Congress of the United States
Washington, DC 20515

May 8, 2019

The Honorable Andrew Wheeler
Administrator
Environmental Protection Agency

The Honorable Steve Bullock
Governor
State of Montana

Ms. Patricia Gallery
Vice President
Atlantic Richfield Company

David Palmer
Chief Executive Officer
Butte Silver Bow County

Dear all:

As the parties responsible for remedy and restoration of Butte Priority Soils Operable Unit and other Butte area Superfund sites, we urge you to uphold your commitment to the community and provide a concrete path forward for not just a remedy of the site, but also restoration of Silver Bow Creek. The Butte area has been plagued by decades of uncertainty as federal agencies and local and state governments have struggled to negotiate a path forward for resolution to Superfund remedy and restoration. While we appreciate the unprecedented progress that has been made in recent months and years, we are disappointed to learn the proposed remedy plan for the Butte Priority Soils Operable Unit falls short in providing a concrete path forward on full restoration of Silver Bow Creek.

Restoration of Silver Bow Creek is not only important for the over 3500 petitioners who have requested its restoration, but also for the entire Butte community. Further, Silver Bow Creek, as the "First Mile West" is an integral tributary to the Columbia River. Restoration of this Creek will not only complete meaningful cleanup of the area but will serve important benefits downstream to the entire Columbia River Basin—supporting the many local and tribal communities and wildlife who rely on the Basin for their livelihoods.

More specifically, we respectfully request answers to the following questions:

- In an April 11, 2019 reply to the Restore Our Creek Coalition, the parties' referenced technical difficulties impacting the feasibility of a water channel from Texas Avenue to its confluence at Blacktail Creek. Why are the responsible parties referencing a 'water channel' and not full restoration of the creek? Further, can you please list in full the obstacles to the restoration of this creek?

- In your April 11th letter you reference a restoration would interfere with performance of the remedy. Is there an alternative that would provide full restoration of the Creek that would complement the remedy and if so, can you please provide recommendations to the community on how to obtain that goal?

While we appreciate the significant and historical progress that is developing to finally help bring some closure to Butte's storied Superfund history, full restoration of the Silver Bow Creek

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is an integral piece to the community. The responsible parties should provide a clear path forward to the local community for Creek restoration as you finalize the proposed remedy and Consent Decree.

Thank you for your consideration of these requests and we offer any assistance necessary in Congress to achieve these results for the Butte community.

Sincerely,

STEVE DAINES
United States Senator

GREG GIANFORTE
Member of Congress

CC: Mr. William Rossbach, Chair National Resources Damage Council and Ms. Maureen Connor, Vice Chair National Resources Damage Council