

MINUTES OF THE MEETING
HIGHWAYS & TRANSPORTATION COMMITTEE
MONTANA STATE SENATE

March 12, 1987

The meeting of the Highways and Transportation Committee was called to order at 1:03 p.m., March 12, 1987, by Chairman Larry Tveit in Room 410 of the State Capitol.

ROLL CALL: All members present.

CONSIDERATION OF SENATE BILL 396: Senator Bengtson, Senate District 49, Yellowstone County and chief sponsor of Senate Bill 396 said the bill had just came up from the Council and was considered a revenue bill so it could still go through the process. She handed out exhibit 1, bill summary attached to the minutes, and said in addition to a motorist information sign program it also added a tourist oriented directional sign program. She said this bill is patterned after a combination of Idaho, Minnesota and Washington laws. She said it is not the Highway Department nor the state who will put these signs up, it will be put out through a franchise and the franchisee will be handling the marketing, maintenance and erection of the signs according to the specifications of the Highway Department. They will have to apply, meet the criteria and pay a fee to the highway Department. The franchisee could be any sign company, in state or out of state but application must be made to the Highway Department to be eligible. She gave a card out attached as exhibit 2, SB 396, showing the picture of a sign which is the ones that will be on the interstate. The tourist oriented directional sign is a different program but also to be awarded to a franchisee. Again, the Highway Department sets forth the criteria but the franchisee does the work and they would receive any money made from them. The tourist oriented directional signs are on the primary roads and those signs are only to direct people to a museum or a camp ground etc. They are not meant to sell a business.

PROPOSERS FOR SENATE BILL 396: Dennis Unsworth, Manager, Public Relations Information Unit, Montana Highway Department, spoke in support of Senate Bill 396. His testimony is attached as exhibit 3, SB 396. In addition he drew a picture on the blackboard showing approximately how the billboards would look. He said the Interstate logo sign program has been used in many other states--about half the states. This bill draws on their experience and particularly on successful programs in Minnesota and Pennsylvania.

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There were no further proponents, no opponents, and Senator Tveit asked the committee if there were questions.

QUESTIONS FROM THE COMMITTEE: Senator Williams asked Senator Bengtson if a fiscal note was required with this. Senator Bengtson answered no, this will not cost anything and I would defer to Dennis also. I asked for a fiscal note and there was virtually nothing. If anything, the Department might make a little. It is not intended to be a revenue producer for the state. This was also discussed, but the Highway Department did not get into that. They are willing to administer the program and set forth the requirements.

Senator Williams asked, this prohibits the department from taking any action that may result to the state of any federal highway construction funds. Senator Bengtson answered yes, and the signs on the primary system they are not sure they will meet federal criteria and they may have to ask for an exception. Dennis Unsworth said, the program was announced and proposed federal rules last summer and after they got the comments on the rules they decided to hold that off for another 6 months. It will be up again this July. The federal government is looking at the same kind of issues we are looking at here. It is tough for a business to get a sign out there, and yet there are a lot of businesses that need signs. They proposed rules which would allow the Highway departments to do it, but they have not signed off on those rules yet, and if they don't sign off this summer and we would go ahead and request permission for an experimental program. Oregon has had the program for quite a few years and they are asking now that their program remain permanent. We are looking at the same type of program.

Senator Lybeck asked, why didn't you make this a revenue producer? Senator Bengtson answered, we have also heard a lot about the business climate and we have also heard a lot about the state and local governments getting into areas where private business could handle it, and I understand in most of the states a franchise system works the best. It would have meant more people working in the highway department. Dennis Unsworth said, the biggest road block there is that it appears the feds would not allow it. I don't know that that has been pinned down in writing, but when the staff and the legislative council was working on the bill that was the indication they received. It has worked with a franchise in other states and if this works and our involvement can be kept at a minimum it is probably the best situation.

Senator Lybeck asked, did I understand you to say there would be from 4 to 6 signs per sign? Senator Bengtson said that is spelled out in the bill. Senator Lybeck continued

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by asking, how many of these signs for gas or lodging are you going to allow along the highway? One, multiple, or what? Senator Bengtson said that will be spelled out, I don't recall if it is a law, but there is also a statement of intent with this bill. Dennis Unsworth said, there would be one sign for each service, so where there is a gas sign there would be one like that. The law spells out you can have up to 6 logos on a gas sign and up to 4 logos on the others. This program is spelled out very specifically in federal law.

Senator Lybeck asked, in the case of Billings with the one exit sign for there or one for each town, what priority system will you use to determine who is going to get on the board. Maybe there are a dozen that want to get on it. Senator Bengtson said she would expect that would be up to the franchisee who will market them. Paul Verdon, Legislative Council said section 8 of the bill says there can be three signs at any approach to an intersection. That is the tourist orientation directional signs and no more than 4 business signs. On the information signs says there should be one for each type of motor service along an approach to an intersection.

