

Libby Asbestos Superfund Oversight Committee (LASOC)
October 30, 2025 Meeting

Proposed Recommendation
Funding for Facilitator Services
Five Year Review (FYR) 2025
Libby Asbestos Superfund Site

Background:

- EPA issued their FYR for the Site in June 2025¹
- The FYR process is intended to regularly examine whether the Site conditions remain protective of human health and the environment
- The FYR is an essential part of the post-remediation phase, i.e., Operation and Maintenance (O&M), for which the Montana Department of Environmental Quality (DEQ) bears responsibility
- Significant community input preceded the assessment phase of the FYR through interviews and written comments from a broad range of stakeholders including, LASOC, Lincoln County (ARP, Health Department, Commissioners, and the City-County Board of Health for Lincoln County (BOH), and the scientific/clinician community
- Technical concerns centered primarily around: (1) evolving scientific and clinical human health findings since the original risk assessment and remedy selection, and (2) ecological resource considerations. Both include findings since the last FYR
- EPA issued the FYR in June 2025 with a determination that the remedy is protective
- LASOC's Lincoln County representatives (with support from the BOH) have both raised significant concerns about the recent FYR determinations as documented in prior communications to EPA
- EPA recently agreed to collaborate on addressing concerns from stakeholders and DEQ. The initial discussion with EPA on September 23, 2025 identified broad areas of disagreement.
- The areas of disagreement and concern include both procedural and technical matters
- Concurrent with these activities, the primary responsibility to articulate County and other stakeholder concerns is being assumed by the BOH consistent with their former efforts in developing and implementing essential Institutional Controls for the Site
- The BOH has recently appointed Focus Area Liaisons for Superfund which will lead the efforts to provide organized input, and to interact with other parties, including DEQ and the scientific/clinician community to present concerns about the FYR. Such efforts will be the primary basis for future interaction with EPA.
- Supporting the BOH for the above efforts is essential to LASOC in performance of their duties

¹ Applicable to Operable Units where corrective action has been deemed complete.

- The BOH has formally requested that LASOC provide assistance in providing a facilitator to assist in efforts. They are prepared to move forward with efforts once a facilitator is available.

Facilitator Role:

- Provide services to the County for engagement with EPA
- Coordination and scheduling
- Assist in defining goals
- Assist in preparing meeting agendas and conducting meetings
- Track progress and facilitate appropriate interim goals
- Track “to-do” assignments and accountability for completion
- Help refine content of written materials
- Evaluate positions and statements for clarity; offer suggestions
- Identify areas of consensus and disagreement
- Moderate discussions to promote clarity and respectful dialog
- Facilitate discussions to promote clear understanding
- Encourage consensus
- Maintain a record of activities
- Assist in reporting progress to stakeholders
- Make recommendations for streamlining the process and communications
- Provide constructive and critical input
- Identify obstacles and sticking points to progress
- Assist in developing and reviewing various documents and communications to promote clarity and brevity
- Assist in summarizing and memorializing overall outcomes at close of project

Justification for Facilitator Services:

- Facilitation is a very specialized service and set of skills
- The County entities lack these specialized skill sets
- A facilitator greatly eases the burden on participants, which minimizes additional workload on employees
- Volunteers, critical to Lincoln County participation, are more apt to engage if they are assured the support of a facilitator
- The likelihood of a “successful” outcome for all parties is maximized with a facilitator
- Facilitation will speed resolution of the FYR concerns, and allow focus on other activities, including the upcoming OU3 FS review
- The experience of using a facilitator will provide insight and help in planning the OU3 FS review

Justification for Recommendation and DEQ Funding:

- A correctly conducted FYR process, and any follow-up activities, is essential to maintaining protectiveness of human health and ecological resources throughout the (perpetual) O&M period
- Successful outcomes are essential to the Lincoln County communities

- The recommendation is consistent with the current Duties of LASOC (updated in 2019 legislation) per MCA Section 75-10-1601(5)
- The funding request is consistent with MCA Section 75-101604, specifically the Operation and Maintenance (O&M) Account

Details of Recommendation:

- Lincoln County currently provides administrative support of LASOC via a MOA with DEQ using the O&M account funds (Fund 02130). The MOA is budgeted for about \$25,000 annually, with actual expenditures of about \$16,000.
- The MOA could be amended to include facilitator services
- The portion of O&M account funds (Fund 02130) available annually for administrative costs is \$120,000, which is well in excess of the current MOA and the additional request for a facilitator
- Facilitation services to be provided by Bret Romney of Ascend Strategies, Mountain City, Montana on an hourly rate basis not to exceed \$10,000
- LASOC and the County have both successfully used the proposed facilitator (Bret Romney, Ascend Strategies) for interactions between DEQ and LASOC members (bylaw development), and various interactions between Lincoln County and federal agencies. Those experiences demonstrated that the facilitator is a trusted, skilled and effective advisor.
- Services are expected to be provided remotely, not requiring the expenses of travel hours and costs
- Facilitator services would be invoiced to the Asbestos Resource Program, and be reimbursed by DEQ as part of the existing/modified MOA
- ARP would collaborate with the BOH and Lincoln County LASOC representatives to manage the facilitator services while relying on the BOH to take a leadership role

Motion for Funding:

“A motion is hereby made to present and support a recommendation to DEQ to provide funding for facilitator services as generally outlined in the ‘Proposed Recommendation, Funding for Facilitator Services, Five Year Review (FYR) 2025, Libby Asbestos Superfund Site,’ as presented at the 30 October 2025 LASOC meeting.”