



A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA REQUESTING AN INTERIM STUDY OF REMEDIATION WORK AT THE SMURFIT-STONE MILL SITE, INCLUDING A CONSIDERATION OF FUTURE ACTIONS.

WHEREAS, the Constitution of the State of Montana holds that the state and each person shall maintain and improve a clean and healthful environment in the state for present and future generations; and

WHEREAS, the 3,200-acre Smurfit-Stone mill site operated as a kraft pulp and paper mill from 1957 to 2010, producing as much as 1,900 tons of bleached kraft pulp per day, pumping 16 million gallons of water a day from the aquifer, discharging wastewater directly into the Clark Fork River or through seepage in 900 acres of wastewater treatment ponds, generating over 54 tons of contaminated sludge per day, storing industrial waste and sludge in unlined repositories in the floodplain, and altering the flow of the Clark Fork River with berms along 3.6 miles of riverbank; and

WHEREAS, the Environmental Protection Agency surveyed 104 bleaching kraft mills in the United States, including the Smurfit-Stone mill site, and found sludge and wastewater from these mills to contain dioxins and furans; and

WHEREAS, the Smurfit-Stone mill site is being investigated under the federal Comprehensive Environmental Response, Compensation, and Liability Act through the Superfund process under an administrative order of consent due to contaminants of concern, including dioxins, furans, and polychlorinated biphenyls; and

WHEREAS, the Frenchtown Community Advisory Group has advocated for increased sampling and analysis of health impacts to the community, voicing concern over currently inadequate risk analysis; and

WHEREAS, the Montana sport fish consumption guidelines published "Do Not Consume" guidance for fish in the Clark Fork River due to dioxins, furans, and polychlorinated biphenyls; and

WHEREAS, abandoned industrial waste depositories, landfills, sludge, and berms would not be permitted or authorized today; and

WHEREAS, the berms holding back waste are not engineered, do not keep contamination from the Clark Fork River, are susceptible to large floods, and heighten risk to downstream communities; and

WHEREAS, the Smurfit-Stone mill was historically an economic driver of Frenchtown; and

WHEREAS, a full cleanup of the waste repositories, berms, and site could return the mill site to full commercial use; and

WHEREAS, the state is invested in a clean and healthful environment, economically viable communities, and a full cleanup of the Smurfit-Stone mill site.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

That the Legislative Council be requested to designate the environmental quality council to:

- (1) examine past and ongoing investigations into the extent of contamination at the Smurfit-Stone mill site, assessment of risks to human health and the environment, and proposed options for cleanup;
- (2) examine the creation, implementation, and ongoing operation of the Libby asbestos superfund oversight committee and related statutes pursuant to Title 75, chapter 10, part 16, as a possible model for state involvement; and
- (3) offer recommendations, if any, to ensure full cleanup of the mill site, mitigation of risks to downstream communities, determination of impacts to the state fishery, restoration of the floodplain, and rehabilitation of the mill site as an economic driver for the Frenchtown community.

BE IT FURTHER RESOLVED, that the examination include all agencies, stakeholders, community members, and property owners involved or responsible for site remediation.

BE IT FURTHER RESOLVED, that if the study is assigned to staff, any findings or conclusions be presented to and reviewed by the environmental quality council.

BE IT FURTHER RESOLVED, that all aspects of the study, including presentation and review requirements, be concluded prior to September 15, 2024.

BE IT FURTHER RESOLVED, that the final results of the study, including any findings, conclusions,

comments, or recommendations of the environmental quality council, be reported to the 69th Legislature.

- END -

I hereby certify that the within bill,  
HJ 18, originated in the House.

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Chief Clerk of the House

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Speaker of the House

Signed this \_\_\_\_\_ day  
of \_\_\_\_\_, 2023.

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President of the Senate

Signed this \_\_\_\_\_ day  
of \_\_\_\_\_, 2023.

HOUSE JOINT RESOLUTION NO. 18

INTRODUCED BY J. KARLEN, W. CURDY

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