



**Libby Asbestos Superfund Oversight Committee Meeting**  
**January 29, 2026**  
**10:30 AM**

**Location of Meeting:**

Virtual attendance with in-person in Libby, MT.

**10:30 am Call to Order and Pledge of Allegiance**

The Libby Asbestos Superfund Oversight Committee conference call was called to order at 10:30 AM on January 29, 2026, with the Pledge of Allegiance.

This was the 35<sup>th</sup> 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.

**10:31 am Roll Call, including Proxy Vote**

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.

<b>Oversight Committee Members:</b>		
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

<b>Other Interested Attendees</b>	<b>Affiliation</b>	
Amanda Harcourt	ARP	Present in Libby
Chris Wardell	DEQ	Present electronically
Jon Morgan	DEQ	Present electronically
Katie Garcin-Forba	DEQ	Present electronically
Kevin Stone	DEQ	Present electronically
Melody Kraayeveld	DEQ	Present in Libby
Nolan Lister	DEQ	Present electronically
Beth Archer	EPA	Present electronically
Dania Zinner	EPA	Present electronically
David Berry	EPA	Present electronically
Jason Fritz	EPA	Present electronically
Corrina Brown	Lincoln County	Present in Libby
Kathi Hooper	Lincoln County	Present electronically

Matthew Stull	Lincoln County	Present electronically
Ray Stout	Reporter	Present electronically
Mariah Thunstrom	Western Solutions	Present in Libby

<b>10:33 am</b>	<b>Discussion</b>
Review and approve minutes of October 30 <sup>th</sup> , 2025, meeting	<b>Chairman Teske:</b> Next item is to review and approve the minutes from the October 30 <sup>th</sup> , 2025 meeting. Pretty substantial minutes. I think there was 15 pages of them. <b>Senator Cuffe:</b> It's probably a little premature but I would move to second. <b>Chairman Teske:</b> Okay, I have a motion, second. Any corrections or discussion gentlemen. Like I said they're pretty extensive. Hearing none. All those in favor signify by aye. <b>All:</b> Aye. <b>Chairman Teske:</b> Opposed. All right, well that one a lot quicker than I thought it was going to be. That was a pretty healthy set of minutes. <b>Senator Cuffe:</b> I think she did a super job. <b>Chairman Teske:</b> Ya, I agree.

<b>10:34 am</b>	<b>Discussion</b>
Site Budget and Funding Report- Melody Kraayeveld	<b>Chairman Teske:</b> All right, next up is site budget and funding report. Ma'am. <b>Melody Kraayeveld:</b> I just want to point out I've done a couple of the edits that George requested. There's one on page six. I do have those red lines so you can see them. I changed the language regarding bankruptcy funds to past tense so that has been reimbursed and then also on page seven added some information regarding the table set. <b>Chairman Teske:</b> All right. <b>Melody Kraayeveld:</b> Are there any other questions. <b>Chairman Teske:</b> Satisfied. <b>George Jamison:</b> Thank you. <b>Chairman Teske:</b> You good. Any questions. I will entertain a motion to approve. <b>George Jamison:</b> So moved. <b>Chairman Teske:</b> And second. <b>Senator Cuffe:</b> Second. <b>Chairman Teske:</b> All right. Any additional discussion. <b>Representative Millett:</b> I just have one question. Maybe it's just me. I look on table seven and it says the period May to September—oh never mind, 2026, my bad. <b>Chairman Teske:</b> Okay. Asked and answered, good, anything else. All those in favor signify by Aye. <b>All:</b> Aye. <b>Chairman Teske:</b> All right, thank you. Sorry I don't give you much of a delay there, I'm not used to having to do that online.

<b>10:36 am</b>	<b>Discussion</b>
Support of Property Owners Report- Melody Kraayeveld	<b>Chairman Teske:</b> All right next is support of property owner's report. <b>Melody Kraayeveld:</b> So I've got some edits on this one. It looks a little bit different in the formatting so those tables can be on one page and I've split out the different EPA grants. So the one ran until March of 2024 and now we're on our current one. So those are colored in orange for you to see where I've added those. As well as I added in the bottom footnotes, I added the duration of each of those. Are there any questions. <b>George Jamison:</b> I think this is much more readable and I appreciate you doing it. So a lot of information now. <b>Senator Cuffe:</b> Motion to approve. <b>Chairman Teske:</b> You want to second sir. <b>George Jamison:</b> Yes. <b>Chairman Teske:</b> All right a second. Any further discussion. Hearing none, all those in favor signify by Aye. <b>All:</b> Aye. <b>Chairman Teske:</b> All right we're clipping right along here.

