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SUBJECT: NTCRA Libby – **Public Meeting #2 Notes**, May 2024, Contract W9128F20D0019, Task Order W9128F23F0120

Ms. Laidlaw:

North Wind Advantage JV, LLC is pleased to submit the following deliverable.

- **Public Meeting #1 Notes** – PDF format

A *certified* transcript comprises the meeting notes.

Feel free to reach out with any questions.

Sincerely,

Troy N. Rosenbush
Project Manager

Enclosure

cc: Mandy Rockwell, Forest Service
Nathan Gassmann, Forest Service
Colleen O'Hara, Forest Service
Sarah Miller, USACE
Connor Kelley, CDM Smith
Allie Leber, North Wind

USDA FOREST SERVICE

KOOTENAI NATIONAL FOREST, LIBBY DISTRICT

Non-Time-Critical Removal Action for Fuels Management Adjacent to Outside Operable Unit 3

Draft Final Engineering Evaluation/Cost Analysis in the Mitchell Jackson Project Area

Presented by: Nathan Gassman
Gary Hazen
Mandy Rockwell

TRANSCRIPT OF PUBLIC MEETING #2

TAKEN AT KOOTENAI NATIONAL FOREST SUPERVISOR'S OFFICE

31374 U.S. HIGHWAY 2

LIBBY, MONTANA

WEDNESDAY, MAY 29, 2024

REPORTED BY: EMILY K. NILES, RMR, CBC, CRR
WA CCR #2794; NV CCR #782

LIBBY, MONTANA, WEDNESDAY, MAY 29, 2024;

5:33 P.M.

-oOo-

MR. GASSMANN: This is the discussion presentation for the environmental -- or excuse me, the engineering evaluation/cost analysis for the Mitchell Jackson Project that surrounds the 10,000 acres of the former vermiculite mine site.

So introductions. Nate Gassmann, district ranger. I think I recognize everybody.

And then we'll just go around.

MR. HAZEN: My name's Gary Hazen. I'm with the Advantage JV CDM Smith, supporting the Forest Service and the EE/CA activities.

MS. ROCKWELL: Hi. I'm Mandy Rockwell. Work here at the supervisor's office and working as team lead for this project.

MR. ROSENBUSH: And I'm Troy Rosenbush. I'm also with the Advantage JV who's helping administer this project.

MR. GASSMANN: And as part of the CERCLA process, we have to have the meeting recorded, so we have our very own recorder for this. And so if you guys have questions later on, or if you make some statements or anything like that, please just say your name, and

then we have to put that into the record. So ...

MS. LAIDLAW: Good evening. Jennifer Laidlaw. I work with the United States Army Corps of Engineers, Omaha District. So we actually hold the contract with NorthWind-CDM Advantage JV, working on behalf of the Forest Service.

MR. GASSMANN: Yeah. That's a great summary. So the Forest Service normally doesn't do EE/CAs. We don't usually engage in the CERCLA process, the CERCLA authorities that we have. In 1970, whenever the -- when the legislation was passed, all the federal agencies had their own regulations that were established post that. So the Forest Service does have some of those things sometimes, but traditionally, no, we're not doing that. So we had to reach out and get more support on what this is.

And so I'm not sure if you guys have had the chance, but it is published by the -- you can find the EE/CA document on the project site. You can find the maps, the supporting maps, and you can find the supporting documentation. There's how many different components for that. But it's all out there for what this is.

Jodi. We know her too. That's Jodi.

JODI: Hi.

MR. GASSMANN: If you have any questions later on, we're just getting started, but we are recording this. And so if you say your name before you speak later on, they would appreciate it.

So without any further ado, we're going to start getting into a little bit more details. And this is a pretty high-level look at what this is. We can give you some time frames and we'll get into some of those details. But please, as you -- as we go through these slides, if you have questions, just ask.

Gary?

MR. HAZEN: Sure. So as this indicates, this is a presentation about the engineering evaluation/cost analysis, or EE/CA for short, for the Mitchell Jackson Project Area. It's to support a non-time-critical removal action, which is a fancy term for implementing the action that this represents under CERCLA authorities that the Forest Service has.

