

MINUTES

MONTANA HOUSE OF REPRESENTATIVES
51st LEGISLATURE - REGULAR SESSION

SUBCOMMITTEE ON LONG RANGE PLANNING

Call to Order: By Chairperson Connelly, on February 8, 1989, at
8:05 a.m.

ROLL CALL

Members Present: All

Members Excused: None

Members Absent: None

Staff Present: Claudia Montagne, Secretary; Carroll South, Staff
Researcher, Legislative Fiscal Analyst's Office

Announcements/Discussion:

RENEWABLE RESOURCE DEVELOPMENT GRANT PROGRAM

Tape 37:A:000

TOWN OF HYSHAM, RANKING 13, Hysham Water System Improvement
Project.

RUSTY ROKITA, representing the town of Hysham, spoke for the project, stating that they were required to make the improvements by the Department of Health and Environmental Sciences. He said they had borrowed \$90,000 to start the project the preceding fall. He said there were only 200 water users, of which 36% were retired. Therefore, it was difficult to get the community to support big bond issues. MR. ROKITA said that the town appreciated their ranking, and said that their principal concern was keeping the project on schedule.

SEN. HIMSL (37:A:053) said that when the committee had reviewed the project before, it had seemed evident that the town had a tax structure and resources to apply for the entire \$200,000 in loans, with a resulting increase in water rate to \$16.00. He said that was a low water fee, and felt the community had the capacity to do this. MR. ROKITA said that he believed the water rate would be tripled, and would be above the state average. He said that due to the position the town was in with DHES, the town would have to accept whatever combination of loan and grant offered.

REP. BARDANOUE said the department narrative indicated the system had been upgraded in 1977 and 1980, and asked how that had been funded. MR. ROKITA said that project had been funded with Coal Board grant money (Local Impact), but that while the project was being completed, EPA added more regulations. He said he had heard that the engineering firm that did the work did not take

the project as far as they should have and did not upgrade the system beyond the minimum requirements.

REP. BARDANOUVE (37:A:113) asked if Hysham would be eligible for the EPA monies that had a 80%/20% federal/state match. MR. ROKITA said that with a water system, Hysham would not be eligible, but would be eligible for their upcoming sewer system project.

RECLAMATION AND DEVELOPMENT GRANT PROGRAM

DEPARTMENT OF HEALTH AND ENVIRONMENTAL SCIENCES, RANKING 29, Pesticide Contamination Clean-up in Montana, (37:A:158).
CAROL FOX, DHES, testified for the project as set forth in EXHIBIT 1, which also included the original ranking order and letters of support.

SEN. HIMSL (37:A:221) commented that the state and farmers had paid for the weed extermination programs and the application of pesticides and herbicides on the land, and that now the state would have to pay to remove the surface dirt. He asked if he was correct in his perception of the program. MS FOX said the project dealt with sites where improper chemical storage and handling had taken place. These sites had highly elevated concentrations of these toxic chemicals. She said that these were historical contamination problems, dating back to the 1940's, and the responsible parties were not to be found. SEN. HIMSL commented that the removal of the contaminated material would be hauled to another site to create yet another problem. MS FOX said in some cases, the material would be of sufficiently low concentrations and could be spread out to bio-degrade. In cases of high concentration, the only option would be to take it to a licensed hazardous waste disposal facility. Those facilities, none of which were in the state, had environmental safeguards to prevent any further contamination.

SEN. MCLANE (37:A:258) said the site in Carbon County was the old weed shack, and represented years of contamination from improper use and storage. MS FOX added that the Department of Agriculture was working with pesticide applicators to prevent this contamination from occurring again.

REP. THOFT (37:A:276) asked the soil depths of contamination at the sites. MS FOX said at Joliet, the depth of contamination was 3 feet, while at other sites, the depth was 1-2 feet.

REP. BARDANOUVE observed that the application had been turned down, and that the grant amount would not be enough for the entire project. He asked if the counties could come up with more of the money. MS FOX said the counties were financially strapped, and therefore applied for the grant. She added that the application had been turned down because of a lack of communication between DNRC and DHES. MS CHENEY added upon initial review of the grant application, the project had been

ranked number 4. It had been removed from this ranking by the Budget Office, who thought that other funds would be available. In reality, those other funds from RIT needed to be built up to provide for Superfund local match. She said the departments were in agreement.

REP. THOFT (37:A:334) asked who would determine if the contaminated material could be spread over a larger area. MS FOX said that could be an alternative for some chemicals and sites, but in some cases of high concentrations, or highly toxic, carcinogenic chemicals, that alternative would not be viable.

REP. BARDANOUE asked if the committee moved this project up in the rankings, what projects would be affected. MS CHENEY said the committee would be able to fund through the Toole County project if this project were moved back into its original ranking position.

REP. THOFT (37:A:372) asked if it would be reasonable to do one or two of the sites, learn something, and apply that information to other sites. MS FOX said the department could not isolate how much would be spent on each county until the department knew what the problems were in each county. The department also hoped to get a lower bid for clean-up on the larger project composed of the 5 sites. REP. THOFT commented that he had a problem with the county contribution when they had their own equipment.

SEN. GERRY DEVLIN (37:A:408), Senate District 13, Terry, testified for the project, and specifically the site at Miles City. He said the site was right on the Yellowstone River. Cooperative funding had been done with other projects, but to his knowledge, the county had not been asked on this project. He said they may be willing. He said that with the proximity to the River, this site should be cleaned up.

SEN. HIMSL asked what the contaminant was at this site, and how long it had accumulated. SEN. DEVLIN said it had been accumulating ever since they started spraying, and thought the chemicals were many, including DDT and dieldrin. The site was a hangar at the airport where the chemicals were filled.

REP. BARDANOUE (37:A:477) asked how the figures were arrived at the projected costs. MS FOX said they had taken from previous site investigations of other hazardous waste sites. They estimated the costs based on the cubic yards to be removed. REP. BARDANOUE asked if this could be done for less by the counties with their heavy equipment.

REP. THOFT asked where the disposal sites were. MS FOX said the licensed disposal facilities were in Salt Lake City, Boise and Portland. The costs were \$100 per ton plus transportation.

SEN. MCLANE (37:A:567) asked how much was known about the sites. MS. FOX said they knew the compounds involved as well as the history of the site. All five sites had been sampled at least

once. With regards to Joliet, they knew more, she said. It was a more restricted site and they knew the depth and the specific contaminants.

SEN. HIMSL (37:A:612) said some of the counties were not convinced the clean-up was necessary, and mentioned the case of Somers. MS FOX said the Somers site was a federal priority, and was governed by the federal Superfund Program. The Paradise site had far worse contamination, and was regulated under the Resource Recovery and Conservation Act. Both were in another realm.

MS CHENEY suggested that the Water Development Bureau could bring a breakdown of the budget for executive action.

RAY HARMAN (37:A:712), County Commissioner, Lake County, said he was before the committee to beg and plead. He said they did not know how to deal with the hazardous waste problem. He added that their weed control budget was not adequate to begin to cover the costs of clean-up. He said it would cost \$500,000 to transport and deposit this material, while their budget was \$60,000 per year. SEN. HIMSL again expressed his distress that the state had helped pay for weed control, and had in essence paid to put the stuff on, and now had to pay to take the stuff off. MR. HARMAN had to agree. He said that in Ronan for 20 years, the weed control chemicals were rinsed out of the trucks behind the building. MR. HARMAN added that the site was within the city limits, and within 1/2 mile of the city well.

REP. GARY SPAETH (37:B:035), House District 84, Joliet, said that he only came before the committee when a project had a chance to be funded. He said the project had been ranked fourth, and that he had faith in the review process that put it there. The Carbon County site was in downtown Joliet, and was associated with the old weed control site. Regarding the county contributions, he said the question was a good one to raise, but that the issue went beyond the county's ability to pay. He said that the clean-up was more complicated than just going out and digging out the hole. He said that Carbon County was no longer the wealthy county that it was.

REP. BARDANOUVE asked if there were priorities set within these 5 projects. MS CHENEY said the bureau could make a priority list together with DHES. He suggested funding the most severe projects this biennium, and picking up the rest in 1991. MS FOX said Joliet was the worst site, and that the others would need more investigation before priorities could be determined.

REP. BETTY LOU KASTEN (37:B:112), House District 28, went on record supporting the project, saying an ounce of prevention could help eliminate health problems in the future. She requested restoration to the original ranking.

REP. CONNELLY reported that REP. ERVIN DAVIS, House District 53, was in support of the project, and REP. KASTEN reported that REP. TOM ZOOK, House District 25, supported the project.

JANET KELLY, Custer County Commissioner, submitted a letter in support of the project on behalf of the Custer County Commissioners (EXHIBIT 2).

DEPARTMENT OF HEALTH AND ENVIRONMENTAL SCIENCES, RANKING 30,
Responsible Party Clean-up of Selected Hazardous Waste Sites in
Montana, (37:B:129).

VIC ANDERSON, DHES, testified for the project as set forth in EXHIBIT 3.

REP. BARDANOUVE (37:B:181) suggested that these must be big clean-up projects, which could run into large amounts of money, and cited the example of the refinery at Sunburst. MR. ANDERSON agreed, and he thought there were viable responsible parties in some of these cases, such as the case of the bankrupt Diamond Asphalt in Chinook.

SEN. HIMSL asked how the state would be protected in case this was a Superfund project. MR. ANDERSON said the state may have to spend money to force the responsible parties into the clean up. If there was a true, viable responsible party with financial capability, they could be made to pay for the clean-up through the judicial process. In the Superfund process, the EPA and the state would share the cost, 90%/10%. He said that some sites were true orphans, but through case law, most were traceable back to the original corporation or entity that made the mess. They could be held responsible for clean-up.

REP. THOFT (37:B:287) commented that when a company bought a site, they also bought the problems attached to the site. MR. ANDERSON said not necessarily, because a new buyer could except themselves from responsibility for old problems.

GOVERNMENT OF BUTTE-SILVER BOW, RANKING 27, Buffalo and Missoula
Gulch Mine Reclamation, (37:B:300).

JIM JOHNSTON, Director of Public Works, Butte-Silver Bow, testified for the project. He said the drainage was built in the early 1900's, and in 1987, when similar problems were corrected in the Walkerville drainage, the drainage problem just moved south into these drainages. MR. JOHNSTON said if this project was done, all the water running through the tailings would be corrected and erosion would be abated. Tests on the tailings performed in 1984 indicated high quantities of toxic material. The contaminated water contributed to the degradation of the storm drainage system, and eventually Silver Bow Creek.

