

**Congress of the United States**  
**Washington, DC 20515**

June 13, 2018

The Honorable Steven Mnuchin  
Secretary of the Treasury  
Washington, DC 20520

Dear Mr. Secretary:

We write concerning a \$3.9 million debt for which the Department of Treasury is holding Powell County, Montana liable. We urge you to work with the county government—as well as with the U.S. Coast Guard, Environmental Protection Agency (EPA), and Department of Justice as needed—to absolve the county of this burden. Powell County simply cannot afford to pay a \$3.9 million bill.

By way of brief background, on January 10, 2011, EPA used the Oil Spill Liability Trust Fund to clean up an oil spill in Powell County, incurring removal costs totaling \$3,172,982.89. On March 26, 2014, the Coast Guard's National Pollution Funds Center issued an invoice seeking payment of that amount from Powell County as a responsibly party under OPA. The removal costs owed by Powell County are now considered a debt which has been referred to your department.

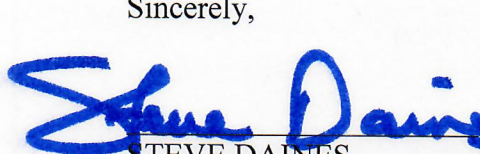
Throughout this process, Powell County had made clear to EPA and to the Coast Guard that they are unable to foot a multi-million dollar fine and sought alternate methods of cleaning up the site. Now, the charges have accrued interest and penalties and reached over \$3.9 million. While the Coast Guard and EPA should have heeded the county's calls to explore alternate, more collaborative methods for cleanup, this matter is no longer under their jurisdiction, but now yours, which is why we are calling on you to act.

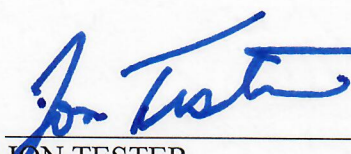
Furthermore, this outstanding fine may jeopardize the county's much relied upon Payments in Lieu of Taxes and Secure Rural Schools funds. Loss of those monies would place the community in dire straits. To illustrate life in Powell County for you: the local roads consist of gravel because the county cannot afford to pave them. 17.5 percent of the county, meanwhile, lives in poverty. In the commission's own words in a 2011 letter, "Powell County is a rural, poor county, with the inability to pay for this pollution incident." As you can see, this county does not have savings to spare.

We urge you to work with the county to determine a mutually acceptable resolution. As part of that effort, we also ask that you either minimize the county's liability for cleanup costs or absolve them of it entirely. Finally, we request that you keep us apprised of your progress.

Thank you for your attention to this pressing matter.

Sincerely,

  
STEVE DAINES  
United States Senator

  
JON TESTER  
United States Senator

  
GREG GIANFORTE  
United States Representative