So we can go on to the next slide.

You know, the key messages regarding this non-time-critical removal action is that US EPA Region 8 had defined a human health risk for firefighters inside Operable Unit 3, which is the former Libby vermiculite mine portion of the overall Superfund site during certain firefighting activities. So, you know, how this

affects our non-time-critical removal action factors into this is that reducing fuels, meaning vegetative fuels, in the Mitchell Jackson Project Area could help reduce the potential for wildfires to move into that Operable Unit 3, the former Libby vermiculite mine, by improving the effectiveness of those fire suppression tactics.

And also in conjunction with that, road system management in the Mitchell Jackson Project Area also helps access for that fire suppression. And by reducing those fuels, you'll reduce the flame length and the ability to attack -- direct attack, by the ground crews.

So the point being, there's a potential benefit in doing this work outside of Operable Unit 3 for the risks inside OU3 to wildland fight fighters.

MR. GASSMANN: I think that's the key message, that when you guys go out and people start asking you about this project, keep telling them this is not occurring inside the zone; that is the EPA's responsibilities. This is outside that. And in the maps -- well, which map? I mean, it's everything outside of the zone.

MR. HAZEN: And it's really, as we'll get into it, meant to, you know, supplement or enhance what's being done inside the zone or inside OU3. EPA and

W.R. Grace are working on a separate action specifically for that. This is meant to enhance reliability and long-term effectiveness outside for the conditions inside.

MR. GASSMANN: Right. But the actions that we're going to be taking outside will not affect negatively anything that has the potential to violate the feasibility and the remedial actions as part of the mine site activities.

MR. HAZEN: So next slide.

So this is just a little diagram showing the NTCRA process under CERCLA. There was authorization to do the EE/CA which was done in approval memorandum. I believe that's also available on the Web site.

MR. GASSMANN: Yep. It's posted up there.

MR. HAZEN: Basically just shows the justification for conducting the NTCRA and doing an EE/CA to support. Then there was an analysis altering the EE/CA, which is the subject of this meeting. We're at the third point right now, which is public comment and decisions. So the public comment period I believe has started and --

MR. GASSMANN: Today. First day. Day one.

MR. HAZEN: -- and there's 30 days' minimum public comment period under CERCLA. And then that will

culminate once the Forest Service has looked at those comments and, you know, created an action memorandum to basically memorialize the decision on which alternative that was presented to EE/CA to move forward with. And then there's the actual implementation of the work, which we'll file.

MR. GASSMANN: Yep.

MR. HAZEN: So when we say "site location" here, again, we're talking about the Mitchell Jackson Project Area, not, you know, the Libby Asbestos Superfund Site. So the site is that darker shade surrounding Operable Unit 3, basically is where you see sort of the doughnut hole; and the Mitchell Jackson Project Area is sort of the doughnut that surrounds Operable Unit 3 on every side, except for maybe the south side, where you have the river. But essentially it's that darker shade all the way around Operable Unit 3, and it extends, obviously, from Lake Koocanusa on the east to, you know, pretty close to Libby on the west side and, you know, bounds along the Kootenai River from Lake Kootenai. So almost to Libby.

Next slide.

So a little bit of the history of the overall Superfund site. There was eight operable units. You know, most of the cleanup, I think as many are aware,

has already occurred, particularly in the towns of Libby and Troy and along the river. Operable Unit 3, which we have been discussing, is sort of the remaining operable unit that doesn't have a decision under the EPA Superfund process yet. The feasibility study for that work's under prior -- in progress, and there will a suite of alternatives that address the forested area within Operable Unit 3 and then the mine footprint within Operable Unit 3. But again, that's in progress, and EPA is working with W.R. Grace on that right now.

Next slide.

So this is a map showing site features. I know it's sort of hard to see with the colors, but we do have, you know, maps along the walls, too, that you can look at a little bit later.

I think the important things are the bright yellow boundaries. The inner boundary is Operable Unit 3, so EPA's operable unit for the Libby Asbestos Superfund Site. And then the outer boundary is the outer edge of the Mitchell Jackson Project Area, and Nate or Mandy could probably speak a little bit more about exactly how that was selected. But it's basically a combination of topography and ownership and a few other features that help define that outer boundary.

