

Senate Bill 96 Report to EQC
September 14, 2016 Meeting (data as of August 19, 2016)



Removing mine tailings from abandoned mine in the headwaters of the Little Blackfoot River, near Elliston (August 2016)

Background:

SB96 allows DEQ to use orphan share account funds to take remedial actions to address risks to human health or the environment at hazardous substance/petroleum sites where there is no readily apparent potentially liable person that is financially viable. SB96 also allows DEQ to use the funds to monitor the performance of remedial actions as well as to assess sites and collect data with a goal of closing those sites. Not more than 20% of the funds may be used for that purpose. SB96 was effective July 1, 2015.

Progress since July 2015:

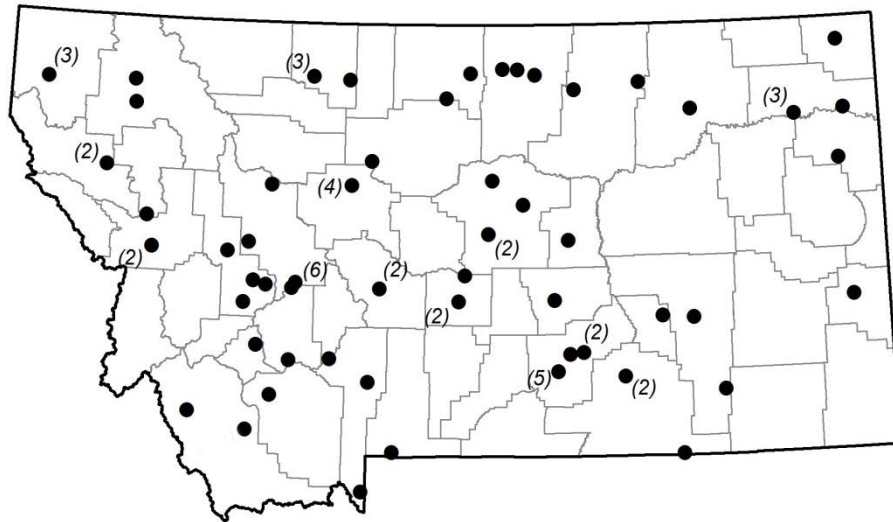
DEQ has initiated contracts or begun work at 77 project sites.

- Approved scopes of work
 - Hazardous Substance or Water Quality Act - \$5,167,062 (13 sites)
 - Petroleum Tank Release - \$1,472,331 (63 sites)
 - Mine Waste - \$352,959 (1 site)
- Expended funds - \$2,649,342

Although funds allocated to approved projects approach the \$7,000,000 appropriated amount, we anticipate some projects will come in under budget. This will allow other sites to be funded. DEQ will also continue to seek other funding to continue work beyond the SB96 funding.

Eleven petroleum releases have been resolved and several more are being reviewed for closure. Several additional releases are expected to be resolved when the data is received that demonstrates contamination is below screening levels.

For additional information contact Jenny Chambers at JChambers@mt.gov or 406-444-6383.



Location of SB96 projects. (August 2016)



Excavating soil contaminated with wood-treating chemicals for offsite disposal, West Yellowstone (July 2016)



Sampling residential yard for petroleum, Billings (July, 2016)



Excavating petroleum contaminated soil, Hardin (April 2016)



Sampling ranch for petroleum, Shepherd (Aug. 2016)