Senator Lybeck said, Billings has how many interchanges? He was told 3. He said that would make a total of 18 gas stations. Since there are more than that how will you determine which ones get on the billing? Senator Bengtson said she would imagine the one who gets the franchise is the one who markets it and they will determine who gets the space. She said she did not know what the price would be and that would have to be determined by the person who gets the franchise. Paul Verdon said section 12 of the bill tells what the franchisee will do.

Senator Williams asked, is the state held harmless so we don't have to have the liability in it? Senator Bengtson answered, absolutely, and that is in the statement in section 13, line 20.

Senator Williams asked of Dennis, they evidently get around Lady Bird Johnson's beautification program there? Dennis Unsworth answered that he felt the whole idea of the program is to get around Lady Bird Johnson's program. He said he knew that was the case on the primary system and cited the Glacier Campground sign. This is a way to get control of the signs and at the same time allow more signs.

Senator Williams asked, there is no opposition then from the large advertising companies? Dennis answered, not that we are aware of. On the question of who gets on the signs if you have 15 gas stations who want on it. As I remember it they start working back from the interchange and stop first at the first gas station closest to the interchange and work

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their way back until the sign is filled. These logo signs are not cheap. They run thousands, not hundreds of dollars.

Senator Hofman asked, is this a situation where the franchisee gets all the traffic will bear or is there some sort of criteria they operate on or what do they do in other states. Senator Bengtson said she did not know, but would suspect the logo signs are comparable throughout the nation. Dennis Unsworth said the bill sets out that the department must approve the fee schedule. Our intent is to make the program work, so we will do our best to see that it is reasonable.

Senator Williams asked, does the bill spell out whether you are going to let one master contract for the state or individuals, or what? Mr. Unsworth answered that so far as he knows, it is not spelled out. That would be some of the criteria the rule making people would set out.

Senator Bengtson read the statement of intent, it is attached as exhibit.

Senator Lybeck asked, these signs that are up now that have a picture of a knife, fork and spoon, or a gas pump -- who has those signs and who maintains those now? Dennis Unsworth answered that they are Highway Department signs and the federal regs spell out that where these logo signs are installed, those signs are taken down.

There were no further questions from the committee and Senator Bengtson closed by saying she felt she had covered all that needed to be covered. She would urge passage of the bill so they could get it over to the House.

Senator Tveit declared the hearing on Senate Bill 396 closed and the committee would hear House Bill 506.

CONSIDERATION OF HOUSE BILL 506: Representative: Stella Jean Hansen, House District 57, Missoula, said this was a short bill and does one thing. It prohibits the use of slag on the highways. The Highway Department does not use slag, however the counties are still free to do it. I am a member of the Clarks Fork coalition. We put the group together because we had so many entities across the Clarks Fork trying to clean up the river, and the reason we decided we had to do it with an umbrella coalition was we could start at the head waters and work down or we were going to waste our super funds. The slag is the very thing we are trying to get out of the river, and I understand the few counties that are using it are those along the Clarks Fork, Deer Lodge, Powell and some of those counties. We would like to see no more slag in the river. It has a way of seeping down since every time it rains it washes down off the highway and back into the river where we have taken it out. Mrs. Hansen

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read the definition of the slag as the by-products of the Anaconda processing. "Slag is the end product of intensity, pressure, chemical treatment and it has sharp jagged edges and cuts like glass. Moreover, its chemical composition is known to have high concentrates of cadmium, zinc, mercury, lead, arsenic, and copper". This is the reason we are so concerned about it. A little here and a little there and pretty soon we have acquired quite a bit since it stays in the water and has a tendency to stay along the banks. It does not wash away.

PROPOSERS TO HOUSE BILL 506: Steve Pilcher, Water Quality Bureau of Health and Environmental Sciences said, we share the concern that has already been mentioned. Our agency is responsible for water quality in the state and our counties that are using this slag material as a cheap way of road sanding.

Mr. Pilcher passed out letters written including the one sent to the city county manager in Anaconda in 1983 expressing our concern on the use of this material. He read the letter.

George Ochenski, Montana Environmental Information Center, said the remainder of the packet contained other letters. They all say basically the same thing. He said the material which acted like particles of glass had a tendency to rupture tissues when breathed in the lungs and the slag would have a small portion of this but more would be generated by crushing of road traffic. He said you could rub it in your hands and it would cut your hands. He said the bill in its original form did not say mineral slag, just slag and he found out there is something called sugar beet slag they use near Billings. It is entirely different and has none of the onerous qualities of the mineral slag described here.

Don Gruel, Highway Department said they had no problems with the bill.

