the scope of activities proposed under that application. The Bodie Mine is a mine site located at 1144 Toroda Creek Road, Bodie, WA 98859 in Okanogan County, Washington. The proposed remediation activities will excavate and remove up to 790 tons of contaminated soil from the streambank and contaminated sediments from the streambed along 400 linear feet of Toroda Creek. After the contaminated soil and sediment are removed, the streambank will be reconstructed and stabilized using coir lifts, riprap and native revegetation techniques that will minimize the possibility for future erosion. This proposed activity is estimated to eliminate approximately 104 tons of contaminated tailing deposits from eroding into Toroda Creek each year.

Based on the information included in the Bodie Mine Good Samaritan remediation permit application and the draft NEPA Environmental Assessment of the proposed project, the EPA has preliminarily determined that the application is complete and meets all applicable requirements of section 4(c) of the Act. The EPA has also made preliminary determinations that are required under section 4(m) of the Act, including that the site and parties are eligible, the proposed action is a low-risk activity that will make measurable progress toward achieving improvements in environmental conditions compared to baseline conditions, and the proposed action is otherwise consistent with the Act. Specifically, the EPA is proposing to make the following determinations:

- 1) Trout Unlimited Inc. qualifies as a Good Samaritan. Trout Unlimited had no

role in the creation of the historic mine residue at the site and is not a past or present owner of the site (see Trout Unlimited application cover letter dated June 11, 2026, information in their Bodie Mine Environmental Information Document dated June 3, 2026, and EPA's Decision Document dated June 17, 2026, all documents included in the *regulations.gov* docket for public review).

2) Geo-Mineral Exploration Inc. qualifies as a Cooperating Person. Geo-Mineral Exploration Inc. had no role in the creation of the historic mine residue at the site and cannot afford to comply with potentially applicable requirements under either the Comprehensive Environmental Response, Compensation, and Liability Act or the Clean Water Act (see Trout Unlimited application cover letter dated June 11, 2026 and information in their Bodie Mine Environmental Information Document dated June 3, 2026, and EPA's Decision Document dated June 17, 2026, all documents included in the *regulations.gov* docket for public review).

3) Strider Construction Inc. qualifies as a Cooperating Person. Strider Construction Inc., the remediation contractor, had no role in the creation of the historic mine residue at the site and is not a responsible owner or operator (see Trout Unlimited and Strider Construction's application addendum dated June 24, 2026 and EPA's Decision Document, both are included in the *regulations.gov* docket for public review).

4) The project is designed to remediate historic mine residue at an abandoned hardrock mine site to protect human health and the environment (see the 2023 Toroda Creek Mine Tailings Erosion Elimination Work Plan included in the *regulations.gov* docket for public review).

5) The proposed project is designed to meet all goals set forth in the application

and they are acceptable to the EPA (see the 2023 Toroda Creek Mine Tailings Erosion Elimination Work Plan and the Bodie Mine Environmental Information Document dated June 3, 2026, both documents included in the *regulations.gov* docket for public review).

6) The proposed activities, as compared to the baseline conditions described in the application, will make measurable progress toward achieving—

- a. Improved soil quality;
- b. Improved sediment quality;
- c. Other improved environmental or safety conditions; and
- d. Reductions in threats to soil, sediment, or water quality or other environmental or safety conditions.

The proposed activities will excavate and remove up to 790 tons of contaminated soil from the streambank and contaminated sediments from the streambed along 400 linear feet of Toroda Creek. After the contaminated soil and sediment are removed, the streambank will be reconstructed and stabilized using coir lifts, riprap and native revegetation techniques that will minimize the possibility for future erosion. This proposed activity is estimated to eliminate approximately 104 tons of tailing deposits from eroding into Toroda Creek each year (see the Bodie Mine Environmental Information Document dated June 3, 2026, which is included in the *regulations.gov* docket for public review).

7) The overall objectives of reclamation at Toroda Creek are to reduce the current and/or threatened release of hazardous substances to the environment, protect human health and the environment by minimizing direct contact with contaminants, and prevent degradation of adjacent lands. By halting the active erosion of Toroda Creek into the

mine tailings along the proposed project reach, this project will minimize pollution from added siltation as well as toxics including arsenic, cadmium, lead, mercury, selenium, copper, and zinc currently found in the tailings on the site (see the 2023 Toroda Creek Mine Tailings Erosion Elimination Work Plan and the Bodie Mine Environmental Information Document dated June 3, 2026, both documents included in the *regulations.gov* docket for public review).

8) Trout Unlimited has adequately demonstrated, for purposes of the scope and remediation goals of this project, that it:

- a. Has the proper and appropriate experience and capacity to complete the project;
- b. Will complete the project;
- c. Has the financial and other resources to address contingencies; and
- d. Has granted the EPA access to and provided the EPA the authority to review the records related to compliance with the draft permit.

(See the 2023 Toroda Creek Mine Tailings Erosion Elimination Work Plan, the Bodie Mine Environmental Information Document dated June 3, 2026, EPA's Decision Document dated June 17, 2026, and the draft Bodie Mine Good Samaritan Permit language, all are included in the *regulations.gov* docket for public review.)

9) The proposed project poses a low risk to the environment, as the methods of remediation are frequently and successfully used, potential negative consequences are minimal, and the NEPA Environmental Assessment results in a Finding of No Significant Impact (FONSI) (see the Draft NEPA Environmental Assessment for the project included in the *regulations.gov* docket for public review).

10) Trout Unlimited and the EPA's efforts did not identify a past or present owner

or other party that meets the definition of a responsible owner or operator for the site. In particular, the EPA has not identified (i) any person that is legally responsible under section 301 of the Clean Water Act for a discharge that originates from the abandoned hardrock mine site, and has the financial ability to comply with the requirements described in that section, or (ii) a present or past owner or operator or other person that is liable with respect to a release or threat of release of a hazardous substance, pollutant, or contaminant associated with the historic mine residue at or from the abandoned hardrock mine site under section 104, 106, 107, or 113 of the Comprehensive Environmental Response, Compensation, and Liability Act, and has the financial ability to comply with each requirement described in those sections, as applicable.

(See Trout Unlimited's application cover letter dated June 11, 2026, information in their Bodie Mine Environmental Information Document dated June 3, 2026, and EPA's Decision Document dated June 17, 2026, all documents are included in the *regulations.gov* docket for public review).

The EPA has developed this notice pursuant to the 2024 Good Samaritan Act and in support of the Administration's commitment to transparency in all aspects of the EPA's work and to demonstrate EPA's progress toward making the 2024 Good Samaritan Act pilot program a success. Additional EPA Good Samaritan information can be found at <https://www.epa.gov/cleanups/good-samaritan-remediation-abandoned-hardrock-mines-program>.

Thomas D. Croci,
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Office of Land and Emergency Management.

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