MR. GASSMANN: Yeah. And Mandy, I'll -- make

sure I don't misspeak.

A couple other site features I want to make sure you're aware of.

This greenish, with these dashed green lines, neon green lines, that's the inventoried wilderness area. We've got the private lands are delineated in that little dopple, you know, dots. So you can see there is a fair portion of lands that reside as private, and most of those lands are essentially lands that have been harvested and activities over the past ten years have taken place on.

And then the only other private lands that are nonindustrial on this Tubb Gulch side are some more Grace property components.

But everything else is National Forest. And I'm going to speak in rough numbers -- I always round up, usually by a little bit more than you probably should, but I'll still round up. So we're looking at total acreage-wise around 20,000 acres. That includes everything that is encompassing the site around it. And that's private, that's Forest Service, that's Grace, that's all lands.

And then when you break out the Forest Service lands only and you include the wilderness area, you're looking at about 15,000 issued acres. Take out the

wilderness area, you lose about 5. So roughly 10,000 acres of National Forest that surround that. Again, you have to go to the EE/CA to get the actual numbers, but roughly, for simplicity, that's what we're talking about.

How do we get to the outer boundary? We evaluated the topography. We considered past fire history. We considered -- we did some rough modeling and some ideas of what it meant for fire activities to occur in and around the mine site back in 2016, I believe. Some folks were actually involved -- well, nobody directly yet, but some folks might remember that. We had a fire team come in and help do some modeling and some initial runs from that effort, which built upon some efforts back in probably like 2008 to try to narrow in what is going on here in the event of fires. So we used that information. Fire spread was a big component to it and, you know, that and how far out we went, that's how we ended up with about a 2-mile -- mile and a half, 2-mile ring around the site.

Road systems. Long-established road systems, and we can get into some more of those details later, but in reasons why we're working road systems are: In the Tubb Gulch side, probably less than standard that we would like to see, and so we can talk about some of

those things. The Jackson Creek, Alexander Creek side is more robust and probably a newer system of roads that is residing in there.

You do have a lot of -- intermixed with the lands with the private lands -- different easements and different accesses that the private landowners have that would continue, no matter this project or not.

Army Corps is aware of the project. You know, that's why some of these little pieces down here by the dam don't show up as treatment -- those corp -- Army Corps property stuff there.

The inside component to this project is the EPA boundary. And we stay out of that. So there's a few exceptions where we had to put some roads into that for short segments to make grades and things coming together to get to the outside. But that is the only exception that we were -- we followed through on.

Anything else you want to touch on the site? On our side?

MR. HAZEN: I think the one other thing would be just because private lands are included within the Mitchell Jackson Project Area doesn't mean work's being performed on private land.

MR. GASSMANN: This decision, this action is only being performed in the National Forest.

Anything else?

MS. ROCKWELL: No, I think that covers it.

MR. GASSMANN: Perspective of fire starts. This is one of the components that we have been using to try to describe and utilize for what it means for fires to occur in and around the zone. This is 1986 to 2021. You can see where we've had different fires. Last year, we actually can add to this probably three more. We had one just up Rainy Creek and just on the ridge of that line, that yellow line, come off at about a hundred yards. So that should be dead on the fire zone, and then two more just to the south of that yellow one, so ...

That's where the -- that's where we've had lightning and fire starts pretty much.

Removal action objectives. Gary, you want to touch on what a removable -- removal action objective is?

MR. HAZEN: Yeah. So the basis of any CERCLA action is the action objectives, and in this case, because it's under the removal authority under CERCLA, they're called removal action objectives. But basically, they're risk-related objectives or source control-related objectives to provide adequate protection within the environment. That's CERCLA's

mandate, and that's the authority that the Forest Service is using here.

So, again, we touched on it at the beginning, but we're trying to reduce the fuels, meaning the vegetative fuels, at the Mitchell Jackson Project Area using vegetative management activities and modifying the road networks to limit those human-caused fire starts and/or maintain or improve our firefighter access to those areas for response.