<b>10:37 am</b>	<b>Discussion</b>
O&M Update – Melody Kraayeveld and Mandy Harcourt - Activities at OU1, 2, 4, 5, 7, & 8	<b>Chairman Teske:</b> So O&M update. <b>Senator Cuffe:</b> 10:55 already. <b>Chairman Teske:</b> Who would like to go—10:55 already- right, that's the problem with the Commission meeting, we're all time scheduled, we have all these little recesses in between, but this seems to be clipping right along, so who would like to start the O&M update. <b>Mandy Harcourt:</b> I'll start. <b>Chairman Teske:</b> All right. <b>Mandy Harcourt:</b> ARP responded to 50 hotline calls; 159 utility locate tickets and conducted 29 site visits. <b>Senator Cuffe:</b> Excuse me.. <b>Mandy Harcourt:</b> No, this is my update— <b>Chairman Teske:</b> Yeah, we don't have a handout for that. <b>Senator Cuffe:</b> Okay. Thank you. <b>Mandy Harcourt:</b> And conducted 29 site visits in October and January, Libby and Troy scopes of work completed or ongoing, 709 Idaho Ave, Libby interior removal, 36735 US Highway 2, CMU wall demolition is to be determined, in development. GID 5730 is Port property. <b>Chairman Teske:</b> Are we.. Can I stop you for a second because I've got a weird message on here. I don't know if we went down or not. It says couldn't connect your audio. Should I just rejoin session on here. <b>Mandy Harcourt:</b> Yeah, because it launched from there. <b>Chairman Teske:</b> I'm not sure if we lost everybody or not. <b>Jon Morgan:</b> For what it's worth, you sound fine here. <b>Chairman Teske:</b> Okay, all right, so must have just been a hiccup in the internet service because I've got something weird on the screen and I can't see none of you folks on

this, but we'll continue on. Thank you. **Mandy Harcourt:** Uh, Libby and Troy properties, upcoming abatements with sampling, 933 Farm Market Road, exterior sampling for development, 150 Education Way, Libby High School track replacement, 35 staging yard and 217 Dawson Street. This is a NOPEC property with a full attic and exterior samplings that's going to be coming to you guys- probably in the spring. **Chairman Teske:** Okay. **Mandy Harcourt:** That's all I got. **Chairman Teske:** Any questions gentlemen. **George Jamison:** There's a lot on your plate. **Mandy Harcourt:** Yeah. **Chairman Teske:** Not counting flood damage. **Mandy Harcourt:** Yeah, not counting. **Senator Cuffe:** Were some of these brought up because of flood damage. **Mandy Harcourt:** None of these are. No, not specific to the flood. Those are separate. **Senator Cuffe:** These are just a common run of the mill. **Mandy Harcourt:** Yeah. **Chairman Teske:** Okay. **Melody Kraayeveld:** So for my update, I really just want to flag one thing, we've got those ARP stock piles that are out on what used to be Port property that now is owned by Chris Noble. We're looking at moving that to a new location sometime in 2026. You can see I'll need more to do. And right now we are currently working on negotiating rent with Noble and Jon has a better update of that situation for you all. So I'm gonna pass off to Jon Morgan, who is my legal counsel. **Jon Morgan:** Hi, good morning. Thanks for letting me chime in here. Melody covered the broad strokes of it really well, actually, that we have the stockpile that for ARP used to conduct the yard cleanups under operations maintenance. Just as a bit of history. It looks like EPA had purchased those materials and worked with the Port Authority back in 2018 to store the materials on the property and had reached agreement with the Port and the lessor of the property at that point to store the materials there without having a rent or lease payment, and that continued on through 2020 when DEQ took over the lead role for operations and maintenance and working with the ARP to get those yard cleanups done. In mid-2025, or I should say in 2023, as Melody mentioned, the Port Authority sold some of the property it's on, including this two and a half acre parcel, and in mid-2025 the new property owner, Noble Investments, approached DEQ about rent, both rent back through to cover 2024 and up through 2025 and moving forward. So we've been working on getting a rental agreement in place. Our remediation division is typically not, other agencies may do this, we're typically not in the position of renting properties, it's not something we typically do, so I reached out to DOA and eventually we were able to settle or find a template agreement or approach that was very similar to what our Department of Transportation uses for its stockpiles throughout the state. So I think on those terms were fairly close to agreement. The major obstacle to get through yet is the costs associated with rent. The agency and the property owner I think have different views of what a reasonable cost is for rent, and we're continuing to work through that. We wanted to update you here. It's not necessarily the O&M cleanups that we typically talk to you guys about, but it's peripheral to O&M. It's going to be coming out of likely our federal account, but those are cleanup dollars, so we wanted to be upfront with you guys now on that issue. You'll likely see in future budgeting the costs associated with rent, as well as what Melody had mentioned, moving the stockpile, putting it in a new spot, whatever site prep is needed for that. So I just wanted to mention it here for you guys. If you have any questions of me, I can try to answer them either here or follow up with you if I don't have the answer right at my fingertips. **Senator Cuffe:** I have a question. **Chairman Teske:** Question. **Senator Cuffe:** Mr. Chairman, what kind of a volume are we talking about. **Chairman Teske:** I don't know the cubic yards, but it does take up a two and a half acre footprint. The footprint we're looking to move into is about the same size, so it's some pretty massive piles. **Senator Cuffe:** A bunch of semi loads. **Chairman Teske:** Yeah, a bunch of semi loads and then some small material that are in like concrete enclosures and how many Conex's do you have. **Mandy Harcourt:** Six on site. **Chairman Teske:** Six Conex's as well that hold equipment, so pretty substantial. **Senator Cuffe:** I'm gonna throw out a question, you probably had the answer a long time ago. At one time there was talk of an incinerator and we could heat this stuff up and it would crystallize and fall to the bottom. That's way back in the beginning. I think there's also perhaps been discussion is there any way to mix it into let's just say some kind of concrete. Like I was even thinking just now about something that goes in the ground, around graves. I'm not sure but I think there is something or someplace that it could be buried, not like a pipe that's not gonna wear out, so is there another way to get rid of it or do they just stay stockpiled forever. **Chairman Teske:** No, this is the clean fill material that they use when they do restoration. **Senator Cuffe:** Oh. Okay. **Chairman Teske:** So there is some topsoil, there is some gravels, there is some- **Mandy Harcourt:** Common fill, crush. **Chairman Teske:** Yeah, this is the clean material that EPA established a site their on the Port for. Since then, like he said, the piece of property has been sold. Now the property owner wants rent for that material and now we're looking at moving it to another location on the Port because it's close by. But a section that won't be sold due to the fact that it's landfill basically. Where are you at with the testing protocol on that. **Melody Kraayeveld:** It kept on freezing. We haven't been out there.

