

United States Senate

October 31, 2023

The Honorable Michael Regan
Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue NW
Washington, DC 20460

Administrator Regan:

I am writing you regarding Superfund activities in Butte, Montana. The top issue I hear in Butte regarding EPA is that there is a lack of trust and communication between the agency and the community, particularly related to waste-in-place remedies. I ask that you personally engage to improve the situation.

As I wrote you in 2022 and we discussed at a hearing earlier this year, communities across Montana remain deeply troubled by current and proposed waste-in-place remedies. In Butte, I continue to hear from local residents who are frustrated that these remedies will negatively impact specific residential areas by forcing them to bear the burden of being repositories for waste.

I appreciate that EPA is dedicating significant additional resources to Superfund in Region 8 and across the country, but I am concerned that this is not translating to better communication and relationships with folks in Butte. I hear nearly every day from people in Butte who feel that key decisions about the health and future of their community are being made behind closed doors and without their input. I would again ask that EPA conduct a review of its waste-in-place policies in Butte and work to thoroughly engage with the public regarding possible alternatives.

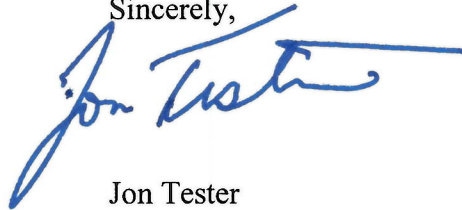
I would specifically like to draw your attention to a public meeting that EPA hosted in Butte on August 30th of this year. In materials promoting the event, the agency committed to answer questions from the community and take input from Butte residents. I am deeply concerned by reports from folks in Butte who have had questions they raised at that meeting dismissed, or who were told that their questions could not be answered until EPA had finalized next steps for the Superfund site. This runs counter to the commitments that EPA has made to Butte and that you and your staff have made to me directly, and it erodes trust between your agency and the community. I strongly urge you to work to respond to citizen questions raised at this forum and to clarify how my constituents in Butte can get technical questions answered by your agency moving forward.

The best way to address the waste-in-place situation is by working directly with the community and reviewing options they put forward. One common solution that local residents

have raised with me is to deposit the waste in the Berkeley Pit. I encourage EPA to give consideration to any and all proposals that come before it as you look to resolve the issue.

I know that we all share the same goal of creating a lasting solution for the Butte community. It is important for EPA to engage the public, build trust in the community, and rely on sound science. Thank you for your continued attention to these issues. I look forward to your response.

Sincerely,

A handwritten signature in blue ink that reads "Jon Tester". The signature is written in a cursive style with a long horizontal stroke at the end.

Jon Tester