



March 2023 Superfund Update

Activities this month

Park & Playground Remediation

Atlantic Richfield spent the last year and is continuing to sample for metals at public parks and playgrounds to identify areas where past reclamation efforts have missed mining waste. So far nine park and playgrounds have been identified as needing further waste cleanup. Those parks must be closed during construction work and in some cases playground equipment will be removed and replaced to access contaminated areas. Remediation will begin this spring at Koprivica, Cherokee, and Rocker Parks. These parks should be complete and ready for public use again by summer.

Stodden Park will also undergo waste remediation this summer and is a priority. Stodden Park cleanup is planned to start after labor day so that it is not closed during peak summer season but can get done before winter.

Changes or clarifications to Consent Decree for “grey area material”

Lack of resolution continues between EPA, State of Montana, and Atlantic Richfield on reuse of soil and other materials during Consent Decree (CD) project construction. These are important issues that need to be resolved before project design is finished and construction can begin. It has not been resolved whether this will require a change to the CD or if it is a design consideration allowed by the CD as-is.

The potential issue that is under discussion involves where “grey area material” may be used. Grey area material is the name being used for onsite soil at the project sites that has lower metals than the waste criteria in the CD and is therefore not waste but has higher metals than the imported backfill criteria. Grey area material is already in the CD; it is not a new category, and reuse is allowed by this language in the CD:

“If onsite materials do not exceed the Waste Identification Criteria in Table 1 of Appendix 1, the material may be used onsite as general fill provided it meets all other requirements for general fill of Table 2 of Appendix 1 (e.g., texture, pH).”

The CD allows grey area material to be reused as general fill below the planned storm water basins, and not for use in-stream or in floodplains. There are a couple of limitations to that which is why the topic is being discussed by the CD parties. One, there may not be enough room under the basins for all of the material. There is also concern that the moderate metal concentrations in grey area material could leach and contaminate water if it is exposed to precipitation or groundwater.

EPA has outlined a potential resolution that would expand where grey area material can be used but would eliminate any possibility it would be in contact with groundwater or could flow to the creek. This would require grey area material to be reused only where it is located above the highest measured groundwater, where it is within the boundary of a Superfund groundwater capture system, and where it would not be located within a floodplain or stream channel including the Restore our Creek Coalition channel area. The material would be limited to reuse as backfill under buildings, asphalt, concrete, or engineered caps in the planned community parks.

No change to the CD has been approved at this point and this is the public’s opportunity to discuss and understand this potential issue. We will keep you updated as discussion on this topic continue.

Lexington Wetlands

The Lexington Wetland is the large pond bounded by I-90, Lexington Ave, and Greenwood Ave. This wetland is not part of the Superfund cleanup, but Atlantic Richfield is planning to construct a community park as part of the “end land use additions” to the Superfund remedy. The park will include parking, bathrooms, and trails connecting to the neighborhood. A rendering from Atlantic Richfield’s recent 95% design for the park is shown below. The park will be part of the larger series of parks and restoration efforts, called the Silver Bow Creek Conservation Area. An overview of this larger plan has been prepared by Atlantic Richfield’s contractor Land Design Inc. and is available at this link:

<https://static1.squarespace.com/static/54498ea4e4b0d51d413cd813/t/5be07d8ccd8366c8f331ab2a/1541438885686/U+SBC+MASTER+PLAN+PRESENTATION.pdf>

Atlantic Richfield is planning and designing this community park at the Lexington Wetland.



Upcoming Activity Schedule

The Diggings East 60% project design is planned to be released in April. This is the next step in the design process since the 30% design was released in December 2020.

The Buffalo Gulch 95% project design is also planned to be released in April.

The Blacktail Creek Hydraulic Control 30% design is planned to be released in June.

CTEC plans to review these design documents as they are released.