**Chairman Teske:** All right so. **Melody Kraayeveld:** That might be another spring time. **Chairman Teske:** Okay. The ground itself has been cleared and leveled. Now they got to go through the testing protocol to make sure it's clean. We can't put clean fill on dirty ground. Whatever, that's going to take, depending on the sampling and then the transport of it. It's uh-five-six hundred yards. **Melody Kraayeveld:** Ya, it's not too bad. So hopefully it can be smooth. **Chairman Teske:** So, yeah it's the clean fill material, Sir. Anybody else, questions. **Senator Cuffe:** Sure, oh, go ahead: **Jon Morgan:** Oh, I apologize. I should have been more clear about that. Yeah. **Senator Cuffe:** Who does the negotiations, do they do it, Commissioners or- **Chairman Teske:** For-with Noble Investments right now. **Senator Cuffe:** Well, I guess Noble Investments or anything else, where it may be going. **Chairman Teske:** It's been the DEQ with Noble Investments. As far as relocating the material-that's an ARP/County location or site, whatever. We don't have any place like the county shop or anywhere like that, you know, empty county property where we could store that, um you know that isn't parkland or something. And then secure it and not have to move it pretty far. That's the other thing; it's a pretty close shot right now. If we started trucking that stuff miles away, it's going to increase the cost exponentially. But the negotiations I understand between Noble Investments has been with DEQ. You got a question Sir. **George Jamison:** Yes, thank you. Mr. Morgan, I gather from what you've said that a scenario to rent the current location is not something that looks like it's going to be feasible. **Jon Morgan:** We're working with Noble Investments to come up with a reasonable rent amount and I think that's the hurdle that we're facing right now. You know this is public money. It's money that's being used or should be used for the cleanup. We're looking at costs-we're scrutinizing those. You know, when we look at the budgets overall, it looks like a lot of money, but then again, we have events like we had this spring and I imagine we'll have those moving forward. Uh emergencies, disasters, large cleanups that need to be done. And so, given it's a finite pool of dollars, we're being careful in terms of the amount we spend here. It's not just this rental amount. it's this rental amount in addition to all the other costs we incur administering the O&M program and making sure those cleanups get done. **Director Nowakowski:** And that's what, Mr. Chairman, I think the point we want to stress is that to pay this back rent and then to pay future rent or to move, we're going to need to use those cleanup dollars. And we just want there to be an awareness that right now that could be a substantial ask and use of those dollars. **Chairman Teske:** Do you have a question, Sir. **George Jamison:** Well, thank you, and that's helpful, but I think I wouldn't, I'm sorry, my question wasn't real clear. I'm just, right now, basically where the material, is there any scenario that would allow-that you're pursuing, that would allow the material to stay where it is on that two and a half acre parcel instead of the other alternative of moving it to the alternate site. And is this alternate site that's been graded and leveled up- is that owned by the county or by the Port or Noble, who owns that. **Chairman Teske:** Port Authority. **Director Nowakowski:** Mr. Chairman, I can answer the first part of that question it doesn't appear staying in the current location is a financially feasible option and that's why we're in a position of paying back rent and then needing to move it because we're concerned about the cost and we're not really in the same place. I'll let John and Katie take the second part of the question. **Melody Kraayeveld:** Can I add just really quick; we've also been told that it needs to be moved. Noble has plans for that area. So it has to be moved at some point. **George Jamison:** Okay. I'm okay, I got it. Thank you. **Senator Cuffe:** How much acreage does it cover? **Chairman Teske:** Two and a half. **Senator Cuffe:** Two and a half. **Chairman Teske:** So I guess I got a question for the legal standing. I mean what grounds does he have to charge back rent when there was no previous discussion or agreement rotating back to a whatever previous day he has. I mean if he's trying to move all the way back to date of purchase You know, I guess I just don't understand- I mean once he made us aware of it I could see from that date on, but not this 23, 24. **Jon Morgan:** Yeah. Right. Yeah, I've thought about that as well. We've discussed that here. Whether he is owed and has a claim to 2024 rent, I think what we've been focused on right now is we understand he owns the property. We're committed to making him whole in the sense of paying rent for that. There's nothing that says we can just come in and take the property from an individual and use it without compensation. He has been the property owner since 2024, and I guess part of our negotiation is like we want to work through that with them. He's a member of the community; we want to maintain good relationships with the people we work with. And we want to be clear about that. This is not, you know, what we're trying to do is maintain good relationships in the community. You know, those folks are going to be partners for a long time, and that's important to us. So we haven't really spent our time focused on, okay, if push came to shove and we battled this out in court or something, what would he be entitled to or what would the property owner be entitled to versus what we could argue against. On a practical level that will end up costing more in the long run than actually resolving this issue through a rental agreement. But there's also, we don't want to damage relationships. We do want to work through

