

**Montana Department of
ENVIRONMENTAL QUALITY**

Brian Schweitzer, Governor

1520 East 6th Avenue • Helena, MT 59620 • (406) 444-4218 • Fax: (406) 444-5330

February 16, 2010

Senator Bruce Tutvedt
2335 West Valley Drive
Kalispell, Mt 59901

Re: Information Request – CECRA Priority List.

Dear Senator Tutvedt:

Thank you for your January 21, 2010, letter requesting certain information concerning the Comprehensive Environmental Cleanup and Responsibility Act (CECRA) Priority List. I may have understated the number of facilities that have been delisted from the CECRA Priority List at the January 8, 2010, EQC Meeting when I stated 40 facilities had been delisted since CECRA was established in 1985. After reviewing our database, I discovered that 85 facilities have actually been delisted. In response to the specific request, DEQ has delisted nine facilities since 2000. A list of those nine sites is attached. In addition to those nine delisted facilities, an additional four facilities have been issued “no further action” letters. Those four facilities are identified on the enclosed CECRA Priority List by an “N” in the Ranking column.

The Somers Tie Treating Plant is a federal superfund National Priority List site actively being addressed by the U.S. Environmental Protection Agency (EPA). It is concurrently listed on the CECRA Priority List; however, all work is being directed by the EPA under federal superfund authority with DEQ in a supporting role. After the site is remediated to the appropriate federal and state cleanup criteria, it will be proposed for delisting from the National Priority List as well as the CECRA Priority List. I have enclosed the latest fact sheet, which can be found with additional site information on the internet at: <http://deq.mt.gov/fedsuperfund/BNSomers.mcp.x>. I understand that the excavated soil has been cleaned up to acceptable levels and EPA allowed the responsible party to temporarily turn off the groundwater remediation system to see how contaminants in the aquifer would respond. Preliminary indications from this shut down test indicate that more work may be required.

The Kalispell Landfill is a medium priority CECRA site. I have enclosed the fact sheet we have in our database for the site. Due to the site's lower priority, it is not currently assigned to staff and has not had any work completed since the site was transferred to DEQ from the EPA in 1988. You can see from reading the enclosed site summary the EPA declared it “No Further Action” when they transferred regulatory authority to DEQ. This determination by the EPA is entirely different from DEQ's and demonstrates the differences between the federal and state

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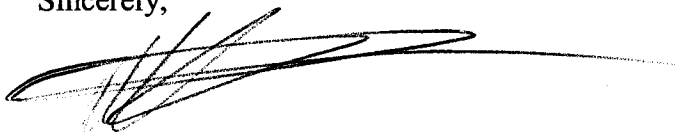
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superfund laws. Some sites like this one do not rise to the caliber for listing on the National Priority List, using the federal Hazard Ranking System that some people have proposed DEQ use for listing sites. Yet the site is clearly contaminated and in need of additional remediation work. In this case, the site is ranked as a medium priority, but high priority sites also fall into this situation. If the sites were not listed on the CECRA Priority List, then no remediation would be completed at these sites, allowing unacceptable negative impacts to human health and the environment to continue unabated.

Lastly you asked about procedural changes. The department has changed a number of the procedures used in the program that administers CECRA, based on past recommendations from EQC. In addition, we created a website of frequently asked questions to assist interested persons in understanding the CECRA process. This list is dynamic and more questions are added as we identify a recurring pattern for a given topic. Several legislative changes were made during the 2009 session. Our most recent effort to make the process more user-friendly was the proposed rulemaking in October. Shortly we will have an updated voluntary cleanup guide completed and in the coming months we plan to publish a vapor intrusion guide that we hope many will find useful.

I hope this answers your questions. Unfortunately, I will not be able to attend the March 3, 2010, EQC meeting, but Sandi Olsen will be able to discuss any issues you may have. Feel free to call me at (406) 841-5045 or e-mail me at mtrombetta@mt.gov if you have further questions or concerns.

