

# History and Background

1993

The United States Environmental Protection Agency (EPA) proposed listing Triumph Mine as a Superfund site. EPA identified the Idaho Department of Lands (IDL) and Asarco Incorporated as potentially responsible parties. Local residents opposed listing the Triumph Mine as a Superfund site over the stigma of a federal Superfund site located in their community.

1994

EPA and DEQ agreed to a Memorandum of Agreement that deferred cleanup oversight to DEQ. Without Superfund designation, the site cleanup activities became subject to federal regulations such as the Clean Water Act (CWA). Asarco and IDL entered into a legal agreement with DEQ to complete an initial assessment to determine the extent of the contamination and develop cleanup alternatives.

1998

DEQ prepared a Record of Decision (ROD), approved after public review and input, to describe the cleanup plan. The ROD details the selected remedy, five-year review requirements, and ongoing routine operation and maintenance (O&M) required to ensure the remedy protects human health and the environment. Initial cleanup activities were completed by 2004 and included:

- Removal of contaminated soils from residential properties and replaced with clean soils and new vegetation. Soils in nonresidential areas were replaced where heavy metals posed a risk to human health.
- Installation of mine water management infrastructure including a pipeline that combines discharge water from the mine adit and the permanent pond (located east of the lower tailings pile). The pipeline routed discharge water to the wetlands near the East Fork Big Wood River.

2003

EPA withdrew their proposal to list the Triumph Mine as a Superfund site. To control water discharge from the mine adit, Asarco installed the first plug in the Triumph Mine tunnel.

2009

Asarco entered into a bankruptcy agreement with the federal government and several states. DEQ and IDL received settlement funds as a part of the agreement.

2018

Without the protections of a Superfund designation at the site, the Idaho Conservation League filed a lawsuit against DEQ and IDL alleging a violation of the Clean Water Act for discharging pollutants in the pipeline from the mine adit and the permanent pond. During periodic, infrequent heavy precipitation or snowmelt events, this water can discharge directly into the river. DEQ and IDL entered into a settlement agreement with the Idaho Conservation League to pay legal fees and either obtain an Idaho Pollutant Discharge Elimination System permit or eliminate the need for a permit through the use of an infiltration system that diverts all water discharging in such a manner that no pollutants from this point source are entering navigable waters.

2019

DEQ and IDL submitted a joint discharge permit application as agreed upon.

2021

Idaho directed funding from the American Rescue Plan Act for use at the Triumph Mine Site. The availability of this funding expires in December 2026. After 2026, DEQ and IDL will need to request state funding for all activities at the Triumph Mine site.