	<p>this but doing so with an eye towards being responsible to the finite amounts of money we do have and focusing on cleanups. <b>Chairman Teske:</b> Okay, thank you. <b>Chairman Teske:</b> Anyone have anything else. No alright, so that's the end of the O &amp;M update.</p>
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<b>10:54 am</b>	Discussion
DEQ/EPA Site Update – Melody Kraayeveld - Activities at OU3 & OU6	<p><b>Chairman Teske:</b> Okay we'll move into DEQ/EPA site update. Looks like you're on the hook for that as well. <b>Melody Kraayeveld:</b> I am. So, as far as OU6, we don't have any updates there. We did get confirmation that they did not have any flood impacts to the railways. For OU3, the feasibility study, we're still expecting that March 31<sup>st</sup> of this year. Grace did perform some forest management to the west of EM-Kayan, and that is completed for the season, and then also we have our LARP exercise, which is planned for April 21<sup>st</sup>, so we're starting to gear up for that as well. <b>Chairman Teske:</b> All right and the U.S. Forest Service, they've had some sales of that outside donut they're calling Mitchell Jackson as well, so there'll be some projects going outside; I believe it's all outside OU3 proper boundaries. <b>Melody Kraayeveld:</b> The Mitchell Jackson project is all outside of OU3. <b>Chairman Teske:</b> But that'll be good fire fuel break. Anyone else. Okay. I didn't know if anybody from the EPA gave anything. All right.</p>

<b>10:55 am</b>	Discussion
Update- Work Group Formation- Kathi Hooper (BOH)	<p><b>Chairman Teske:</b> So we'll move into the update on the work group formation, Kathy. I don't know what happened in my laptop. <b>Kathi Hooper:</b> Hey, good morning. So a brief update on the formation of the work group that we talked about at the last LASOC meeting. There have been significant efforts aimed at forming the Libby Asbestos Workgroup- we're calling it LAWG. We have examined the structures and operational aspects of similar groups at other Montana Superfund sites and in this early stage of formation, the evaluations favor establishing an autonomous nonprofit organization under Montana regulations, as required to receive grants. It's the same model that was used for the former technical advisory group for the Libby asbestos site. And knowing that there will likely be the need to solicit grants, we're just focusing on organizational tasks first so once the group's up and functioning, we'll be heading in the right direction. The goal of the LAWG is to include a diverse group of individuals representing a range of perspectives and expertise. So far, we've focused on introducing the concept of LAWG to invited participants and engaging interest in participation as the group continues to develop. Though the group will be independent, the Board of Health will be the primary audience and serve as kind of a home for examining LA issues. The Board of Health did receive an update at their January 13th meeting, and that venue will provide for regular updates and discussions as needed. The Board of Health does meet quarterly. So we're expecting that participant interest will support moving forward, but still working on details and hopefully formal steps to create an organization will occur in the coming month. No other details are currently available. <b>Chairman Teske:</b> Do you have anything to add Sir. -okay. Thank you. So, update, response, review, comments, EPA's PM 2.5 white paper. <b>Beth Archer:</b> Oh, um sorry, Brent, I didn't mean to interrupt. I just had a quick question on that work group. EPA is traveling up there, as Melody just said, for the LARP in April, and I wondered if there was a list of folks who are in that work group that's available. Sorry, my camera is not cooperating with me this morning. <b>Kathi Hooper:</b> We don't have a list at this time, but we hope to make some progress, definitely between now and April. We'll see. <b>Beth Archer:</b> Okay. Amazing. That sounds good. Thank you, Kathi. <b>Chairman Teske:</b> Anyone else before we move on to the 2.5 white paper. Nothing. Okay, thank you.</p>

