



Libby Asbestos Superfund Oversight Committee Meeting
September 23, 2024
11:00 AM

Location of Meeting:

Virtual attendance with in-person in Libby, MT and Helena, MT.

*Remote access was also available.

11:00 am Call to Order

The Libby Asbestos Superfund Oversight Committee conference call was called to order at 11:00 AM on September 23, 2024, with the Pledge of Allegiance.

This was the 29th 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.

11:01 am Roll Call

Chairman Gunderson conducted a roll call of attendees and confirmed that a quorum of Advisory Team members was present. The following persons were present or attended by phone:

Oversight Committee Members:		
Director of DEQ or designated representative	Sonja Nowakowski	Present in Helena
Lincoln County Commissioner designated by the Commission	Commissioner 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 Steve Gunderson	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	
Mandy Harcourt	ARP	Present in Libby
Jessica Wilkerson	DEQ	Present in Helena
Melody Wunderlin	DEQ	Present in Helena
Corrina Brown	Lincoln County	Present in Libby
Ray Stout	Reporter	Present in Libby

11:03 am	Discussion	Document Link
Review and approve minutes of June 10, 2024	Chairman Gunderson: Okay, let's do a review and approve minutes from our June 10 th , 2024, meeting. Commissioner Teske: I would move to approve the June 10 th , 2024, minutes. Senator Cuffe: Second. Chairman Gunderson: Motion has been made and	

	seconded. All those in favor say aye. Aye George Jamison: present, I wasn't here.	
--	--	--

11:04 am	Discussion	
Site Budget and Funding Report- Melody Wunderlin	<p>Chairman Gunderson: Let's move on to the site budget and funding report and Melody Wunderlin.</p> <p>Melody Wunderlin: Good morning. Just a quick comment on the current budget report. This is all current as of the end of fiscal year 24, so that would be June 30th of this year. Are there any questions on it?</p> <p>Chairman Gunderson: Melody, I do have one question. What's our total balance in the bank, basically, at this time? Melody Wunderlin: I think between the two accounts, it's just under or just over 9 million between the trust and the settlement from the lawsuit. Chairman Gunderson: Okay. Does anybody else have any questions or comments? Okay, seeing none. Without objection, we'll just approve those.</p>	

11:06 am	Discussion	
Support of Property Owners Report- Melody Wunderlin	<p>Chairman Gunderson: Let's move on to our site budget and funding report Melody or excuse me supporting property owners report. Melody? Melody Wunderlin: This is up to date as of the end of August. Does anyone have any questions? George Jamison: Chairman Gunderson I don't have a question, but I do have a comment. Chairman Gunderson: Great, George. George Jamison: Thank you. In the course of discussing this this report recently with ARP and EPA both. I'm going to propose that one of the categories of activity that takes a large amount of ARP's time and is very important are their responses to the no-dig calls that they receive and that particular activity itself is not quantified in this report. I propose that I will bring a suggested amendment to this report at the next meeting, and we may add probably either a new line to table one and or a comment associated with one of the existing entries in that table to give everybody an idea about how many of those responses have been dealt with during the fiscal year and so forth. I think it's important information to have. Just a heads up. Thank you. Commissioner Teske: Mr. Chair a question for Mandy. Do you have a ballpark on what that entails- number wise? Mandy Harcourt: Yeah, if we put it to the current numbers for PINs received, which UDIG is a PIN, it satisfies a PIN, and we have small responses of abatements that come in through the UDIG system. That would increase for total O&M by 5 ,404 and then for this fiscal year, it would include 310. Commissioner Teske: Yeah, that is pretty substantial activity. George Jamison: That's huge. Commissioner Teske: Yeah. We should reflect that. I agree. Chairman Gunderson: Senator Cuffe, any input on that? Senator Cuffe: Nope. You know, I think that sounds reasonable, but nothing else. George Jamison: I will add-Melody, I know you normally with Mandy work on that report. I'll collaborate with you two to get some suggested things that we can look at and submit as a draft before the next meeting. Melody Wunderlin: That sounds good. Okay. Chairman Gunderson: Yeah, excellent idea. I think that'd be a good addition. Okay, so let's move on.</p>	