There were no further proponents, no opponents and Senator Tveit asked if there were questions from the committee.

QUESTIONS FROM THE COMMITTEE: Senator Williams asked if Gordon Morris is aware of this. Mr. Ochenski answered, the only place I even know of them using this any more is a very small stretch along Rock Creek and I don't even know if the county is using it or if someone private is taking it out there and dumping it along the road. I think they use a little bit of it over the top of the Mill Creek Divide between Anaconda and Wisdom. There is no fiscal note on it. They do have 27 million tons of this stuff sitting around Anaconda. That is an accurate figure, and so we would like to say not to use it. In the bill it says it can be used in

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road maintenance. If it is bound with an asphalt type of material we don't experience any of the kinds of problems we are talking about here.

Senator Hofman said, I can understand why you are using the stuff because of its availability, but if you don't use it anymore do you have a ready supply of sand available that can be used? Mr. Ochenski said the Highway Department recently has a large project in that area and they are using sand on it. I don't think there is any problem with that.

There were no further questions, and Representative Hansen said ever since she was a little girl she has been hearing about uses for this slag. I hope someday they will come up with something and we can get rid of those 27 million tons, but I don't think this is the way to do it and I would hope you will pass the bill.

Senator Tveit closed the hearing on the bill and said Senator Haffey would carry the bill.

CONSIDERATION OF HOUSE BILL 580: Representative Swysgood, House District 73, Beaverhead, said this is a short bill that merely allows the installation of an amber light on the top of a vehicle delivering mail. In our rural areas our roads are narrow and if there is a flashing light it draws attention that there is an object ahead. This was brought to my attention by my local postmaster. The post office cannot authorize the use of these vehicles unless the state of Montana has in its codes the authority to allow them to do this. In the same sense, we cannot require, as a state, for the federal government to install one. It is a "may" situation. Our district in the western part of the state has the permission from the regional headquarters in Salt Lake City that they can go ahead and implement them if the bill passes. This gives them the tool that the bill can be implemented if so desired.

PROPOSERS OF HOUSE BILL 580: Marjori L. Mailez, United States Postal Service and a former contract driver. I know what it feels like to be out there on the highway without a flashing light on and you have a vehicle come up behind you--a semi going 70 miles an hour and another one coming from the other way. Most rural delivery vehicles are of the smaller type vehicles because of being able to serve the mail boxes. It is just a better chance for them to be seen. When you see an amber light flashing it does mean caution, and it does bring attention to slow down. I am concerned about the safety of our employees.

James Perhay, safety specialist out of Missoula, for the Postal Services. He said, the U. S. Postal Services has 159 rural routes in Montana. 82 of these are in western

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Montana. Each of these carriers deliver mail to between 500 and 600 customers per day. Rural Delivery roads are usually 2 lane roads with minimum clearance for our vehicles to pull off the road. Very often the carrier vehicle is still partially in the travel lane, and then you add weather conditions such as fog, rain, drifting and blowing snow and then you've probably seen the back of a lot of these vehicles where it is coated with mud so that blocks out any of the lights. A light on top would be pretty beneficial. In the last few years we have received 13 serious vehicle accidents. Lack of visibility has been ruled the major factor in 9 of these, and since this was written there has been another one. (He passed some pictures around but had to have them back since the case was still in litigation, and they were not available for the minutes) This was an accident in Bozeman a week ago. The carrier was sitting delivering mail into the boxes, his hand was in the mail box and a car hit him from behind and he almost lost his arm. The deal with this was, the lady was combing her hair and didn't see the vehicle. Had there been some kind of a light on top it probably would have brought it to her attention.

John Walsh, rural mail carrier from Belgrade, and also one of the state committeemen of the union, and the chairman of the Missouri Headquarters Quality Worth of Life team. I drive 95 miles a day and in the past 6 years have had numerous close calls from other drivers.

Mr. Walsh said 2 years ago he had installed a magnetic light and installed it on top of his car. He said he noticed a lot of awareness, the public gave him a little wider berth and then became aware at a meeting last summer in Billings that he was violating the law having this on the car.

Jim Squyres, Helena post office, said that right here in our area we have had a number of incidences of vehicle accidents that appeared to be a problem of visibility. We had one a little over a year ago where a rural carrier was stopped making delivery to a box on the side of the road and a customer in a pick up truck on one of these open highways in a 55 mile an hour reached over to make an adjustment to his heater and looked up and realized at the very last instance there was this vehicle partly on the road and partly on the side of the road. Fortunately he was able to swerve enough to keep from hitting him solid, but he did hit the vehicle and did a considerable amount of damage.

There were no further proponents, no opponents, and Senator Tveit asked if there were questions from the committee.