List of SB96 Projects with Contracts In-Place or Pending

Project Name	Location	Project Scope & Status	Cleanup	Assessment	Total	Leveraged Funds
Milwaukee Roundhouse CECRA Cleanup	Deer Lodge	Approximately 22,200 tons of petroleum and metals contaminated soil, and 50 gallons of petroleum free product have been removed so far. Day care play area cleaned up, and cleanup of a proposed county park area that allows the county to use its grant funding to develop the park. Vapor intrusion sampling occurred and residential yard removals are complete. Excavation of lead contaminated soil in an active industrial area to protect current workers, and excavation of petroleum and metals contaminated soils from other areas that are sources for groundwater contamination will begin this fall.	\$2,382,424	\$23,400	\$2,405,824	~\$4 million – EPA (Emergency Removal) \$200,000 EPA (Brownfields) ~\$690,00- DNRC (RDG) - Powell County ~\$700,000- DEQ (EQPF) ~\$60,000 - DEQ (Brownfields) Possible future \$1,000,000 DNRC (RDG) [2018/2019]
Bolke Residence Heating Oil Release WQA Cleanup	Plentywood	Confirmation sampling of groundwater, soil at landfarm, and indoor air was completed; an additional round of groundwater and indoor air sampling, along with proper abandonment of 3 monitoring wells (if groundwater meets cleanup criteria) will occur winter/early spring 2017.		\$33,410	\$33,410	\$6,500 - DEQ (PPG)
Meagher County Shop WQA Cleanup	White Sulphur Springs	The county is demolishing its building and excavation of petroleum contaminated soils will begin this fall.	\$215,139		\$215,139	\$3,800 - DEQ (PPG); \$12,000 Meagher County (In-kind)
Diamond P Ranch CECRA Cleanup	West Yellowstone	Pre-design sampling for excavation and disposal of pentachlorophenol, petroleum, and dioxins completed. Excavation was performed in early July 2016. Due to hot spots identified through confirmation sampling, limited additional surface soil excavation will be conducted in late August or early September.	\$388,758		\$388,758	None
Roxy's Cleaners CECRA Cleanup	Havre	Soil vapor extraction system installed and operating. Bioremediation injections completed. Ongoing operation and maintenance of system through 2017.	\$491,150		\$491,150	None
Whitefish Solvent Site CECRA Cleanup	Whitefish	Preliminary design work that will assist with installation of the soil vapor extraction system and implementation of the enhanced bioremediation system is complete, and installation is estimated to begin August 2016.	\$493,895	\$10,000	\$503,895	\$278,914 - EPA (CERCLA Site Assessment)
Helena Solvent Site WQA Cleanup	Helena	Preliminary design work will begin in September 2016. SVE system will be installed by December 2016 to address solvent contaminated vapors and soils.	\$350,007		\$350,007	\$175,000 - Hustads \$6,500 - DEQ (PPG)
Ruth Graham Property LUST	Great Falls	Release has been approved for closure. Wells will be abandoned by end of September.		\$16,500	\$16,500	None
Ehlert Brothers Service LUST	Winifred	Excavation completed in April 2016. If excavation successful and groundwater contamination drops below screening levels, release may be resolved in 2017.	\$140,666		\$140,666	Ineligible for PTRCF

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Hot Springs School LUST	Hot Springs	Injection wells installed and in-situ oxidation chemicals injected in October/November 2015 and appears to be working well. If future groundwater results indicate the treatment is successful, release will be resolved after 2017.	\$30,475		\$30,475	Ineligible for PTRCF
Pine Hills Country Store LUST	Billings	Soil borings to determine if contamination remained in the soil. Samples indicated no contamination remained above screening levels. This release was resolved 2/9/2016.		\$7,741	\$7,741	None
4-U Husky LUST	Plevna	Confirmation sampling completed in February 2016 identified contamination needing cleanup. Additional site work will be completed using Petro Funds.		\$19,431	\$19,431	Petro Fund after Co-Pay
Cary Residence LUST	Helena	Confirmation sampling completed in February 2016. Results indicate that this release can be resolved. This release was resolved 6/30/2016.		\$9,398	\$9,398	None
GS Oil Co. LUST	Winnett	Confirmation sampling completed in March 2016 identified contamination needing cleanup. Additional site work will be completed using Petro Funds.		\$11,370	\$11,370	Petro Fund after Co-Pay
Songers Exxon Service LUST	Judith Gap	Confirmation sampling completed in March 2016. Results indicate that this release can be resolved. This release was resolved 7/12/2016.		\$12,486	\$12,486	None
Post Office (private) LUST	Augusta	Confirmation sampling completed in January 2016. Results indicate that this release can be resolved. This release was resolved 6/8/2016.		\$11,588	\$11,588	~\$10,000 LUST Trust
Sanders General Store LUST	Sanders	Confirmation sampling of soil and groundwater completed in March 2016 identified contamination needing cleanup. Additional site work including review of appropriate cleanup alternatives and cleanup selection will be required. Funding for additional work will be provided by the responsible party and the Petro Fund.		\$10,911	\$10,911	Petro Fund after Co-Pay
Stoners Stage Stop LUST	Lincoln	Confirmation sampling completed in January 2016. Results indicate that this release can be resolved. This release was resolved 8/17/2016.		\$8,862	\$8,862	None
McMillon Residence LUST	Helena	Confirmation sampling completed in January 2016. Results indicate that this release can be resolved. This release was resolved 6/30/2016.		\$7,694	\$7,694	None
Chriss Repair LUST	Lincoln	Confirmation sampling completed in January 2016. Results indicate that this release can be resolved. This release was resolved 8/17/2016.		\$7,357	\$7,357	None
Macintyre's, Inc. LUST	Billings	Release has been approved for closure. Wells will be abandoned by end of December.		\$11,123	\$11,123	None

