



Libby Asbestos Superfund Oversight Committee Meeting

June 27, 2025

10:00 AM

Location of Meeting:

Virtual attendance with in-person in Libby, MT.

10:00 am Call to Order

The Libby Asbestos Superfund Oversight Committee conference call was called to order at 10:00 AM on June 27, 2025, with the Pledge of Allegiance.

This was the 32nd meeting in accordance with the Montana Code Annotated 75-10-1601. Public notice of this meeting was provided via newspaper ads, press release, social media, and the DEQ website.

10:01 am Roll Call

Chairman Teske conducted a roll call of attendees and confirmed that a quorum of oversight committee members was present. The following people were present or attended remotely.

Oversight Committee Members:		
Director of DEQ or designated representative	Sonja Nowakowski	Present electronically
Lincoln County Commissioner designated by the Commission	Chairman Brent Teske	Present in Libby
Member of the House of Representatives whose district includes at least a portion of Lincoln County appointed by the speaker of the House	Representative Tom Millett	Present in Libby
Citizen of Lincoln County nominated by the Lincoln County Commission and selected by the governor	George Jamison	Present in Libby
Member of the Senate whose district includes at least a portion of Lincoln County appointed by the Senate president	Senator Mike Cuffe	Present in Libby

Other Interested Attendees	Affiliation	
Amanda Harcourt	ARP	Present in Libby
Amy Steinmetz	DEQ	Present electronically
John Morgan	DEQ	Present electronically
Kevin Stone	DEQ	Present electronically
Melody Wunderlin	DEQ	Present electronically
Christina Progress	EPA	Present electronically
Kathi Hooper	Health Department	Present in Libby
Corrina Brown	Lincoln County	Present in Libby
Ray Stout	Reporter	Present electronically

10:02 am	Discussion
Review and approve minutes of March 23, 2025, meeting	<p>Chairman Teske: First order of business is to review and approve minutes from March 23rd, 2025 meeting. Pretty extensive set of minutes. Has everybody got a chance to look them over. We have one correction standing right now that we'll go over, anybody else got anything. Hearing none. On the front page under roll call, it confirms that we have a quorum of advisory team members. I was informed it hasn't been an advisory team for some time and the request is to change that to oversight committee members. Everybody good with that? George Jamison: Yes. Chairman Teske: So, we'll make that correction and then we'll make that change permanent. Anybody else have anything, if not I'll entertain a motion. George Jamison: So, moved to approve as indicated. Representative Millett: I'll second it. Chairman Teske: Any further discussion or corrections anyone. Hearing none, all in favor signify by aye. All: Aye. Chairman Teske: Opposed. All right. Thank you.</p>
10:03 am	Discussion
Site Budget and Funding Report- Melody Wunderlin	<p>Chairman Teske: Next order is site budget and funding report from Melody Wonderland. Everybody should have a copy of it dated July 1, 2019 through May 31st, 2025. Melody Wunderlin: Good morning. Um, just a couple things to highlight. We did get some MOA's signed with Lincoln County this past month. One is for the work that ARP does and then the other is the oversight that ARP does for LASOC. We also have signed our cooperative agreement with EPA. The money is supposed to come in next week, so we're hoping that all goes smoothly. Other than that, does anybody have any questions on the report itself. Chairman Teske: Questions. Numbers are all looking good. Do we usually approve this or is this just information. I'd entertain a motion then. George Jamison: I'd move we approve it as submitted. Representative Millett: I'll second. Chairman Teske: We've got a second. Any further discussion. Hearing none, all those in favor signify by aye. All: Aye. Chairman Teske: Opposed. Thank you.</p>
10:05 am	Discussion
Support of Property Owners Report- Melody Wunderlin	<p>Chairman Teske: Next item on the agenda is the support of property owners report from Melody. Do you have something Sir. Melody Wunderlin: Does anybody have any questions on the report? Chairman Teske: We're—hold on real quick. We're backing up here for a second on page four of the previous report. Yes, sir. Senator Cuffe: You should be aware of. It would be the third paragraph. Access to trust fund monies begins in 2029. At this time it would no longer be a Libby asbestos cleanup operations fund and transfer of orphan share money will sunset. Chairman Teske: Okay, so that's just to be aware of. Is that any action right now. Just so everybody knows. Senator Cuffe: Uh, yeah, we should know, as of 2029—four years the orphan share stops. Chairman Teske: Right. Okay. Thank you for the heads up, for the notice. Uh, back to you, ma'am. Melody Wunderlin: Does anyone have any questions on the property owners report? Chairman Teske: Well, I know that there was some discussion previously about the you dig locate request. I see they're on here now. Considerably high number. They've been busy. Any questions on the support of property owners report. Is this another one that we accept by vote or is it informational. George Jamison: I think we can probably just do like the last one. Chairman Teske: Okay. All right. So, I entertain a motion to accept the support of property owners report. Senator Cuffe: So, moved. Representative Millett: Second. Chairman Teske: All right. Any further discussion? Hearing none. All those in favor signify by Aye. All: Aye. Chairman Teske: Opposed. All right. Thank you.</p>
10:07 am	Discussion
O&M Update – Melody Wunderlin and Mandy Harcourt -Activities at OU1, 2, 4, 5, 7, & 8	<p>Chairman Teske: Moving right along. The O&M update, Melanie and Mandy. Melody Wunderlin: I'll pass this one off to Mandy and she can give her update. Chairman Teske: Okay, thank you. Amanda Harcourt: Today's ARP update will cover activities completed and ongoing since March, our last meeting. ARP has responded to 54 hotline calls and 418 utility locate tickets and conducted 21 site visits between March and June of this year. Libby and Troy scopes of work completed or ongoing: GID 5764; Em Kayan Village Park exterior removals; 186 Pioneer Road contaminated stockpile removal; 209 Montana Ave full house demolition; 305 West 6th Street quick response—septic bedded in mine tailings; Lincoln County Landfill, quick response—vermiculite-containing insulation and debris dumped near the wood waste pile; 817 Louisiana interior wall and ceiling demolition, GID 5730, which is PORT property that's ongoing—they're doing excavation, and we're there running oversight as the development continues out there. Libby and Troy properties with upcoming abatements or sampling; 721 Flower Creek Road. Ziply Fiber did trenching</p>