Sincerely,



Michael J. Trombetta, Chief
Hazardous Waste Site Cleanup Bureau

cc: ✓ Todd Everts, EQC (with enclosures)
Sandi Olsen
Tom Livers

Encl. Table of CECRA Facilities delisted since 2000
CECRA Priority List
CECRA Site Summary – Kalispell Landfill
Somers Tie Treating Plant – October 2009 Fact Sheet

Montana Comprehensive Environmental Cleanup Responsibility Act (CECRA) Sites Delisted Since 2000

Site Name	Risk Level	Date Identified	Date Delisted
Burlington Northern Fueling Facility Jones Jct	Low	6/1/1995	9/7/2000
Burlington Northern Fueling Facility Glasgow	Low	6/1/1995	1/26/2001
Precious Metals Plating Facility	High	4/1/1990	1/26/2001
Former L P Mill Site	Medium	1/1/1989	2/20/2004
Twin Creeks Logging Camp	Referred	1/1/1989	2/20/2004
Rocky Mountain Laboratory Hamilton	Medium	10/3/1994	7/28/2004
Lewis Construction Co Vaughn Gravel Pit	High	1/1/1989	11/18/2005
Kalispell Air Force Station	Medium	6/8/1994	5/10/2007
Abandoned Railroad Embankment West Great Falls	Low	5/29/1997	5/30/2007



SITE RESPONSE SECTION

CECRA PRIORITY SITES SORTED BY SITE

Data as of January 26, 2010 Total Number of Sites = 209

Site	City	County	Ranking
A & S Industries †	Poplar	Roosevelt	H
A Js Laundry and Linen	Missoula	Missoula	N ✓
Agency Dump †	Agency	Sanders	M
Alberton Roundhouse	Alberton	Mineral	L
Alice Creek Post and Pole	Lincoln	Lewis And Clark	M
All American Bumper & Plating	Missoula	Missoula	L
Anaconda Aluminum Co Columbia Falls	Columbia Falls	Flathead	R
Anaconda Minerals Company Great Falls	Black Eagle	Cascade	H
Arro Oil Refinery	Lewistown	Fergus	M
Basin Mining Site **	Basin	Jefferson	H
Bass Creek Post and Pole	Stevensville	Ravalli	L
Beaver Wood Products Inc	Columbia Falls	Flathead	H
Beaverhead National Forest Elkhorn Mine & Mill ‡	Wise River	Beaverhead	R
Belle Creek Barrel Site	Belle Creek	Powder River	L
Berg Post And Pole	Lewistown	Fergus	H
Big Hole Post Plant	Argenta	Beaverhead	M
Big Horn Oil & Refining Co	Billings	Yellowstone	L
Big West Oil Refinery	Kevin	Toole	H
Billings PCE Groundwater	Billings	Yellowstone	H
Bitterroot Valley Sanitary Landfill	Victor	Ravalli	X
Blackfeet Pencil Factory †	Browning	Glacier	L
Blackfeet Post and Pole †	Browning	Glacier	L
Bohrmans Exxon	Ennis	Madison	M
Bonneville Power Administration Hot Springs † ‡	Hot Springs	Sanders	L ✓
Bootlegger Trail Site	Black Eagle	Cascade	N
Boulder River Railroad	Boulder	Jefferson	L
Bozeman Old City Landfill	Bozeman	Gallatin	L
Bozeman Solvent Site	Bozeman	Gallatin	X
Bureau Land Management Steamboat Point ‡	Loma	Chouteau	L
Burlington Northern Derailment Site Bainville	Bainville	Roosevelt	L
Burlington Northern Derailment Site Bridger	Bridger	Carbon	M
Burlington Northern Derailment Site Whitefish	Whitefish	Flathead	R
Burlington Northern Fueling Facility Billings	Billings	Yellowstone	M
Burlington Northern Fueling Facility Butte	Butte	Silver Bow	M
Burlington Northern Fueling Facility Essex	Essex	Flathead	M
Burlington Northern Fueling Facility Glendive	Glendive	Dawson	H

*RCRA Permitted Facilities

†Reservation Facilities

‡Federal Facilities

**National Priorities List Facilities

Ranking Codes:

X = Maximum priority

H = High priority

M = Medium priority

L = Low priority

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O = Operation and maintenance

**All data generated from the Montana Department of Environmental Quality, Remediation Division, Site Response Section database on the date shown at the top of the report. Not all data is reflected in the database. Data that has recently been collected and/or changed may not be reflected in the results due to data entry time lag.*