MS CHENEY said that representatives of Toole County would present their RDGP project on the next day, together with presenters of other projects that had not been heard due to the weather.

REP. THOFT (37:B:375) asked about a \$200,000 Oil and Gas project in Toole County that was in some other committee, and MS CHENEY suggested he may be hearing about Sen. Gage's bill. She said the

Board of Oil and Gas was supporting that bill, which proposed an earmarking of \$250,000 of RIT money for each biennium. The money would be at the disposal of the Board of Oil and Gas Commission for the purpose of plugging wells and helping small companies with getting bonds. She said the Board of Oil and Gas was also eligible for use of the Contingency Account associated with this program, \$175,000 per biennium, and they had used that for a couple of projects. REP. THOFT commented that if that bill passed, it would affect the amount of money available for projects, and MS CHENEY agreed, saying it would come off the top.

MR. SOUTH said that Madalyn Quinlan was tracking all of the bills that would impact the funds dealt with in the committee, and would have a handle on that situation in time for executive action.

ADJOURNMENT

Adjournment At: 9:45 a.m.



REP. CONNELLY, Chairperson

MEC/cm

3325.min

DEPARTMENT OF
HEALTH AND ENVIRONMENTAL SCIENCES



STAN STEPHENS, GOVERNOR

COGSWELL BUILDING

STATE OF MONTANA

FAX # (406) 444-2606

HELENA, MONTANA 59620

Pesticide Contamination Cleanup
Reclamation & Development Grant Application

The Montana Department of Health & Environmental Sciences (MDHES), in association with five counties, applied for a \$300,000 Reclamation and Development Grant (RDG) to investigate and cleanup five pesticide contaminated sites. According to the grant criteria, DNRC ranked this project 4th out of 35 applications, as shown in the attached ranking. Despite this ranking, the Office of Budget and Program Planning removed the project from grant funding consideration and recommended that DHES fund the project with its other Resource Indemnity Trust (RIT) appropriations. Those other appropriations are already committed for other DHES programs; consequently, they cannot be used to fund this grant project.

The project received tremendous support from the five counties having the contaminated sites, including 31 letters of local support (copies attached). The project is for expenses for investigation and cleanup that would otherwise be borne by the counties involved, not by the Department. Since the sites are owned by the counties, they are responsible for investigation and cleanup. The counties do not have the available financial resources to do either, however, and are unlikely to obtain the necessary funding in the near future due to restrictions imposed by I-105.

We urge you to reconsider the grant for funding based on its benefits to public health and the environment.

Project Summary and Benefits

The five contaminated sites involved in the grant are:

1. Lake County Weed Control District - Ronan
2. Carbon County Weed Control District - Joliet
3. Miles City Airport - Custer County
4. Geraldine Airport - Chouteau County
5. Richey Airport - Dawson County

Previous investigations at all these sites indicated pesticide contamination of soils resulting from improper waste disposal and chemical storage. In addition, low concentrations of pesticides have been found in the near-surface groundwater at the Geraldine Airport.

The type of pesticides and concentrations found vary greatly between the sites and are summarized in the grant application. The worst contamination appears to be at Joliet, where soils contain extremely high levels of 2,4-D and 2,4,5-T and also contain tetra-dioxin. Other

hazardous compounds found in soils at high concentrations at the sites include methoxychlor, dieldrin, toxaphene, and endrin.

These compounds pose a health threat to individuals coming into contact with contaminated soils or inhaling contaminated dust or vapors. The contaminated soils may also degrade surface water quality from run-off or groundwater quality from leaching. Some of these compounds are known or suspected carcinogens. Tetra-dioxin, found at Joliet, is the most toxic chemical known. Other compounds can cause nervous and reproductive system damage, and tissue and organ damage from prolonged exposure; or abdominal cramps, irritation of the eye, nose, and throat, dizziness, headaches, nausea and various other symptoms from brief exposure.

The project consists of three phases. In phase I, the sites will be sampled to better define the nature and extent of concentration. Previous investigations were limited and only indicated the general area of contamination.

Phase II involves assessing the health and environmental impacts associated with the contamination and ranking cleanup actions based on those impacts. It's unlikely that all contamination can be cleaned up with grant monies, so this assessment will indicate what areas should be cleaned up first.

Phase III of the project is cleanup. A brief review of technological alternatives for cleaning up contaminated soils indicated that the most feasible alternative is to dispose of contaminated soils in a permitted hazardous waste disposal facility. Any wastes banned from land disposal will be excavated and contained in lined pits or leakproof barrels in a hydrogeologically isolated area with strict access control.

This project has many benefits:

- Cleanup will reduce or eliminate the potential health impacts associated with pesticide contamination.
- Cleanup will prevent further migration of contamination to ground or surface waters.
- The project will economically benefit counties who have the liability and financial responsibility for the sites.
- The studies undertaken and reports prepared for this grant will assist with other cleanup projects in Montana.
- Cleanup will allow development, improvements, and new businesses at the airport sites that are now prohibited.
- This project will provide employment during cleanup.

County entities will commit a total of \$19,000 in matching funds and offered in-kind services such as labor and equipment; DHES will commit \$33,000. In addition, the federal Superfund program will spend between \$30,000 and \$50,000 in site investigations at the sites.

In summary, the project has many benefits and tremendous local support. It is an appropriate use of the Reclamation and Development Grant Program funds. We hope that you will rank the project for funding.

NAME OF APPLICANT PROJECT NAME	PUBLIC BENEFITS	NEED AND URGENCY	TECHNICAL DESIGN	FINANCIAL FEASIBILITY	PROJECT QUALITY	TOTAL	RECOMMENDED FUNDING	ACCUMULATIVE TOTAL
1 LEWIS AND CLARK CONSERVATION DISTRICT BLACKFOOT RIVER ABANDONED MINES	69	50	34	10	15	178	\$300,000	\$300,000
EXHIBIT 1 DATE 2-8-89 HB R.D.B.P.								
2 STATE LANDS, DEPARTMENT OF ELKHORN CREEK WATER QUALITY IMPROVEMENT PROJECT	67	44	35	8	14	168	\$300,000	\$600,000
3 STATE LANDS, DEPARTMENT OF WOOD CHUTE CREEK BASIN WATER QUALITY	63	42	32	11	13	161	\$300,000	\$900,000
4 HEALTH AND ENVIRONMENTAL SCIENCES, DEPARTMENT OF PESTICIDE CONTAMINATION CLEANUP	58	46	32	10	14	160	\$300,000	\$1,200,000
5 MONTANA STATE UNIVERSITY, RECLAMATION RESEARCH UNIT FATE OF CYANIDE IN SOILS AND HEAP LEACH PADS	61	48	28	6	14	157	\$168,687	\$1,368,687
6 MONTANA BUREAU OF MINES AND GEOLOGY LAND APPLICATION OF CYANIDE LEACH SOLUTIONS	60	46	31	7	13	157	\$101,789	\$1,470,476
7 STATE LANDS, DEPARTMENT OF MIDDLE FORK OF WARM SPRINGS CREEK RECLAMATION PROJECT	63	38	31	11	13	156	\$300,000	\$1,770,476
8 BUTTE-SILVER BOW, GOVERNMENT OF PUBLIC LANDS RECLAMATION PROJECT	62	42	32	6	12	154	\$120,060	\$1,890,536
9 NATURAL RESOURCES AND CONSERVATION, DEPARTMENT OF CONSERVATION DISTRICTS DIVISION NON-POINT SOURCE POLLUTION CONTROL IN MONTANA	60	43	25	12	13	153	\$262,573	\$2,153,109
10 TOOLE, COUNTY OF NORTH TOOLE COUNTY RECLAMATION PROJECT	60	37	29	10	14	150	\$299,040	\$2,452,149
11 HEALTH AND ENVIRONMENTAL SCIENCES, DEPARTMENT OF RESPONSIBLE PARTY CLEANUP OF SELECTED HAZARDOUS WASTE SITES IN MONTANA	57	43	31	5	14	150	\$300,000	\$2,752,149
12 LIBRARY, MONTANA STATE MONTANA NATURAL HERITAGE PROGRAM	55	40	29	9	14	147	\$197,607	\$2,949,756
13 BUTTE-SILVER BOW, GOVERNMENT OF OPHIR MINE RECLAMATION PROJECT	51	42	30	9	11	143	\$185,027	\$3,134,783
14 MONTANA BUREAU OF MINES AND GEOLOGY STATE OF NATURAL ZEOLITES IN REDUCING HEAVY METAL CONCENTRATIONS AT MINING OPERATIONS AND IMPACTED LANDS	48	41	28	9	13	139	\$169,568	\$3,304,351
15 NATURAL RESOURCES AND CONSERVATION, DEPARTMENT OF MONTANA BOARD OF OIL AND GAS CONSERVATION BROADVIEW WELL	48	35	36	8	10	137	\$65,600	\$3,369,951
16 MONTANA SALINITY CONTROL ASSOCIATION SALINITY CONTROL: A NONPOINT SOURCE POLLUTION MANAGEMENT PROGRAM	46	35	33	9	14	137	\$300,000	\$3,669,951
17 MONTANA STATE UNIVERSITY, RECLAMATION RESEARCH UNIT TOXIC AND RESIDUAL CYANIDE EFFECTS ON SOIL MICROORGANISMS, INVERTEBRATES AND PLANTS AT HEAP-LEACH MINE SITES	51	40	26	6	12	135	\$127,258	\$3,797,209
18 MONTANA STATE UNIVERSITY, WATER RESOURCE CENTER MINE WATER TREATMENT/METALS RECOVERY PROCESS	45	37	28	9	12	131	\$115,932	\$3,913,141
19 KALISPELL, CITY OF LAWRENCE PARK SLOPE STABILIZATION AND RECLAMATION	44	28	29	11	12	124	\$170,260	\$4,083,401
20 BUTTE-SILVER BOW, GOVERNMENT OF MINE SUBSIDENCE RECLAMATION PROJECT	42	30	30	10	10	122	\$170,000	\$4,253,401

EXHIBIT 1
DATE 2-8-89
HB R.D.G.P.

Appendix A
Letters of Local
Support

April 25, 1988

Montana Department of Commerce
Community Development Division
Cogswell Building, Room C-211
Capitol Station
Helena, Montana 59620

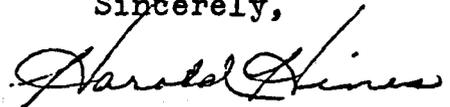
attn: Administrator

Sir or Madam:

The town of Joliet requests Community Development Block Grant funding to be used for demolition, removal, and associated environmental clean-up of the buildings and grounds currently occupied by the Carbon County Weed Control Program chemical storage facility.