<b>10:58 am</b>	Discussion
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<p>Update- Response to Review Comments, EPAs PM 2.5 White Paper- Melody Kraayeveld</p>	<p><b>Chairman Teske:</b> All right. <b>Melody Kraayeveld:</b> I do not have an update from DEQ on this one. At this point in time, we haven't seen an updated white paper to review. I don't anticipate seeing one prior to LARP. I don't know if Dania has a timeline on that, that she'd like to share—if her microphone is working. <b>Dania Zinner:</b> Yeah, sorry, can you all hear me now. <b>Chairman Teske:</b> Yes. <b>Dania Zinner:</b> Oh, great. Yeah, so we are definitely working on it. We've looked, reviewed all the comments and are trying to incorporate a lot of them into the white paper and our EPA is preparing responses as well. I would just like to run it by my management and then I'm hoping to send it out to all, but yeah, it might not be till March, but I'll try to get back to you all as soon as possible. <b>Chairman Teske:</b> Okay, and have you guys requested this be an agenda item on the LARP so that we can discuss it there, anyone. <b>Dania Zinner:</b> Yeah, there were a few topics that I actually put in my responses that I think would be best for LARP discussions. So I think we should definitely talk about that in the upcoming LARP planning meetings. <b>Chairman Teske:</b> Okay, yeah, I just wanted to make sure that Boyd had it on his list, thank you. <b>Dania Zinner:</b> Yeah, great, thanks. <b>Senator Cuffe:</b> What is LARP. <b>Chairman Teske:</b> LARP—Libby Asbestos Response Plan, that's our public messaging. <b>Senator Cuffe:</b> Oh, LARP. <b>Chairman Teske:</b> Yeah, every spring we do a tabletop, and there's been some really good stuff coming out lately, so it's been very productive in getting ready for the burn season. Anyone have anything else.</p>
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<p>11:00 am</p>	<p>Discussion</p>
<p>LA Related Responses to December Storm Damages- Melody Kraayeveld and Mandy Harcourt</p>	<p><b>Chairman Teske:</b> All right we'll move into kind of the ah, what's on everybody's mind, the LA-related response to December storm damages. I'm sure everyone's aware we had a pretty substantial storm event, rain hung up in the mountains, washed off most of the snowpack, flooded the creeks and streams, and created quite a bit of damage for the city, the county, the state and the Forest Service. So just about everybody who has anything in the South Lincoln County area was impacted. <b>Melody Kraayeveld:</b> I can dive right in. <b>Chairman Teske:</b> Perfect, thank you. <b>George Jamison:</b> Good luck. <b>Melody Kraayeveld:</b> I think the big one that we're looking at is that riprap that washed out and the levee that washed out on Port property. It's on the east side of Libby Creek, just south of the old Champion Hall Road walking bridge there, and that's why I have Mariah with me. We've been out— <b>Chairman Teske:</b> Is everybody kind of got a visual focus of where that's at, because I have a map in here that we could lay out on the table if you want to look at it. <b>Senator Cuffe:</b> That would be great. <b>Chairman Teske:</b> Ya, not that one. <b>Senator Cuffe:</b> The walking bridge just across Libby Creek. <b>Melody Kraayeveld:</b> Yeah, so there's that walking bridge on that Port park. <b>Chairman Teske:</b> The area that she's going to be discussing is this area right here. <b>Melody Kraayeveld:</b> So this is that walking bridge, and you've got that little park, people's parking lot right here on the other side of it. <b>Chairman Teske:</b> That's 5th Street. <b>Senator Cuffe:</b> This is the old plywood plant. <b>Chairman Teske:</b> Yep, the old plywood slab. <b>George Jamison:</b> Can we move that farther that way so maybe get a little bit-. <b>Chairman Teske:</b> Sure, maybe get a little bit better view. Thank you. <b>Melody Kraayeveld:</b> So there was riprap placed along the east side of Libby Creek by EPA. They did a removal of asbestos-containing materials there. They tested what was existing, that wall and there was still asbestos behind this riprap. When the flood came through, it took out—it's been really tough to judge how much it removed, but it's sitting something like that now, so it scooped out a pretty good section of that. <b>Chairman Teske:</b> I did, I had Noah do a drop and drag on that there, it was 193 feet to the shoreline. I went out there with my wheeled tape measure and there's 65 feet left. <b>Melody Kraayeveld:</b> Okay. <b>Chairman Teske:</b> So quite a bit of material gone. <b>Melody Kraayeveld:</b> That's good to know. <b>Senator Cuffe:</b> When was that put there. <b>Chairman Teske:</b> So initially I would suspect the mill did it in the 70s after the big flood. We have a photo out in the lobby of the mill from previous to that and you can see the bend that was in the creek at the time. Okay, and the only reason I say that is because some of the material that they used to fill, there's a car, there's a tank track, there's a boiler, there's boiler tubes, there's tons of steel. They used whatever they had at the time as fill material to fill in that, and so at that time I would imagine that's when the initial levee was built. And then it was removed and rebuilt in 2009. <b>Melody Kraayeveld:</b> It wasn't removed in 2019. They removed essentially the face—oh yeah, '09—they removed the face and then put riprap up, and so now behind that riprap is missing. So what DEQ is looking at, and why I've got my engineer with me, is we're going to be putting in a temporary embankment, some sort of stabilization. It's an incredibly unstable bank right now, and so before we would have spring runoff, we have to make sure that's protected so we don't lose more material. And like Brent said, it is full of garbage and metal scraps and that's all the way down the creek, and I think- <b>Senator Cuffe:</b> That was when- <b>Chairman Teske:</b> Sure. <b>Senator Cuffe:</b> Really nobody was thinking about asbestos. <b>Chairman Teske:</b> No and they buried all that stuff. <b>Melody Kraayeveld:</b> Yeah. <b>Senator Cuffe:</b> It wasn't like an asbestos dumping</p>