And ultimately the goal and the reason it's an objective under CERCLA is to reduce or lower that wildland fire intensity spread in the adjacent Operable Unit 3. Again, the exposure risks to Libby Amphibole asbestos are within Operable Unit 3. This action's intended to complement what work is done inside the zone -- or OU3 -- to provide better long-term protecting this inadequate protection within OU3.

So the risks that it's addressing are, you know, the wildland fires in OU3 that, you know, cause exposures to wildland firefighters, and that's from that Libby Amphibole asbestos being released in soil duff, ash that occurs if a fire occurs within Operable Unit 3. And it's also source control in that, if those materials burn, they can liberate that asbestos into streams and then migrate within Operable Unit 3.

So the intention of this action is, again, to improve the conditions surrounding OU3 to lessen the potential for these unacceptable conditions in OU3. Again, the direct addressing of that's going to be done by EPA within OU3 and working with W.R. Grace.

MR. GASSMANN: So, really, do you want to start to think about -- in our normal vernacular -- removal action objectives, purpose and need statements, those sorts of things is kind of what these are capturing and actions to follow through with and why?

We have two alternatives that we evaluated based on those removal action objectives. They're similar. We affect the vegetation, we affect the roads. And so for alternative one, we didn't add or take away any of the road systems that were out there. We were going to do work to the roads to potentially improve, you know, through best management practices, bigger culverts, those sorts of things. But we weren't -- we didn't add anything to what was already there.

Mandy?

MS. ROCKWELL: Focusing use on the open and gated roads. So they're already drivable motorized routes.

MR. GASSMANN: Yep.

So the idea that if the road existed just

because there's a two-track there, we didn't have a system that was open and gated. So you've got -- over the course of time now, most people haven't been in there for 20, 25 years, because the county had previously had that area closed. So we were utilizing areas that had roads that were open traditionally and that had the gates on them under our former system of opening and closing roads. And I don't remember the mileage. I'm not even going to guess on that one.

For Alternative 2, we did make changes to the road system to accommodate and address areas of desired and more effective treatments to respond to fire. And primarily we were looking at areas in the Tubb Gulch area to add those additional mileages and locations for road changes. Tubb Gulch being the place, drier site, spread of fire, all those sorts of things that we are looking at, moving across and into the zone itself on that Tubb Gulch, that westerly side.

So another difference here in the alternatives is up in the -- basically the ridge system that creates the Rainy Creek drainage itself up along the rim. We had additional treatments that we got proposed up in there. And then a few more, I guess kind of towards that Jackson Creek side to access a little bit more. That gets you into the -- closer into the zone than we

would if we hadn't already had a road there.

MS. ROCKWELL: So new roads, but then this will also open up barriered roads during project access, some additional areas. So existing road system, but those that are currently closed to motorized use to be opened temporarily for access.

Yeah?

MR. CASTANEDA: Question. It's Bob Castaneda with Kootenai Forest Stakeholders.

Is Alternative 2 somewhat close to the maximum acres that could have been treated?

MR. GASSMANN: I would say that Alternative 2 is probably closer, but definitely not all of it. We didn't do any -- we did not add in any additional roads into the wilderness area, and we didn't do any prescriptive actions other than vegetation treatments with getting the weeds under control, especially the horse range, basically, that talks about the cheatgrass component and drying out sooner, so that if you get something started off the road -- off the highway, progresses up and then into the zone. So we didn't go in and maximize that. We didn't -- we could have added definitely more roads that would have gotten to every acre. We considered what that would look like. And some of those trade-offs were then in violation of

forest flame compliance, which we've listed as an ARAR, which means --

MR. HAZEN: Yeah. So it's a regulatory consideration, I guess the way I'll put it.

So there's different categories of ARARs which are applicable, or relevant and appropriate requirements; and then there's what's called TBCs or "to be considered," and that may have been actually a TBC.

But the point being, there's regulatory considerations under CERCLA that you either have to consider or comply with, or waive. And like the Forest Service said, to meet the objectives, the CERCLA objectives, of providing that risk reduction -- potential risk reduction within Operable Unit 3, we didn't necessarily look at the entire universe of forest within that Mitchell Jackson Project Area to accomplish those objectives; we talked about it.