Laboratory analyses of the building materials and surrounding soil have shown the need for removal and transportation of these materials to an approved hazardous materials disposal center prior to use of this area for any other municipal purposes.

Sincerely,



Harold Hines
Mayor

hb/jhh

cc: file

RECEIVED

1988

APR 25

COMMUNITY DEVELOPMENT DIVISION
MONTANA DEPARTMENT OF COMMERCE
AND ECONOMIC DEVELOPMENT
300 EAST BRADLEY STREET
HELENA, MONTANA 59601-2000

EXHIBIT 1
DATE 2-8-89
HB R. D. B. P.

County of Carbon



Red Lodge, Montana
59068

April 26, 1988

Duane Robertson, Chief
Solid & Hazardous Waste Bureau
Department of Health and Environmental Sciences
Cogswell Building
Helena, MT 59620

Dear Mr. Robertson:

This letter is regarding a possible Reclamation and Development Grant to assist in the clean up of pesticide contamination at the Weed District storage facility located in Joliet.

Please be informed that Carbon County requests your Bureau apply and, hopefully, administer the grant on our behalf. The cost estimates for clean up that we have heard are extremely high and, to be honest, we could not afford it. We have, however, set aside five thousand dollars (\$5,000.00) towards the clean up of the site.

Clean up of the site will be of great public benefit since it is within an incorporated town, somewhat close to Joliet's public water supply and the area has a very high ground water table. Also, as you know, the contamination numbers are, in most cases, extremely high at the site.

Carbon County respectfully requests your prompt assistance in this matter and thanks you in advance for that assistance. We and our staff will be available to assist your office in any way possible.

Sincerely,

Frank Cole, Jr.
Chairman
Carbon County Commissioners

cc: File - Joliet

FC/lma



CARBON COUNTY PLANNING OFFICE
P.O. Box ~~460~~ 466 Red Lodge, Montana 59068

"To Be Human Has Always Meant To Be Concerned"

April 26, 1988

Duane Robertson, Chief
Solid & Hazardous Waste Bureau
Department of Health & Environmental Sciences
Cogswell Building
Helena, MT 59620

Dear Duane:

As you are aware, the Carbon County Commissioners have requested your office pursue and, hopefully, administer a Reclamation and Development Grant for clean up of the Joliet Weed District pesticide storage site.

Please be informed that this office fully supports that request and offers any assistance possible. As you know, clean up of the site would eliminate a probably future health hazard and, therefore, would be of tremendous public benefit and safety.

Thank you in advance for your assistance and please don't hesitate to contact me if this office can help in any way.

Sincerely,

William M. King, R.E.
Sanitarian/Planning Director/Floodplain Administrator/Disaster & Emergency
Services Coordinator/Safety Coordinator

cc: File - Joliet

WMK/lma

EXHIBIT 1
DATE 2-8-89
HB R. J. S. P.

April 26, 1988

Duane Robertson, Chief
Solid & Hazardous Waste Bureau
Department of Health & Environmental Sciences
Cogswell Building
Helena, MT 59620

Dear Mr. Robertson:

Information has reached me that your office is working with the Carbon County Commissioners and staff to request a Reclamation and Development Grant for clean up of the Weed District pesticide storage site located in Joliet.

As Carbon County Health Officer, I fully support your endeavor and offer any assistance I can. Clean up of the site will be of great public benefit since it will eliminate a safety hazard and a health hazard.

Thank you in advance for your assistance. Please let me know if there is anything I can do.

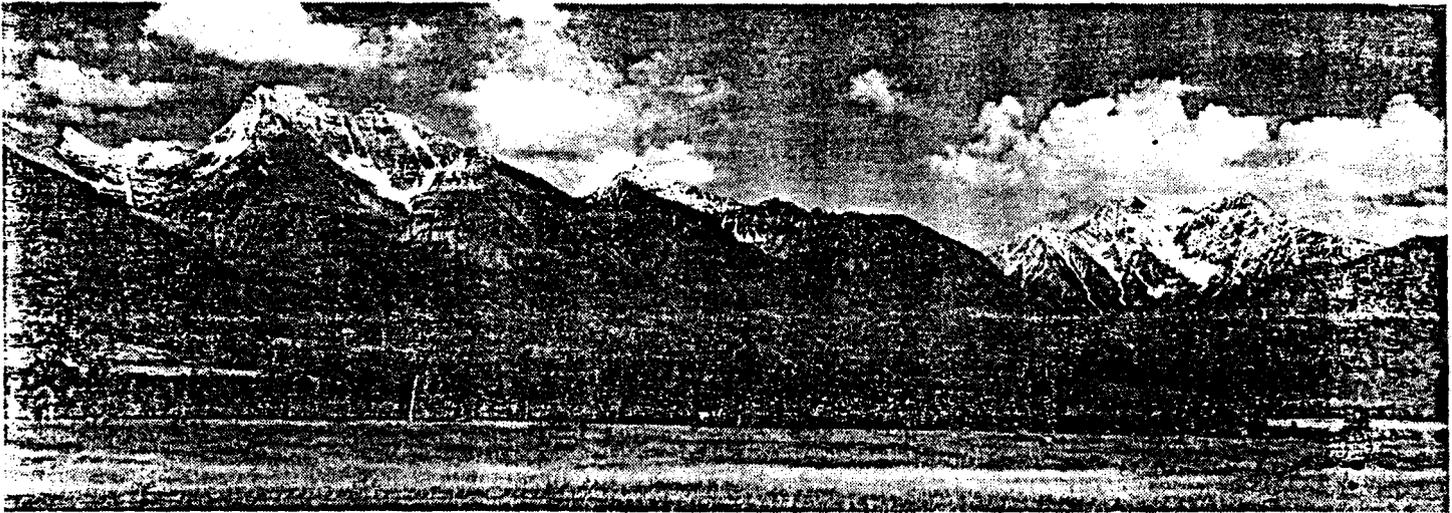
Sincerely,

William M. King for

Dr. William A. Asbury, M.D.
Carbon County Health Officer

cc: File - Joliet

WAA/lma



The Beautiful Mission Range as seen from Ronan

City of Ronan

109 2nd Avenue South-West
Ronan, Montana 59864

April 28, 1988

Duane Robertson
Solid & Hazardous Waste Bureau
SDH & ES
Cogswell Bldg.
Helena, Montana 59620

Dear Mr. Robertson:

As you may be aware the Lake County Weed District office is located in Ronan, Montana. I have recently learned that washing and mixing operations in the past have created a soil contamination problem at the site. I have also become aware that your department would be willing to seek grant funds through the legislature to assist the weed district in determining the extent of the problem and contracting for appropriate clean up. As Mayor of Ronan I would like to express my support of your endeavors and would offer assistance in any way possible.

I thank you for your efforts.

Sincerely,

George Atkinson
Mayor

COUNTY COMMISSIONERS

DON PETERSON

District One

RAY HARBIN

District Two

MIKE W HUTCHIN

District Three

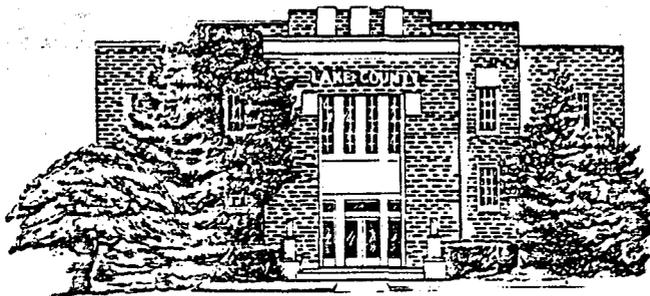
TREASURER

PATRICIA J. COOK

CLERK AND RECORDER

SURVEYOR

LORIN JACOBSON



ASSESSOR

LENORE A ROAT

SHERIFF AND CORONER

JOE GELDRICH

CLERK OF COURT

KATHERINE E. PEDERSEN

SUPERINTENDENT OF SCHOOLS

GLENNADENE FERRELL

COUNTY ATTORNEY

LARRY J. NISTLER

JUSTICE OF THE PEACE

CHUCK WHTSON

LAKE COUNTY

PHONE 406/883-6211 • 106 FOURTH AVENUE EAST • POLSON, MONTANA 59860

April 28, 1988

EXHIBIT 7

DATE 2-8-89

HB R. D. P.

Duane Robertson, Chief
Solid & Hazardous Waste Bureau
DHES
Helena, MT 59620

Dear Mr. Robertson:

The Board of Lake County Commissioners have become aware of a potential grant which would allow the Lake County Weed District to abate a potential health hazard. Specifically this grant will provide expertise in determining the extent of soil contamination by chemicals, develop a plan and contract with a reputable firm for removal.

As you are aware local governments are facing a serious financial crunch. Lake County is no exception. Thus we would highly support a grant application which would assist the Lake County Weed District in abating what could become a serious environmental problem.

Please be advised the Board of Lake County Commissioners would be prepared to budget \$5,000.00 to aid in the cost of cleanup and provide up to \$5,000.00 in-kind services when the soil removal process commences.

Thanking you in advance for any effort put forth on Lake County's behalf.

Sincerely,
Board of County Commissioners

Mike Hutchin
Mike Hutchin, Chairman

Ray Harbin
Ray Harbin, Member

Don Peterson
Don Peterson, Member

Lake County Weed Control District

(406) 676-5270

1210 Round Butte Road West

Ronan, Montana 59864

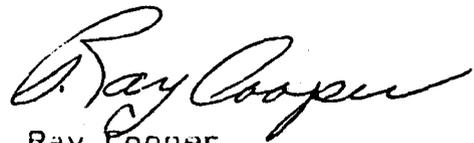
April 28, 1988

Mr. Duane Robertson
Solid & Hazardous Waste Bureau
DHES
Cogswell Bldg.
Helena, MT 59620

Dear Duane,

As Weed District Supervisor I have been trying to determine how our agency can fund a clean up of our chemical mixing and rinse site. I have now learned that your bureau is contemplating a grant application which would assist us in our endeavors. I highly support your efforts and would provide any assistance that I am able.

I am not familiar with the grant requirements but I would be happy to provide information you may need for it's completion. Please contact me if I can be of help.



Ray Cooper

Supervisor

Lake County Weed District

LAKE COUNTY
LAND SERVICES DEPARTMENT

POLSON, MONTANA
59860

ADMINISTRATOR
Paddy R. Trusler
TELEPHONE 406-883-6211

EXHIBIT 1
DATE 2-8-89
HB R.D.S.P.

