

Senate Bill 96

In 1997, the Montana Legislature created the Controlled Allocation of Liability Act (CALA), which included the orphan share account. One purpose of CALA was to help fund cleanup of state superfund facilities where a responsible party was bankrupt or defunct. Use of the orphan share account was limited to reimbursing responsible parties who completed the allocation process and then completed all required remedial actions. However, during the 2015 Legislature, SB 96 was passed, which allows DEQ to use a portion of the orphan share account to investigate, remediate, and collect confirmation samples in order to evaluate impacted properties for closure or delisting. The CALA funding from the orphan share account will be used by the following DEQ programs: Abandoned Mines, Brownfields, Petroleum Tank Cleanup, and State Superfund. SB 96 does not replace the current allocation process under CALA or change other cleanup work already occurring. Rather, it complements the options available to complete investigation, cleanup, and confirmation sampling at sites and ensuring protection of human health and the environment.

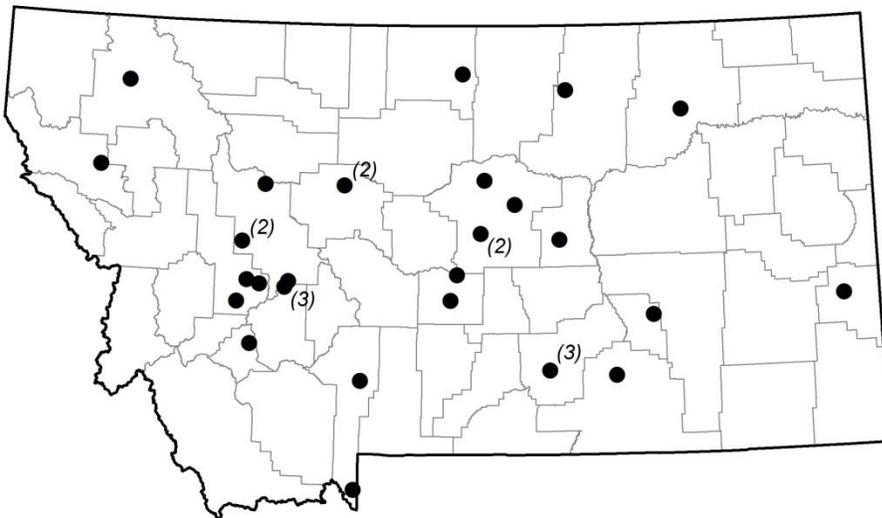


Underground storage tank removal in Deer Lodge (September 2015)

Since July 2015, under SB 96, DEQ has initiated contracts or begun work at 33 project sites. Work has been completed and confirmation samples have allowed one

petroleum release to be resolved to date. Several additional releases are expected to be resolved when the data is received that demonstrates contamination is below screening levels. Here is a summary of money allocated as of the March 9, 2016, Environmental Quality Committee meeting update:

- Approved scopes of work: \$4,237,881
 - Hazardous Substance: \$3,414,698 (9 sites)
 - Petroleum Tank Release: \$538,110 (23 sites)
 - Mine Waste: \$285,073 (1 site)
- Contracts in place: \$3,444,100
- Expended funds: \$1,214,831



Location of SB 96 projects (February 2016)