

Background: The Joslyn Street Tailings (JST) Facility is an approximately 131-acre area located at the intersection of Joslyn and Brady streets in Helena. Montana Lead, Inc., operated a metal ore mill at this location from approximately 1935-1938. Ore from the Rimini area was processed on-site at the Green Meadow Mill, which left mill tailings as a waste product. The mill operated prior to permitting requirements on land leased from Northern Pacific Railway (predecessor to BNSF Railway (BNSF)). This resulted in contamination of soil and groundwater with arsenic and lead. BNSF has been performing the necessary work as the lead liable party.

Noticed Liable Persons: The following entities were noticed as potentially liable for investigation and cleanup of JST: BNSF, Lewis and Clark County, Montana Rail Link, Judy and Lee Reynolds, and Crystal and Walter Crane. Kelly Kugler subsequently acquired property from the Judith Ann Reynolds Trust, and still retains ownership of portions of JST. MC Properties, LLC is the current owner of the mobile home park. Neither Kugler or MC Properties were noticed.

Cleanup: In 1996, BNSF conducted a voluntary cleanup of visible tailings, which included placing 12,732 cubic yards of tailings in a lined and capped on-site repository. BNSF also has completed remedial investigations, a risk assessment, a feasibility study and additional interim cleanup actions in residential yards and along the Centennial Trail corridor to reduce the risk of human and ecological exposure to contamination. DEQ issued its final cleanup decision in November 12, 2019 and a unilateral order in May 6, 2020. The remedial action work plan was approved September 24, 2020. The estimated cleanup costs are \$2,620,000.

Current Status: BNSF initiated cleanup in October 2020 and began excavation on property owned by private individuals. Approximately 17,500 cubic yards of contaminated soil have been removed. Cleanup will resume in the spring of 2021 and is expected to be completed by June 2021. In March and December 2019, BNSF submitted two orphan share reimbursement requests totaling \$2,472,880.52 for the remedial investigation and feasibility study costs. DEQ anticipates BNSF will submit another reimbursement request after June 2020 after cleanup work is complete and its construction completion report is approved. DEQ is requesting authority from the legislature to reimburse the allowable costs.



Looking southeast at stockpiled soils excavated in the area of the former Geier property. Ryan Park ballfields can be seen in the background.