

HOUSE JOINT RESOLUTION 20

Introduced by Knox, et al.

2/15 Introduced
2/15 Referred to Natural Resources
2/15 First Reading
2/17 Hearing
2/19 Committee Report--Bill Passed as Amended
2/22 2nd Reading Passed
2/24 3rd Reading Passed

Transmitted to Senate
3/01 First Reading
3/01 Referred to Natural Resources
3/15 Hearing
3/19 Committee Report--Bill Concurred
3/20 2nd Reading Concurred
3/22 3rd Reading Concurred

Returned to House
3/24 Signed by Speaker
3/25 Signed by President
4/02 Filed with Secretary of State

1 House JOINT RESOLUTION NO. 20
 2 INTRODUCED BY Knox Roney, Robert Swanson, and
 3 BY REQUEST OF THE HOUSE NATURAL RESOURCES COMMITTEE CRR
 4 Storall, Schindler, Wagner, Bird, Turley

5 A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF
 6 REPRESENTATIVES OF THE STATE OF MONTANA STRONGLY URGING THE
 7 UNITED STATES ENVIRONMENTAL PROTECTION AGENCY AND THE UNITED
 8 STATES CONGRESS TO GIVE HIGHEST PRIORITY TO CLEANUP OF THE
 9 BERKELEY PIT AND TO PROTECTION OF ALLUVIAL AQUIFERS
 10 UNDERLYING THE SILVER BOW CREEK SUPERFUND SITE.
 11

12 WHEREAS, the Berkeley Pit, located at the headwaters of
 13 the Columbia River, is included in the nation's largest
 14 Superfund complex, which includes the Silver Bow Creek
 15 Site/Butte Addition Site, and is the site of the world's
 16 largest mine flooding; and

17 WHEREAS, mining activity for the past 112 years has
 18 resulted in soil and water contamination and changes in the
 19 way ground water and surface water flow in and near Butte;
 20 and

21 WHEREAS, mining companies installed an elaborate pumping
 22 and bulkhead system during the active mining period to
 23 dewater the underground mines and the Berkeley Pit; and

24 WHEREAS, when active mining ended, the pumps were turned
 25 off on April 22, 1982, and the underground mines, and

1 subsequently the Berkeley Pit, began to flood, with water
 2 rising 2,918 feet in the mines and to a depth of 774 feet in
 3 the pit; and

4 WHEREAS, the Berkeley Pit currently contains
 5 approximately 20 billion gallons of water and fills at an
 6 average rate of 5 million to 7.5 million gallons a day; and

7 WHEREAS, mine flooding in the Butte area is of
 8 significant concern because the water is highly acidic and
 9 contains high concentrations of iron, manganese, arsenic,
 10 lead, cadmium, copper, zinc, and sulfates that far exceed
 11 state and federal standards, conditions that prevented water
 12 in the pit from freezing even when temperatures fell to
 13 minus 40 degrees Fahrenheit in 1989; and

14 WHEREAS, water in the West Camp of the Butte mining area
 15 did discharge into the Silver Bow Creek alluvium and into
 16 basements in the central Butte area when the West Camp was
 17 sealed off with bulkheads in 1959; and

18 WHEREAS, water in the Berkeley Pit rose 30.5 feet in
 19 1989, 33.2 feet in 1990, 32.8 feet in 1991, and 23.8 feet in
 20 1992 and the water in the pit is within 199 feet of
 21 contacting the alluvium on the east wall of the pit; and

22 WHEREAS, many citizens of Butte believe that the United
 23 States Environmental Protection Agency has ignored
 24 preliminary documentation indicating that the surrounding
 25 aquifers may be contaminated in the near future, but the

1 agency instead has negotiated an administrative order on
2 consent that sets water level targets well above previously
3 established levels; and

4 WHEREAS, despite these alarming developments, residents
5 of Butte and the Silver Bow Creek drainage have been
6 frustrated by the lack of progress by the United States
7 Environmental Protection Agency in developing a plan that
8 will adequately treat the contaminated water and protect the
9 environment and citizens of the area from the potential
10 threat to the alluvial aquifer surrounding Butte; and

11 WHEREAS, the Montana Department of Health and
12 Environmental Sciences is also involved in the cleanup of
13 the Berkeley Pit and has in the past reported to the
14 Environmental Quality Council on the progress of that
15 cleanup.

16
17 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE
18 OF REPRESENTATIVES OF THE STATE OF MONTANA:

19 (1) That the United States Environmental Protection
20 Agency and the United States Congress be strongly urged to
21 give the Silver Bow Creek, Butte Area Superfund Site the
22 highest priority for cleanup and action to prevent
23 disastrous environmental damage and human health problems.

24 (2) That the United States Environmental Protection
25 Agency and potentially responsible parties proceed with

1 haste to develop and implement plans and design criteria for
2 a facility to treat contaminated water before it reaches the
3 alluvial aquifers surrounding the Berkeley Pit.