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Avon General Merchandise LUST	Avon	Confirmatory sampling completed in January 2016 identified contamination needing cleanup. Additional site work including review of appropriate cleanup alternatives and cleanup selection will be required in summer 2016. LUST Trust funds will be used to address the cleanup.		\$9,830	\$9,830	~ \$11,700 LUST Trust
Camp Custer Service LUST	Hardin	Soil excavation occurred in April 2016. If excavation successfully removes all contaminated soil and groundwater contamination responds favorably, the release will be resolved in 2017 or 2018.	\$14,682		\$14,682	Petro Fund after Co-Pay
Former K & L Grocery LUST	Dodson	Confirmatory sampling completed and results due September 2016. Potential to resolve site will depend on results.		\$24,996	\$24,996	Ineligible for PTRCF
Westland Service Station LUST	Glasgow	Confirmatory sampling completed and results due September 2016. Potential to resolve site will depend on results.		\$26,515	\$26,515	Potentially Eligible for PTRCF
Saco Conoco LUST	Saco	Confirmatory sampling completed in May 2016. Based on preliminary groundwater monitoring results, additional remedial activities will be <u>required to cleanup this petroleum release</u>		\$17,421	\$17,421	Petro Fund after Co-Pay
Osterholm Residence LUST	Lewistown	Confirmation sampling completed in Spring 2016. All results were below screening levels. This release was resolved 8/3/2016.		\$14,463	\$14,463	None
LaSalle Residence LUST	Helena	Confirmation sampling scheduled for summer 2016. If results are below screening levels, this release will be resolved in fall/winter 2016/2017.		\$21,345	\$21,345	Petro Fund after Co-Pay
Wolfe Brothers Ranch LUST	Shelby	Confirmatory sampling completed and results due October 2016. Potential to resolve site will depend on results.		\$22,478	\$22,478	Petro Fund after Co-Pay
Montana Children's Center LUST	Twin Bridges	Confirmatory sampling completed and results due September 2016. Potential to resolve site will depend on results.		\$8,101	\$8,101	Petro Fund after Co-Pay
Pepco Station LUST	Roundup	Monitoring wells were replaced in June 2016. Additional contamination was identified. Additional site work will include review of appropriate <u>cleanup alternatives and cleanup selection.</u>		\$22,266	\$22,266	\$324,498 LUST Trust; Ineligible for PTRCF
Orelup Residence LUST	Billings	Confirmation sampling completed and indicate further work will be <u>required to resolve this release</u>		\$12,856	\$12,856	Petro Fund after Co-Pay
Bud Hayes Exxon LUST	Great Falls	Confirmatory sampling completed and results due September 2016. <u>Potential to resolve site will depend on results.</u>		\$21,141	\$21,141	Ineligible for PTRCF
Adsit Farm LUST	Decker	Confirmatory sampling completed and results due December 2016. Potential to resolve site will depend on results.		\$22,568	\$22,568	Potentially eligible for PTRCF