QUESTIONS FROM THE COMMITTEE: Senator Lybeck asked of Jim Squyres, you say there is not going to be any cost to the state. Is it going to be the postal department then, or is it going to be the individual carriers that are going to

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furnish them. He was told by Mr. Squyres, initially we have a safety committee that is involved with several of the managers in western Montana and this safety committee got involved with the idea of purchasing lights for vehicles that would particularly benefit some of the rural delivery vehicles, and even here in Helena we probably have 4 or 5 of our postal vehicles where they deliver in the outlying districts and are subject to the same kind of hazards. Our initial plan was the postal service would buy the lights. We then ran into the question of--is it legal. At that point we found there was some very limited wording in the law that allowed other types of emergency vehicles, but the position was taken that it did not say postal vehicles were allowed to have them; therefore they were not allowed to use them, and we were prohibited at that point. He said he could not speak for the eastern half of the state, but in the western half of the state there is a proposal for the postal service to purchase the lights for the vehicles for the carriers with the idea of saving someone's life.

Senator Williams asked, is this amending the section to include this in, then? Paul Verdon said this is new law.

Senator Weeding asked, how many other states have this. Is this something that Montana is behind the times with, or what? Mr. Perhay answered that he felt he was ahead of some. He said he did not have the figures on which states do.

Senator Williams asked if there were some way to use this bill to cover most any vehicles that are on similar circumstances with the approval of the highway department rather than have someone come in for each group. Representative Swysgood said almost every type of vehicle is addressed. He said because of the postal service being federal they had to be specifically clear that we allowed them to have the lights.

Senator Meyer asked about newspaper carriers that did basically the same thing. Senator Weeding felt it was only because it was federal that this had to be addressed, others could do so anyway. The federal regulations on federal vehicles is the difference here.

There were no further questions from the committee, Representative Sywsgood said he would close since it had been pretty well discussed.

Senator Tveit declared the hearing closed and they would take executive action on the bills.

DISPOSITION OF HOUSE BILL 580: Motion by Senator Meyer that House Bill 580 be concurred in. Question was called, the

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motion was voted, and passed. Senator Farrell to carry the bill.

DISPOSITION OF HOUSE BILL 506: Motion by Senator Lybeck that House Bill 506 be concurred in. Voted, passed, Senator Haffey to carry the bill.

FURTHER CONSIDERATION OF SENATE BILL 396: Senator Hofman said he appreciated the signs on the interstate roads when he traveled on the roads all over the state. Senator Lybeck said he would have to take another view on it. He said he was surprised that there were not some opponents to this bill. He said the reason was, if you remember back to Lady Bird's highway improvement program there was a lot of information came out at that time. He said he could see if they grant this for the gas and food, then what about the hotel, motel industry? What about the grocery stores? Coupled with the fact that once you start and set the precedence, how do you stop? He said he could see in some of the larger cities who could or could not get on the signs. He said the final thing he would raise on the bill, is what about the subject of safety? He said as he remembered Lady Bird's beautification program, that was one of her strong points since when a motorist is reading signs he is not watching the road or the traffic.

Senator Abrams said in response that these signs are limited in size. Senator Tviet asked Dennis what the signs were for size, and Dennis Unsworth answered 36 x 60 for each sign inside the big sign.

There was some talk among the committee members as to the size, whether one would be distracted or not, etc.

DISPOSITION OF SENATE BILL 396: Motion by Senator Williams that Senate Bill 396 do pass. Voted, passed, Senator Lybeck voting no.

Motion by Senator Williams that the Statement of Intent be adopted. Voted, passed.

The meeting was adjourned.

Senator Tviet
Senator Tviet, Chairman



*exhibit 1-
SB 396*

BILL SUMMARY
(SB 396)

Prepared for the Senate Highways
and Transportation Committee

SB 396 is a bill to establish a motorist information sign program. The purpose of the program is to provide for the installation of motorist information signs giving specific information of interest to the traveling public concerning gas, food, lodging, camping, recreation, and tourist services that are conveniently accessible from the interstate and primary highways.

As introduced, SB 396 contains the following main provisions:

- defines "motorist information sign" to mean a specific information sign or a tourist-oriented directional sign;
- provides that specific information signs may be erected and maintained within the right-of-way of the interstate highway system;
- authorizes installation of tourist-oriented directional signs within the right-of-way of the primary highway system;
- establishes general requirements for installation, design, and use of specific information signs and tourist-oriented directional signs, including that such signs must conform to national standards adopted under federal law;
- specifies general eligibility requirements for businesses that may request business signing;
- provides that no business that owns or advertises on any outdoor advertising structure in violation of state law may be eligible for business signing;
- authorizes the department of highways to award a franchise to qualified persons to establish and operate a motorist information sign program on behalf of the state;
- establishes responsibilities for a franchisee, including that the franchisee must furnish, install, maintain, and replace motorist information signs and lease advertising space on the signs to eligible businesses;

- requires that the department authorize reasonable fees to cover all costs of the state motorist information sign program;
- prohibits the department of highways from taking any action that may result in loss to the state of any federal highway construction funds;
- provides that if state law conflicts with federal law that the conflicting portions of state law will be invalid; and
- grants the department of highways authority to adopt rules necessary to implement the act.