PLANNING

Jerry Sorensen
Nancy Thormahlen

SANITATION

Al Hawkaluk
Tom Dodd

April 28, 1988

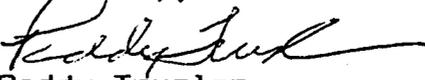
Duane Robertson, Chief
Solid & Hazardous Waste Bureau
DHES
Helena, MT 59620

Dear Duane:

I have recently become aware of the soil contamination problem in the Lake County Weed Control District. I have and will continue to provide any assistance I can to resolve the problem. As such I have become aware that money may be available through a grant to assist the Weed District in clean-up activities. Certainly this endeavor, if successful, would resolve the problem quickly and effectively. Unfortunately the Weed District has always faced financial hardship in trying to accomplish their objective. Thus to provide monies for clean-up of this problem would no doubt require expenditures over several budget years. This of course at the expense of controlling weed infestation.

I highly endorse the grant application and the efforts put forth by the bureau. Please let me know if I can be of any assistance.

Sincerely,


Paddy Trusler
Administrator



County Sanitarian

Sam Kalafat R.S. M.E.P.C.

456-3217

May 3, 1978

Mr. Duane Robertson, Chief
Solid and Hazardous Waste Bureau
Dept. of Health & Environmental Sciences
Helena, Montana 59620

Re: Proposed RIF Grant

Dear Duane:

This letter is written in support of a proposed RIF Grant to investigate and clean up the Geraldine Airport pesticide contamination. As you are aware this problem was not discovered or known about until a preliminary survey was done at the airport by the Dept. of Agriculture. It appears that this problem originated from a Formulation Plant located at the Airport some twenty years ago.

It has been next to impossible in trying to find out the current whereabouts of this individual. Some speculation has it that he is now deceased.

At present, it would be difficult to remove contaminated soil as we have no idea on the total area that is affected. The ground water at Geraldine Airport is rather shallow and it appears from the testing that this ground water has been contaminated. Geraldine Airport is presently used by a number of farmers, ranchers and business people. The Airport Commission has been advised that they need to upgrade the present runway by eliminating a large hill on site, so pilots can visually see from one end of the runway to the other. At present, a pilot landing or taking off can not do this. To correct this problem, the removal of this material would be in the area of the old Formulation Plant. Drainage problems now exist at the Airport. This problem cannot be corrected until the contamination problem is addressed. All proposed building, expansion and upgrading has been placed on hold both by the Airport Commission and the County Commissioners at the advice of the State, until the pesticide problem is corrected.

I can assure you that Chouteau County is not in a position to correct the problem they inherited, without outside financial assistance. It also suffers from being in a depressed agricultural community.

Speaking as the County Sanitarian and Consultant, the approval of this grant will be a benefit to all the citizens of Chouteau County from a public health, safety, welfare standpoint. Should you need additional supporting information or material, please advise me and I will be happy to provide such.

I have taken the liberty of contacting a number of other individuals, requesting letters of support on this proposed grant. I advised them to contact you directly; hopefully you have already obtained this information.

Sincerely,

TRIANGLE AVIATION

EXHIBIT 1DATE 2. 8. 89HB R. D. S. P.

378-2534

Aerial Application

Flight Instruction

Plane Rental

Scenic Flights

Big Sandy Airport

Box 126

Big Sandy, Mt. 59520

May 3, 1988

Mr. Duane Robertson, Chief
Mt. Dept. of Health
Hazardous Waste Bureau
Helena, Mt. 59620

Dear Mr. Robertson,

I am writing in regard to the possible contamination situation at the Geraldine airport in Chouteau County.

It is my understanding that the Chouteau County Commissioners have applied for an EPA grant to assist in funding a survey and necessary cleanup of this site. While my own personal suspicion is that there is no serious health hazard from this site, I support the commissioners in this endeavor. I feel it is in the best public interest to survey the site properly and determine the actual situation.

My understanding of the history of this site is that it was formerly a pesticide formulation area. From a public relations standpoint I would like to see that public information regarding any work that does occur emphasize this fact, and not leave the impression that aerial applicators might have caused the problem, if a problem is found to exist.

Thank you for considering my input into this situation, and if I can in any way be of assistance please contact me. I am very concerned with the image of aerial applicators in the public eye, and hope we can avoid adverse media image.

Respectfully,

Wayne C. Turner

Wayne C. Turner

MAY 3, 1988

BILL MEEKS
BOX 25
GERALDINE, MT 59446

DUANE ROBERTSON
CHIEF OF SOLID AND HAZARDOUS WASTES
DEPT. OF HEALTH & ENVIRONMENTAL SCIENCES
HELENA, MT 59620

DUANE,

I AM CONCERNED ABOUT THE SLOW CLEAN-UP OF THE
CHEMICAL SPILLS AT THE GERALDINE AIRPORT. AS A
LICENSED PILOT AND USER OF THAT PUBLIC FACILITY I
THINK TWENTY YEARS IS MUCH TOO LONG TO LET A
PROBLEM LIKE THIS GO ON.

I WOULD APPRECIATE ANY ACTION YOU COULD HELP
INITIATE TO SOLVE THIS PROBLEM. THANK YOU FOR YOUR
TIME AND ATTENTION TO THIS MATTER.

SINCERELY,

BILL MEEKS

Bill Meeks

cc CHOUTEAU COUNTY COMMISSIONERS

Chouteau County Health Department

EXHIBIT 1
DATE 2-8-89
HB R. D. G. P.

Health Nurse:
Bonnie G. Lewis, R. N.

1020 13th St.
Box 459
Fort Benton, Mt.
59442

Telephone:
622-3771

May 4, 1988

Duane Robertson, Chief
Solid and Hazardous Waste Bureau
Dept of Health and Environmental Science
Helena, Montanan 59620

Dear Mr. Robertson,

I am writing this letter in support of the Chouteau County Commissioners in their grant application for cleaning up the Geraldine Airport. As a public health nurse in Chouteau County I am concerned about the hazardous conditions at the airport for the health of the Geraldine residents.

I am also concerned because I live one block from that airport and I am concerned for my health and the health of my family because of it.

Thank you for you concern and support.

Sincerely,

Bonnie G. Lewis, R.N.
Bonnie G. Lewis, R.N.

OFFICE OF
BOARD OF COUNTY COMMISSIONERS
CHOUTEAU COUNTY, MONTANA
FORT BENTON

COMMISSIONERS:

Henry I. Grossman, Chairman
Charles Danreuther
John Witt

CLERK:

REGULAR MEETINGS:

Every Monday.
First & Third Tuesdays

April 25, 1988

Solid Hazardous Waste Bureau
Duane Robertson, Chief
DHES
Cogswell Building
Helena, MT 59620

Dear Duane:

We have discussed participating in applying for the RIT Grant that Carol Fox mentioned in her letter of April 15, 1988 for the clean-up of the Geraldine airport.

We realize that we have a serious problem at the Geraldine airport and will no doubt need all of the help that we can get. We have discussed it with Sam Kalafat this morning and he was going to see the Mayor of Geraldine and several other people to write letters of support. You can count on Chouteau County's support and willingness to cooperate with cleaning up this mess at the airport. We could probably contribute \$1,500.00 to \$2,000.00 matching funds if we can be successful in obtaining the RIT Grant.

If we can be of any further help, please let us know.

Sincerely,

Henry I. Grossman

Henry I. Grossman
Chairman

CHOUTEAU COUNTY COMMISSIONERS

HIG:jjp

EXHIBIT 1
DATE 2-8-89
HB R. D. G. P.

April 27, 1988

Duane Robertson
Chief, Solid and Hazardous Waste Bureau
D.H.E.S.
Helena, Montana 59620

Dear Mr. Robertson:

Sam Kalafat called me last evening and mentioned that there is an attempt being made by the Chouteau County Commissioners to seek a grant to clean up the chemical problem at the Geraldine Airport. Being the Chairman of the Joint Chouteau County Airport Board, Sam knew that I would be interested in such an endeavor and suggested I write you and let you know how I feel about such a project.

Please let this letter confirm my 100% support for our commissioners to seek these funds. The current situation in Geraldine has the potential of becoming a very serious problem if it isn't one already. I believe every effort should be made to remedy the chemical spill and the quicker the better.

If the situation at Geraldine remains at the status quo we have effectively nullified any possibility of expansion or improvement at the current site. Three months ago we had a group from Geraldine that wanted to donate their time and skills to try and solve a drainage problem at the airport. Their project would have involved moving a considerable amount of dirt. The board had to turn down their request because, as you know, moving dirt is the last thing we want to do at that airport.

Mr. Robertson, please see to it that my support for this project is known to the people who will be make the go or no-go decision on the funding for this project. I appreciate the time and effort that Sam says you've put into this grant. Hopefully we'll be successful and we can remove this thorn from our side.

Sincerely,

Stephen K. Vielleux



Chairman, Joint Chouteau County
Airport Board
P. O. Box 308
Fort Benton, Montana 59442

cc: Chouteau County Commissioners

LOCAL EMERGENCY PLANNING COMMITTEE
EPA SARA TITLE III - CUSTER COUNTY
RT. 1, BOX 2614
MILES CITY, MONTANA 59301

May 3, 1988

Duane Robertson, Chief
Solid and Hazardous Waste Bureau
DHES
Helena, Montana 59620

Dear Mr. Robertson:

We have learned that the Department of Health and Environmental Sciences is considering an RIT grant application to investigate and clean up pesticide and herbicide spills at several sites in Montana, including the airport at Miles City.

This Committee is charged with administering SARA Title III in Custer County. Although the spills at the Miles City airport occurred well before the enactment of Title III, we feel compelled to voice our support for the proposed application. We cannot ignore the potential effects of hazardous materials incidents because of a calendar.

LEPC's throughout this State and Nation are now laboring to provide quality information and emergency planning to deal with the substances that have become part of modern life. Several of the chemicals discharged at the airport are on the EPA's list of 406 extremely hazardous substances.

If these releases occurred today, we would (or will) have plans on how to effectively contain them, and hopefully how to provide for their safe removal. In this case, however, time has made the task more difficult. The operator presumed responsible for the spills has since passed away, and the spread of contamination to other soils and drainages is unknown. The assistance contemplated by this RIT grant application would be highly valuable to the ongoing efforts of this LEPC, and perhaps to many others.

The most direct and visible benefit is clearly the removal and safe disposal of the contaminated materials. A thorough investigation of spread and isolation of contaminants from both soil and water resources will eliminate a direct threat to public health.

A less direct benefit would be the exposure the project could give to the purposes and methods of Title III. Increased public awareness, through local exposure to an incident, may increase compliance with reporting requirements. The increased costs of allowing a release to go unreported (and unmitigated) should become evident. Facility operators may gain a greater appreciation for the benefits of facility planning, and may work more closely with emergency responders in developing containment procedures. The geographic distribution of the five sites considered virtually assures statewide media exposure to the project, without requiring a Morristown, Tennessee, or Bhopal, India-type incident to focus that attention.