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Hardin Auto LUST	Hardin	Confirmatory sampling completed and results due December 2016. Potential to resolve site will depend on results.		\$21,692	\$21,692	Petro Fund after Co-Pay
Yellowstone Boys & Girls Ranch LUST	Billings	Confirmatory sampling completed and results due December 2016. Potential to resolve site will depend on results.		\$7,127	\$7,127	Petro Fund after Co-Pay
Reinertson's Garage LUST	Hot Springs	Confirmatory sampling completed and results due September 2016. Potential to resolve site will depend on results.		\$25,081	\$25,081	Petro Fund after Co-Pay
LeDuc Motors LUST	Kalispell	Confirmatory sampling completed and results due September 2016. Potential to resolve site will depend on results.		\$30,326	\$30,326	Potentially Eligible for PTRCF
Hoyt Residence LUST	Arlee	Confirmatory sampling completed and results due September 2016. Potential to resolve site will depend on results.		\$20,035	\$20,035	Potentially Eligible for PTRCF
Laird Residence LUST	Zurich	Confirmatory sampling completed and results due September 2016. Potential to resolve site will depend on results.		\$16,747	\$16,747	Potentially eligible for the PTRCF
Shepherd's Garage LUST	Jackson	Confirmatory sampling completed and results due September 2016. Potential to resolve site will depend on results.		\$17,043	\$17,043	Ineligible for PTRCF
TJ's Quick Stop LUST	Poplar	Confirmatory sampling completed and results due September 2016. Potential to resolve site will depend on results.		\$18,480	\$18,480	Ineligible for PTRCF
School District 24 LUST	Worden	Confirmatory sampling completed and results due September 2016. Potential to resolve site will depend on results.		\$12,866	\$12,866	Potentially eligible for PTRCF
Gardiner House LUST	Gardiner	Confirmation sampling scheduled for Fall 2016. Potential to resolve site will depend on results.		\$3,642	\$3,642	Petro Fund after Co-Pay
Ostrem Farm LUST	Galata	Confirmatory sampling completed and results due September 2016. Potential to resolve site will depend on results.		\$18,454	\$18,454	Potentially Eligible for PTRCF
Rocky Boy School LUST	Box Elder	Confirmatory sampling completed and results due September 2016. Potential to resolve site will depend on results.		\$25,754	\$25,754	Potentially eligible for PTRCF
Bryans Auto Repair LUST	Shelby	Confirmatory sampling completed and results due October 2016. Potential to resolve site will depend on results.		\$12,742	\$12,742	Petro Fund after Co-Pay
Parkway Motel LUST	Billings	Confirmatory sampling completed and results due September 2016. Potential to resolve site will depend on results.		\$27,320	\$27,320	Potentially eligible for PTRCF
First Presbyterian Church LUST	Helena	Confirmatory sampling completed and results due October 2016. Potential to resolve site will depend on results.		\$19,276	\$19,276	Potentially eligible for PTRCF
Project Mercantile LUST	Worden	Confirmatory sampling completed and results due December 2016. Potential to resolve site will depend on results.		\$13,176	\$13,176	Potentially eligible for PTRCF
Powell County Shop LUST	Helmville	Confirmatory sampling completed and results due October 2016. Potential to resolve site will depend on results.		\$15,437	\$15,437	Potentially Eligible for PTRCF
Walker Residence LUST	Lincoln	Confirmatory sampling completed and results due October 2016. Potential to resolve site will depend on results.		\$13,285	\$13,285	Potentially eligible for PTRCF
Cattaneo Farm LUST	Culbertson	Confirmatory sampling completed and results due December 2016. Potential to resolve site will depend on results.		\$15,026	\$15,026	Potentially eligible for the PTRCF
Bergeson Residence LUST	Dillon	Confirmatory sampling completed and results due November 2016. Potential to resolve site will depend on results.		\$15,049	\$15,049	Potentially eligible for the PTRCF
M&W Service LUST	Forsyth	Confirmation sampling scheduled for September 2016. Potential to resolve site will depend on results.		\$14,689	\$14,689	Potentially eligible for the PTRCF
St. Labre Indian School LUST	Ashland	Confirmation sampling scheduled for Septemeber 2016. Potential to resolve site will depend on results.		\$16,035	\$16,035	Potentially eligible for the PTRCF
Hakert Ranch LUST	Shepherd	Confirmatory sampling completed and results due December 2016. Potential to resolve site will depend on results.		\$14,048	\$14,048	Potentially Eligible for PTRCF
Qualley Farm LUST	Lambert	Confirmatory sampling completed and results due December 2016. Potential to resolve site will depend on results.		\$19,348	\$19,348	Potentially Eligible for PTRCF

