



January 13, 2022

Gordon Criswell
Talen Montana
PO Box 38
Colstrip, Montana
(electronically delivered)

Re: December 3, 2021, Clearwell Process Water Release at Units 1 & 2 Pipeline Drain Pond near Highway 39 and East Fork Armells Creek, Colstrip, MT [CVID 23695] - Warning

Dear Mr. Criswell,

The Department of Environmental Quality's (DEQ's) Cleanup, Protection, and Redevelopment Section (CPRS) and Enforcement Program (ENF) received information that over 175,000 gallons of clearwell process water from the Colstrip Steam Electric Station Facility, specific to the Units 1&2 Pond Area, spilled to the environment. The spill was apparently due to a valve failure or issue that overflowed the Units 1 & 2 Pipeline Drain Pond along Highway 39, east of the railroad area near East Fork Armells Creek, Colstrip, MT in Rosebud County, Montana. Figure 1, attached, has the approximate area of the noted release.

This letter is to inform you that the overflow spill from the holding pond of clearwell process water to the environment has the potential to impact state ground and surface waters. This release may result in a future violation of the Montana Water Quality Act (WQA) and Talen's Certificate of Compliance issued under the Major Facility Siting Act (MFSA).

Under the Montana WQA and MFSA:

- DEQ administers and enforces the Montana Major Facility Siting Act. Talen's Certificate of Compliance issued under the Major Facility Siting Act requires that Talen's operation to use a closed loop system which does not discharge effluents from the plants into ground water or surface water and, therefore, does not affect the ground or surface water in the area. Certificate of Compliance, Finding of Fact Nos. 64 and 65.
- DEQ administers the Montana Water Quality Act. Under the Montana Water Quality Act, it is unlawful to cause pollution of any state waters. Section 75-5-605(1), Montana Code Annotated (MCA).
- DEQ may require cleanup for any material that a person has accidentally dumped, spilled, or otherwise deposited in or near state waters and that may pollute state waters. Section 75-5-601, MCA.

Talen Montana contacted me, DEQ's Colstrip Project Officer, on December 3, 2021, to discuss the overflow spill to the environment and to discuss interim cleanup actions. Since the date of the spill, Talen Montana has performed the following actions in coordination with DEQ:

- Minimized seepage by closing off the pipeline from additional discharge and immediately starting removal of the standing water from the area to prevent overland flow to nearby East Fork Armells Creek. A total of 175,000 gallons of water was reported as removed from ponding areas outside of the Pipeline Drain Pond between December 3, 2021, and December 5, 2021. The recovered water was returned to the Units 1&2 STEP B Cell or the 1&2 B Pond.
- Sampled the clearwell process water from the Pipeline Drain Pond to assess constituents of concern. Analytical results will be provided to DEQ. Field parameters indicated an acidic water of 4.4 S.U. with a high specific conductance of 36,591 $\mu\text{mhos/cm}$.
- Started monitoring the following six groundwater wells within the area: 917A, SP 3, SP N, P12, SP S, and P11.
- Collected post-spill analytical samples of the surface water of East Fork Armells Creek at two locations:
 - Upgradient, south or southeast, of the Pipeline Overflow Pond at AR-1NF
 - Downgradient in the oxbow turn north of the spill area – at AR-8
- Started an investigation into the root cause or issues that precipitated the overflow spill, including providing an initial summary of the spill response with figures and photos of the release area.
- Provided a simplified summary response report and figure on the locations on December 7, 2021, and again an updated figure and additional information on surface water samples after discussion with DEQ on December 9, 2021.

DEQ understands that the overland flow of clearwell process water did not visibly enter or impact the nearby surface water in East Fork Armells Creek.

