

EXHIBIT 5
 DATE 1/23/09
 MD

STATUS OF ACTIVELY MANAGED SITES

Report Printed January 22, 2009

ACTIVELY MANAGED SITES IN THE CECRA PROGRAM : TOTAL = 34

Site Name	SA4	NOT	VCP*	RI	SRI	HRA	IA	TS	FS	PP	ROD	RD	RA	O and M	ORDER
Beaver Wood Products Inc															
Big West Oil Refinery															
Bitterroot Valley Sanitary Landfill															
Bozeman Solvent Site															
Burlington Northern Fueling Facility Essex															
Burlington Northern Fueling Facility Havre															
Burlington Northern Fueling Facility Missoula															
Burlington Northern Fueling Facility Shelby															
Burlington Northern Fueling Facility Whitefish															
Burlington Northern Livingstn Shop Complex															
Carter Oil Refinery															
CMC Asbestos Bozeman															
Davis Post Yard															
Diamond Asphalt Co															
Georgetown Railroad															
Granite Timber Co															
Great Falls International Airport MTANG															
Hart Oil Refinery															
Joslyn Street Tailings															
Katapult Pole and Timber															
MDOT Maintenance Facility Helena															
Miles City Railyard															
Milwaukee Roundhouse															
Mission Wye															
Missoula Sawmill															
Missoula White Pine Sash Co															
Reliance Refining Co															

FS = Feasibility Study
 HRA = Risk Assessment
 IA = Interim Action
 NOT = Notice Letter
 NOV = Notice of Violation Letter
 OandM = Operation and Maintenance
 ORDER = Orders/CDS/Settlement Agreements
 PP = Proposed Plan
 RA = Remedial Action
 RD = Remedial Design
 RI = Remedial Investigation
 ROD = Record of Decision
 SAA = Site Assessment Activities
 SRI = Supplemental Remedial Investigation
 TS = Treatability Study
 = Action completed
 = Action in progress
 *Numbers in VCP column represent the total number of VCP's submitted for the site.
 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.



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Rhodia Maiden Rock Mine															
S & W Sawmill															
Tank Hill															
Texaso Sunhurst Works Refinery			1												
Tucson Hebrew Academy Cut Bank ARB															
Upper Blackfoot Mining Complex			2												
Yale OH Corp Kalspdl															

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The Department of Environmental Quality's mission is to protect, sustain, and improve a clean and healthful environment to benefit present and future generations.

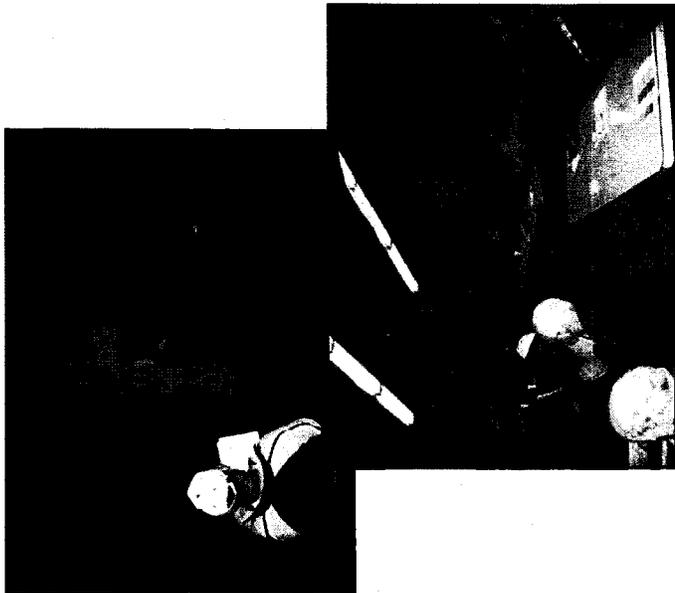
It is the mission of the Remediation Division to protect human health and the environment by preventing exposure to contaminants released to soil or water, and to oversee compliance with state and federal laws and regulations.