11:09 am	Discussion	
O&M Update – Melody Wunderlin and Mandy Harcourt -Activities at OU1, 2, 4, 5, 7, & 8	<p>Chairman Gunderson: O&M update on activities at OU 1, 2, 4, 5, 7, and 8. I'll hand it over to Melody or Mandy, whoever wants to go first. Melody Wunderlin: I'll hand it over to Mandy. Mandy Harcourt: Okay, today's ARP update will cover activities completed and ongoing since our last meeting in June. ARP responded to 73 hotline calls and 317 utility locate tickets and conducted 89 site visits between June and September. Libby and Troy properties abatement completed or ongoing since the last meeting would be 540 Quartz, which was exterior removal, 118 West Kalispell interior removal, 34361 US Highway 2 interior removal and 514 East Mineral Ave interior removal. Libby and Troy properties with sampling completed since our last meeting is 365 Bobtail Way, 96 Reedway Drive, ASA Wood stockpiles, GID 10841 and GID 6564. Libby and Troy active properties with upcoming abatements is 386 Riverside Dr an exterior removal, 1218 Dakota exterior removal, Noble stockpiles for ASA Wood Soil, 488 Terrace View exterior removal, 105 Upper Flower Creek wall demolition. Libby and Troy properties with upcoming sampling is 2020 Kilbrennan. That's all I have. Chairman Gunderson: Melody? Melody Wunderlin: The only addition I would have is that we're currently looking at some improvements at OU1. Specifically getting those trees through the cap. They're currently planted above the clay cap, and we think that they're not thriving because they're not getting any water. So, we're working on a plan hopefully over the next couple of years to kind</p>	

	of do visual improvements over at OU1. Chairman Gunderson: Okay. Any comments from the committee on the O&M report? Seeing none, let's move on.
--	--

11:12 am	Discussion
DEQ/EPA Site Update – Melody Wunderlin -Activities at OU3 & OU6	Chairman Gunderson: DEQ EPA site update activities at OU3 and OU6. Melody? Melody Wunderlin: I'll start with OU6. I believe that they did their annual inspection two weeks ago. BNSF was out and did an inspection. I haven't seen that report yet, but other than that, there's no updates. As far as OU3, we are still currently waiting for EPA and Grace to finalize the dispute over the ARR or applicable rules out there so the applicable rules and once that's done hopefully, we'll have a new timeline on the feasibility study. Chairman Gunderson: Okay any comment from the panel on the DEQ EPA site update? George Jamison: I have a question, George Jameson. Chairman Gunderson: Go ahead George. George Jamison: I'm not sure Melody if you're free to say but can you tell us what sort of category or subject any particular the ARR disputes over? Is it any certain sector that you could tell us about? Melody Wunderlin: It is for surface water is what we're discussing. George Jamison: Thank you. Chairman Gunderson: Thank you, George. Any other comments from the panel? Hearing none, let's move on.

11:13 am	Discussion
Public Comment (Public comment needs to be word for word)	Chairman Gunderson: Public comment. I'd actually like to make a comment when we had EQC, the Environmental Quality Council's field trips in Libby August 14th, 15th, and 16th. One of the trips that we made, or field trip tours was up to OU3, and I just wanted to commend WR Grace for doing everything that they could to mitigate fire season and the watering of the road, cutting of the grass to allow us to get up to the OU3 actual mine site up on top. That was probably one of the most interesting tours that I've ever been on to be able to look back at the changes that OU3 has went through. One of the requests I made of their PR folks was to take a before and after photo so we could actually see what the activities were what they looked like when the mine was operational compared to today as they went through remediation and mining abatement. It's just amazing what it looks like. Senator Cuff, did you have anything you wanted to add to that? Senator Cuffe: Thank you, Mr. Chairman, but yeah, that was quite a nostalgic trip down memory lane for me. When I came to town in 1972, I was editor of the Western News. One of my first assignments was to go up and they were changing from the dry mill to what was called a wet mill to where the, I guess the material would be put into kind of a slurry pipeline, as I recall. At the same time, it may have been the following spring, but I remember going up and taking pictures in the area where we stood of, I believe it was new end loaders or digging equipment of some sort. That has been, you know, a few years ago. It's kind of like picking up the Western news, looking in the 50 years ago column and say, hey, I took that picture. So that's how that whole trip was. I thought it was a very exceptional trip, a good trip. Thank you. Chairman Gunderson: Yeah, that was definitely educational to be able to see the changes over time. Any other panel comments? Hearing none. Do we have any public comment on any subject within the purview of LASOC? Commissioner Teske: Nobody in the audience here. Chairman Gunderson: Hearing none, let's move on.

11:16 am	Discussion
Discussion and Next Steps <ul style="list-style-type: none"> • Date and location of next meeting • Summary of action items 	Chairman Gunderson: Discussion and next steps, date and location of our next meeting. Mandy, I think we talked about a December meeting in Libby. Mandy Harcourt: Yep. Chairman Gunderson: We'll do a doodle poll, as usual, to nail down a compatible date for everybody. Moving on to summary of action items. Do we have any current action items that we're working on? George Jamison: Mr. Chairman we have the one that I suggested for the property owners report. Chairman Gunderson: Okay so let's make sure we keep that in our action items. Yeah, I'm looking forward to seeing that. That'll be some good information to add to our report. Any other comments or input? I'm going to adjourn the meeting, and we'll see everybody December. Meeting adjourned.

Meeting Adjourned 11:18 AM