Dennis Unsworth
MT Dept. of Highway

March 12, 1987

Exhibit 3
SB 396

TESTIMONY ON SB 396

- We support SB 396.
- There's been a great deal of time and effort put into this bill by the department, by Sen. Esther Bengtson and the Legislative Council staff. There still may be details that need to be worked out and I'm sorry the bill is being heard so late. I hope your committee can act favorably so that the bill can be transmitted to the House.
- The Interstate logo sign program has been used in other states. This bill draws on their experience -- in particular, successful programs in Minnesota and Pennsylvania. It will allow the department to award a franchise and let private enterprise operate the program.

The cost to the department to administer the program will be almost insignificant. Our role is to see that the rules and regulations are met. The franchise provides promotion and marketing, engineering and fabrication services, financing and maintenance of the signs.

- The tourist-oriented sign program for primary highways would require special approval from the Federal Highway Administration. Oregon now has such a program on an experimental basis. Its main advantage is that it is relatively inexpensive and is useful to small businesses.
- These are not advertising signs in that they don't provide a marketing or promotional message. They're directional signs with the name of the business only. But they provide a service to motorists and to business that will be helpful as we work to increase tourism in Montana.

DJU:kw:4y



The Montana Environmental Information Center

- P.O. Box 1184, Helena, Montana 59624 (406)443-2520
- Bozeman Chapter P.O. Box 3865, Bozeman, MT 59715
- West Central Chapter P.O. Box 9174, Missoula, MT 59807

*Exhibit 1
NB 506
3/12/87*

HB 506

Enclosed:

Letters from the Department of Health and Human Services
Environmental Protection Agency
Department of Health and Environmental Sciences
Water Quality Bureau

Memorandum

RECEIVED

1983

SUPERFUND SECTION

Date March 1, 1983

from Chief, Superfund Implementation Group

Subject Anaconda Smelter Waste Site
Anaconda, Montana

To Edward J. Skowronski
Public Health Advisor
EPA Region VII/VIII

At your request, the data you submitted on the above site has been reviewed by a committee of the Center for Environmental Health, Centers for Disease Control. I hope that the comments will be useful to you.

CONCLUSION

Although the plant is no longer operational, there are some serious health concerns, primarily the lack of security and apparent open public access to the site. The committee felt strongly that attempts should be made to limit or eliminate this access. Further, it was suggested that the waste slag not be used for other commercial purposes (such as spreading on icy roads) and that the land may also be unsuitable for agriculture, livestock or even timber cutting. The committee also felt that hydrogeologic data should be examined to determine whether heavy metal contaminants are entering local or downstream drinking water supplies and perhaps some data gathered to determine if there is a possibility of food chain contamination from this site.

LABORATORY ISSUES

Before proceeding to a detailed discussion of the specific health issues presented by this site, the committee felt that some comments should be directed to the laboratory aspects of the data:

As cited in the information submitted by Northern Testing Laboratory, EPA-recommended procedures were used in sampling and analysis. It is not clear from the Northern data which analytical method was used--presumably atomic absorption, either flame or flameless was employed based on detection limits listed. Unfortunately, Appendix A-3 was missing from our copies of the "Working Paper" to verify this assumption. Sampling protocols seem adequate; however, we share the concern that: a) "natural" or background levels of metals in off-site water were not included for comparison, and b) that some doubt exists as to the validity of pilot well samples due to either vertical migration of water within an unsealed pilot well or contamination from steel wall casings. Were organic analyses done on this survey? This might be of interest, especially in the PVC-encased wells.



FEB 17 1984

Ref: 8MO

Mr. George Ochenski
Chairman, Anaconda Citizens Advisory
Council
Southern Cross
Anaconda, Montana 59711

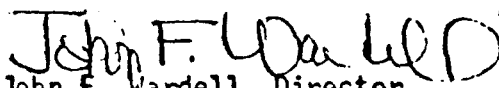
Dear Mr. Ochenski:

Enclosed is a report prepared by a committee of the Center for Disease Control (CDC) which addresses health issues relating to the use of slag from the Anaconda Smelter. The report suggests that slag from the site not be used for commercial purposes such as sanding of icy roads. Available information indicates that the slag contains arsenic, lead, chromium and cadmium that could be leached into water or entrained in the air under certain conditions. There are currently no state or federal laws or regulations prohibiting the use of slag for road sanding. Nevertheless, common sense suggests use of an alternate material if possible.

