

STEVE DAINES
MONTANA

320 HART SENATE OFFICE BUILDING
WASHINGTON, DC 20510
(202) 224-2651

United States Senate
WASHINGTON, DC 20510-2606

COMMITTEES
APPROPRIATIONS
ENERGY AND NATURAL
RESOURCES
FINANCE
INDIAN AFFAIRS

May 6, 2020

The Honorable Steve Bullock
Governor, State of Montana
State Capitol
Helena, MT 59620-0801

Dear Governor Bullock,

I am grateful for the progress made to reach agreement on the Consent Decree for Butte Priority Soils Operable Unit (BPSOU). This historic and significant agreement presents an opportunity for the community of Butte to close this chapter of history. I look forward to seeing this document finalized and the proposed remedial actions implemented. I fear, however, that complete closure for residents remains elusive without addressing the re-development of the Silver Bow Creek upper corridor.

The recently completed, EPA-funded Compatibility Review of BPSOU Remedial Plans and Upper Silver Bow Creek Restoration Plan determined that a lined creek corridor was “compatible with the proposed remedial plan” and “design/construction considerations do not preclude the future construction of a lined creek corridor.” Moreover, the study determined that “considerable cost savings may be realized if the project can be coordinated with planned restoration efforts for the Parrot Tailings Waste Removal and proposed remedial design elements planned for the creek corridor.”

In conversations with the Environmental Protection Agency and key stakeholders, it is my understanding that as the natural resource trustee, the State of Montana must ultimately pursue reconstruction of a lined upper creek corridor. Given the importance of this final component to comprehensive cleanup, the future of Butte, and the health of the Columbia River Basin, I urge you to consider a concrete path forward that can be pursued concurrent with the Consent Decree. Doing so is not only responsive to the needs of the community, but also makes good on past commitments. From conversations with ARCO (Atlantic Richfield), I understand they would be open to discuss if the state chooses to pursue this further.

I urge you to build on the momentum created by the proposed Consent Decree and determine a clear path forward for a restored Silver Bow Creek. Thank you for your prompt attention to my request.

Sincerely,



STEVE DAINES
United States Senator