In conclusion, we restate our support for the proposed application. This support is certainly based in part on the clear benefits of removing extremely hazardous substances from the natural environment. It is also based, however, on the benefits of recognizing the potential these substances carry for destruction, and promoting responsible reporting and pre-planning to prevent or reduce that destruction.

Sincerely,



Leonard Smith
Chairman

5-2-88

William F. Gertson, M.D., P.C.

FAMILY PRACTICE

1510 ST. CHARLES • FORT BENTON, MONTANA 59442

TELEPHONE (406) 622-5211

Dear Mr Robertson

I fully support
the clean up of the
toxic waste at the
Beraldine Airpark.

Any financial +
technical help you
can give our County
is appreciated

Sincerely

W.F. Gertson M.D.

Physician & Health Officer

Miles City - Custer County

City-County Planning Board

EXHIBIT 1
DATE 2-8-89
HB R.D.B.P.

President: Otto Neuhardt

City Hall
P.O. Box 910
Miles City, Montana 59301
(406) 232-6339

Vice-President: Greg Moore

May 5, 1988

Duane Robertson, Chief
Solid and Hazardous Waste Bureau
DHES
Helena, MT 59620

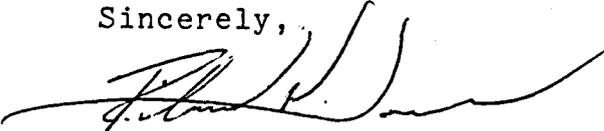
Dear Mr. Robertson;

Enclosed are several letters in support of DHES's proposed RIT grant application for investigation and cleanup of five hazardous waste sites in Montana.

In addition, I understand that some other agency representatives and/or individuals have already sent letters to you regarding this project.

If there is any other assistance we can provide, please don't hesitate to contact either the County Commissioners or myself.

Sincerely,



Richard W. Jones
Planning Director

enc: Letters from
Leonard Smith, Chairman, Local Emergency Planning
Committee, May 3, 1988
George W. Huss, Chairman, City Council of Miles
City, April 26, 1988
Mark L. Richardson, Public Utilities Director,
Miles City, April 29, 1988
Frank J. Tooke, Chairman, Miles City Airport
Commission, May 4, 1988
Phil Stewart, Regional Fisheries Manager, Montana
Dept. of Fish, Wildlife, and Parks, May 2, 1988

MILES CITY AIRPORT COMMISSION

Drawer 910

MILES CITY, MONTANA 59301

May 4, 1988

Duane Robertson, Chief
Solid and Hazardous Waste Bureau
Department of Health and Environmental Sciences
Helena, Montana 59620

Dear Mr. Robertson:

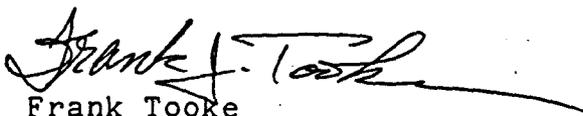
We have been in contact with the Department of Health and Environmental Sciences for some time regarding the cleanup of hazardous chemicals at the Miles City Airport. This Commission supports the proposed multi-site grant now being considered.

As you know, an agricultural applicator (since deceased) operated from the Miles City Airport for many years. Over time, many chemicals were spilled, resulting in soil contamination of undetermined extent. Samples taken from the area in 1986 yielded detectable concentrations of several compounds now strictly regulated by SARA and EPA. The potential spread of these contaminants to nearby residential areas and water resources poses a hazard that demands attention.

We believe the Department's proposed investigation and clean-up of the Miles City Airport, as well as the other sites, will provide important public health benefits. Further, we believe the combination of the five projects into one contract will result in more cost-efficient handling of contaminated sites, allowing more productive work for the funds available. Finally, we believe that Department administration of the project will insure more effective supervision of the contractor, because the Department is more experienced in this field than any single unit of local government.

In support of the proposed grant application, this Commission has earmarked \$5,000, to be available July 1, 1988, as the local contribution to the project, if the application is successful. We look forward to providing assistance in field investigations and logistics, and any other support within our capacities.

Sincerely,



Frank Tooke
Chairman

CUSTER COUNTY HEALTH DEPARTMENT
Courtthouse
Miles City, Montana

EXHIBIT 1
DATE 2-8-89
HB R.N.S.P.

OFFICE OF COUNTY NURSE

5-6-88

Duane Robertson
Solid & Hazardous Waste Bureau
Dept. Health & Env. Sciences
Cogswell Building
Helena, Montana 59620

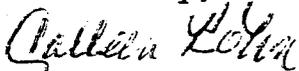
Re: RIT Grant

This letter is to confirm my support of the Grant for clean-up of the pesticide contamination site at the local airport.

The under ground water supply is in danger of being contaminated. Prevention of such a disaster is of ultimate importance to protect the public and save our most valuable resource, water! The benefit to future generations is not an option but an obligation.

Thank you for your consideration of the pending proposal.

Sincerely,



Colleen Kohn,
Public Health Nurse

CK:as

CITY OF MILES CITY

"Cow Capital of the World"

MILES CITY, MONTANA 59301

COUNCIL PERSONS:

FRANK J. TOOKE
LAURENCE TORSTENBO
MIKE METZENBERG
GEORGE W. HUSS
CONNIE CLARKE

April 29, 1988

Duane Robertson, Chief
Solid and Hazardous Waste Bureau
DHES
Helena, Mt. 59620

Dear Mr. Robertson,

I am writing this letter to you to show my support for a proposed Reclamation and Development Grant to assist in the cleanup of spilled pesticides and herbicides at various locations in the state.

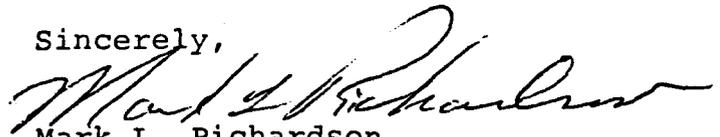
The airport at Miles City is one of the affected sites due to some spillage of agricultural chemicals by a now deceased aerial applicator.

It would seem more cost effective and efficient if, with a grant, the affected sites could be cleaned up under one program and one contractor.

The City of Miles City is concerned about the problem of the chemical contamination at the Miles City Airport and request your financial assistance and technical expertise in aiding the county with their clean-up efforts.

Thank you for your consideration.

Sincerely,



Mark L. Richardson
Public Utilities Director

MLR/lw



CITY OF MILES CITY

"Cow Capital of the World"

MILES CITY, MONTANA 59301

DATE 2-8-89
HB P. O. S. P.

COUNCIL PERSONS:
FRANK J. TOOKE
LAURENCE TORSTENBO
MIKE METZENBERG
GEORGE W. HUSS
CONNIE CLARKE

April 26, 1988

Duane Robertson, Chief
Solid and Hazardous Waste Bureau
DHES
Helena, Mt. 59620

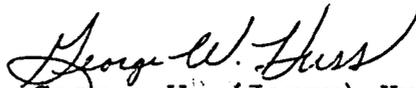
Dear Mr. Robertson,

The City Council of the City of Miles City strongly supports the Department's proposed funding application for investigation and cleanup of five pesticide contamination sites, including the Miles City Airport.

We believe that combining the five sites in one umbrella contract will result in more timely and cost-efficient completion of the cleanup process. Further, we appreciate the expertise that Department administration of the contract will provide, considering your greater experience in dealing with hazardous waste incidents.

The Miles City Airport Commission has earmarked \$5,000 of its reserves (to be available July 1, 1988) as local effort toward this project. This represents a substantial investment of local resources, and demonstrates a firm commitment to the realization of the public benefits this cleanup will produce.

Sincerely,



George W. (Jerry) Huss
Chairman City Council

GWH/lw



**Montana Department
of
Fish, Wildlife & Parks**



May 2, 1988

Jim Zabrocki
Custer County Sanitarian
Custer County Courthouse
Miles City, MT 59301

Dear Jim,

Thanks for the information on the possibility of a RIT grant to clean up the pesticide contaminated soil at the Miles City airport. The Department of Fish, Wildlife and Parks is much in favor of this clean up. The pesticides present in the soil at the airport might in time reach the nearby Yellowstone River. An important sport fishery exists there. We would not want it contaminated by pesticides.

Sincerely,

Phil Stewart
Regional Fisheries
Manager

OFFICE OF
COUNTY SANITARIAN

PHONE 406 - 232-7800 ext 43
CUSTER COUNTY COURTHOUSE
MILES CITY, MONTANA 59301

EXHIBIT 1
DATE 2-8-89
HB R. S. S. P.

May 4, 1988

Montana Department of Health & Environmental Sciences
Solid and Hazardous Waste Bureau
Cogswell Building
Helena, MT 59620

Attn: Duane Robertson

Dear Mr. Robertson:

As Custer County Sanitarian, I am writing in support of the proposed Reclamation and Development Grant for the cleanup of five(5) pesticide and herbicide contaminated sites around the state.

The Miles City Airport is one of these sites due to the operation of a deceased aerial applicator.

Two(2) businesses are located in close proximity from the spill area. The businesses consists of Doeden Construction, a concrete construction firm, and Airport Inn, a restaurant.

Leachate problems from the site could result in widespread public health problems through products produced by the construction firm and the operation of the restaurant. In conclusion, this cleanup has the potential for averting a major public health hazard and further damage to the environment.'

Sincerely,



James Zabrocki, R. S.
County Sanitarian

JZ:dlr



County of Custer

Custer County Courthouse
1010 Main
MILES CITY, MONTANA 59301

May 4, 1988

Duane Robertson, Chief
Solid & Hazardous Waste Bureau
DHES
Helena, MT 59620

Dear Duane:

The Board of Custer County Commissioners are aware of the contamination at Miles City Airport. There has been many discussions on how we could afford to clean up the contamination and what would be the best method. As of this date there has been little more than a lot of talk of how to handle the problem.

We were very encouraged to receive your call that a method is being purposed to help Custer County clean up a very hazardous situation.

To date, there has been no known sickness due to the airport contamination. A major problem in the Miles City area is that the contamination is in high ground above a restaurant and a housing area. Also further down the hill is the Yellowstone River that could be contaminated if the site is not eliminated within the near future.

We know this contamination must be removed at the earliest date and Custer County Airport Commission will allocate \$5,000.00 toward the project.

Sincerely,

A handwritten signature in cursive script that reads "Ted Hirsch".

TED HIRSCH, Chairman

A handwritten signature in cursive script that reads "Bruce Bergerson".