Site	City	County	Ranking
Burlington Northern Fueling Facility Great Falls	Great Falls	Cascade	H
Burlington Northern Fueling Facility Havre	Havre	Hill	X
Burlington Northern Fueling Facility Helena	Helena	Lewis And Clark	H
Burlington Northern Fueling Facility Laurel	Laurel	Yellowstone	H
Burlington Northern Fueling Facility Missoula	Missoula	Missoula	H
Burlington Northern Fueling Facility Shelby	Shelby	Toole	L
Burlington Northern Fueling Facility Whitefish	Whitefish	Flathead	H
Burlington Northern Krezelak Pond	Havre	Hill	M
Burlington Northern Livingston Shop Complex	Livingston	Park	X
Burlington Northern Racetrack Pond	Havre	Hill	M
Burlington Northern Somers Plant	Somers	Flathead	L
Busby CCC Camp †	Busby	Big Horn	L
Butana Speedway	Butte	Silver Bow	M
Butte Manufactured Gas Plant	Butte	Silver Bow	H
Carpenter & Snow Creek Mining Complex **	Neihart	Cascade	H
Carter Oil Refinery †	Cut Bank	Glacier	H
Central Post and Treating Co	Lewistown	Fergus	L
Chandelle Lane Barrel Site	Black Eagle	Cascade	H
Charles M Russell Refuge ‡	Turkey Joe Landing	Fergus	L
Chevron USA Inc Browning Bulk Hoyt Dist †	Browning	Glacier	L
CMC Asbestos Bozeman	Bozeman	Gallatin	M
Coffman Lumber & Treatment Co	Billings	Yellowstone	M
Comet Oil Co	Billings	Yellowstone	H
Conrad Refining Co	Conrad	Pondera	M
Continental Oil Refinery Lewistown	Lewistown	Fergus	M
Corbin Flats	Jefferson City	Jefferson	O
Creston Post and Pole Yard	Creston	Flathead	H
Davis Post Yard	Willow Creek	Gallatin	M
Department of Army AMSA 5 ‡	Billings	Yellowstone	L
Developmental Technology	Bozeman	Gallatin	L
Diamond Asphalt Co	Chinook	Blaine	M
Diamond P Ranch	West Yellowstone	Gallatin	H
Dixon Perma Dump †	Dixon	Sanders	M
Dowell Schlumberger Inc	Glendive	Dawson	M
Empire Sand & Gravel Co Inc Billings	Billings	Yellowstone	M
Energy West Gas Manufacturing Plant	Great Falls	Cascade	M
Fisher Flats Dump †	Valier	Pondera	L
Flathead Mines	Niarada	Flathead	R
Flathead Post and Pole †	Agency	Sanders	M
Fort Missoula OMS 2 ‡	Missoula	Missoula	M
Fort Peck Project ‡	Fort Peck	Valley	M
Ft Keogh Livestock & Range Research Lab ‡	Miles City	Custer	L
General Electric Co	Billings	Yellowstone	L