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Nordwick Residence LUST	Poplar	Confirmatory sampling completed and results due December 2016. Potential to resolve site will depend on results.		\$16,994	\$16,994	Petro Fund after Co-Pay
Johnson Residence LUST	Poplar	Confirmatory sampling completed and results due December 2016. Potential to resolve site will depend on results.		\$20,174	\$20,174	Potentially eligible for the PTRCF
Split Diamond Ranch LUST	Whitehall	Confirmatory sampling completed and results due October 2016. Potential to resolve site will depend on results.		\$20,788	\$20,788	Potentially eligible for the PTRCF
Ballard Residence LUST	Floweree	Confirmatory sampling completed and results due October 2016. Potential to resolve site will depend on results.		\$22,680	\$22,680	Potentially eligible for the PTRCF
Christofferson Logliners LUST	Missoula	Confirmation sampling completed in Summer 2016. All results were below screening levels. This release was resolved 8/5/2016.		\$10,000	\$10,000	None
Dedrick Residence LUST	Libby	Confirmation sampling scheduled for Winter 2017. Potential to resolve site will depend on results.		\$6,760	\$6,760	Potentially eligible for PTRCF
Phillips Residence LUST	Three Forks	Confirmation sampling scheduled for Winter 2017. Potential to resolve site will depend on results.		\$15,600	\$15,600	Potentially eligible for PTRCF
Bundtrocks Miracle Mile LUST	Great Falls	Soil excavation scheduled for Fall 2016. If excavation successfully removes all contaminated soil and groundwater contamination responds favorably, the release will be resolved in 2017 or 2018.	\$6,900		\$6,900	Petro Fund after Co-Pay
Inman Property LUST	Chinook	Soil excavation scheduled for Fall 2016. If excavation successfully removes all contaminated soil and groundwater contamination responds favorably, the release will be resolved in 2017 or 2018.	\$156,000		\$156,000	\$50,000 LUST Trust Fund Ineligible for PTRCF
Wilcox Residence LUST	Helena	SB96 evaluation indicated the release could be resolved without further on-site work. This release was resolved January 12, 2016.			\$0	None
Standard Oil LUST	Shelby	SB96 evaluation indicated the release could be resolved without further on-site work. This release was resolved December 30, 2015.			\$0	None
Harlowton Round House CECRA Cleanup (interim action)	Harlowton	Free product recovery system evaluation completed near former refueling area in summer of 2016. The laser induced fluorescence (LIF) investigation (leveraged with other funding) facilitated the design of this phase of SB96 work. Contaminated soil in slough area (adjacent to recovery system) and in southeast plume area will be excavated and landfarmed at a permitted location in fall 2016.	\$421,073		\$421,073	\$50,000 - DNRC (RDG-Planning). \$10,000 - DEQ Brownfields Possible future City of Harlowton \$300,000 DNRC (RDG) [2018/2019]
Charles M Russell Refuge CECRA (potential de-list)	Roy	Geophysical work (electromagnetic investigation) completed fall 2015 identified two potential target areas of buried pesticide. Target areas excavated and sampled in March 2016. Preliminary information show no signs of contamination. If final results indicate pesticides are not present, the site will be proposed for delisting in 2016.		\$35,030	\$35,030	Backhoe and backhoe operator provided for the March 2016 excavation. This in-kind cost is estimated to be approximately \$2,000.
Chandelle Lane Barrel Site CECRA (potential de-list)	Black Eagle	Drums and broken barrels are still present with contamination in both surface and subsurface soils. Surface and Subsurface soil sampling completed March 2016. As it was discovered that the likely origin of these barrels was Malmstrom Airforce Base, the contamination will be addressed by DOD.		\$19,339	\$19,339	DOD will conduct further work to cleanup site.