out there and pulled up mine tailings that were at depth, and 186 Pioneer Road some sampling for new use areas and development of property. **Senator Cuffe:** With permission. **Amanda Harcourt:** Ya. **Senator Cuffe:** Did you say 721 Flower Creek Road. **Amanda Harcourt:** Yes. **Senator Cuffe:** And what did you say, they were digging a ditch and they saw. **Amanda Harcourt:** Ziply was laying in fiber optic, and their depths are about a foot. When they were doing trenching, they hit material about 10 inches below ground surface and they brought it to the surface when they were trenching. We were notified by the property owner when he encountered it, so we're going back out because that property was a contamination screening study originally—which is limited—and there were areas of the property that didn't look like they got characterized correctly or at all. So we are going back out there and looking around the area where we found it and doing some further investigation to see if further abatement is needed. **Senator Cuffe:** Mr. Chairman is that back away from the creek. **Amanda Harcourt:** It's at a residential property, yeah. **Senator Cuffe:** I'm trying to remember where 700 is, but I thought that went a little bit... was it like fill in an area. **Amanda Harcourt:** Probably. I mean, this is something that we run into pretty commonly because we don't know the history of these properties and what's transpired there over the course of many years. So it could have been brought in for fill. It's right adjacent a driveway area and a yard. We also found some visible material in, you know, a lilac bed, a flower bed that he had and things like that. So, you know, this material was brought up. It was below, you know, at least nine to ten inches. We didn't know it was there. They didn't know it was there. They just encountered it. Who really knows when and how it got there. **Senator Cuffe:** In those days, probably somebody brought it home in their pickup. **Amanda Harcourt:** Yep. **Senator Cuffe:** Maybe by truckload even. **Amanda Harcourt:** Yep. **Senator Cuffe:** Okay. Thank you. **Chairman Teske:** Is it common practice to find these septic tanks bedded. **Amanda Harcourt:** It's common, yeah. **Chairman Teske:** Yeah, okay. **Amanda Harcourt:** Luckily our contractors that we have here, that was actually Tom that was doing that one. **Chairman Teske:** Okay, good. **Amanda Harcourt:** He knows exactly, calls us immediately and says, yep, come here. **Chairman Teske:** That's good. They got the awareness and foresight to do that. If that was common practice back then, instead of sand material, they were using the vermiculite. **Senator Cuffe:** Yeah. **Amanda Harcourt:** Yep. **Chairman Teske:** All right, anybody else have any questions. Yes sir. **Representative Millett:** I do have a question. You said that they found some asbestos at the landfill. **Amanda Harcourt:** Yeah. **Representative Millett:** Can you expand on that at all. **Amanda Harcourt:** Sure, I got a call from the landfill manager and he was out and just saw that someone had come in and pretty much dumped some wood waste near the wood waste pile, but it was mixed in with vermiculite insulation. So someone somewhere was doing some demolition and we had to go up there because it was a bit of a mess, and you know, that's a public area where people are going, so he roped it off. I called our removal contractor to get on it the following day. They went up there and did a cleanup, and then we have narrowed down where it came from. They had made about two trips in before we kind of zeroed in on who they were, and they're actually on this list. We're currently at their residence right now doing the wall and ceiling demolition. **Representative Millett:** So did they not know what they encountered. **Amanda Harcourt:** So. **Representative Millett:** Is that their story. **Amanda Harcourt:** Well, it is the gentleman—it was the property owner that was doing it. It wasn't a contractor. The property owner had just purchased the property, and it's kind of a weird story, but he was here when he was really young, like he grew up here till he was about in eighth grade. I think he knew or had an idea, but when we went and talked to him about it, he was like, "Oh, I was wearing a dust mask. I'm putting it in bags." It's just like not educated enough. He was thinking, like, "Oh, I can handle it and I can do it. I know that it's there, but I'm gonna handle it." When we said a dust mask doesn't protect you at all, you know, this whole place needs to be—you get it tracked everywhere out onto the front porch. By the time we got there, we were like, "Everyone get out of here and let us come in and take care of this and get it taken care of so it's safe." So it was kind of like a bit of an ignorance-type scenario where he was thinking, "Oh, I can handle it," and when we were like this is actually what's happening, he was like, "Oh, we're gonna leave." **Senator Cuffe:** Ignorance, a little bit of negligence maybe, but not really intent. **Amanda Harcourt:** Yeah. **Senator Cuffe:** And that's what we're about. **Representative Millett:** So that one other question—I know a lot of the Libby residents understand this problem because they've heard about this over years and years and years. But somebody new coming in, now I know that we do have some kind of outreach or education or something to tell people that are newly coming in that this place is asbestos contaminated. Be very careful, blah, blah, blah. Did you ask him about that. Did he understand what was going on here. **Amanda Harcourt:** Yes, he was aware of the Superfund site and everything, and like I said, he had originally been from here, but I think that he didn't take it as seriously as he should have or really understand it entirely,