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Site	City	County	Ranking
Georgetown Railroad	Georgetown	Deer Lodge	H
Glasgow Air Force Base	Glasgow	Valley	M
Goldsil Mining Co	Marysville	Lewis And Clark	R
Granite Timber Co	Philipsburg	Granite	H
Great Falls City Landfill 25th Ave	Black Eagle	Cascade	M
Great Falls International Airport MTANG ‡	Great Falls	Cascade	H
Great Falls Refinery Phillips Petroleum *	Black Eagle	Cascade	R
Harlowton Milwaukee Roundhouse	Harlowton	Wheatland	M
Hart Oil Refinery	Missoula	Missoula	H
Havre Refinery	Havre	Hill	L
Haywire Mill	Yaak	Lincoln	M
Helena Regional Airport	Helena	Lewis And Clark	M
Hirschy Corrals	Wisdom	Beaverhead	M
Hungry Horse Dam Townsite ‡	Hungry Horse	Flathead	M
Ideal Basic Industry Plant Site Area	Trident	Gallatin	L
Iron Mountain Mill **	Superior	Mineral	X
J & N Post and Pole †	Evaro	Missoula	M
Jardine Arsenic Tailings	Jardine	Park	R
Jet Fuel Refinery †	Mosby	Garfield	H
Joslyn Street Tailings	Helena	Lewis And Clark	H
Kalispell City Landfill Cemetery Road	Kalispell	Flathead	M
Kalispell Landfill Willow Glen Road	Kalispell	Flathead	M
Kalispell Pole and Timber	Kalispell	Flathead	H
Karst Asbestos Mine ‡	Gallatin Gateway	Gallatin	R
Kenison Pole Plant	Townsend	Broadwater	L
Kings Creek †	Hays	Phillips	R
Larrys Post And Treating Co	Columbia Falls	Flathead	M
Laurel Oil & Refining Co	Butte	Silver Bow	L
Lewis & Clark National Forest ‡ **	Hughesville	Judith Basin	H
Lockwood Solvent Site **	Billings	Yellowstone	X
Lohof Gravel Pit	Billings	Yellowstone	M
Luther Wood Treating Facility	Luther	Carbon	M
Malmstrom Air Force Base * ‡	Great Falls	Cascade	R
Malta Airport	Malta	Phillips	M
Marble Creek Post Yard	Superior	Mineral	L
McCulloch Purchase Station	Fairview	Richland	L
McLaren Mill Tailings	Cooke City	Park	R
MDOT Maintenance Facility Helena	Helena	Lewis And Clark	H
Mercer Post Plant	Bozeman	Gallatin	L
Midway Store Dump †	Ravalli	Lake	M
Midwest Refining Co	Conrad	Pondera	L
Miles City Livestock Center	Miles City	Custer	M
Miles City Oil Refinery	Miles City	Custer	M

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Site	City	County	Ranking
Miles City Railyard	Miles City	Custer	H
Milwaukee Road Haugan	Haugan	Mineral	H
Milwaukee Roundhouse	Deer Lodge	Powell	H
Mission Wye	Livingston	Park	H
Missoula Sawmill	Missoula	Missoula	H
Missoula Vocational Tech Center	Missoula	Missoula	M
Missoula White Pine Sash Co	Missoula	Missoula	H
Moe Chevrolet †	Poplar	Roosevelt	M
Montana Power Co Manufactured Gas Plant	Helena	Lewis And Clark	H
Montana Power Co Storage Yard	Butte	Silver Bow	M
Montana Rail Link 1930 South Avenue West Facility	Missoula	Missoula	L
Montana Sulphur and Chemical Co	Billings	Yellowstone	M
Musters Post Yard	Thompson Falls	Sanders	M
New World Mine	Cooke City	Park	H
North American Oil Refinery	Kalispell	Flathead	L
Old Agency Landfill †	Fort Belknap Agency	Blaine	H
Old Arlee Dump †	Arlee	Lake	L
Old Charlo Dump †	Charlo	Lake	L
Old Community Dump †	Ronan	Lake	M
Old Crow Agency Dump †	Crow Agency	Big Horn	M
Old Lame Deer Dump †	Lame Deer	Rosebud	M
Old Libby Airport Pole Treating Facility ‡	Libby	Lincoln	N ✓
Old Poplar Landfill †	Poplar	Roosevelt	M
Old Stickney Dump	Missoula	Missoula	M
Opheim Asbestos ‡	Opheim	Valley	M
Oswego Landfill †	Oswego	Valley	L
Pacific Hide & Fur Billings 4th Ave	Billings	Yellowstone	M
Pacific Hide & Fur Billings Minnesota Ave	Billings	Yellowstone	M
PacifiCorp Transformer Yard	Bigfork	Flathead	H
Perry Gas Plant	Sidney	Richland	M
Petroleum Refining Co	Shelby	Toole	L
Pierce Packing Plant	Billings	Yellowstone	L
Pine Tree Timber	Belgrade	Gallatin	H
Poisoned Oats Disposal †	Browning	Glacier	L
Pony Mill	Pony	Madison	R
Prairie View Recreational Park	Billings	Yellowstone	M
Railroad Tie Treating Yard	White Sulphur Springs	Meagher	M
Rau Disposal Pit	Sidney	Richland	M
Real Log Homes Manufacturing Site	Missoula	Missoula	M
Red Rock Lakes National Wildlife Refuge ‡	Lakeview	Beaverhead	M
Reliance Refining Co	Kalispell	Flathead	H
Revais Creek Mine †	Dixon	Sanders	R
Rhodia Maiden Rock Mine	Melrose	Silver Bow	H

