



April 23, 2020

Sent Via Email

Joe Dauner
Environmental Manager
Calumet Montana Refining, LLC
1900 10th Street N.E.
Great Falls, MT 59404

RE: DEQ Response to CMR's April 2, 2020 Force Majeure Notification

Dear Mr. Dauner:

The Montana Department of Environmental Quality (DEQ) has reviewed Calumet Montana Refining, LLC's (CMR) letter dated April 2, 2020. CMR's letter is a notification of delays to corrective action activities because of the COVID-19 pandemic. The notification is in accordance with Corrective Action Order on Consent #MHWCAO-12-01 (Order), Section XXVI. Force Majeure.

On April 8, 2020, DEQ, CMR, and CMR's contractor, Ramboll, had a conference call to discuss corrective action activities at the refinery. We discussed the corrective action activities that will be delayed and activities that are not anticipated to be impacted. DEQ approves the delay to the following corrective action activities:

- Field investigation (including the collection of additional soil and groundwater data) to complete Area of Concern #16's interim measures design; and
- Site-Wide Groundwater Monitoring Program including monitoring well installation, abandonment, and sampling.

CMR must provide updates in the monthly corrective action reports regarding the status of the delayed corrective action activities. In addition, after state and federal COVID-19 guidance allow the resumption of work, CMR must provide DEQ a schedule for the completion of the delayed activities.

In accordance with the Order, CMR must provide written notification to DEQ if additional corrective action will be prevented or delayed.

Please contact me if you have any questions.

Sincerely,

A handwritten signature in black ink that reads "Denise A. Kirkpatrick". The signature is written in a cursive style with a large, looping initial "D".

Denise A. Kirkpatrick
Hazardous Waste Specialist
Waste and Underground Tank Management Bureau
(406) 444-3983
email: dkirkpatrick@mt.gov

cc: Addressee: Joseph Dauner (joseph.dauner@calumetspecialty.com)
Jesse Newland, USEPA Region 8, Newland.Jesse@epa.gov
HW facility file: Montana Refining Company, Corrective Action, File #35