In order to investigate and evaluate the potential impact to the environment, including concerns with respect to soils and surface water, DEQ requests that the following corrective actions be conducted:

- By February 11, 2022:
 - Provide a complete assessment and remedial actions, including disposal details of impacted media. Please provide a copy of this letter to any environmental consultant you have hired, and it is recommended that a copy of this letter also be provided to your insurance company as well.
 - Provide the initial analytical results from the post-spill sampling events, including the sampling of the six groundwater wells and the surface water of East Fork Armells Creek at two locations. Complete assessment and remedial actions and submit a cleanup report with figures of sample locations meeting Enforcement's Standardized Cleanup Report format (see reference location below).
- By February 21, 2022:
 - Sample the same six groundwater monitoring wells for the Units 1& 2 constituents of concern (COCs): 917A, SP 3, SP N, P12, SP S, and P11.

- Sample the same upgradient and downgradient locations (AR-1NF and AR-8, respectively) on East Fork Armells Creek from December 2021 sampling based on availability and access to water (e.g., non-frozen conditions). Include both the COCs identified for Units 1 & 2 and the parameters required in the East Fork Armells Creek Water Quality Monitoring: 2021 Sampling and Analysis Plan, Document ID: WQDMASSAP-26 (DEQ May, 2021)
- Contact me if you need confirmation on the sampling parameters prior to sampling efforts. Provide analytical results to DEQ within 45-days after the sampling event.
- During Spring High Runoff 2022 (appears in later April or Early May according to the Hydrologic Reports):
 - Monitor East Fork Armells Creek and other surface water entities in the area to determine when there are spring runoff-high conditions (highest surface water and/or groundwater).
 - Sample the same six groundwater monitoring wells for the Units 1& 2 constituents of concern (COCs): 917A, SP 3, SP N, P12, SP S, and P11.
 - Sample the same upgradient and downgradient locations (AR-1NF and AR-8, respectively) on East Fork Armells Creek from December 2021 sampling based on availability and access to water (e.g., non-frozen conditions). Include both the COCs identified for Units 1 & 2 and the parameters required in the East Fork Armells Creek Water Quality Monitoring: 2021 Sampling and Analysis Plan, Document ID: WQDMASSAP-26 (DEQ May, 2021)
 - Contact me if you need confirmation on the sampling parameters prior to sampling efforts. Provide analytical results to DEQ within 45-days after the sampling event.

Please submit electronic copies of the Cleanup Reports and analytical results to Sarah Seitz, DEQ Colstrip Project Officer, within the timeframes noted. DEQ will review the documents and discuss results and next steps with Talen Montana.

The Standardized Cleanup Report format can be accessed on DEQ Enforcement's web site at: <https://deq.mt.gov/about/enforcement> > Spill Cleanup Information or directly accessed at <https://deq.mt.gov/files/DEQAdmin/ENF/Documents/StandardizedCleanupReport.pdf>. Please note that cleanup reports not submitted in the Standardized Cleanup Report format or not providing all requested information may not be accepted by DEQ.

It is DEQ's understanding that the incident was east of the railroad tracks and not within or immediately adjacent to public right-of-way. If this incident occurred on a public right-of-way, an encroachment permit (Permit) may be required. For information on obtaining a Permit, please contact the Montana Department of Transportation Maintenance Area Office at: http://www.mdt.mt.gov/mdt/organization/maint_sites.shtml

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If you have questions related to this matter, have questions concerning the COCs, documents/links, or feel the reported information is not factually accurate, please contact me at either Sarah.Seitz@mt.gov or the telephone number listed below. Please reference **CVID 23695** on the reports and on any future correspondence related to this incident.

Sincerely,



Sarah Seitz
Environmental Project Manager – Colstrip SES Remediation
Contaminated Site Cleanup Bureau

Attachments: Figure 1 Overview of December 3, 2021, Talen Montana Release Area

cc via email: Katie Morris, DEQ CPRS Supervisor
Darrin Kron, DEQ Water Quality Monitoring Section Supervisor
Craig Jones, DEQ MEPA-MFSA Coordinator
Shasta Steinweden, DEQ Enforcement