BRUCE BERGERSON, Member

A handwritten signature in cursive script that reads "Mike O'Shea".

MIKE O'SHEA, Member

CROP CARE BY AIR

DON'S 
AEROSPRAY

DON D. ORWICK, Owner

507 HEMLOCK, FOREST PARK
GLENDALE, MONTANA 59330

EXHIBIT 1
DATE 2-8-89
HB R. N. B. P.

AIRPORT: (406) 687-3625
RES: (406) 365-6687

May 3, 1988

Mr. Dennis Snow
Dawson County Sanitation
Glendive, Mt.

Dear Mr. Snow

In Nov. of 1986 I purchased the spraying business in Glendive and Richie from Dawson aviation. Included in this sale was a hangar located on the Richie airport.

There are several containers and chemicals improperly stored in this hangar. and if not properly removed may become a hazard.

Sincerely
Dons Aerospray
Don D. Orwick

Town of Richey

Box 205
Richey, Montana 59259

Mayor
Stanley Waters
Clerk
Barbara Babb

Councilpersons
Darrel Buller
Alton Olson
Nils Sikveland
George Winther

May 2, 1988

Mr. Dennis Snow
Dawson County Sanitarian
207 W. Pell
Glendive, Mt. 59330

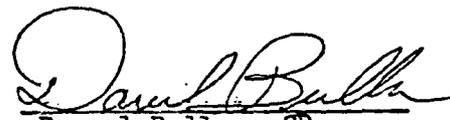
Dear Mr. Snow:

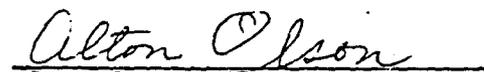
The Town of Richey is concerned regarding the Chemical Spill at the Richey airport.

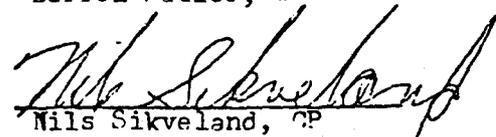
This could be hazardous to the Town and surrounding community.

Sincerely,
Town Council


Stanley Waters, Mayor

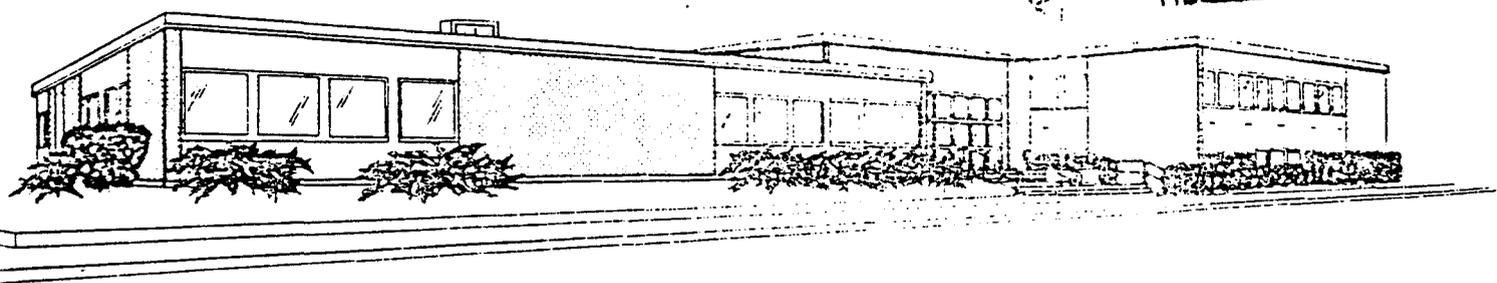

Darrel Buller, CP


Alton Olson, CP & Pres.


Nils Sikveland, CP


Arlene Zadow, CP

EXHIBIT 1
DATE 2-8-89
HB R.A.B.P



County of Dawson

Office of:
County Commissioners
Phone 365-3562
Robert Ziegler, Chairman
Harold Skartved
W. M. Harpster

207 W. Bell
Glendive, MT 59330

Office of:
Clerk and Recorder
Phone 365-3058
Patricia Peterson

Office of:
County Treasurer
Phone 365-3026
Betty Kegley

4/29/88

Mr. Duane Robertson, Chief
Solid and Hazardous Waste Bureau
DHES
Helena, MT 59620

Dear Mr. Robertson,

On April 29, 1988 District Sanitarian Dennis J. Snow and myself (Robert Ziegler), along with other interested parties, conducted an on-site inspection of a plane hanger located at the Richey Airport in Richey, Mt. This hanger was used by Mr. Bruce Kinney as a base for aerial spraying in the past.

Based on what I saw and what I was told by Shelly Mills (Dept. of Ag.) and Mr. Snow, Dawson County has again been victimized by Mr. Kinney. As you will remember Dawson County paid approximately \$14,000 to clean up a pesticide problem at the Glendive Airport 2 years ago. (We have since instituted rather strict operation standards for anyone spraying off County property.) It was not conclusively proven that Mr. Kinney was the responsible party, but it was common knowledge he was one of the major contributors. Mr. Kinney has been denied all access to any County property (for any spraying activity) based on his past performance.

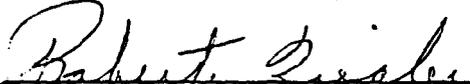
As to how much the County would be willing to pay for clean-up, the answer would be nothing! It's not that we are not willing; but, we are unable to fund yet another clean-up. We would be glad to contribute "in kind" assistance when possible. (Our sanitarian could gather samples, coordinate schedules and any other request made by the State and some county equipment could be used in the actual clean-up.)

Thank you very much for any assistance you can give Dawson County with this clean-up. If we can be of any further assistance please advise.

Sincerely,

BOARD OF COUNTY COMMISSIONERS


HAROLD SKARTVED, CHAIRMAN


ROBERT ZIEGLER, MEMBER


W. M. HARPSTER, MEMBER

EXHIBIT 1
DATE 2-8-89
R.D.F.P.

Tri-County Sanitarian

Dawson - Prairie - Wibaux
207 W. Bell
Glendive, Montana 59330
Phone: 365-5772



5/2/88

Mr. Duane Robertson
Solid and Hazardous Waste Bureau
Cogswell Building
Helena MT.

Dear Mr. Robertson,

April 29, 1988, Tubby Ziegler (Dawson County Commissioner), Nils Sikveland (Richey Councilmen), Shelly Mills (Dept. of Ag.), Leon Baker (Airport Manager), Don and Brice Orwick (current owners of the contaminated hanger) and myself (Dennis Snow), met and conducted an on-site inspection of the hanger formally owned by Bruce Kinney in Richey, Mt.

It was rather hard to count the number of drums in the hanger without moving things around; but, there are approximately 20-55's, 70-30's, 20-5's, and 10-2's. These drums contain either slight residuals or gallons of: 2,4-D Amine, 2,4-D Ester, Cygon 400, Roundup, Fargo, Butyl 4 and 6 Ester, and a drum of Endrin with approximately 15 gallons remaining. The hanger is a 48' X 40' steel pole barn with a dirt floor. There is evidence of some of the drums leaking and ground contamination.

There is also an area approximately 172' X 20' (5440 sq. ft.) that has been contaminated over the years where the planes loaded.

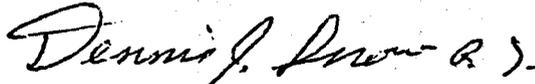
There are no wells in the immediate area. The closest one would be a private farm well 1/2 mile to the West owned by Franklin Veverka. The city of Richey has two wells, one 1/2 mile to the North East and the other 1 mile North. The depth to ground water is only 7 to 10 feet.

Soil and water sampling has not been done in the area

because the knowledge of this problem only surfaced April 29, 1988.

Thank you for any assistance you can give Dawson County with this clean-up. If I can answer any questions or assist in any way please advise.

Yours for a better environment,



Dennis J. Snow R.S.
District Sanitarian

MAY 5, 1988

DUANE ROBERTSON, CHIEF
SOLID WASTE AND HAZARDOUS WASTE BUREAU
DHES
HELENA, MONTANA 59620

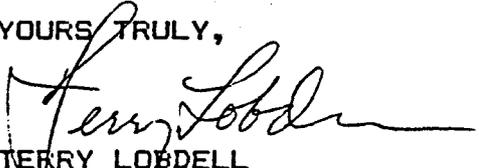
DEAR SIR:

AS A LOCAL CITIZEN AND AIRPORT MANAGER, I AM CONCERNED ABOUT POSSIBLE GROUND WATER CONTAMINATION AND ENVIRONMENTAL IMPACTS THAT HERBICIDE AND PESTICIDE USE HAS CREATED ON THE RICHEY AIRPORT. THE AIRPORT HAS BEEN USED HEAVILY IN PAST YEARS BY COMMERCIAL APPLICATORS AND I FEEL THERE IS A DEFINITE POSSIBILITY OF CONTAMINATION TO GROUND SOIL IN THE AREA.

I WOULD CERTAINLY APPRECIATE ANY ASSISTANCE THAT YOU AND YOUR OFFICE CAN GIVE TO DAWSON COUNTY IN ASCERTAINING ANY CONTAMINATION, AND IF IN FACT ANY CONTAMINATION DOES EXIST, THE CLEANUP OF THE CONTAMINATION.

THANK YOU FOR YOUR CONSIDERATION IN THIS MATTER.

YOURS TRULY,


TERRY LOBDELL
PO BOX 271
RICHEY, MONTANA 59259

CC: DENNIS SNOW, DAWSON COUNTY SANITARIAN



TED SCHWINDEN
GOVERNOR

STATE OF MONTANA
DEPARTMENT OF AGRICULTURE

ENVIRONMENTAL MANAGEMENT DIVISION

AGRICULTURE/LIVESTOCK BLDG.

CAPITOL STATION

HELENA, MONTANA 59620-0205

EXHIBIT 1
DATE 2-8-89
HB R.A.B.P.

KEITH KELLY
DIRECTOR
(406) 444-3144

GARY GINGERY
ADMINISTRATOR
(406) 444-2944

May 3, 1988

Duane Robertson, Chief
Solid and Hazardous Waste Bureau
IHES
Helena, Montana 59620

RE: Proposed RIT grant to investigate and cleanup Richey
airport.

Dear Mr. Robertson:

I am writing in regard to a pesticide storage/disposal problem that has recently been brought to my attention. The site is at the Richey airport in Dawson county. In a hangar located on airport property is stored some 200 barrels which at one time, and in some cases still do, contained pesticides. Among the chemicals found there are: Methyl Parathion, Ethyl Parathion, 2,4-D Amine, 2,4-D Ester, 76 Butyl Ester, Cygon, Fargo, Roundup, Dithon and Banvel. Also found at the site was one container of Endrin half full and a container of Dieldron nearly full. The airport sits atop an underground lake which is seven feet below the soil surface, the fact that 7-10 (possibly more) of these containers were leaking could result in groundwater contamination. I was unable to determine how many of the barrels actually contained pesticide and how many were leaking due to the fact that they were stacked so closely together and time was short.