	<p>the dangers of it, and he was really under the mindset that he could handle it and he was doing everything right. He was being protective because he was wearing a dust mask, not knowing that that doesn't protect you. He just didn't have—he was aware of it, but he thought that he could handle it himself and didn't really understand the dangers that he was in by doing what he was doing. Representative Millett: One follow up though. So I just want to confirm, we do have, you do run ads in papers. Amanda Harcourt: Yep. Representative Millett: And everything else continuously, right. Just to educate the public. Amanda Harcourt: Yeah. Representative Millett: Okay, good. Amanda Harcourt: We do a bunch of outreach besides just that. We have, in every newspaper, our little ads that we put in. We also do, you know, the CARD clinic rally, we do outreach at the farmers markets, and we do different events like that also. Representative Millett: Okay, thank you. George Jamison: Mandy for Representative Millett's benefit, maybe just very quickly, could you just tell him about the requirements of the PEN? Amanda Harcourt: Sure, we have a PEN ordinance, which is the property evaluation notification and it's for the Superfund site. There's a couple different ways to satisfy that. One is calling in the you dig ticket, we intercept every you dig that comes in for the Superfund site, and we research the property and reach out to whoever the contact is, whether it's a property owner or contractor and provide them information about the areas that they're going to be digging in and what information exists for those areas that we have in our database. Another way to do it is just to call in and say, "Hey, I'm going to be remodeling," or "Hey, I'm going to be excavating." Again, that's just a trigger for us to pull up the property, see what we have, see if the property owner or contractor is going to need any support with what they're dealing with, and passing on that information and also helping them line up disposal options at our landfill because we have a designated cell for this material and going over best management practices. Also we let them know that they're probably going to see ARP there; we might come by, probably will come by, and do a visual inspection on the soil you're moving around. We also offer primers for contractors and property owners so they are educated enough to identify it when they're working. Representative Millett: Thank you. Senator Cuffe: Earlier, maybe briefly, the initial big survey study, you know, people went back in the earlier days and tried to identify where things were. I don't know if you can say a percentage, but a huge percentage of the areas have been tested and either found okay or cleanup was done. I suppose a few may have slipped through the cracks, you know a few were denied at that time. Amanda Harcourt: A lot of the properties too that have undergone—I'm sorry—have went through abatement still have material at their property, so whether it's sealed in walls, sealed in soffits, below ground surface, things like that. That's what we want to make sure that we relay back to the property owner because a lot of the time they'll, you know, especially if a property transitions to a new owner, they'll have a letter saying all the property's been cleaned and they take that as like the property's fine, it doesn't have any contamination on it. So we try to make sure that whoever is doing the excavation or remodel out there is aware that at 12 inches down, you're going to encounter something that might need some support, or yeah, you have this letter for your house, but if you get into this interior wall, you're going to need some support because there's still material. So see all the things there. Chairman Teske: How common is this event. Does this happen a lot or is this kind of a rarity. Amanda Harcourt: Which event. Chairman Teske: This gentleman not knowing all this information that can take care of himself on that far end of discovering this action. Amanda Harcourt: I don't think it happens that often. I think, especially when we see it come into the landfill, I think maybe this is the second time that it's happened. So, it does not happen very often. Chairman Teske: All right, good. So, for the most part, we're being effective. Amanda Harcourt: Yeah. Chairman Teske: Any other questions. I should have mentioned before we started, there was no document to go with this. I know some folks were looking for it. Melody, anything else to follow-up. Melody Wunderlin: I don't have anything to add to that. Chairman Teske: Okay, thank you.</p>
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10:19 am	Discussion
DEQ/EPA Site Update – Melody Wunderlin -Activities at OU3 & OU6	<p>Chairman Teske: We'll move into the DEQ EPA site update, Melody and we don't have a document for that as well. Melody Wunderlin: Nope, things are going well with OU6. We'll anticipate a annual inspection sometime this summer. I'll let you know when that comes in. As far as activities at OU3, EPA and Grace have concluded their informal dispute resolution and they are now working on finalizing a schedule for the feasibility study for the mine site. Chairman Teske: Okay. Sir are you familiar with the OU designations. Where they're at. Representative Millett: I know OU3 is the mine site. I was just gonna say OU6, is that the rail yard. Melody Wunderlin: Yeah, OU6 is managed by BNSF. Chairman Teske: Do we have a document we can give to him to designate what OU's are what. We'll get you something, sir. That</p>

	way you know in particular what we are talking about. Anything else Ma'am? Melody Wunderlin: Nope, that's all. Chairman Teske: Thank you.
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10:20 am	Discussion
Information Portal / OU3 Technical Support Update- George Jamison and DEQ	<p>Chairman Teske: There has been discussion in the past and I want to keep it alive for the informational portal and the OU3 technical support and Mr. Jamieson has an update. George Jamison: Okay, thank you, if you've just heard this is a standing agenda item. I don't have anything on the information portal. I wondered if there's anything from DEQ about that or EPA that's any further thoughts on what might be put together there. Melody Wunderlin: DEQ is currently looking into options for a dedicated website for Libby. We don't have any sort of timeline or a solid plan but we are looking into that internally. What we can get put together. George Jamison: Okay, thank you. The other part of that was the technical support update and we heard at the last meeting and we were provided information from the EPA about two different scenarios whereby they could provide funding support for us—some entity of the county group—to conduct technical reviews, especially aimed at the feasibility study for OU3. As you've heard before, the two alternatives was a TAG (Technical Advisory Group) and a TASC, T-A-S-C, which is a different arrangement. Beth provided a few more details since the last meeting, but I'll just hit the bullets real fast. The TAG, you have to form a 501(c)(3). There's annual renewals. There's quite a bit of reporting that has to be done. EPA would pay 80% of that. Uh, we would—we, whoever the 501(c)(3) group is, the TAG—would have to come up with 20% matching. Uh, there are ways you can match, with compensation for certain things—time at meetings, and space allocation, and different things, volunteer hours. Um, apparently the requirement for public meetings for TAG or TASC would not apply. And, uh, the other major thing of importance here is that under that scenario with a TAG, the group—the TAG itself—would do the consultant selection and would directly guide and direct that consultant's work. But the TASC it's quite a bit different. EPA would assign one of their consultant contractors to work with us. There's no requirement for a 501(c)(3). EPA would pay 100%. Um, but the contract between the consultant would be with EPA. Um, apparently there's no strong reporting requirement to EPA prior to sharing that with the community or anything. So there'll be, I think, some independence in what we do. But eventually, of course the TASC advisor would need to provide their work document/reports to EPA. So that's a different option. Now the point of what I'd like to raise here—and I've just bandied this around a little bit with a few people—I think what we should do to continue to move this subject forward is I think we should explore some other kind of out-of-the-box things. I'm not real—necessarily real enamored with either of the funding approaches from EPA, although that may be where we end up, and I'm thankful they exist. But, I think we should explore maybe some sort of a joint effort with DEQ, because as I understand it, DEQ—though they've got a bit of a head start on understanding what's going on with OU3—they too have a lot to consider and will be considering when the feasibility study comes out. So we're both going to be kind of doing the same thing and it seems like this kind of begs for maybe some collaboration, or at least maybe go along parallel paths. Maybe we each have our own consultant, maybe we'd join with them and if they have somebody like Weston or something. But anyway, I'm just kind of running on here. But the other thing I want to throw out is I think the wondering or wandering we do around-thinking about options here—I think it needs to seriously consider whether or not funding—well, of course, the funding mechanisms—and I think that funding mechanism should consider cost of, the possible availability of LASOC funds that so far we've fortunately just really not tapped into. So anyway, those are some of the things I suggest that we continue to have dialogue with DEQ about and EPA, and particularly with DEQ. And I'd really welcome their thoughts. And we don't have to go into all those today, but I'm hoping that we can maybe get people together to talk about this, have a little bit more idea about options at the next meeting. So, I hope DEQ will chime in here, if they're not asleep already. I don't have any jokes today.</p> <p>Melody Wunderlin: I'm not asleep. Um, I do think that I don't have a good answer for you right now. So we could set up another meeting to kind of discuss this with some of the DEQ folks and LASOC members if you'd like. George Jamison: Yeah, I think so. And I think, I'm thinking out loud here, I believe on our end of things—I mean certainly people on this committee—I also think that we might want to involve some of the—some of the other players in the community, maybe a couple—one or two people from the health board, the Department of Health, and other people that we would expect to be participants in the process and see how that kind of fits in. Get ourselves organized, basically. Well, that'd be good, Melody. If we can look for some time to maybe get some people together to talk on the phone or something, that'd be good.</p>