site, it was just- **Chairman Teske:** Right. **Senator Cuffe:** Like everything else we grabbed that stuff and used it for— **Melody Kraayeveld:** Yeah. **Chairman Teske:** From the county's aspect, two points of concern is one, obviously, if there was contaminated material left in place it's continually being distributed somewhere else. The other problem is now there's a very low bank along part of that, so just regular spring runoff is going to create that area to flood again. And what it did is it flooded this area here, ran through this park, over the road, over the road, and then flooded the adjacent properties to the point where, I mean, you're just like a lake. There's quite a bit of debris still out in that field where it was the high-water mark, and I'm concerned from the county's aspect that when we do get spring runoff, if we don't do something temporary, that's just going to continue to erode and create problems for the adjacent property owners as well. **Representative Millett:** So there's potential for asbestos-containing material to be all in here. **Melody Kraayeveld:** Yeah. **Representative Millett:** Are there plans to sample that. **Melody Kraayeveld:** Yeah. We're going to be working on it. I think it won't be an issue to sample on Port property, but we will have to contact those property owners and hopefully gain access to do a sampling event out there as well. **Representative Millett:** So what if there is contamination out here. **Melody Kraayeveld:** We would have to do a removal. **Representative Millett:** Who's going to be paying for this. Where are the funds going to come from. Does anybody know yet. **George Jamison:** Bake sales. **Melody Kraayeveld:** Yes. That's further down on my list, but we can get into it now. We are intending to utilize the bankruptcy funds as sort of a stop-gap on this, and then hopefully looking to be reimbursed either through FEMA if a major disaster declaration comes through, or through EPA O&M funds. But, those bankruptcy funds, we have those available to draw on without going through a longer process, so we can move on this project immediately. I currently have an updated task order with Weston to start engineering this, as well as engineering some of the sampling events. Right now, that dollar amount is sitting at \$530,000, but that will increase significantly as we add on construction costs and actual sampling costs. **Senator Cuffe:** Have we talked with EPA on this. **Chairman Teske:** That would be this area here. **Melody Kraayeveld:** Yes, it is considered O&M work, so it would be eligible for reimbursement through the O&M process. **Chairman Teske:** Looking from this bridge, a pretty substantial amount of water went through there. **Representative Millett:** This is the bridge that got washed out, right. **Chairman Teske:** No, that bridge maintained. This bridge is stable and maintained, too. Both of them have been inspected. Other bridges upstream are the ones that were impacted. **Senator Cuffe:** We used to dump—. **Chairman Teske:** -up here. Yeah. We didn't lose any of the existing Hall Road, got real close farther down I think just off of that. But the walking path that went from here to here, all of that's gone and when it changed direction, it diverted the creek over here, and now a big section of this is gone. **Melody Kraayeveld:** There's some scalloping I think. **Chairman Teske:** Yeah, quite a bit. **Melody Kraayeveld:** Right here on Hall Road and then some other embankment issues, but those are not concerns for asbestos. **Senator Cuffe:** Since this is out here, does this show the full industrial park area. Does it show the part that has been sold and not sold. **Melody Kraayeveld:** Yes. **Senator Cuffe:** Whereabouts- is there a dividing line, generally. **Melody Kraayeveld:** This is the ARP stockpile right here. The ARP stockpile that we talked about earlier is sort of this triangular two-and-a-half-acres. **Senator Cuffe:** Okay, that's over close to the highway. **Melody Kraayeveld:** Yep. **Chairman Teske:** So the green section is the section that Noble Investments purchased, the blue section is still within the Port. This section is International Paper and the remaining recreation area of the Port is over here— **Senator Cuffe:** This is still the old plywood plant. **Chairman Teske:** No, plywood is down here. **Senator Cuffe:** Okay, so that's IP and that's where the groundwater cleanup stuff is. **Chairman Teske:** Correct. **Senator Cuffe:** And who is this. **Chairman Teske:** Port. Still Port Authority with the exception of these two little pieces. This is an electric company and this is Flathead Electric. **Senator Cuffe:** Now what is down here. **Chairman Teske:** Just concrete pads, that transfer building that they put in when they were moving material out of the mine but other than that it's just concrete. **Senator Cuffe:** So if I remember right that's a seven acres concrete pad approximately. I was wondering if, you know, if you got two and a half acres that's solid concrete, might be a possible storage area. **Chairman Teske:** The problem with that is that's still being held for wood fiber investment. So, I don't think the Port is going to be in favor of tying up any of that with trying to reach out to investors to put something mill related on there. But what we're looking at is this is the section of land that the material is on right now and we are looking at this right here. Is the section of land that has been leveled and prepped. **Senator Cuffe:** Is that the old-was there a nursery there. **Chairman Teske:** Uh the nursery was back over there, but yeah-I'm not sure what was there. But if we can get permission to use this back road it's gonna be a quick little haul. That's something we are going to have to talk to International Paper. **Representative Millett:** Who owns this. **Chairman Teske:** This part is International Paper. **Representative Millett:** Oh, okay. Who owns that. **Chairman Teske:** Port Authority.

