

**RESPONSIVENESS SUMMARY FOR
TASK M REMEDIAL ACTION PLAN FOR ASBESTOS-CONTAINING MATERIALS
(REVISION NO. 2)**

1.0 INTRODUCTION

The Montana Department of Environmental Quality (DEQ) solicited public comment on the April 2012 Task M Remedial Action Plan for Asbestos-Containing Materials (ACM) (Revision No. 2) (Plan) for the Burlington Northern Livingston Shop Complex Facility (Facility) during a public comment period that ran from July 27, 2012 through August 29, 2012. DEQ received written comments from one entity during the public comment period. DEQ also held a public meeting on August 9, 2012, in which DEQ discussed the proposed remedial action, as well as other issues related to the Facility, but did not accept oral public comment at the public meeting.

1.1 Community Involvement Background

It is the intent of DEQ that the citizens of Montana have the opportunity to be actively involved in the DEQ decision-making process with respect to state Superfund sites. The 2001 Record of Decision (ROD) (DEQ, 2001) also provided for public comment on asbestos found outside the Cinder Pile.

1.2 Notification of Public Comment Period

Printed notices were published in the Bozeman Daily Chronicle and the Livingston Enterprise, daily newspapers, and on DEQ's website. DEQ sent notice of the public comment period and the August 9, 2012 meeting to the approximately 400 people on its mailing list for the Facility, including members of local government. DEQ also provided notice to the Associated Press and other state and local news organizations for media distribution. In addition, DEQ provided a copy of the document to the Park County Environmental Council for its review.

1.3 Explanation of Responsiveness Summary

All comments received during the public comment period on the Plan have been reviewed and considered by DEQ in the decision-making process and are addressed in this Responsiveness Summary. To assist in developing responses, DEQ added its own numbering to comments where appropriate to add clarity. Each specific written comment is stated verbatim. In order to avoid duplication of some responses, similar comments are usually addressed only once for the first occurrence of the comment and thereafter referenced to the appropriate response.

Resource Technologies, Inc: As consultant to the Park County Environmental Council (PCEC), Resource Technologies, Inc. submitted the following comments on behalf of PCEC.

Comment 1: Section 3.1 - Alternatives Analysis - Because large volumes of asbestos containing material (ACM) or ACM-containing soil and/or debris are not anticipated, off-site disposal (Alternative 1) has been selected. However, the text implies that if large volumes of ACM or ACM-containing soil and/or debris were encountered the on-site disposal alternatives may be

practicable. On-site disposal alternatives are presented in Table 2 as Alternative 3 (opening the Cinder Pile) and Alternative 4 (new on-site repository). In the unlikely event that either of these on-site disposal alternatives is pursued, what would be the public notification requirements?

Response: DEQ has required BNSF to add a statement to the Plan indicating that if disposal off the Facility is pursued, DEQ will require additional public notification and will solicit additional public comment.

Comment 2: Section 3.3.1 - Transfer Pit (Page 3-6, first complete paragraph) - It is stated that “the asbestos abatement contractor will be responsible for determining whether the stockpiled material is adequately wetted/stabilized. If deemed necessary by the asbestos abatement contractor, air monitoring will be conducted if the ACM/soil mix is temporarily stored in stockpiles”. Will the Montana Department of Environmental Quality (DEQ), CDM-Smith, or Kennedy-Jenks Consultants have authority to require additional wetting or air monitoring if they disagree with the asbestos abatement contractor’s assessment of the stockpiled material?

Response: DEQ has required BNSF to add a statement to the Plan indicating that both the DEQ representative and the BNSF representative (e.g., Kennedy/Jenks) have the authority to require additional wetting or air monitoring if necessary.

Comment 3: Section 3.3.1 - Transfer Pit, 3.3.2 - Former API Separator Ponds, and 3.3.3 - Debris Piles - For each of these areas, it is stated that “... following the design study, a brief work scope statement and field design package.... will be prepared and submitted to DEQ for review and approval”. Will the public have an opportunity to review and comment on these?

Response: DEQ has required BNSF to add a statement to the Plan indicating that if the brief work scope statements differ significantly from the chosen remedy in the Plan, DEQ will require additional public notification and will solicit additional public comment.

Comment 4: Is decontamination of haul trucks leaving the facility and the High Plains Sanitary Landfill planned? This may not be necessary for ACM and ACM debris that is bagged or otherwise containerized but may be advisable if ACM containing soil is being transported to mitigate potential tracking of ACM onto public roadways.

Response: DEQ has required BNSF to add a statement to the Plan indicating that if the haul trucks leaving the facility and the High Plains Sanitary Landfill will be decontaminated unless the ACM and ACM debris is bagged or otherwise containerized.