Because of this information, I have discussed the possibility of not using this material as road sand with Tim Gallagher of the Governor's Office. You may wish to pursue this matter further with Mr. Gallagher.

If you have questions or if we can provide additional assistance, please contact me or Doug Skie (449-5414).

Sincerely yours,


John F. Wardell, Director
Montana Office

Enclosure

DEPARTMENT OF HEALTH AND ENVIRONMENTAL SCIENCES



TED SCHWINDEN GOVERNOR

COGSWELL BUILDING

STATE OF MONTANA

HELENA, MONTANA 59620

April 4, 1983

George M. Ochenski
Southern Cross
Anaconda, MT 59711

Dear Mr. Ochenski:

In answer to your letter of March 8, 1983, much testing of soil samples has been done recently in the Anaconda area in conjunction with the EPA Superfund project to clean up the Anaconda Company smelter site. The Air Quality Bureau did testing on soil samples taken near the smelter in November of 1982. EPA also collected samples and had test data submitted to the Center for Disease Control (CDC) in Atlanta for their review and comment. That comment was received in this office in March of this year. Also testing for adverse health effects was done by EPA and CDC in 1975 and by the Air Quality Bureau in 1979-81. I have enclosed a copy of the 1981 final report of the Montana Air Pollution Study for your information.

Laboratory analysis of the slag and most soil samples near the smelter shows elevated levels of heavy metals such as arsenic, cadmium, lead, zinc and copper. Over the years there has been considerable data collected to show that arsenic, lead and cadmium in particular are highly toxic and can be linked to specific adverse health effects. Young children are especially affected by arsenic and lead.

In addition to its metal content, the smelter slag has a relatively high percentage of silicate material (similar to glass). Usually this type of substance will have a sharp, jagged particulate configuration. This configuration is very irritating and tends to rupture tissues when breathed into the lungs. The slag would naturally have a small percentage of respirable sized particles (the size that can be breathed deep into the lungs). A larger portion of respirable particles would be generated by the crushing action of road traffic.

Because of health dangers, CDC has specifically suggested that the slag not be used for commercial purposes such as winter road sanding. This Bureau is taking the same position and will be contacting the Montana State Highway Department and Anaconda city officials with our recommendations. Unless air quality standards are being violated, we have no regulations to mandate a change in policy for local use of the slag; however, we hope the data on health concerns will be convincing.

I hope this information is helpful. We appreciate your concern and effort in this matter. If you have further questions or need more information, please contact us.

Sincerely,

A handwritten signature in cursive script, reading "Cynthia L. Wevers", is written over the typed name.

Cynthia L. Wevers

DEPARTMENT OF HEALTH AND ENVIRONMENTAL SCIENCES



TED SCHWINDEN GOVERNOR

COGSWELL BUILDING

STATE OF MONTANA

HELENA, MONTANA 59620

April 5, 1983

Mr. Dan Worsdell
City-County Manager
800 South Main
County Courthouse
Anaconda, Montana 59711

Re: Road Sanding

Dear Mr. Worsdell:

The recently completed Georgetown Lake "Clean Lakes" project included an assessment of the effects of using smelting slag from the Anaconda Company reduction works for sanding roads in Deer Lodge County. Data generated from that effort and from samples previously analyzed indicates serious potential environmental impacts from the use of this material including road sanding.

Our information indicates that the slag contains high concentrations of cadmium, zinc, mercury, lead and other substances which pose a threat to fish and aquatic life. I have also enclosed a copy of a memo from the Public Health Service which verifies this concern.

In view of this data, we recommend that the slag not be used to sand roads within one-quarter mile of Georgetown Lake or 100 yards of bridges in the county. Since this may defeat the purpose of the sanding program, consideration might be given to use of an alternate source of sanding material.

We are hopeful that this potential environmental threat can be mitigated. Thank you for your cooperation.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Steven L. Pilcher".

Steven L. Pilcher, Chief
Water Quality Bureau
Environmental Sciences Division

SLP:mg

Enclosure

COMMITTEE ON Highways and Transportation

#B 580

[illegible]

(Please leave prepared statement with Secretary)



**United States
Postal Service**

March 12, 1987

Larry Tveit, Chairman
Highway & Transportation Commission
Capitol Building, Room 410
Helena, MT 59620

Dear Senator Tveit:

As the Manager of Customer Services for the Helena Post Office, I encourage your Committee to favorably consider House Bill 580.

Postal carriers throughout Montana face hazardous conditions daily in their attempt to deliver our mail. One of the more dangerous situations occurs when carriers are stopped by the side of a busy highway delivering mail to one or more boxes. There is seldom adequate room for the carrier to pull off the roadway while making his deliveries. This leaves him vulnerable to being struck by passing vehicles. Several accidents have occurred in just this situation.