	<p>Melody Wunderlin: Okay. I will connect and we will get something set up. Chairman Teske: And you're going to liaison for us on this end with her and let us know when something's set up. George Jamison: Yeah, we'll jointly report back at the next meeting. Chairman Teske: Okay. Thank you. Any additional discussion about the technical support request for OU3's evaluation. Senator Cuffe: Well, I'll just add in my time, you know—it's not lengthy—about the committee, but I think back when we were starting and even that before everything started, we were pretty overwhelmed, and we have struggled through it. We have developed good rapport with the folks we work with and I think both EPA and DEQ for the most part. And at this point have a pretty good feel, but it's also a really good time to stop and take a look at not just where we're at and what we've done but are we doing—is everything covered the way that we would like it to be covered. And I think that's kind of part of where George is coming from. So, I think it's a pretty good thought. Thank you. George Jamison: Thank you. Chairman Teske: Anyone else, Comments. Director Nowakowski: No, I would echo what Melody had to say. I think there's a lot to unpack there and think through. So, I would just welcome a future meeting and a future discussion on that front for sure. Chairman Teske: Yeah, I agree. We'll just leave this a standing agenda item then so that we continue to follow up with information on it. Anything else. Alright, we'll move into the next item.</p>
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10:29 am	Discussion
<p>EPA Five Year Review – George Jamison and DEQ</p> <ul style="list-style-type: none"> • Five Year Review • Delisting of OUs 4 & 7 • Protective ness statements during wildfire events • Public Health Emergency 	<p>Chairman Teske: The EPA Five-Year Review. Before we get started, I received some flyers for a public meeting from the EPA. There's some in the back if you'd like a copy. It looks like their public meeting updates will include results of the five-year reviews, status of former mine site operations, and maintenance of cleaned areas, fire preparedness. The meeting is July 15th, 2025, 6 to 7 at the Ponderosa Room. That will be the EPA in town. DEQ, are you involved in that as well. Melody Wunderlin: Yeah. Chairman Teske: Okay, thank you. Senator Cuffe: The date on that again. Chairman Teske: July 15 and like I said, there's flyers in the back, 6 to 7 in the Ponderosa Room. Senator Cuffe: 15th. Chairman Teske: Yes. All right. So, we'll move into this five-year review. Mr. Jameson, if you'd like to start. George Jamison: Well, thank you, I think. Basically the list that you see there, these four bullet points on the agenda which are the five-year review, delisting of 4 and 7, protectiveness statement during wildfire events and the public health emergency. I basically just copied those from the preliminary agenda that was sent out by EPA about this meeting that Chairman Teske just referenced. So that's where those came from and what I'd like to do to maybe expedite this whole discussion here is to focus just for a minute or two on the third one, which is this protectiveness statement during wildfire events. And I'm looking more—I'm a little confused here about some things. I'm looking for some clarification. In a nutshell, for some background, every year there are appropriate meetings and activities related to protecting the community in the event of a wildfire in OU3 and being prepared for that and a large focus of those meetings is on messaging and what do you tell the community when the phone rings. And it'll ring at the Health Department in Lincoln County and people are going to ask, "Are we safe?" and "What do you know?" Well, fortunately here in the near future, I think we're just almost at the point where, with EPA recent support, thankfully—we're going to have some funding for doing asbestos air sampling during fire events and that'll be good to at least have some data that's specific to LA. Uh, but also during these discussions I was, a couple months ago when they had their meeting, I was invited to attend as an observer. And one of the things I heard was discussion about, an inferred inference between, particulate sampling for PM2.5, which is particulate matter in the air—and you can drive by the county most days and see, especially if it's in the summer with smoke or wood stoves in the winter and see postings about PM2 levels and warnings or advisories about moderate and so forth and so on. Anyway, I was intrigued by that and I also heard the fact that there's no real reliable short-term exposure number, so to speak, that's ever been developed, for exposure to Libby amphibole, which is understandable, and it's just kind of a harsh reality. So anyway, I inquired further about some things there and suggest that there needs to be an effort to get to that number. And a response I got back a few days ago from EPA was helpful, but I haven't really been through it in much detail yet, but it—the point of this is that it references this white paper that's used and shared somewhat in the community that sets out a standard to use PM2.5 based on some of the BERM tests that were done—Berm chamber tests that were done during earlier studies. And that document has not—and I asked if that could be provided to facilitate review and comment. And this is—I'm finally getting to my question. What puzzles me about this—and I'm hoping that DEQ can maybe help us a little bit—but, what I got back as a response was that comments regarding that so-called white paper are being evaluated and incorporated, or changes from Montana's comments are being incorporated by EPA and that the white</p>

