Message

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Sent: 1/5/2015 1:18:57 PM
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Subject: Five Year Review--Butte, Montana Superfund sites--Montana EPA Office mistakenly calls for cursory review.
Attachments: Five Year Review Issues.docx

Butte area Superfund sites are currently undergoing a Five Year Review.

Five Year Reviews should be taken seriously by the EPA as they provide the primary means of evaluating the efficacy of a Superfund cleanup.

Unfortunately, at a recent CTEC meeting (Citizens Technical Environmental Committee—EPA TAG Group) in Butte, two EPA project managers stated that the current Five Year Review would be cursory in nature and less extensive and comprehensive than the last Five-Year Review.

Butte does not deserve a superficial look by the Montana EPA Office at the efficacy of the cleanup. A superficial review would be a mistaken approach, contrary to EPA policy and would be, if implemented a disservice to the public. Significant problems in areas such as efficacy of the cleanup, environmental justice, public involvement, etc. need to be considered in a comprehensive manner.

In terms of Butte, Montana's Superfund cleanup the following are issues that are very problematic and should be addressed in a comprehensive Five Year Review:

Butte Priority Soils Operable Unit

Failure to adequately characterize or evaluate the potential human health risks and potential health harms from exposure to the toxics of concern.

Failure to properly assess the efficacy of the cleanup in terms of decreasing the harmful health effects of exposure to the toxics of concern. Current health studies are poorly designed and conducted.

Failure to meet the EPA mandate for efficacious public involvement in the Superfund process. At best, the EPA provides sporadic informational updates. The public is not involved in a meaningful way in decisions pertaining to the Superfund cleanup.

Failure to maintain the capped waste left in place and failure to address the numerous problems associated with the capped waste left in place.

Failure to properly implement institutional controls.

Failure to carry out EPA mandated protocols for implementing a Superfund cleanup.

Failure to meet the EPA mandate for promoting environmental justice.

Failure to enforce stormwater runoff controls as mandated under the Record of Decision.

Failure to meet water quality standards associated with stormwater runoff.

Failure to assess the effect of uncontrolled stormwater runoff on other Superfund sites in Butte such as the Montana Pole Plant.

Berkeley Pit

Failure to respond in a meaningful way to public input.

Failure to thoroughly test cleanup technologies for the Pit.

Failure to consider and address the problem of scaling due to the release of lime treated water into Silver Bow Creek. Vast amounts of lime are being used and will be used to treat the Pit's water for eventual discharge into Silver Bow Creek. This discharged water will be high in lime which can cause carbonate scaling in Silver Bow Creek. As an analogy, think of the white scum that forms on the bottom of a teapot. Do we want a large section of Silver Bow creek coated with a white scum deposit? Scaling can wreck the cleanup of Silver Bow Creek. EPA says if this is a problem we will deal with it in the future. EPA has called the expression of concerns about scaling alarmist. But after scaling occurs it will be too late.

Failure to provide for a margin of error.

Failure to look at fresh cleanup technologies.

Failure to crucially re-evaluate past decisions.

Failure to consider that their estimates/models of what will happen in the pit may be wrong.

Failure to address the issue of Pit wall instability as a danger to the remedy. There have been significant landslides in the Pit that have caused the water level to rise. We live on top of an active earthquake area. With such a small margin of error for the Pit's water, should Butte residents feel secure? Should people living below the Pit feel safe? What if a landslide compromises much of the buffer?

Failure to provide a safety margin of error. The remedy calls for only a meager sixty foot (1%) margin of error. This is not much when you look at the depth of the water in the Pit. This is not much if you consider the devastation that will occur if the EPA gets it wrong. Why don't we start pumping now? Is it because EPA wants to save British Petroleum money? Far too many of the remedies in the Butte area are driven by cost, not protecting the public's health and the environment.

Failure to provide a real world justification of the cleanup. The EPA, in saying that the Pit Plan is a good plan, relies on models and estimates. Do we want Butte's future to depend on models and estimates that can be wrong? The EPA's models have been wrong in the past. For example, the model that EPA used in assessing the environmental impact of the Parrott Tailings on Butte water has been totally discredited

Parrott Tailings

Failure to reevaluate the model on which the decision to leave the tailings in place was based. This model has been shown to be totally discredited.

All of the above are serious problems concerning the efficacy of the Superfund cleanup in Butte. Given the seriousness of these problems doing a cursory and superficial review as the Montana Office of EPA proposes to do is unwarranted and contrary to the public interest.

I have ***attached*** a Fifty Seven Page Document to this email that clearly develops and proves that my concerns are real and should be addressed by the Montana EPA Office.

I find no policy authorization for such a cursory approach. Such a cursory approach is a disservice to the public.

The Montana Office of EPA should abandon its proposed cursory approach to the current Five Year Review and conduct a full and thorough review of the efficacy of the Superfund cleanup in Butte.

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