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Project Name	Location	Project Scope & Status	Cleanup	Assessment	Total	Leveraged Funds
Developmental Technology CECRA (potential de-list)	Bozeman	Monitoring wells installed in fall 2015, and low-water level samples were below screening levels. High-water samples were collected in June 2016. If results are also below screening levels, site will be proposed for delisting in 2016/2017.		\$33,346	\$33,346	\$3,900 - DEQ Brownfields
Unionville School LUST	Unionville	A half-buried heating oil storage tank was removed in March 2016 and soil impacts were investigated. Laboratory results confirm a release has occurred; however, Tier II screening levels were not exceeded. County considering regrading and/or removal of slope material around school near storage tank location. Site will be routed for closure in spring 2017.	\$28,977		\$28,977	Potentially eligible for PTRCF
Office Stop LUST	Butte	Health Center and Youth Center owned by North American Indian Alliance. Initial sampling identified petroleum vapors that may be originating from gasoline tanks formerly on site, however results inconclusive due to indoor sources present. Additional vapor and subsurface assessment are ongoing. Subsurface vapors will be abated with a sub-slab vapor extraction system.		\$17,500	\$17,500	Petro Fund after Co-Pay
Central Post and Treating Co CECRA Cleanup	Lewistown	Investigated former wood treating facility located on older dump site for pentachlorophenol and other contaminants in February 2016. Results indicate the majority of contamination is in the upper 4 feet and the penta contamination exceeds screening levels in the former wood treating area. A Task Mod is currently being signed to further investigate COCs. Next steps include design sampling and bid prep for the excavation of pentachlorophenol contamination and capping of the site.		\$231,581	\$231,581	\$35,000 - DNRC (RDG-Planning). City has applied for \$475,000 through a 2018/2019 RDG grant.
Lee Gordon House	Missoula	Remove lead contaminated soils along drip line of building after Non-profit abates and deconstructs building.	\$ 38,511		\$38,511	North Missoula Community Development Corporation is using a subgrant from the City of Missoula's Brownfields RLF to cover the cost of the abatement and deconstruction fo the existing building. This is estimated at \$75,000 - \$100,000.
Equity Co-op	Harlem	In-situ chemical oxidation of contamination under the Hwy and an irrigation ditch that could not be excavated during the RDG Cleanup.	\$ 193,015		\$193,015	Bear Paw EDA has agreed to use their Brownfields RLF to subgrant the city to cover any follow-up oxidation injections as well as long term monitoring. They are estimating approximately \$100,000 in leveraged funds.
Lily/Orphan Boy Abandoned Mine	Elliston	DEQ has entered into a partnership with multiple entities to reclaim this abandoned mine site. SB96 funds will remove waste rock and tailings from Telegraph Creek in the Little Blackfoot Watershed. Work leveraged through other funds includes: Completion of Engineering Analysis to reclaim the site, development of the Metals Watershed Restoration Plan, restoration of Tramway Creek and the floodplain. Mine waste removal began July 20 and should be complete by August 30, 2016.	\$352,959		\$352,959	\$110,911 - Federal Abandoned Mine Land grant (DEQ) \$40,000 - RDG Grant to Trout Unlimited \$32,000 - DEQ 319 Non-Point Source Program Restoration Grant Funds \$30,000 - FWP Future Fisheries
Total Projected			\$5,704,631	\$1,287,721	\$6,992,352	

Data as of August 19, 2016

Senate Bill 96
Acronym/Terminology List

CECRA	Comprehensive Environmental Cleanup and Responsibility Act - also known as State Superfund
Co-Pay	PTRCF Co-Payment
DEQ	Department of Environmental Quality
DNRC	Department of Natural Resources and Conservation – manages a grant program that is a potential source of funding that could be leveraged for SB96 projects
DOD	U.S. Department of Defense
EPA	U.S. Environmental Protection Agency – manages grant programs that are a potential source of funding that could be leveraged for SB96 projects
EQPF	Environmental Quality Protection Fund
FWP	Fish Wildlife and Parks Department
LUST	Leaking Underground Storage Tank
LUST Trust	Federal funds used to cleanup LUST sites
MUSTA	Montana Underground Storage Tank Act
N/A	Not Applicable (no funds leveraged)
PPG	Performance Partnership Grant (EPA grant)
PTRCB	Petroleum Tank Release Compensation Board (also called “Petro Board”)
PTRCF	Petroleum Tank Release Cleanup Fund (also called “Petro Fund”)
RDG	Resource Development Grant – managed by DNRC
WQA	Water Quality Act

Terminology used when a site is “Closed”

Delist	For State Superfund facilities, this means that the criteria identified in ARM 17.55.114 are met. For SB96 projects, this may mean additional information indicates a historic site does not need to remain listed because there is no contamination that poses an unacceptable risk to human health or the environment. It may also mean that cleanup was completed and is protective of human health and the environment.
Resolved	For petroleum tank release sites, this is defined in section 75-11-521(5)(c), MCA, as a determination by DEQ that all cleanup requirements have been met and that conditions at the site ensure present and long-term protection of human health and the environment.