paper may then be available for review maybe in a couple months. And so I was hoping maybe DEQ could kind of tell us where you are with that. I mean we've not—I really think we should be able to be allowed to comment, but apparently you've commented and I'd just like to kind of know the status of where we are with this. **Director Nowakowski:** Certainly, I can speak to that. First I would complement Melody and Christina. I think EPA and DEQ are working together on this issue and reviewing that white paper and including outside of Superfund, obviously—DEQ's air quality program and taking a real close look at the way that white paper was created and some of the information included in there. We want to be protective of the community. We don't want to alarm the community, but we also want to make sure they are fully informed of any potential risk. Um, and potentially, maybe there is some scientific disagreement. As you hit the nail on the head, there's not a lot of data on this. There's been some work done. I think DEQ does have some questions about that white paper and EPA is being responsive to those questions. But we are asking a lot of hard questions and I think that's where we're at right now—is kind of working together on this to make sure we have a solid message that we're all comfortable with and makes the community and is something that the community can understand. Releasing a white paper of that much detail—when I took a look at that white paper, I certainly didn't feel like that was something anybody off the street could pick up and say, "So, if a fire happens in OU3, then..." And I think we're working on some fact sheets and some messaging and then as a second piece on what that white paper comes out with and when that white paper comes out with some additional information about what is in the white paper. Um, but understand the ask for information, but I think it's critical that that information be easy to digest and be accurate. And so, we are asking some hard questions and I am sorry that's taking some extra time, but we believe it's the right thing to do and I feel pretty strongly about that. I don't know if Melody or Amy if you'd have anything or John if you would have or Kevin, anybody else would have anything to add. We have all been a part of these meetings and they're tough meetings. Hard questions are being asked.

George Jamison: Well, thank you. I agree completely and I think there's no question about what—I mean, we certainly would agree with what you're saying. I think my request though is—and I know this is not necessarily something that's ready for public understanding. Commissioner Teske gave me a copy of this yesterday when we met and it—I mean, it's easy to read but what's behind it is—I mean, there's a lot of detail and a lot to absorb and look at. So, I guess my question though is I'm disappointed that our community wasn't allowed or hasn't been—can we still make comments and provide you with comments that are of more a technical basis or is that too late. **Director Nowakowski:** I would defer to Melody or EPA on that in terms of timeline and where we're at in terms of public engagement and what that looks like.

George Jamison: I think that's a little odd. I mean, what disturbs me is we got a document that's sort of passed around and has a certain amount of exposure to the public and people involved in everything, but yet it's not something that we're invited to respond to as a group and comment about to perhaps support and facilitate your discussions with EPA. And I just don't think that's right. I think you all are on the right track, and God bless you for doing that, and I hope you're successful in your dialogue with EPA, but I think we need to have an opportunity to offer any technical comments that we might have. **Director Nowakowski:** No, and I respect that and understand, and it looks like Melody has some additional information here on the public process. **Melody Wunderlin:** Yeah. So at this point in time, just to give a little bit of context, DEQ Superfund air quality and then also our DPHHS toxicologist, we are currently combining comments and we'll be turning those in by the end of July to EPA. As for the conversation about sort of public input on this paper, I would almost defer to EPA on when they would like to see your comments because you know this is an EPA document. It's not a DEQ document and I think it would be better if that conversation was with EPA and not DEQ. **George Jamison:** Okay. Well. **Christina Progress:** I can speak to that if you'd like. **George Jamison:** Sure. **Christina Progress:** I'm sorry my camera is not working. For some reason, my computer updated right before this call and knocked out my camera, so I apologize. We totally understand what MDEQ's position is and the intent behind the white paper was to try to fill in gaps in knowledge that we all would like to see. I think, George, we're definitely supportive of, you know, understanding the need for that short-term number, which doesn't exist, and the fact that we are stuck with a more long-term number and lack of information about, you know, what a large wildfire would look like, what the smoke exposures would be to a large wildfire and a lot of the—you try to be responsive to a lot of the community's concerns related to wildfire preparedness and response. Uh, we would love to have that data. We don't and it's not data that's easily collectible or that I've seen or heard a way to collect from all of our experts in the field. Uh, so in light of that we were trying to come up with some modeling or something that might inform decision making at the county level or you know at the