At this time I am investigating the situation under authority of the Montana Pesticide Act, since I am the duly authorized agent of the Department of Agriculture. We are trying to determine who the responsible party is and whether any of the pesticides can be used in a manner consistent with the labelling, in other words applied to a crop situation. At this time, I have been told to embargo any unregistered products, leaking products or any that do not have a proper label attached to the container, until such time as we can determine the ownership and responsibility of the containers.



TED SCHWINDEN
GOVERNOR

STATE OF MONTANA
DEPARTMENT OF AGRICULTURE

ENVIRONMENTAL MANAGEMENT DIVISION

AGRICULTURE/LIVESTOCK BLDG.

CAPITOL STATION

HELENA, MONTANA 59620-0205

KEITH KELLY
DIRECTOR
(406) 444-3144

GARY GINGERY
ADMINISTRATOR
(406) 444-2944

It is my estimation that, if left in such a manner these pesticide barrels constitute a hazard to humans and the environment. Potentially the groundwater could be contaminated and in the event of a fire the Air Quality Act would be violated. I personally would like to see this cleaned up by the state to insure that it is cleaned up properly, also to forego any more economic drain than is necessary for Dawson county.

Sincerely,

A handwritten signature in cursive script that reads "Shelley Lee Mills".

Shelley Lee Mills, Pesticide Specialist
Environmental Management Division
Montana Department of Agriculture
Glasgow

cc: Steve Baril
Don Vidrine
Dennis Snow
file



EXHIBIT 2
DATE 2-8-89
R.S.B.

County of Custer

Custer County Courthouse
1010 Main
MILES CITY, MONTANA 59301

January 24, 1989

The Honorable Mary Ellen Connelly, Chairman
Long-Range Planning Subcommittee
House of Representatives
Capitol Station
Helena, MT 59601

RE: Reclamation & Development Grant for Pesticide Cleanup:
Miles City Airport, Geraldine Airport, Richey Airport,
Joliet Weed Control District and Lake County Weed Control
District (Proposal 29)

Dear Representative Connelly:

In early November 1988, the Custer County Commissioners were informed that the above-captioned grant proposal was ranked fourth out of the 35 applications received by the Montana Department of Natural Resources; and most likely would be funded because of its high ranking. In late December 1988 the commissioners learned that the Governor's office and Budget office decided to eliminate this grant from funding consideration and recommended the Department of Health and Environmental Sciences fund the grant with other Resource Indemnity Trust Interest monies. These interest monies were already committed and thus the pesticide grant proposal was withdrawn. According to Carol Fox of the Solid & Hazardous Waste Bureau, the decision to eliminate the grant from funding consideration "did not appear to be based on the merits of the grant."

It is my understanding that this grant proposal is scheduled to come before the Long Range Planning Subcommittee Wednesday, February 8. As a member of this subcommittee, I urge you to re-instate this grant application to its original ranking. Further, I urge you to recommend project funding so work can begin to clean up our contaminated soil. This pesticide-contaminated soil poses serious health and environmental problems to our citizens and our community. Specifically, project funding will:

1. reduce the hazards of exposure to contaminated soil dust particles;
2. protect against surface water and groundwater contamination;
3. remove the potential danger of toxic air pollutants in the event of a fire at these sites.

Thank you.

Sincerely,

Janet R. Kelly,
Custer County Commissioner

DEPARTMENT OF
HEALTH AND ENVIRONMENTAL SCIENCES

EXHIBIT 3

DATE 2-8-89

HR DRB/SP



STAN STEPHENS, GOVERNOR

COGSWELL BUILDING

STATE OF MONTANA

FAX # (406) 444-2606

HELENA, MONTANA 59620

Responsible Party Cleanup
Reclamation & Development Grant Application

The Montana Department of Health and Environmental Sciences applied for a \$300,000 Reclamation and Development Grant (RDG) to pursue responsible party cleanup at selected hazardous waste sites in Montana. The project involves investigative and legal work necessary to obtain cleanup of sites by responsible parties. The project sites have been abandoned and are unlikely to be cleaned up until responsible parties are ordered to take action. The purpose of the project is to obtain cleanup of selected hazardous waste sites in Montana at the responsible party's expense. Costs incurred in this project can be recovered from responsible parties under both federal and state law.

The Department of Natural Resources and Conservation ranked this project 11th out of 35 applications, as shown in the attached ranking. However, the Office of Budget and Program Planning removed the project from grant funding consideration and recommended that DHES fund the project with its other Resource Indemnity Trust (RIT) appropriations. Those other appropriations are already committed for other DHES programs; consequently, they cannot be used to fund this grant project.

The attached fact sheet indicates the programs and their activities funded by DHES's RIT appropriations. Of the programs listed, only the Mini-Superfund program is involved in activities similar to those proposed in this grant. The Mini-Superfund program is involved in investigation and cleanup, or pursuing investigation and cleanup by responsible parties, of non-National Priority List hazardous waste sites in Montana.

With limited funding and a program staff of 1.5 and over 150 sites, only the worst contaminated sites will be addressed in the next biennium. Last year, the program prioritized the sites according to health and environmental impacts. Four of the five grant sites are designated as high priority, along with 21 other sites (excluding three high priority sites which are on Indian Reservations and not under state jurisdiction). Since not all high priority sites can be investigated in the next biennium, DHES applied for this grant for five sites impacted by mineral development. Essentially, this grant will allow DHES to address more sites in the next biennium than it can address without the supplemental grant funding.

Project Summary and Benefits

This project involves pursuit of responsible party cleanup of five sites:

Big West Oil

- Kevin

Diamond Asphalt - Chinook
Texaco Sunburst - Sunburst
Carter Oil Refinery - Cut Bank
Lohof Gravel Pit - Billings

All five sites have petroleum waste products on site that may endanger public health and the environment. All of the sites have soils contaminated with petroleum hydrocarbons that are hazardous substances. The Big West Oil, Diamond Asphalt, and Texaco Sunburst sites have on-site sludge pits. The shallow aquifer at the Diamond Asphalt site is contaminated with petroleum hydrocarbons, and there is a potential for groundwater contamination at the other sites. Surface water contamination has been documented at the Big West and Texaco sites and is possible at the other sites. Further investigation is needed to determine the nature and extent of contamination and risks associated with the contamination.

Attached are letters from the mayors of Kevin and Sunburst expressing their concern about contaminated sites in their communities and requesting state assistance in cleaning up those sites.

This project involves conducting responsible party searches and preparing legal orders to compile an administrative record, with most work to be done by contractors. The orders will cover both site investigation and cleanup. The amount of work necessary at each site is variable, and DHES has already initiated some investigative and legal work at the Big West and Texaco sites. If all grant funds are not expended at the five sites identified, other sites impacted by mineral development will be included in the project.

This project has many benefits:

- ° Cleanup will eliminate the potential health and environmental impacts associated with contamination.
- ° Cleanup will allow the sites to be put to beneficial use.
- ° Cleanup will lift restrictions such as mortgage insurance restrictions that are placed on communities located near hazardous waste sites.
- ° The project will bring increased employment for contractors.
- ° Cleanup will improve the aesthetics of the sites.
- ° Research and legal methodologies may be used as models for other sites.
- ° Successful cleanup at project sites may prompt responsible parties at other sites to initiate cleanup without being forced to do so.

In summary, this project would accomplish cleanup of sites at a small investment that can be recovered and recycled for other sites. We hope you will rank the project for funding.

RECLAMATION AND DEVELOPMENT GRANTS PROGRAM 1990-1991

Department of Natural Resources and Conservation

Original Project Ranking and by Conservation

NAME OF APPLICANT PROJECT NAME	PUBLIC BENEFITS	NEED AND URGENCY	TECHNICAL DESIGN	FINANCIAL FEASIBILITY	PROJECT QUALITY	TOTAL	RECOMMENDED FUNDING	ACCUMULATIVE TOTAL
1 LEWIS AND CLARK CONSERVATION DISTRICT BLACKFOOT RIVER ABANDONED MINES	69	50	34	10	15	178	\$300,000	\$300,000
2 STATE LANDS, DEPARTMENT OF ELKHORN CREEK WATER QUALITY IMPROVEMENT PROJECT	67	44	35	8	14	168	\$300,000	\$600,000
3 STATE LANDS, DEPARTMENT OF WOOD CHUTE CREEK BASIN WATER QUALITY	63	42	32	11	13	161	\$300,000	\$900,000
4 HEALTH AND ENVIRONMENTAL SCIENCES, DEPARTMENT OF PESTICIDE CONTAMINATION CLEANUP	58	46	32	10	14	160	\$300,000	\$1,200,000
5 MONTANA STATE UNIVERSITY, RECLAMATION RESEARCH UNIT FATE OF CYANIDE IN SOILS AND HEAP LEACH PADS	61	48	28	6	14	157	\$168,687	\$1,368,687
6 MONTANA BUREAU OF MINES AND GEOLOGY LAND APPLICATION OF CYANIDE LEACH SOLUTIONS	60	46	31	7	13	157	\$101,789	\$1,470,476
7 STATE LANDS, DEPARTMENT OF MIDDLE FORK OF WARM SPRINGS CREEK RECLAMATION PROJECT	63	38	31	11	13	156	\$300,000	\$1,770,476
8 BUTTE-SILVER BOW, GOVERNMENT OF PUBLIC LANDS RECLAMATION PROJECT	62	42	32	6	12	154	\$120,060	\$1,890,536
9 NATURAL RESOURCES AND CONSERVATION, DEPARTMENT OF CONSERVATION DISTRICTS DIVISION NON-POINT SOURCE POLLUTION CONTROL IN MONTANA	60	43	25	12	13	153	\$262,573	\$2,153,109
10 TOOLE, COUNTY OF NORTH TOOLE COUNTY RECLAMATION PROJECT	60	37	29	10	14	150	\$299,040	\$2,452,149
11 HEALTH AND ENVIRONMENTAL SCIENCES, DEPARTMENT OF RESPONSIBLE PARTY CLEANUP OF SELECTED HAZARDOUS WASTE SITES IN MONTANA	57	43	31	5	14	150	\$300,000	\$2,752,149
12 LIBRARY, MONTANA STATE MONTANA NATURAL HERITAGE PROGRAM	55	40	29	9	14	147	\$197,607	\$2,949,756
13 BUTTE-SILVER BOW, GOVERNMENT OF OPHIR MINE RECLAMATION PROJECT	51	42	30	9	11	143	\$185,027	\$3,134,783
14 MONTANA BUREAU OF MINES AND GEOLOGY USE OF NATURAL ZEOLITES IN REDUCING HEAVY METAL CONCENTRATIONS AT MINING OPERATIONS AND IMPACTED LANDS	48	41	28	9	13	139	\$169,568	\$3,304,351
15 NATURAL RESOURCES AND CONSERVATION, DEPARTMENT OF MONTANA BOARD OF OIL AND GAS CONSERVATION BROADVIEW WELL	48	35	36	8	10	137	\$65,600	\$3,369,951
16 MONTANA SALINITY CONTROL ASSOCIATION SALINITY CONTROL: A NON-POINT SOURCE POLLUTION MANAGEMENT PROGRAM	46	35	33	9	14	137	\$300,000	\$3,669,951
17 MONTANA STATE UNIVERSITY, RECLAMATION RESEARCH UNIT TOXIC AND RESIDUAL CYANIDE EFFECTS ON SOIL MICROORGANISMS, INVERTEBRATES AND PLANTS AT HEAP-LEACH MINE SITES	51	40	26	6	12	135	\$127,258	\$3,797,209
18 MONTANA STATE UNIVERSITY, WATER RESOURCE CENTER MINE WATER TREATMENT/METALS RECOVERY PROCESS	45	37	28	9	12	131	\$115,932	\$3,913,141
19 KR. ISPELL, CITY OF LAWRENCE PARK SLOPE STABILIZATION AND RECLAMATION	44	28	29	11	12	124	\$170,260	\$4,083,401
20 BUTTE-SILVER BOW, GOVERNMENT OF MINE SUBSIDY RECLAMATION PROJECT	42	30	30	10	10	122	\$170,000	\$4,253,401