Remediation Division

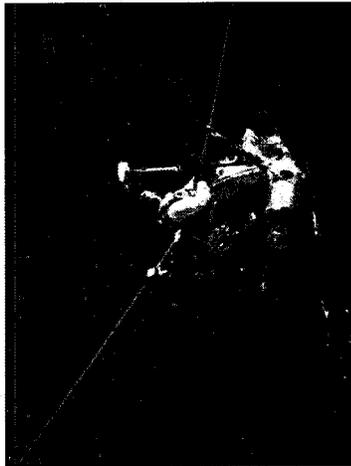


Streamside remediation of Silver Bow Creek.

(406) 841-5000
1-800-246-8198
www.deq.mt.gov



Division Administrator, Sandi Olsen, speaking to an audience of 50 people about Superfund listing of the Flat Creek-Iron Mountain Mine Site.



DEQ Environmental Science Specialist, Brian Bartko-wiak (left), and TerraGraphics Engineer, Susan Firor (right), conduct a cross-section survey of the Clark Fork River in preparation for environmental remediation.

Remediation Division



The confluence of the Clark Fork and Blackfoot Rivers, and Milltown remediation, April 2008.

The Remediation Division is one of four divisions under the Montana Department of Environmental Quality (DEQ). The division is responsible for overseeing investigation and cleanup activities at state and federal Superfund sites, reclaiming abandoned mine lands, implementing corrective actions at sites with leaking petroleum storage tanks, and overseeing groundwater remediation at sites where agricultural and industrial chemical spills have caused groundwater contamination.

The purpose of these activities is to protect human health and the environment, to prevent unacceptable exposure of potential human and ecological receptors to hazardous or deleterious substances that have been released to soil, sediment, surface water or groundwater, and to ensure compliance with applicable state and federal regulations.

The division's Mine Waste Cleanup and Hazardous Waste Site Cleanup bureaus and their respective sections and programs facilitate site cleanup. Program staff includes a bureau chief, section supervisors, environmental science specialists, reclamation specialists, and other technical program staff. The Division Administrator oversees and ensures program administration, with support from administrative and fiscal professional staff.

ABANDONED MINES SECTION

The Abandoned Mines Section of the Mine Waste Cleanup Bureau is responsible for cleanup of historic (pre-1977) mining-related disturbances. Montana's program is regulated by federal and state statutes, under Montana's approved Abandoned Mine Reclamation State Plan.

FEDERAL SUPERFUND SECTION

The Federal Superfund Section of the Mine Waste Cleanup Bureau is responsible for administering remedial cleanup activities, in consultation with the EPA, at federal Superfund sites in Montana. It oversees state provisions of the federal Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA or federal Superfund) activities.

SITE RESPONSE SECTION

The Site Response Section of the Hazardous Waste Site Cleanup Bureau administers the Comprehensive Environmental Cleanup and Responsibility Act (CECRA or state Superfund) and the Water Quality Act (WQA) to investigate and clean up hazardous substances at sites not addressed by the federal Superfund.

CONSTRUCTION SERVICES SECTION

The Construction Services Section of the Mine Waste Cleanup Bureau is responsible for cleanup of contamination along Silver Bow Creek (22 miles) and the Clark Fork River (43 miles).

PETROLEUM TECHNICAL SERVICES/ LEAKING UNDERGROUND STORAGE TANK BROWNFIELDS SECTIONS

Under the Montana Underground Storage Tank Act, the Petroleum Technical Services Section (PTS) and the Leaking Underground Storage Tank Brownfields Section (LBS) of the Hazardous Waste Site Cleanup Bureau administer cleanup requirements for petroleum releases (leaks and spills). PTS focuses on known sources with solvent responsible parties, LBS focuses on federally-funded cleanup for releases with unknown sources or insolvent responsible parties.



Ravalli County Airport jet fuel spill excavation, October 2008.