public health level to give people more information if a large wildfire were to break out. That was the intent behind some of our modeling efforts behind the white paper. The white paper is a very dense document and I totally understand and support MDEQ's position on the fact that that's—you know, it's really difficult to read. Uh, so the intent was not necessarily to be a public—you know, a document that is out for you know, like a public formal public review or anything like that. It was really intended to be a supplemental document to see if there's any modeling that can come up with some data that would be helpful in that space where we don't have information. So we are in the process of coordinating with MDEQ, as Melody said, getting their comments. Um, it's certainly a document that we can make available to the public, uh, once we're done with that. Um, in light of that, we've embarked on a fact sheet that is more publicly digestible, tries to summarize a very dense document into a much more approachable document that people can understand. I think it's a lot more readable than the white paper is. Uh, the white paper—you know, you kind of have to be a risk assessor to really understand it. So that—we are—I don't know, Melody, if that went out or what the status of that is, but that's, you know, basically in a nutshell it says a lot of what the—you know, the high-level points of the white paper itself. **Melody Wunderlin:** Just to tack on to that, that fact sheet is available on the EPA website. **Christina Progress:** Okay thank you. **George Jamison:** Mr. Chairman, Christina, I agree with the things you're saying. I understand that and I just have a very basic question. I think maybe you've answered it, but considering that, you know, the DEQ is not going to have all their comments in until the end of July, I just want to know whether or not we can make technical comments related to this white paper and provide them to either you or DEQ before the end of July so that you can consider them along with the things that DEQ is providing you. And if you don't want us to look at it now then I guess that's the way it is. But this document that Commissioner Teske gave me yesterday, it's dated March of 24. So, I mean, this thing's been out there hanging around a long time, and I'm bothered by the fact that the community wasn't uh- I understand not releasing it to the public overall- so to speak, but on the other hand, it's been out there floating around and we've not been given the opportunity to make technical comments and I'm bothered by that. **Christina Progress:** Yeah, and I understand that and can appreciate that. I, you know, certainly we would not dissuade the public from commenting on that or from this group on commenting on that. I, you know, because we are and haven't necessarily seen all the comments from MDEQ yet, that document may change and I, you know, depending on what those comments are, may change significantly. So my only concern with that would be whether or not it's the right time for this group to take the effort to do that if it's going to change um based on MDEQ's comments. **George Jamison:** Uh-Okay. I'm not sure-I think you're telling me that you'd be receptive to comments if we could get them in in time. Why don't we think about that here and if we can generate some comments ourselves or with, you know, we also have access to some technical sources ourselves and if we can make some timely comments to DEQ, maybe we'll provide them to DEQ and just see where it goes. Is that okay. **Christina Progress:** Yeah, that's fine. We would welcome your comments. **George Jamison:** Okay. Well, thank you. **Chairman Teske:** Senator, you have something. **Senator Cuffe:** Yeah. Good points, I think George and also the folks online. Under the protectiveness statements during wildfire events—and that's been talked about a lot of times—I have a couple of, as we're trying to reflect backwards and also consider forwards. A long time ago—actually long enough ago that John Konzen was the commissioner from Troy I believe, and Paul Rumelhart was in the middle of a number of things-county and PORT-wise. There was a serious attempt, more than just talk about acquiring a—I think it was a perhaps a boiler or some hot burning process. At that time there was a big pile of log fuel left over...and there was some asbestos content found in that chip pile. There was also a certain amount of worry about if there was a major forest fire that went through the area and as we all know now, the asbestos fibers pretty well went everywhere—further than we would have imagined. So anyway, part of it was this—the firebox—and I think there was a boiler proposal tied with it. Part of my connection, Sonja—I believe Richard Opper was director of DEQ in '11 and '13 maybe and he was who I was talking to. He had a concern of not doing anything that would disturb anything because he, in his words, he didn't want to do anything that would release one asbestos fiber. And as I recall, the information that Rumelhart had gathered was that this would burn—this fire burned hot enough the asbestos would kind of crystallize and fall and turn into something that would decompose into ash and possibly be used in, let's just say, a concrete or some other kind —so that did not proceed. Then we did have a fire that came down close to the river, just -I don't know if it's west or south of the mine—but if I remember correctly, the forest service guys were working the fire—I think it came down maybe not to the river but to the highway for sure. The firefighters I think was on a volunteer basis, whatever, but they were

	<p>carrying a—some kind of a sniffing filter device. I was told that there was no asbestos found. They were hauling hoses up and down and I suppose digging and scuffing up somewhat. Now that I think was outside—I don't remember the area—but it was outside of the immediate areas. Brent remembers. I guess that kind of information is—and at that time there was one proposal of having this firebox generator boiler down at the mill site near the hot fuel place. The other one was to put it up on the old mill site, but there was talk of it staying closer, but if it was up on the mill site and utilized- Uh, clearing as much of the trees, so there was concern about it being embedded in the—I guess I'll say bark probably. So, uh, does this paper—does this refer or is that outside the scope of what we talked. I'll address George. George Jamison: Well, in the white paper it talked about... Senator Cuffe: The general issue type use. We're down here under EPA 5-year review. George Jamison: Uh, we're coming up on that, but I think it's all.. Senator Cuffe: Yeah, it's a third item. Chairman Teske: It's come out of the LARP discussion a number of times. You know, public concern is the uh—the amount of exposure that it's going to take in order for it to be dangerous. You know, I mean, it's hard for the general public to wrap their head around that there's smoke coming from there and there's not a danger in that smoke. Studies that they've done show the ash doesn't travel very far. You know, to what extent depends on the type of fire, uh, you know, this short-term exposure that they're talking about there. So, it comes up just about every single LARP that we've had. Uh, you know, and what is going to be our messaging wrapped around that, and so far the best message is the air quality danger of 2.5, and the health awareness of the air—whether it be just smoke, whether it be smoke from anywhere—I mean, we get a lot of fires from California, Washington, British Columbia that get us above and beyond that safety level, you know. So—but I think this was just something that was supposed to help us narrow down that messaging to people so that they understand better what air quality is as opposed to air quality with, um, you know, the exposure possibility. So that's kind of the discussion that we've had over the years and where this has led to, is my understanding. So anybody got anything to add to that. Christina Progress: I can add a little bit to that, Commissioner Teske. Uh, you're right in everything you just said. Uh, the focus that the LARP has been on is really in trying to identify concentrations of asbestos that may be in smoke during a wildfire event which may, you know, end up in Libby, whether that's smoke or ash that comes out as an outfall of the fire. Um, I think um what Mr. Cuffe was talking about was related to uh what they call vitrification—the potential for vitrification of asbestos fibers if they were heated up to a high enough temperature. Uh, there has been studies to show that vitrification can occur at extremely high temperatures. Um, I can't remember exact number—the temperatures. I think it was around 1900 degrees. Um, and when we talked to the Forest Service, they said that most fires do not get up that high. So the temperatures are not high enough to then potentially vitrify the asbestos. Uh, so we haven't engaged in any studies on that. There are some studies in the literature about it. I don't know if it's specific to amphibole asbestos or chrysotile, but there are some studies that do talk about it, but not in terms of necessarily like a wildfire scenario that I've seen. So because the Forest Service has said that, you know, the average fire doesn't get that hot, I don't anticipate that the asbestos that might be in OU3 would be, you know, vitrified. Um, the other point to consider—you know, even if vitrification were to occur to some amount—we still don't know what the toxicity of a vitrified fiber would look like. Does it change the structure of the fiber such that it's no longer, you know, long and pokey, or does it—if it still remains a fiber, it's just a different, you know, chemical makeup. I'm not sure if that—what that does to the toxicity. So, we still don't know what the toxicity of the vitrified fiber in that instance would be. Chairman Teske: Anyone else before we move on to the next topic. Alright was there more within that five-year review that you want to discuss, Mr. Jamison. George Jamison: Uh, yes, Mr. Chairman. I think what I'd like to do now is- thanks for the discussion on this. I didn't think it'd take us that long, but it was really good to have this.</p>
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10:54 am	Discussion
Communication of Concerns to EPA – George Jamison	<p>George Jamison: So, I'd just like to take these other topics that are under that item, the five-year review, the delisting, and the public health emergency, and kind of wrap those into the next item, which is uh unification of concerns to EPA and the committee's been provided a draft letter that would go to the Region 8 Administrator and I thought I'd particularly to help people that aren't—I mean, for those of you that do this every day and people who've been involved in this a lot, this is just old hat. But I'd like to make kind of a summary statement here before we jump into the letter, because I think if we can go bit by bit through this letter, but I think if we get in there, we're going to get kind of bogged down and not maybe see the bigger picture. So anyway, let me just uh say a few things here first and maybe this will help you,</p>

