CITIZENS TECHNICAL ENVIRONMENTAL COMMITTEE

January 2023 Superfund Update

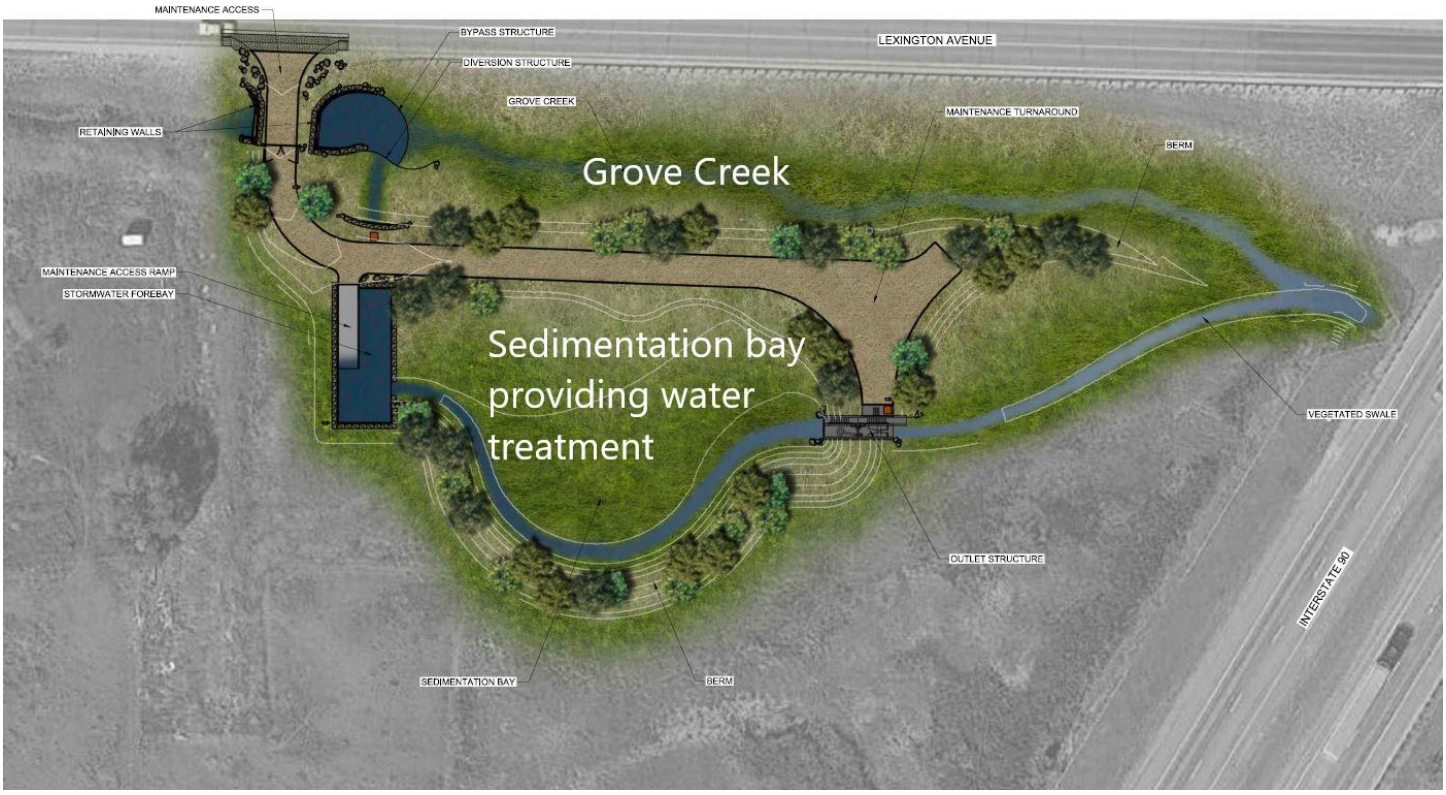
Activities in the last month

It was a big month for progress on the design of stormwater treatment projects along Blacktail and Upper Silver Bow Creeks. Both the Grove Gulch and Buffalo Gulch projects reached major design milestones with the release of 95% and 60% engineering design packages. Under the Butte Priority Soils Operable Unit Consent Decree, Atlantic Richfield and their local consultants prepare the designs and will oversee construction. CTEC participates in design review to support public involvement and transparency in the Superfund design process.

Grove Gulch Design

The Grove Gulch sedimentation basin has reached the 95% engineering design level which means the planning and design for this water quality treatment feature is nearly complete. This is the first Consent Decree project nearing completion and will be the first constructed as well, currently scheduled for late summer 2023. The project will be constructed within the red outline shown in this Google Earth photo.

Metals from historic mining impact the Grove Creek watershed on the south side of Butte. The sedimentation bay provides water treatment by settling and adsorbing metals. Treated water will be released to Blacktail Creek which will benefit water quality and aquatic life in the creek. A rending of the Grove Gulch design from Atlantic Richfield's design is shown in the following drawing.



Buffalo Gulch

The Buffalo Gulch project will provide water treatment for runoff and perennial flow from a large area of the Butte Hill roughly bounded by Montana Street and Main Street. The 60% design is complete, meaning the planning and design is at an intermediate stage and the 95% and 100% design stages are still to come. The project area is outlined in red in the following Google Earth photo.

The Buffalo Gulch project will install multiple stormwater treatment basins and include trails and boardwalks for public use. The stormwater basins provide water treatment by settling and adsorbing metals and will benefit water quality and aquatic life in Silver Bow Creek. The images below provide renderings of the Buffalo Gulch project from Atlantic Richfield's design.

Water Quality Standard Variance

Atlantic Richfield is submitting a request for a variance from the U.S Environmental Protection Agency (EPA) and Montana Department of Environmental Quality (DEQ) that would allow the typical Record of Decision surface water quality standards in Blacktail and Silver Bow Creek to be exceeded during project construction that will occur over the next eight years. The Grove Gulch, Buffalo Gulch, Butte Reduction Works, Diggings East and Northside Tailings projects involve excavating mining waste in and near waterways, which will create some unavoidable contaminant release. The tradeoff for these short term water quality impacts will be vastly improved water quality provided by waste removal, capping, and stormwater treatment. Atlantic Richfield is currently working with EPA and DEQ to iron out details of the temporary water treatment and water quality monitoring that will be required to obtain the variance.

Upcoming Activity Schedule

January 25th there will be a technical meeting that includes management and legal teams from the Consent Decree parties (Atlantic Richfield, EPA, DEQ, Butte Silver Bow, and the Montana Department of Justice Natural Resource Damage Program). The parties will attempt to come to a resolution on reuse of materials during project construction and other clarifications. CTEC has commented to EPA and DEQ on these soil reuse considerations and will report back to the public on the outcome of this meeting.

January through March: Atlantic Richfield will complete the mining waste repository haul route traffic study this January. This is one of the last pieces of the repository siting study. A public involvement period will follow in March, after which the location and traffic route for hauling mining waste from the forthcoming Consent Decree projects will be decided.