Flashing amber lights signal caution to approaching autos. This may well be enough to prevent a serious accident. I am concerned not only for the safety of the postal employees but also for that of the general public on Montana's thoroughfares.

Thank you

JIM SQUYRES
Manager, Customer Services
U. S. Postal Service
Helena, MT 59601-9996

JRS:lm

HB 580
encl

Dear Committee Members

I'm John Walsh a rural carrier from Belgrade. I'm currently serving as District 3 rural carrier President, Chairman of the Missouri Headwaters Rural E.I. team, and a State Committee member.

Everyone I represent and myself support HB 580.

Driving my rural route which is 95 miles in length, I have had many close calls with other drivers. Two years ago I purchased an Amber revolving light.

After installing this on my car I noticed a reduction of so called close calls.

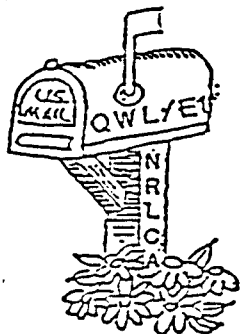
On point of fact many people commented that they were more aware of the presence of my car since the installation of the light.

Also having to drive in adverse weather conditions makes our being a high visibility factor of great importance, not only for our safety but also the safety of the public.

Therefore on behalf of everyone I represent and myself I urge you to recommend immediate passage of HB. 580

Thank you
John Walsh

QUALITY OF WORK LIFE/EMPLOYEE INVOLVEMENT



HB 580
encl 2

USPS/NRLCA

Feb. 10, 1987

Mr. Chairman:

The Missouri Headwaters Quality of Work Life/Employee Involvement Work Team is a group of managers and rural mail carriers from local postoffices who meet biweekly to work on problems encountered in delivering mail.

We are addressing HB 580 concerning the issue of flashing lights on postal vehicles. With the onset of bad weather, the Missouri Headwaters QWL/EI Work Team has been discussing the subject of safety. This geographical location, mountainous terrain, and adverse weather conditions (such as snow, sleet, fog, and rain) warrants extra visibility protection for rural carriers and their vehicles. Top mounted flashing lights offer the extra protection regular emergency lights cannot provide. Top mounted lights do not become obscured with wet snow, mud, low fog, or by terrain conditions.

It is the consensus of this work team that top mounted flashing lights are a must for all rural carriers.

John Walsh, Chairman

CS

John H Walsh (Rural)

Committee Members:

David Stewart - Director

Linda N. Day - Rural Carrier

Raymond J. Hall - Postmaster

Tom Gelberg - Sup. Mails

Ken Lewis - Postmaster

Carolyn Exner - Rural Carrier

Susan Deussen - Rural Carrier

Save Money By Making Business-Pleasure!

Some Rural Letter Carriers insure their route vehicle with the wrong kind of insurance company. Those companies "make it their business" to charge TOP RATES as soon as they find out you use your car for business. WE make it our business to see to it that you are insured with the MUCH LOWER "special" rate for your route vehicle. This means you save big bucks just by swapping the "business" rate for a "special" rate — and saving money sure helps make business.

Contact us to

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305 HALL STREET

CHARLOTTE, MICH. 48813

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• Com
• 24 H

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for PP, Insur
Days. If orde
U.S. Penalty



Cartop Safety Sign

Double Warning of flashing lights and sign. With over 25,000 sold this nationally recognized unit is YOUR BEST SAFETY VALUE.

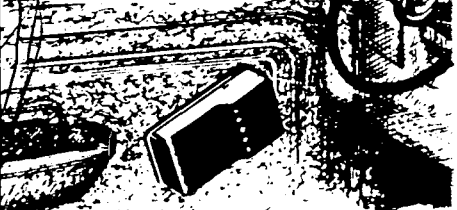
• Recommended by NHTCA • Easy installation • Easy transfer • Meets
exceeds state requirements • 3-way flasher switch • Rust Proof con
struction • Sign folds down (off duty) • Durable • Government approved

Your driving pattern gives you increased exposure to rear-end
collisions - protect yourself

Item #16 with lights \$69.95
Item #16A without lights \$54.95

BUY IN QUANTITIES AND SAVE!
For quantity discounts call 1-800-233-5803

Power Delivery Window



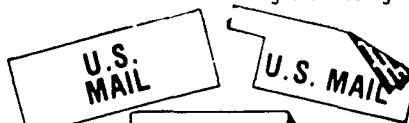
Save time and energy with the convenience of the Heavy Duty
Power Delivery Window. Converting your crank window to
quiet, fast power reduces effort, speeds delivery and save
on air conditioning and heat loss.