Mr. Millett, with some of your understanding about this process that the Superfund's all about—I hope so. Anyway, the Superfund process requires that reviews be conducted every 5 years. That's the so-called five-year reviews to examine whether the remedy—that is, the cleanup and the associated controls—is still protective of human health and the environment, which includes ecological resources. This is a review year for the Libby asbestos site. The process for that review is established and published EPA guidance. One of three specific questions must be answered. And question C asks, quote, “Has any other information come to light that could call into question the protectiveness of the remedy?” End quote. Well, let's just review generically how you get to the remedy in very simplified terms. First, the occurrence of health issues related to possible environmental contaminants becomes known. If the concerns are validated, then a thorough investigation is made to establish detailed site conditions. Specific contaminants of concern are identified. The level of exposures to the pollutants of the site are compared to values considered to be protective or safe, based on then-current available toxicological information. If the exposure values are higher than these safe levels, then a set of actions is selected—the so-called remedy—to lower the exposure to a safe and protective level. When that's done, the site has been remediated or cleaned up. But note—the cleanup was based on and is only as protective as the knowledge about risk at the time. So then protectiveness needs to be reexamined regularly. Thus, the five-year review. This simplified description clearly supports in common sense terms the intent of the five-year review process. The EPA guidance also clearly states, quote, “The evaluation of the remedy and the determination of protectiveness shall be based on and be sufficiently supported by data and observations.” End quote. Comments have been provided to EPA that clearly identify important new information since the risk assessment over 10 years ago, both applicable to human health and the environment. For example, a clear association between Libby amphibole and autoimmune disease is now clearly established. Obviously, it could not have been considered 10 years ago. The occurrence of these diseases in the Libby area is highly elevated as a result of Libby amphibole exposure. Research is also showing that short-term, low-dose exposures can initiate physical changes and health effects. Also within the last 10 years, evaluations of the prior assessment of ecological resources were made and questioned the due diligence or reliability of the conclusions that were drawn from previous studies. And copies of those two supportive documents have been provided to committee members as well as EPA. Re-examining the basis of the prior health risk assessment and its potential impact on the current remedy is essential. Given the more current scientific data and observations, confidence in the protectiveness can no longer be confirmed. Maybe it is still protective—but probably, more likely, it is not. In good conscience, the public can no longer be assured that they are protected. The solution is to acknowledge where we are and set out an established timeline for detailed reviews and risk assessment updates. Wanting to delist any elements of the site—let alone remove the public health emergency—is not consistent with critically validating protection. Wanting the Libby asbestos site to be done, over, delisted, no health emergency, and only visible by ongoing maintenance ignores the harsh reality of truth. Furthermore, reality is that there could reasonably be other iterations of this cycle for needed re-examination in the decades to come, driven by ongoing knowledge about Libby amphibole. To a regulatory community and responsible parties such as BNSF and Grace, this is not a welcome outcome. It has implications for all the OUs—as it should—and the concerns will be paramount in evaluating what is proposed for OU3—the mine site. But it's doing what's right, as it was over 25 years ago. We owe it to the community to raise this unwelcome topic and to be supportive. And we should be prepared to support EPA with a decision to re-examine protectiveness, including the need for funding of the studies and continued research. This is preferable to being adversarial. So, as I say, rather than talk through the draft of this letter, I offer this discussion and justification and I welcome your questions and hope that you support this draft. Now, I have to add, and Commissioner Teske can jump in maybe on something too, but there's one caveat that's in the letter that, out of respect for the director, that I want to highlight. And I also want to tell you that—just to be totally upfront about where we are with this—Melody found and forwarded to me—I saw this yesterday when I got home—that the published decision already come out by EPA related to the five-year review. And they have reached a decision to consider—despite things that I've said here or whatever—they've decided that the remedy is still protective, which is very disappointing. There's no need to go there today, but I think, since this letter articulates still our feelings, we feel like we should probably still proceed with this. And then we will need to share with all of you this document, and with other people and I think formulate responses to that decision document. But—the decision's been made. Would you want to comment. **Chairman Teske:** I will. Yeah. This comes from what Mr. Jamison was

