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Summer 7-31-2023

**Re: Conditional approval for the Butte Priority Soils Operable Unit (BPSOU) Butte Reclamation Evaluation System (BRES) 2021 Annual Operations and Maintenance (O&M) Report, 2021 BRES Annual Summary Report for Work Completed in Quadrant 1 (dated November 18, 2022)**

Nikia Greene

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**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 8, MONTANA OFFICE**

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Ref: 8MO

July 31, 2023

Ms. Abby Peltomaa  
Butte-Silver Bow County  
Dept. of Reclamation & Environmental Services  
155 W. Granite St.  
Butte, MT 59701

Mr. Mike McAnulty  
Liability Manager  
Atlantic Richfield Company  
317 Anaconda Road  
Butte, Montana 59701

**Re: Conditional approval for the Butte Priority Soils Operable Unit (BPSOU) Butte Reclamation Evaluation System (BRES) 2021 Annual Operations and Maintenance (O&M) Report, 2021 BRES Annual Summary Report for Work Completed in Quadrant 1 (dated November 18, 2022)**

Dear Abby and Mike:

The U. S. Environmental Protection Agency (EPA), in consultation with the Montana Department of Environmental Quality (DEQ), is providing conditional approval of the BPSOU *2021 Annual O&M Report, 2021 BRES Annual Summary Report for Work Completed in Quadrant 1* (dated November 18, 2022). Please consider the comments below and incorporate these comments in future versions of the annual O&M reports for all quadrants and in your response to this letter state that AR/BSB plan to incorporate the comments in future submittals.

**General Comments:**

1. A comparison of the Corrective Action Plan (CAP) for each site to the applied corrective actions documented in the monthly O&M reports and annual O&M report was conducted. Documentation in the monthly and annual O&M reports was inconsistent and broadly fell into the following categories:
  - a. Sites where certain required CAP components or sub-components (e.g., for vegetation, site edges, erosion, etc.) were not documented in either the monthly or annual O&M reports. Thus, the corrective work was not performed, performed but not documented, or not performed for an undocumented reason.
  - b. Sites where certain required CAP components or sub-components (e.g., for vegetation, site edges, erosion, etc.) were not documented in the monthly report, but documented as complete in the annual report. Thus, either the corrective action was performed but not documented in the monthly O&M report or could be inferred to have been completed in the course of performing relevant similar work at the site. Ideally, all required CAP work will be

documented in both the monthly and annual O&M reports and required CAP work not performed will be justified with an explanation provided in the annual O&M report.

- c. Sites where required CAP components or sub-components (e.g., for vegetation, site edges, erosion, etc.) are documented in both the monthly and annual O&M reports. Thus, the corrective work was clearly performed and documented.
- d. Sites to be evaluated under the insufficiently or unreclaimed work plans.

Examples (not comprehensive of all occurrences) of these categories are provided in the specific comments below. In future submissions of the annual O&M report, please ensure each required CAP element is fully accounted for in the Summary of Corrective Actions section. In addition, as proposed in the 2021 draft final maintenance and monitoring plan, maps of each site showing where corrective action work was implemented (e.g., a modified field evaluation summary map from the BRES inspection) to document actual location, extent, and type of corrective actions performed should be included in the annual O&M report.

### **Specific Comments:**

1. Introduction, BRES O&M Implementation, Page 6. This section currently describes the BRES field inspection tool and process, not the O&M process. In future versions of the annual O&M report, please provide a discussion of the O&M process for addressing required CAP elements such as:
  - O&M documentation requirements
  - Discussion of standard maintenance procedures
  - Typical O&M yearly schedule
  - Citing most recent governing documents
  - Data and GIS management
2. Site Summaries, Site 5 – Alice Dump, Pages 13 and 14. Broadcast seeding and hydroseeding were specified in the CAP and documented in both the monthly and annual O&M reports. Weed control chemical application and mowing of cheatgrass was noted in the annual O&M report, but not documented or not found in the monthly O&M report. Raking plant litter, sediment removal, and sediment erosion issues were not documented in either the monthly or annual O&M reports. In future submissions of the annual O&M report, please ensure each required CAP element is fully accounted for in the Summary of Corrective Actions section and a map showing where the corrective action work was implemented included.
3. Site Summaries, Site 18 – Walkerville Ball Field, Page 20 and 21. The Summary of Corrective Actions states that sparsely vegetated areas were tested for waste and that no waste was detected. In future submissions of the annual O&M report, the testing data should be provided and a map showing the testing locations included.
4. Site Summaries, Site 20 – Walkerville Playground, Pages 21 and 22. Mowing of cheat grass and an investigation of curbing or swale to prevent run on was not documented in either the monthly or annual O&M reports. In future submissions of the annual O&M report, please ensure each required CAP element is fully accounted for in the Summary of Corrective Actions section and a map showing where the corrective action work was implemented included.
5. Site Summaries, Site 31 – Waste Dump #5, Pages 26 and 27. Table 2.1 classifies this site as “2020 Corrective Action Plan”; however, the “Summary of Corrective Actions” indicates the site will be

evaluated under the Insufficiently Reclaimed Site Work Plan. Please clarify this in your response to this letter and ensure the status of this site is clear in future annual O&M reports.

6. Site Summaries, Site 32S, South Corra-2 Dump, Pages 29 and 30. Weed control, mowing cheatgrass, raking plant litter, and an investigation for curbing to prevent stormwater run on were not documented in either the monthly or annual O&M reports. In future submissions of the annual O&M report, please ensure each required CAP element is fully accounted for in the Summary of Corrective Actions section and a map showing where the corrective action work was implemented included.
7. Site Summaries, Site 38, Sister Dump, Pages 32 and 33. Weed control, mowing cheatgrass, removing sediment, an investigation for the land slump, and repairing of gullies were not documented in in either the monthly or annual O&M reports. In future submissions of the annual O&M report, please ensure each required CAP element is fully accounted for in the Summary of Corrective Actions section and a map showing where the corrective action work was implemented included.

Again, as noted earlier, the comments above do not capture every instance of undocumented or partially documented corrective actions. Future reports must include each required CAP element in the Summary of Corrective Actions section and a map showing where the corrective action work was implemented.

If you have any questions or concerns, please call me at (406) 457-5019.

Sincerely,

Nikia Greene  
Remedial Project Manager

Butte File  
Chris Greco / Atlantic Richfield  
Josh Bryson / Atlantic Richfield  
Mike Mc Anulty / Atlantic Richfield  
Loren Burmeister / Atlantic Richfield  
Dave Griffis / Atlantic Richfield  
Jean Martin / Atlantic Richfield  
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Mave Gasaway / DGS  
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Daryl Reed / DEQ  
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