4 (3) That the Montana Department of Health and
5 Environmental Sciences make periodic reports to the
6 Environmental Quality Council on the progress of the cleanup
7 of the Berkeley Pit and the protection of alluvial aquifers
8 underlying the Silver Bow Creek Superfund Site.

9 (4) That copies of this resolution be sent by the
10 Secretary of State to the President of the United States,
11 the Administrator of the United States Environmental
12 Protection Agency, the Director of the Montana Environmental
13 Protection Agency Office, the Governor of the State of
14 Montana, and the Montana Congressional Delegation.

-End-

APPROVED BY COMM. ON
NATURAL RESOURCES

HOUSE JOINT RESOLUTION NO. 20
INTRODUCED BY KNOX, RANEY, GILBERT,
SWANSON, PELAND, STOVALL, SCHWINDEN,
WAGNER, BIRD, TUNBY, ORR

BY REQUEST OF THE HOUSE NATURAL RESOURCES COMMITTEE

A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF
REPRESENTATIVES OF THE STATE OF MONTANA STRONGLY URGING THE
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY AND THE UNITED
STATES CONGRESS TO GIVE HIGHEST PRIORITY TO CLEANUP OF THE
BERKELEY PIT AND TO PROTECTION OF ALLUVIAL AQUIFERS
UNDERLYING THE SILVER BOW CREEK SUPERFUND SITE.

WHEREAS, the Berkeley Pit, located at the headwaters of
the Columbia River, is included in the nation's largest
Superfund complex, which includes the Silver Bow Creek
Site/Butte Addition Site, and is the site of the world's
largest mine flooding; and

WHEREAS, mining activity for the past 112 years has
resulted in soil and water contamination and changes in the
way ground water and surface water flow in and near Butte;
and

WHEREAS, mining companies installed an elaborate pumping
and bulkhead system during the active mining period to
dewater the underground mines and the Berkeley Pit; and

WHEREAS, when active mining ended, the pumps were turned
off on April 22, 1982, and the underground mines, and
subsequently the Berkeley Pit, began to flood, with water
rising 2,918 feet in the mines and to a depth of 774 feet in
the pit; and

WHEREAS, ACCORDING TO THE MONTANA DEPARTMENT OF HEALTH
AND ENVIRONMENTAL SCIENCES, the Berkeley Pit currently
contains approximately 20 billion gallons of water and fills
at an average rate of 5 million to 7.5 million gallons a
day; and

WHEREAS, mine flooding in the Butte area is of
significant concern because the water is highly acidic and
contains high concentrations of iron, manganese, arsenic,
lead, cadmium, copper, zinc, and sulfates that far exceed
state and federal standards, conditions that prevented water
in the pit from freezing even when temperatures fell to
minus 40 degrees Fahrenheit in 1989; and

WHEREAS, water in the West Camp of the Butte mining area
did discharge into the Silver Bow Creek alluvium and into
basements in the central Butte area when the West Camp was
sealed off with bulkheads in 1959; and

WHEREAS, ACCORDING TO THE MONTANA DEPARTMENT OF HEALTH
AND ENVIRONMENTAL SCIENCES, water in the Berkeley Pit rose
30.5 feet in 1989, 33.2 feet in 1990, 32.8 feet in 1991, and
23.8 25.2 feet in 1992 and the water in the pit is within

1 199 feet of contacting the alluvium on the east wall of the
2 pit; and

3 WHEREAS, many citizens of Butte believe that the United
4 States Environmental Protection Agency has ignored
5 preliminary documentation indicating that the surrounding
6 aquifers may be contaminated in the near future, but the
7 agency instead has negotiated an administrative order on
8 consent that sets water level targets well above previously
9 established levels; and

10 WHEREAS, despite these alarming developments, residents
11 of Butte and the Silver Bow Creek drainage have been
12 frustrated by the lack of progress by the United States
13 Environmental Protection Agency in developing a plan that
14 will adequately treat the contaminated water and protect the
15 environment and citizens of the area from the potential
16 threat to the alluvial aquifer surrounding Butte; and

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10 (3) That the Montana Department of Health and
11 Environmental Sciences make periodic reports to the
12 Environmental Quality Council on the progress of the cleanup
13 of the Berkeley Pit and the protection of alluvial aquifers
14 underlying the Silver Bow Creek Superfund Site.

15 (4) That copies of this resolution be sent by the
16 Secretary of State to the President of the United States,
17 the Administrator of the United States Environmental
18 Protection Agency, the Director of the Montana Environmental
19 Protection Agency Office, the Governor of the State of
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19 WHEREAS, mining activity for the past 112 years has
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5 the pit; and

6 WHEREAS, ACCORDING TO THE MONTANA DEPARTMENT OF HEALTH
7 AND ENVIRONMENTAL SCIENCES, the Berkeley Pit currently
8 contains approximately 20 billion gallons of water and fills
9 at an average rate of 5 million to 7.5 million gallons a
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12 significant concern because the water is highly acidic and
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15 (4) That copies of this resolution be sent by the
16 Secretary of State to the President of the United States,
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