

United States Senate

October 27, 2017

The Honorable Doug Benevento
Regional Administrator, Region 8
Environmental Protection Agency
1595 Wynkoop Street
Denver, CO 80202-1129

Dear Administrator Benevento:

Congratulations on your recent appointment to serve as the Administrator for Region 8 of the Environmental Protection Agency (EPA). I am pleased to hear you are visiting Montana next week. While you are here, I encourage you to meet with local stakeholders and elected officials in the communities of Anaconda, Butte, Columbia Falls and Libby. It is critical that you gain firsthand knowledge of the unique challenges within each community so you can address them immediately. Montana has too often slipped off your Agency's radar, leaving Montanans to clean up the messes of big corporations. By visiting our state, you will see the resilience of our communities and the urgent need to defend our clean air and water, which are the backbone of our state's economy.

You oversee Superfund cleanups in Butte and Anaconda. These sites have been on the Superfund National Priorities List (NPL) for more than 30 years and both are in the Final NPL stage. This means they pose a real or potential threat to human health and the environment. Despite of the EPA's long tenure at both Superfund sites, public forums by the EPA to share progress on the clean-ups have been limited. It is incumbent that the EPA get the job done quickly and address public distrust in your agency.

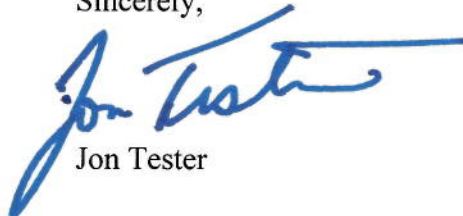
At the Anaconda Co. Smelter Superfund site, the EPA has only recently begun sampling and abatement for lead contamination and is just now considering testing lead levels in schools. The community is aware the abatement levels for metals at the site are different from those at other Superfund sites and that in Butte, the EPA instituted a residential lead abatement program. In Anaconda, where there are instances of high blood lead levels, a similar program does not exist. In Butte, the EPA has overseen a great deal of cleanup. However, some of the remedies are not functioning as intended and the EPA needs to revisit them. In many cases, the Records of Decision on which the remedies are based remain incomplete and promises to amend them following confidential consent decree negotiations are suspect within the community. At both sites, the EPA and the Principal Responsible Parties have been working secretly for years, including discussing remedies. It is imperative that the process is transparent and that you solicit meaningful public involvement from the local communities.

In Libby, amphibole asbestos from vermiculite mines operated by W.R. Grace contributed to high rates of lung disease in the community, and has led to the tragic deaths of hundreds of people. Asbestos has been found in the air, indoor dust, soil, water, animal and fish tissue around Libby and Troy. Long and difficult work has helped to clean up thousands of homes at this site, but there is still more work to be done to ensure all affected properties are safe, and W.R. Grace is held accountable for the full cost of cleanup. It is critical that the EPA continue to work with on-the-ground organizations such as the Center for Asbestos Related Diseases to ensure that the community has the information it needs to keep people safe and healthy. It is also critical that the EPA continue to engage with the Forest Service and state and local government to reduce the risk of a wildfire near the site, which could allow additional asbestos fibers to become airborne.

Last September, Columbia Falls Aluminum Company became the newest Superfund site in Montana. Columbia Falls is a community that has been repeatedly misled by Glencore, an international corporation with no interest in cleaning up this site.

I encourage you to include public listening sessions with local communities and elected officials impacted by Superfund sites in Montana when you visit the state next week. I would be delighted to assist you in making these arrangements.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jon Tester", with a long horizontal flourish extending to the right.

Jon Tester