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Site	City	County	Ranking
Rocky Boy Post & Pole †	Rocky Boy	Hill	M
Rocky Mountain Phosphate	Garrison	Powell	H
Roundup Landfill ‡	Roundup	Musselshell	L
Roundup Refining Co	Butte	Silver Bow	L
Russell Oil Co Billings	Billings	Yellowstone	L
Russell Oil Co Butte	Butte	Silver Bow	L
S & W Sawmill	Darby	Ravalli	H
Safety Kleen	Helena	Lewis And Clark	L
Saint Labre Plastic Factory †	Ashland	Rosebud	M
Saint Regis Battery Site	Saint Regis	Mineral	L
Sannes Farm	Silesia	Carbon	R
Scott Feed Lot	Billings	Yellowstone	M
Sluice Gulch Leaking Mine Adit ‡	Philipsburg	Granite	R
Somers Marina	Somers	Flathead	M
Stauffer Chemical Co	Ramsay	Silver Bow	R
Strong's Post Yard	Livingston	Park	L
Strunk Mining	Lewistown	Fergus	M
Summit Dana Ltd	Bozeman	Gallatin	L
Tank Hill	Cut Bank	Glacier	H
Tenmile Creek **	Helena	Lewis And Clark	H
Texaco Sunburst Works Refinery	Sunburst	Toole	H
Third Street NW Groundwater Site	Great Falls	Cascade	M
Thompson Falls Reservoir	Thompson Falls	Sanders	L
Thorium City Waste Dump ‡	Grant	Beaverhead	R
Townsend Post & Pole	Townsend	Broadwater	M
Treasure State Refining Co	Shelby	Toole	L
Tucson Hebrew Academy Cut Bank AFB †	Del Bonita	Glacier	H
Tule Creek Gas Plant Crystal Oil †	Poplar	Roosevelt	M
Tungsten Mill Tailings ‡	Glen	Beaverhead	H
Union Oil Cut Bank Refinery *	Cut Bank	Glacier	R
Union Tank Car Co	Laurel	Yellowstone	M
Upper Blackfoot Mining Complex	Lincoln	Lewis And Clark	H
Valley Garden Vat	Ennis	Madison	L
Weowna Oil Refinery	Winnett	Petroleum	L
West Billings Solvent Site	Billings	Yellowstone	M
West Bootlegger Barrel Site	Black Eagle	Cascade	H
West Front Battery Site	Missoula	Missoula	N ✓
West Second Street Havre	Havre	Hill	M
Western Area Power Administration Substation ‡	Shelby	Toole	L
Western By Products	Great Falls	Cascade	M
Wolf Point Refinery Kenco Refinery †	Wolf Point	Roosevelt	H
Yale Oil Corp Kalispell	Kalispell	Flathead	M
Yale Oil of South Dakota	Billings	Yellowstone	H

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Site	City	County	Ranking
Yellowstone Bridge Asbestos	Livingston	Park	L

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Kalispell Landfill
Site Summary
September 25, 2002

Kalispell Landfill - Willow Glen Road, one-half mile east of Kalispell, is an inactive, five- to 10-acre city landfill, which operated from an unknown time until 1971. Apparently, some unauthorized dumping is still occurring. Hazardous materials may have been disposed of at the site at a time when such disposal was legal.

A residential area is just west of the landfill and a few homes are to the north and the south. The nearest residence is about 400 feet from the unfenced landfill. Groundwater is shallow, and some nearby residences use domestic wells for drinking water. The Stillwater River is about 500 feet to the east.

A June 1988 CERCLA preliminary assessment by MDHES noted the potential for surface water and groundwater contamination at the site.

A November 1988 CERCLA site investigation by MDHES consultants found no contamination in nearby wells or the Stillwater River. Onsite soils are locally contaminated with polychlorinated biphenyls (PCBs), metals, especially lead and cadmium, and a low level of a pesticide. Investigators found no evidence of offsite migration of contamination. EPA subsequently declared the facility "No Further Action" under CERCLA.