• Fits all models • Simple design easily installed
• Reliable • durable • Transferrable
Item #79 \$85.95

DOOR PROTECTOR AND REAR WARNING SIGNS

Protect you and your car with our best vinyl warning signs. LOWEST PRICES YOU WILL FIND.

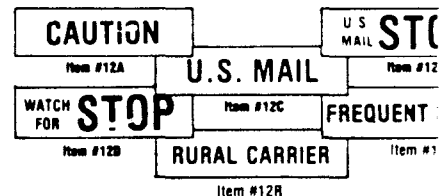
Two types of construction: • Magnetic strips - thick, flexible, vinyl sign face with magnetic strips bonded to back
• Magnetic sheeting - one piece magnetic sheeting construction.



DOOR PROTECTORS

• You custom trim to fit around door handle.
• Buy a second door protector to extend your coverage.

STANDARD 9" x 22"
Magnetic strips, item #12FS \$11.95
Magnetic sheeting, item #12FA \$9.95
SUPER 9" x 28"
Magnetic Strips, item #12HS \$15.95
Magnetic Sheet, item #12HA \$14.95



REAR WARNING SIGNS

• 4"x22" • 2 Styles • Six word styles • White with
black lettering • Yellow with black lettering
Magnetic Strips
Magnetic Sheet
Item #12B
Item #12C
Item #12D
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RURAL MAIL CARRIER CAPS

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MR. PRESIDENT,

WE, YOUR COMMITTEE ON HIGHWAYS AND TRANSPORTATION HAVING HAD
UNDER CONSIDERATION SENATE BILL 396, ATTACH THE FOLLOWING STATEMENT
OF INTENT:

STATEMENT OF INTENT

S.B. No. 396

A statement of intent is required for this bill because section 15 grants the department of highways authority to adopt rules to implement the provisions of this act.

It is the intent of the legislature that the department have discretion to adopt rules that will result in a motorist information sign program that will aid the traveling public in locating gas, food, lodging, camping, recreation, and tourist services that are conveniently accessible from the interstate and primary highways within the state. Such rules should supplement and interpret the provisions of this act.

In adopting rules, the department should develop a policy for installation of motorist information signs. This policy, as a minimum, should include criteria for:

- (1) distances to eligible services;
- (2) selection of eligible businesses for motorist information signing;
- (3) location of motorist information signs at interchanges or intersections, in accordance with federal standards;
- (4) standards for the size, design, installation, and maintenance of motorist information signs; and
- (5) the costs to businesses for installation, annual maintenance, and repair of business signs.

It is intended that the department may require additional terms and conditions relating to issuance of a franchise for operation of the motorist information sign program. Such additional requirements may relate to termination of a franchise agreement and to the posting of a contractor's bond for sign construction and maintenance.

Finally, the department should consider the success of motorist information sign programs established in the states of Idaho and Washington, as well as the logo sign franchise program established in the state of Minnesota.

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7063f/C:JEANNE\WP:jj

STANDING COMMITTEE REPORT

March 12

19 87

MR. PRESIDENT

We now come to the HIGHWAYS AND TRANSPORTATION

Having had under consideration

SENATE BILL

N. 306

SENATE BILL
Reading Copy (WHICH)
Laid

PROVIDES FOR A MOTORIST INFORMATION SIGN PROGRAM

Respectfully request as follows: That

SENATE BILL

N. 306

STATEMENT OF INTEREST ADOPTED AND ATTACHED

DO PASS

DO NOT PASS

SENATOR TERRY

Chairman

STANDING COMMITTEE REPORT

March 12

10 57

MR. PRESIDENT

Topic: your committee on HIGHWAYS AND TRANSPORTATION

Following is the report of the committee:

House Bill

Page 200

Chair

Respectfully report as follows:

Chair

FINANCING ASBESTOS LIGHT ON MAIL DELIVERY VEHICLE

HOUSE BILL (Page 211)

Respectfully report as follows: That

House Bill

Page 200

101 CONVENTION 11

101-101

101-101

SENATOR TERRY

Chairman

STANDING COMMITTEE REPORT

.....March 12..... 19.87.....

MR. PRESIDENT

We, your committee on.....HIGHWAYS & TRANSPORTATION.....

having had under consideration.....HOUSE BILL..... No. 506

.....tnird..... reading copy (.....olue.....)
color

PROHIBITING SLAG USE IN ROAD MAINTENANCE
RR2. STELLA JEAN HANSEN (Haffey)

Respectfully report as follows: That.....HOUSE BILL..... No. 506

BE CONCURRED IN

~~XXXXXX~~
DO PASS

~~XXXXXXXXXX~~
DO NOT PASS

.....
SENATOR TVEIT

.....
Chairman.