**Representative Millett:** Oh, so you'd have to get permission from IP to do that. **Chairman Teske:** Yeah, just to transfer so we don't have to go out on the highway. **Senator Cuffe:** I would not think there'd be any issue. **Chairman Teske:** I don't think so either. We've got a pretty good relationship with them. But that puts it into perspective a little bit so you get an idea. But back to the flood damage, obviously we have got this levee, um levee failed-ate up quite a bit of property. Do we know of any potential exposure on the rest of Libby Creek or, um- **Melody Kraayeveld:** No. **Chairman Teske:** Cause a lot of properties dead end at that creek. **Melody Kraayeveld:** So we don't know of anything exposed besides that specific curve. **Chairman Teske:** Okay. **Melody Kraayeveld:** Um, but that doesn't mean that we shouldn't go looking for it. And so another piece of this puzzle is we're gonna be working on identifying properties within the floodplain, doing a pretty mass mailing, inviting information about whether the property was impacted, to what level and compiling that information and then doing a large-scale sampling event of impacted properties. **Chairman Teske:** Sure, cause there was some developed yard, or whatever you wanna call it areas, that did get consumed by the creek and I just didn't know if we had historical knowledge that those were already good to go. No trace or whatever you guys call it. **Melody Kraayeveld:** We have several properties that were trace LUAs or that have washed out. **Chairman Teske:** Okay. **Mandy Harcourt:** We have properties that have- **Chairman Teske:** So it's pretty extensive. **Mandy Harcourt:** -removal with contamination at depth that had rivers running through their property. So, Yeah, it's going to be a case by case scenario. **Chairman Teske:** It really is. **Melody Kraayeveld:** And I do want to say that if we have any, this will take a while to get put into place, identify all of these properties, but any property owners that have concerns now, let's give ARP a call. We'll get them out there- **Chairman Teske:** Okay. And I don't know where we- **Melody Kraayeveld:** and get eyes on it. **Chairman Teske:** You know, short of uh, you know, Health Department, that kind of stuff. Where would be get that public messaging from so people know. **Melody Kraayeveld:** We can work on that. **Chairman Teske:** Develop something. Okay. I mean that would be a good idea to develop something. I mean we could distribute it, but I wouldn't want to draft it just because I don't want to say anything, you know, from the Health Department or the EMA or anyone else that isn't factual. **Senator Cuffe:** There were at least two property owners who came to the insurance commissioner meeting Monday night who talked about substantial flooding. One of them talked about, if I understood him right, a considerable amount of acreage had washed away down to the gravel or the stream bedrock. **Chairman Teske:** Sure. **Senator Cuffe:** Uh, the other one talked about a hayfield that had been flooded and I don't know, some washed away- **Chairman Teske:** That's probably that gentleman right there. **Senator Cuffe:** This was an older lady, the hay field- **Chairman Teske:** Oh, it was a lady, Okay. All right. Because I know we lost some substantial amounts of property way out on Libby Creek out on Farm to Market end of it. **Senator Cuffe:** Yeah, I that's where she- **Chairman Teske:** Yeah, so, that's probably who you're talking about. But again, those are going to need some kind of an assessment to determine, you know- **Senator Cuffe:** Those names- **Chairman Teske:** Yeah. **Senator Cuffe:** Maybe Boyd White or somebody would have those- **Chairman Teske:** Sure. **Senator Cuffe:** -or insurance commissioner. **Chairman Teske:** Well, like I said, if we can get some public messaging, get it out there and then people can start contacting and crewing a list of sites. **Melody Kraayeveld:** Um, and sort of a couple other pieces of this are managing debris as it comes out, debris, soils and sediments. Um, because we don't know where this soil has come from, we're considering anything that gets pulled off of people's properties as an unknown. So, we are either going to be just straight disposing of that in the asbestos cell or we'll do sampling. That's going to probably end up being case by case. Um, but I've been trying to work with ER Assist to identify where they're going to be putting a lot of this debris so we can get ARP out there to- **Chairman Teske:** Sure. **Melody Kraayeveld:** -get eyes on it. **Chairman Teske:** Yeah. Most of the debris that we're looking at right now is debris that is going to cause us problems in the future. A lot of trees with root wads and it just takes one of those trees or root wads to divert the stream into a different path. That's what happened right up there. And so we have entered into an agreement, the county has, with a company called Debris Tech to drone fly all of that and give us and then we're putting together a priority area and we'll move from the priority area to permitting. See how much FWP is going to allow us to remove or how they want us to remove it. And then, you know, a lot of that material, the plan for the wood material anyway was to go to the landfill. But that's still something that we're working through right now with those companies and county road crews. Any questions, gentlemen, on the flood damage issue. **George Jamison:** I have a comment. I suppose it ends up being a question too, but obviously there's an enormous amount of effort involved in this from investigation and you know, identification of different areas, on and on and on clear through, potentially, cleanups and things like that. And I keep hearing the three letters ARP over and over. And ARP is a busy group now from my observation over the last couple