The Montana Department of Environmental Quality (MDEQ; formerly MDHES) CECRA program is now the lead regulatory program for the site. CECRA ranked the facility a medium priority and will address it when higher priority sites have been addressed. Fencing or cover soil would reduce the direct contact hazard at the site.



BNSF Railway Co. – Former Tie Treating Plant Somers, Montana

October 2009



EPA and DEQ agreed to temporarily shut-down the Somers Groundwater Treatment System (GWTS) for a period of two years to study groundwater contaminant stability. The GWTS was turned off on October 12, 2007. Since then, groundwater has been sampled quarterly. No significant contaminant migration has been observed.

Facility and Cleanup Overview

BNSF operated a railroad tie treating plant in Somers from 1901 until the plant's closure in 1986. Plant operations caused contamination of soil and groundwater with creosote. EPA specified cleanup actions in 1989. In 1992 BNSF designed and built a groundwater treatment system (GWTS) and a 14.4 acre land treatment unit (LTU). Treated soils were cleaned up by 2002 and the LTU has been closed. The GWTS operated from 1993 through 2007.

EPA and DEQ required groundwater and land use restrictions as an Institutional Control for the site. A Controlled Groundwater Area (CGA) was established in 2003 to prevent new appropriations that could impact the migration of contaminants in groundwater. A deed notification was filed with Flathead County in 2008 restricting land use where waste has been left in place on Site. These Institutional Controls will continue to prohibit activities that could negatively impact the remedy.

BNSF requested termination of the GWTS in 2007 based on modeling data showing that in the area in which groundwater contamination is located, whether or not the GWTS is operating, hydrologic and contaminant barriers limit the movement of groundwater and creosote onsite.



Groundwater Monitoring

Approval to shutdown GWTS operations for an interim two year period was granted in October 2007. Since that time, BNSF has collected eight quarters of monitoring data to evaluate the stability of the creosote constituent plume and to verify that natural processes are present to aid in breaking down creosote constituents. Samples are also collected semi-annually from the municipal well, which provides drinking water to the town of Somers, to ensure protectiveness of the public drinking water supply.

Since it has taken almost two years for the effects of pumping the aquifer to dampen and for the aquifer to reach natural conditions, EPA and DEQ are requiring that BNSF collect an additional eight quarters of groundwater monitoring data to confirm the contaminant

Join EPA, DEQ and BNSF on October 28, 2009
at the Somers Volunteer Fire Hall
from 6:30 – 8:00 pm
for a discussion of the BN Somers site cleanup
and latest groundwater monitoring results.

plume is stable and will not migrate outside the CGA. The next Five Year Review for the BN Somers Site is scheduled for 2011. As part of the Five Year Review process, the agencies, in consultation with BNSF, will evaluate all monitoring data and provide recommendations on the number and frequency of wells that will be monitored in the future. Additional work may also be required to ensure the plume is stable and to create an appropriate network of monitoring wells for long-term groundwater monitoring.

If results of the evaluation and additional work confirm that the residual creosote plume is stable and breaking down through natural processes and that contaminants are contained, a long-term monitoring plan will be developed and EPA and DEQ will complete the evaluation of the request to decommission the GWTS.

FOR MORE INFORMATION

U.S. Environmental Protection Agency
Roger Hoogerheide, Project Manager
1-866-457-2690 (toll free)

MT Dept. of Environmental Quality
Lisa DeWitt, Project Manager
406-841-5037

BNSF Railway Company
Dave Smith, Project Manager
406-256-4046

UPCOMING COMMUNITY MEETING

The U.S. Environmental Protection Agency and the Montana Department of Environmental Quality will hold a public information meeting in Somers at the Somers Volunteer Fire Department on Wednesday, October 28, 2009. Join us from 6:30 pm to 8:00 pm to learn more about the cleanup, groundwater monitoring and future plans at the former tie-treating plant site.

INFORMATION REPOSITORIES

EPA Superfund Records Center; 10 West 15th Street; Suite-3200; Helena, Montana

Current Site documents can be viewed at

<http://www.deq.mt.gov/fedsuperfund/BNSomers.asp>
