

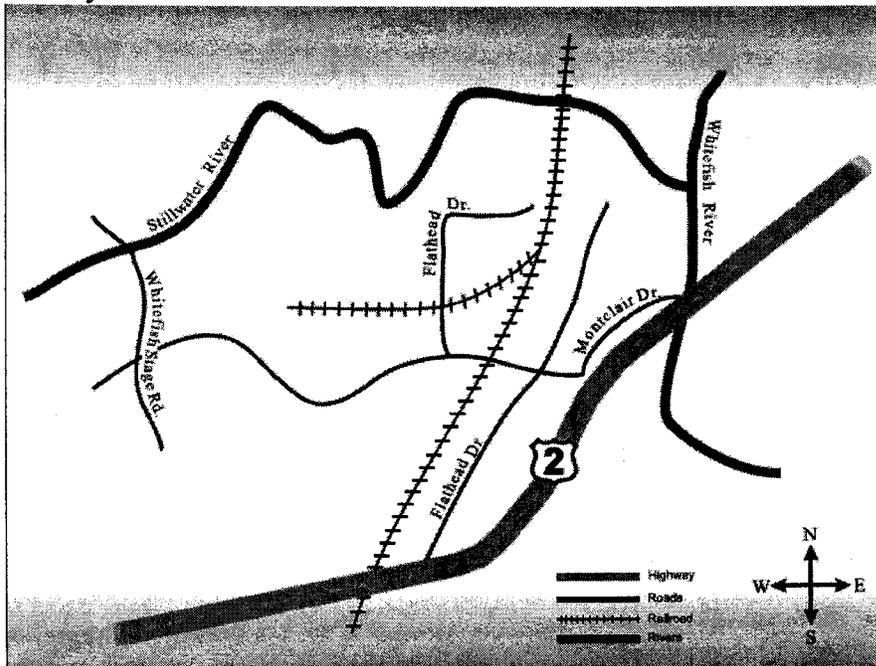
Montana Superfund sites in Evergreen: A briefing on Kalispell Pole & Timber, Reliance Refinery, and Yale Oil (KRY)

At the request of the Montana Department of Environmental Quality, the 2005 Legislature, through Senate Bill 489, directed the DEQ to complete a remedial investigation and feasibility study of three contaminated sites in Evergreen, and provided \$1.25 million for the work.

Location

Evergreen is an unincorporated, residential/commercial/industrial community just outside the northeastern city limits of Kalispell in Flathead County. Three neighboring industrial sites, the Kalispell Pole & Timber (KPT), Reliance Refinery, and Yale Oil sites, cover about 55 acres and have co-mingled contamination. These properties, jointly known as the KRY site, include areas where contamination from the three industrial facilities is located.

Two of the sites are adjacent to each other: KPT and Reliance Refinery. They are bordered on the north by the Stillwater River, on the west by Whitefish Stage Road, on the south by Montclair Drive, and on the east by Flathead Drive and the BNSF Railway tracks. The Yale Oil facility lies southeast of the other two facilities and east of the railway tracks.



Contamination

Soil and water at the site are contaminated by wastes including pentachlorophenol, dioxins/furans, petroleum hydrocarbons, and metals. Groundwater contamination from the properties is commingled in the shallow aquifer. The contamination presents a potential risk to nearby residents, on-site workers, and visitors, as well as a potential risk to the environment.

History

The KPT facility, partially owned by the BNSF Railway Company, is an inactive wood-treating facility that operated for about 45 years until 1990. Portions of the KPT facility are currently occupied by a sawmill operation and a rock-cutting operation. The Reliance Refinery facility includes an inactive oil refinery that operated for about 40 years until the 1960s. The facility is partially owned by the state of Montana, administered by the Montana Department of Natural Resources and Conservation, and is currently vacant. The Yale Oil facility also operated for about 40 years until 1978 as a petroleum bulk plant and product refinery and is currently occupied by a large retail store. The facility was previously owned by the Exxon Corporation.

These three facilities and their associated contamination are listed on the state's superfund list, pursuant to the requirements of state superfund law (CECRA). Cleanup of the contamination is regulated by DEQ under CECRA. The potentially liable persons (PLPs) have strict joint and several liability for the costs of cleanup and the associated oversight of cleanup at the facility. DEQ identified PLPs and has a lawsuit pending against BNSF Railway Company, the Kalispell Pole and Timber Company, Exxon Mobil Corporation, Klingler Lumber Company, and Montana Mokko. DEQ has settled the lawsuit with DNRC and Swank Enterprises.

Previous investigations

Preliminary investigations of the KPT and the Reliance Refinery facilities have been completed by the U.S. Environmental Protection Agency, DEQ's predecessor state agency, the Department of Health and Environmental Sciences, and some of the property owners. As DEQ consolidated and reviewed this data, it identified data gaps in the preliminary investigations and identified additional work needed to determine the magnitude and extent of contamination at the KRY site.

Cleanup process

Under CECRA, DEQ identifies PLPs, provides them with notice of their responsibilities and ensures that cleanup progresses. Contamination must be investigated through a Remedial Investigation (RI). Risk to human health and the environment must be evaluated, and alternative approaches to cleanup of the contamination must be identified and evaluated in a Feasibility Study (FS).

The RI has identified additional areas of contamination as well as the magnitude and extent of the contamination. As a result, cleanup plans can be optimized to achieve an appropriate and protective level of cleanup, ensuring that cleanup is cost effective and limited to necessary work rather than being driven by generic conservative assumptions.

CECRA also provides for public comment on the preferred cleanup option and DEQ must consider and respond to comments and identify its final decision and document it in a record of decision. In addition, DEQ will seek public comment on the results of the RI in January 2007.

Progress under SB489

SB 489 became effective July 1, 2005, and DEQ contracted with Tetra Tech EM Inc., an environmental consulting firm, to complete the RI and FS. DEQ has reported regularly on its progress to the Montana Environmental Quality Council. Those reports and other publications related to the project are accessible via the DEQ Web site at <http://www.deq.mt.gov/StateSuperfund/kpt.asp>. In summary, DEQ and Tetra Tech EMI have:

- consulted on four occasions with PLPs involved with the sites;
- received all laboratory data from sampling;
- completed RI field work and drafted the RI report.

The tasks remaining to be completed by July 1, 2007, under SB489 include:

- Finalize the RI Report,
- Prepare the Feasibility Study.

The total cost of the RI/FS is expected to be \$1.99 million. Of this, \$1.25 million has been paid by SB489 and the PLPs will pay approximately \$746,000 for the work. Expenditures by mid-September 2006 totaled about \$1.24 million. An estimated \$282,000 has been cut from project expenditures by streamlining activities.

What's next?

SB489 requires the evaluation of cleanup alternatives be completed by July 30, 2007. DEQ will then solicit public comments on its preferred cleanup alternative, revise the proposal as appropriate based on public comment, and issue the final cleanup decision. Cleanup will occur once a final cleanup determination is made.