	<p>talking about and this caveat that we put in here—I'll read it for you. It says: "Consistent with the intent of LASOC to provide a strong local voice and also to preserve the Director's role as independently voiced DEQ opinions, this letter represents the position of LASOC Lincoln County representatives." We did not want to put you, Director, on the spot, specifically because we understand the dual roles that you have to perform here, and the neutrality of that. Um, so out of respect, we added that to it and then you'll see at the signature page as well—it's myself, Senator Cuffe, Representative Millett and George Jamison. Everybody should have a draft of the letter, correct. That went out with the— Okay. So, any additional discussion or comment on the letter for the Administrator. Director Nowakowski: I would just note—I really appreciate you making sure that the DEQ is held separate and able to comment independently. We certainly understand and respect the role of the community and the role of LASOC on this. But as a member of LASOC, obviously need to make sure DEQ has some independence in its comments on areas like this. I do really appreciate that recognition and the way in which the letter was drafted to acknowledge that. So thank you. Chairman Teske: Ya we didn't want to have to put you on the spot there. Any other comments, yes sir. Senator Cuffe: Commissioner, you know, George made some good points, particularly in that what we understand today, that maybe we didn't before. And I'd like to mention that when I came here as editor of The Western News in 1972, there was a lot of concern about the air quality in Libby. And there was filters out here—in different places—but there was one on the courthouse lawn. And the main culprit was blamed on road dust, primarily logging roads in the mill yard. And we began doing lots of watering and the other was wood stoves, which was primarily people dampening down their... you know, you load up your stove at night and it kind of burns a little slower and makes a lot of smoke. So it was wood smoke and road dust were the two biggest. Sometime—and I can't tell you the year—but I think it was, I'm going to say in the late '80s or early '90s, there was a sampling, I believe taken off this filter, that was—of course, you were tuned into looking at wood smoke and road dust—but at some point this was reviewed for asbestos fibers, I guess, and it was found to be within industrial standards at that time. Maybe somebody else remembers the story better, but the sampling was within industrial standards. That was on the courthouse lawn, on a Sunday—I believe a rainy Sunday afternoon in maybe October, something like that, in autumn. And in January, new industrial standards were coming into effect, and that sampling would not have met the new industrial standards. So I say that in regard to what George has said—what we've learned in the last 10 years and in the 10 years previous that, all of a sudden we have this notion that maybe these fibers do other things in the body that pass the box. And I have a daughter who was part of a study. That's part of what bothered me over the closure of the CARD clinic. There's a group of people that they were looking at who grew up here during the years that the place was running—playing on the ballfields and things like that—who then left about the time they were 18 to 20 years old and lived someplace else. And there were some concerns. My daughter's had some issues—not serious, she's very active—but there were concerns that further down the road there would be implications. And she was part of an ongoing study group. And I'm not going to go any further than that. But I'm just saying, to lend credit to the kind of things George is talking about: we don't know. There's a lot of things we don't know. There's a lot of things we know now that, when I came here, nobody could envision. We had a guy down at the mill feeding dryers. He usually would just stand in one place—very little exertion. If there was any extra work to be done, he couldn't do it. But we took care of him and he did his job, until one day he didn't come to work. And things got so tough...he took his life. Nobody there could understand. We knew something was wrong. So with that, I will be done. Thank you. Chairman Teske: Thank you, sir. So I would entertain a motion as a committee—with the exclusion of the DEQ Director—to submit this letter to the Region 8 Administrator. George Jamison: Yes, since I drafted the letter, I'll make the motion. Senator Cuffe: Second. Chairman Teske: Motion and a second. Any further discussion, anyone. I think it covers it very well—our points, our concerns. All in favor, signify by Aye. All: Aye. Opposed. All right. George Jamison: Mr. Chairman, if it's okay with our secretary (Corrina) and Mandy, I'll work with you to get you an electronic version of this. I assume—Corrina, can you send this out, would you be the one or Mandy, do you want to elaborate on that. Chairman Teske: Yeah, this is a draft copy. All right, anything else down the line of that concerns or the Five-Year Review. Sir. George Jamison: No. Thanks for your indulgence.</p>
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11:09 am	Discussion
Public Comment	<p>Chairman Teske: All right. So, we will open it up for public comment. I see we have one member of the public who's in the room. Do you have comment, ma'am. She does not. Anyone online have public comment. I see we have Mr. Stout a newspaper reporter-hearing none.</p>

11:13 am	Discussion
<p>Discussion and Next Steps</p> <ul style="list-style-type: none"> • Date and Location of next Meeting • Summary of Action Items 	<p>Chairman Teske: How about discussion and next steps date and location meeting. The only request I would have gentlemen is when the email doodle pole, however it goes out that uh and I'm guilty of it as well, that we respond via email, doodle pole, or call so that we can get these meetings established in a timely manner because I know everybody's got things going on. I know it's an issue for you. So what are we looking at for next quarter. We're at the end of this one. So, do we want to have it in mid-so it' be August. Amanda Harcourt: You guys discussed having it a little bit earlier last time. Chairman Teske: So two back-to-back. Amanda Harcourt: instead of waiting. Chairman Teske: Okay. So we're at the end of June now. So one in July would be well pretty quick. George Jamison That would be kind of, I think, too quick. I'm just thinking we just learned yesterday that the 5-year review document has been-is available from EPA and I'd like to see us have enough time to scratch our heads about that because we may have some comments bring so maybe August or September. Chairman Teske: Alright, how about mid-August that puts us partway through. Gives us time for everybody to digest stuff and that way we can kind of move into some type of a standard mid-quarter type meeting, you know, because it's hard for people to plan around an unknown. So August work fine and she'll send out a doodle pole. We're good for everyone online, in August. Okay. All right. George Jamison: Can I bring up one other thing real quick. Chairman Teske: Yes, sir. George Jamison: You know, in the course of getting input for a number of things, five-year review and so forth and so on. I think we need to think about how we address this whole thing. Nobody likes to hear these words-communicate better and I think that part of the dialogue and I'm glad Kathi Hooper is here. I think the health department and the county board of health and you commissioners and so forth. I think we should talk informally and see if there are ways we can kind of organize ourselves and have more collaboration and begin to form in a nucleus kind of a group that eventually would receive the OU3 report. We need to have some structure in what we're doing and I think that those discussions probably at times need to include DEQ and kind of some things with them. And so I'm hoping maybe Kathi and some folks on the health board can talk about the job of helping each other out. Chairman Teske: I think that'd be beneficial. You know, it seems to work better when everybody's linked into the same conversation as opposed to everybody having different conversations and just getting little pieces parts of it. Is there-has there been a standing board of health report from LASOC or anything like that in the past. Okay. You know, you might inquire with the board and see if that's something they want, somebody to report to them about basically what's going on and what the scope of things are. Anybody have anything else in summary. All right. Hearing none.</p>

Meeting Adjourned 11:13 AM