

SENATE NATURAL RESOURCES
EMT/BIOT NO. 25
DATE Jan 28, 2009
BILL NO. SB 147



January 26, 2009

Chairman Kelly Gebhardt
and members of the Senate Natural Resources Committee
Montana Senate
P.O. Box 200400
Helena Mt 59620-0400

RE: SB 147

Dear Chairman Gebhardt and members of the Natural Resources Committee,

The Montana Association of Public Health Officials (AMPHO) supports Senate Bill 147, revising the Comprehensive Environmental Cleanup and Responsibility Act (CECRA), with the amendments offered by the Missoula City-County Health Department. AMPHO is an organization composed of the directors of local public health departments from across the state.

Senate Bill 147 would modify the existing statutory requirement for a person who is not under order at a State CECRA site to obtain approval of the Montana Department of Environmental Quality (DEQ) before initiating remedial action. The requirement applies only to those sites which are under administrative or judicial order. SB 147 would allow the person to initiate remedial action only after providing DEQ written notice 30 days prior to conducting the remedial action. The remedial action would not be required to be fully described to the DEQ, and DEQ approval of the remedial action would not be required prior to commencing the action.

We respectfully request that Senate Bill 147 be amended to maintain appropriate review and approval of remedial actions at those State Superfund sites where orders for remedial action have been issued. This will ensure protection of public health and environment, and coordination of remedial action work with responsible parties who are subject to State orders for remedial action.

Thank you for considering these comments and requested amendments.

Sincerely,

Ellen Leahy,
Missoula City-County Health Officer
AMPHO Legislative Co-Chair