years for sure. They're, you know, things slow down a little bit seasonally, but they're pretty well maxed and I just want to be sure that's part of the conversation. Um because you know they can only do so much and we don't want them to just say it's too much and walk out. **Melody Kraayeveld:** No, absolutely. And I think that, you know, we had been discussing prior to the flood adding additional staff to ARP. I think that might move that conversation up a little bit. But as far as these larger scale sampling events, we're going to be pulling in outside contractors. So ARP is not going to be responsible for what could be a couple hundred properties we end up sampling. **George Jamison:** Absolutely. **Melody Kraayeveld:** And that isn't something that we would have- **Chairman Teske:** And this is a pretty substantial amount of acreage with-. **Melody Kraayeveld:** It is. **Chairman Teske:** -that flood because that water basically, gentlemen, ran to the BNSF railroad grade which is built up right there and then ran back into the creek. So you're talking most of the field out where Senator Cuffe's arm is all the way to BNSF. It's a big area. **Melody Kraayeveld:** And that's just one of them. **Chairman Teske:** That's just one of them. **Senator Cuffe:** The possible tie with EPA having some responsibility with us still. **Chairman Teske:** You've been in communication with them. I'll let you discuss that. **Melody Kraayeveld:** At this point in time, DEQ is responsible for all O&M and disaster response falls under O&M. So at this point in time, DEQ will be doing all of the work. **Senator Cuffe:** And I guess I was really thinking cost. **Melody Kraayeveld:** Yes, so some of the cost would be eligible, hopefully, either for the FEMA funding if that comes through or EPA reimbursement. **Senator Cuffe:** Yeah. **Melody Kraayeveld:** Because it falls into O&M it's not ineligible. **Chairman Teske:** All right. Anything else. **George Jamison:** Not today. **Chairman Teske:** Okay. Anyone online have any questions about the damage from the flood event. Just for I guess information, six days later, we had a windstorm come through the entire kind of northwest Montana. So there is also a disaster declaration out for the windstorm because it affected a lot more than Lincoln County. But with that we uprooted quite a few trees in yards and homes and areas that I don't know, you know, I mean, that's going to be another testing protocol because that disturbed that soil pretty substantially. Yeah, so I'm done for 2026 then right. **George Jamison:** Can I make one quick comment. **Chairman Teske:** Yes. **George Jamison:** All of us members of LASOC here, we saw early on as things unfolded here with this disaster responsive and informative email from the director and I just want to say that I thought that was very timely. It was appropriate. It was-uh-I don't often feel reassured by government, but I had a warm feeling when I read that and I think-what I hear today-it's really good to hear what you're doing and what the department's doing and I'm glad that you're doing this and we support you in it. **Chairman Teske:** Yes, thank you Director. **Director Nowakowski:** Well, thank you. I appreciate that feedback and that's what it's been a great conversation today and that's what we just wanted to make sure, you know LASOC members understood, you know, kind of the impacts from the emergency and the rent issue and that these are finite dollars and so when you're asked questions by your community that you feel empowered to answer those. So, we're here to do as much as we can. So thank you as well. **Chairman Teske:** Anyone else have anything before we move on.

<b>11:21 am</b>	<b>Discussion</b>
Public Comment	<b>Chairman Teske:</b> All right, moving on to public comment. No public comment in the room. Anyone online. Public comment. I can't see the screen, is anybody trying to chime in. All right. Nobody raising your hand.

	<b>Discussion</b>
	<b>Chairman Teske:</b> All right, so we will move to, don't we usually try to set the next date. Yeah. What are we looking at for middle of the next quarter. <b>Chairman Teske:</b> Do we want to be at the end of that first month again, like we've been doing. So end of April. Okay. You'll send out a doodle poll and we can see what's available. All right. Is that a good time for you, gentlemen. You are usually our deciding factor just because you've got things going on in Helena and places, so. <b>Senator Cuffe:</b> The end of April. <b>Chairman Teske:</b> Looking okay. <b>Senator Cuffe:</b> The week of the 13th is a bad one for me. <b>Chairman Teske:</b> Okay, we can keep it toward the end still. All right. Well barring any Issues we will look at that last week in April and get a doodle poll out and find out what availability we have. Anything else before we adjourn. All right, that's the end of our agenda items. We can adjourn the meeting. Thank you everybody.

Meeting Adjourned **11:22 am**