DATE 2-8-89
HB R.D.P.
EXHIBIT 3

EXHIBIT 3
DATE 2-8-89
R.D.D.P.

DEPARTMENT OF
HEALTH AND ENVIRONMENTAL SCIENCES



STAN STEPHENS, GOVERNOR

COGSWELL BUILDING

STATE OF MONTANA

FAX # (406) 444-2606

HELENA, MONTANA 59620

Commitment and Use of DHES Portion of RIT Interest Income

The Montana Department of Health and Environmental Sciences receives 16% of the RIT interest income as per Sections 15-38-202(b) and (e) MCA.

The 16% is allocated in two portions: 4% to the Environmental Quality Protection Fund (75-10-704 MCA), and 12% to the Hazardous Waste/CERCLA account (75-10-621 MCA).

12% RIT Interest: Hazardous Waste/CERCLA Account

This fund was established to provide a ready source of funding for:

1. State share of the Hazardous Waste Act and Underground Storage Tank Program
2. Environmental Science Administration
3. Investigation and remediations for hazardous substance situations
4. One half of the fund is to be used for:
 - a. repayment of any bonds
 - b. the state share of remedial actions at Superfund sites (usually 10%)
 - c. the state share of underground storage tank corrective actions (usually 10%)
 - d. state costs for maintenance at Superfund sites after the cleanup is completed

The hazardous waste/CERCLA account is projected to have a \$1,000,000 balance at the end of the 90-91 biennium assuming no expenditures for Item #4.

Presently, the Travona mine flooding in Butte is the only Superfund action contemplated. That action would entail construction of a treatment plant and the state 10% share (if required) is anticipated to be around \$200,000.

The Leaking Underground Storage Tank Program needs are unknown but it is a certainty there will be dozens, if not hundreds, of leaking tanks in the biennium that will need to be addressed and this account is the source of the state funding.

Because of the level of appropriations from this account there will be no bond sales in this biennium.

In summary, the account balance is potentially committed and not available for funding other activities for the biennium.

4% RIT Interest: Environmental Quality Protection Fund/(Mini-Superfund)

The 1987 Montana Legislature passed a bill creating a delayed funding mechanism for the MDHES Mini-Superfund program that appropriates 4% of the Resource Indemnity Trust (RIT) interest monies each biennium for the program. Funding of the 4% interest will begin July 1, 1989. The Mini-Superfund program is involved in investigating and cleaning up, or requiring responsible parties to investigate and clean up, all hazardous waste sites in Montana not on the federal Superfund National Priority List (NPL). Currently there are approximately 150 non-NPL sites.

In the last biennium, DHES used a ranking system based on potential health and environmental impacts to prioritize the sites for Mini-Superfund program activity. In the next biennium, the program will concentrate its activity on the high priority sites not being addressed by other programs. Program activity will include site investigations, interim remedial measures, responsible party research, and legal action necessary to force responsible party cleanup or to cost recover when the state pays for cleanup.

MDHES requested 1.5 FTE for the Mini-Superfund program in the next biennium: 1 technical person (already on staff) to administer the program; .25 lawyer to pursue responsible party cleanup, and .25 clerical staff. The Mini-Superfund program budget for FY90 is \$225,956 and for FY91 is \$258,062. Following is a budget breakdown.

	<u>FY1990</u>	<u>FY1991</u>
Revenue 4%	274,250	289,750
Expenditures-Mini-Superfund		
A. Personnel	38,326	38,423
B: Contracted Services	160,185	197,719
1. Consulting and professional services	123,000	163,000
a) responsible party searches (\$15,000 per site; 1 site per year	15,000	15,000
b) site investigations (\$30,000 per site; 2 sites FY90; 3 sites FY91)	60,000	90,000
c) interim remedial actions (fencing, surface water diversion)	36,000	46,000
d) hazardous material training program (Department of Military Affairs)	12,000	12,000
2. Laboratory Testing	25,000	25,000
3. Legal fees and court costs	9,562	7,629
4. Miscellaneous expenses (photocopying, film, laundry, printing, etc.)	2,623	2,090
C: Communications	2,040	2,028
D: Travel	6,159	6,452
E: Miscellaneous (rent, buildings, grounds and indirect)	13,703	10,225
F: Supplies and materials	<u>5,543</u>	<u>3,215</u>
Total	225,956	258,062
Expenditures-Asbestos Program	48,294	31,688

EXHIBIT 3
DATE 2-8-89
HB R. D. P.

TOWN OF SUNBURST
BOX 245
SUNBURST, MONTANA 59482
937-2141

DEPT OF HEALTH & ENVIRONMENTAL SERVICES
SOLID & HAZARDOUS WASTE BUREAU
COGSWELL BUILDING
HELENA, MONTANA 59620

6/15/88

ATTN: CAROL FOX

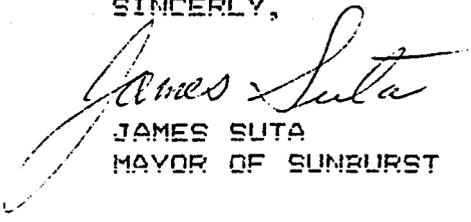
DEAR CAROL,

THE COMMUNITY OF SUNBURST HAS WHAT WE FEEL TO BE A MAJOR PROBLEM THAT WE HOPE YOU WILL BECOME INTERESTED IN. RECENTLY I HAVE RECEIVED MANY COMPLAINTS FROM THE CITIZENS REGARDING THE OLD TEXACO REFINERY LEFT ABANDONDED IN THE MIDDLE OF OUR TOWN.

THE CITIZENS OF THIS COMMUNITY FEEL THAT THE OLD REFINERY IS A TERRIBLE EYESORE FROM AN ERA GONE BY, BUT THIS IS NOT THE NATURE OF THE COMPLAINTS I HAVE BEEN RECEIVING. THE PEOPLE OF SUNBURST FEEL THAT THE OLD REFINERY POSES AN IMMEDIATE THREAT TO THIER HEALTH AND TO THE HEALTH OF THIER CHILDREN. THEY FEEL THAT THEY HAVE BEEN TREATED UNFAIRLY, LEFT WITH THE MESS FROM THIS UNSIGHTLY REFINERY. ALL OVER AMERICA AND AROUND THE WORLD, PEOPLE ARE DISCOVERING DAILY THAT THIER HEALTH AND WELL BEING HAVE BEEN UNKNOWINGLY THREATENED BY SILENT AND DEADLY WASTES LEFT BEHIND BY CONGLOMERATES WHOSE NEEDS FOR THESE FACILITIES HAVE BECOME OBSOLETE.

WOON'T YOU PLEASE HEED THE CRIES OF THE CITIZENS OF OUR TINY BUT IMPORTANT COMMUNITY, AND TAKE AN INTEREST TODAY IN THE SOLVING OF THIS PROBLEM? THANKING YOU IN ADVANCE FOR YOUR HELP IN THIS IMPORTANT MATTER.

SINCERLY,


JAMES SUTA
MAYOR OF SUNBURST

TOWN OF KEVIN

P. O. BOX ~~137~~ 137
KEVIN, MONTANA 59454
PHONE (406) 337-2141

May 24, 1988

Governor Ted Schwinden
Capitol Station
Helena, Montana 59620

RE: Hazardous Waste Site
Big West Refinery
Kevin, Montana

Dear Governor Schwinden:

I am writing to you on behalf of the Kevin Town Council and the residents of the Town of Kevin.

We have been actively pursuing the clean up of an abandoned refinery site located within the corporate town limits of Kevin, Montana.

Several large dogs have become entrapped and died in the open sludge areas of this site. We are concerned that one of our children may be the next casualty of the site. The district sanitarian has also had a complaint filed with him concerning stock water contamination from the site.

Also, of great concern is FMHA and HUD mortgage insurance rejection because of the location of 90% of Kevin's homes in proximity to the hazardous waste site.

E.P.A. has the site listed and has studied the site. They have determined that the site is not eligible for "Superfund" designation because of only 208 persons being affected. They have released the site to the State of Montana.

We believe that the State Department of Health and Environmental Sciences-Solid and Hazardous Waste Division has determined who the responsible parties are in relation to the Kevin refinery site.

We are having a problem in understanding why it is taking so long for the State to take action when responsible parties have been determined.

page 2

We are asking for your help in the following three areas.

1. Securing assistance for immediate fencing of the site to prevent access,
2. Requesting that appropriate state agencies quickly move ahead with a demand that the responsible parties clean up the site.
3. Requesting that HUD and FMHA remove their mortgage insurance restriction for the areas of Kevin that are not affected by the site.

Thank you for your assistance with this problem in our community.

Sincerely,

Town of Kevin



Robert Fagan, Mayor

RF:m

cc:Dr. L. Bonderud