MS. ROCKWELL: And then there were some places that required roads, and with engineering folks looking at them, there's a reason why there hasn't been a road there. I mean, cliffs and just blasting rock, and -- I mean, to put a road there would have been a major effort to get to some of those places.

MR. GASSMANN: And we were -- you know, some of those road additions were going to gain 5 acres,

15 acres, and we just -- we did not want to add that to what is out there. So we scaled it back and considered something less.

Okay. We've got these maps on the wall. We've got the Alternative 1, both alternative -- they're the same map, just doubled.

And then Alternative 2 over here.

So, you know, I think by the time you evaluate the combination of reduction of -- or, excuse me -- the road system with the vegetation treatments, we're definitely going to be reducing fire intensity at the site. We're going to be reducing the fire spread potential into the zone. Our transportation management activities, we still have and will continue to have gate restrictions and those sorts of things that are out there that would be continued as part of this. So we would be looking to still reduce human-caused starts because of those.

And so the last one there is the improvement of firefighter response. If there's not as many trees and they aren't as thick and they can get there faster driving there, we can get a better chance of response time.

MR. HAZEN: And I think one thing to say about it, and Mandy could probably expand on it, but in the

EE/CA itself there's lots of different categories of vegetation management. There's lots of different categories of transportation management in terms of the road classifications, the block classifications, and so forth. And there's a lot of nuance and detail regarding each of those vegetation management treatment approaches and the road management approaches. So really, to -- you probably need to read the EE/CA to look at the details or nuance for any given location.

But I think the point is, when working together, all of those vegetation management approaches for all those different locations down the road, management approaches, again achieve those objectives for CERCLA inside the Mitchell Jackson Project Area, which is going to help Operable Unit 3, or is intended to.

MR. GASSMANN: Yeah, we didn't -- on the maps, on these maps, in the EE/CA they're different. There's a few different maps. But these maps are more broad-scale applications of treatment types.

Anything else, Mandy?

MS. ROCKWELL: No.

MR. GASSMANN: Again, this doesn't quite show up, but different locations highlighted a little differently to show you the differences in where we

wanted to have more roads and more treatments to be more effective in reaching those objectives that we talked about earlier.

And again, I think that when you start to look at the difference in the maps, there will be subtleties, and I think you'll be able to see them. But really, it's that Tubb Gulch area is going to be the bigger change, and then up on that Rainy Creek rim.

MS. ROCKWELL: Kind of -- there's more -- definitely more into this piece and along that upper edge.

MR. GASSMANN: Really trying to draw that harder line by adding more roads to get to them.

MR. HAZEN: And then there is a little bit of additional vegetation management. There's a couple blocks, I think on the southwest side, that were added for Alternative 2. And then my understanding is, along the north edge, inner edge, which is the -- you know, the Operable Unit 3 boundary, there's some --

MS. ROCKWELL: Field treatment on the rim, mm-hmm.

MR. GASSMANN: Yeah. We do have some treatments pretty much right through here that come off the ridge. You guys hike the trail. It's right up the trail. Come in a couple hundred feet and we've got some

slashing and piling that we were going to conduct up in there.

And again, like Gary and Mandy said, this band right through here is really the differences you're going to find from the overall vegetation plan. Jackson Creek, Alexander Creek were fairly static between the two alternatives.

You can see some of the fire modeling.

We got the Johnson report posted, right?

MS. ROCKWELL: It's an appendix in EE/CA.

MR. GASSMANN: It's an appendix in EE/CA. So our field specialist, Eric Johnson, he ran whatever that thing is called that he does for his demonstration of effects for fire spread and those sorts of different metrics. And there will be an appendix in EE/CA that -- that you can reference for what that looks like between the two alternatives.

Yeah, I would just say they're similar. The -- there is a difference in cost between 1 and 2, obviously. And that ends up being substantial, I guess you would start to call it. Talks about substantial cost differences when you add more roads in more difficult areas, which is that Tubb Gulch side. So that's a bigger difference in cost 2.

And do you want to touch on the cost

components to this, since it is part of the title of it, the significance of it?

MR. HAZEN: Yeah. So costs are order of magnitude, and they're for -- the purpose is to compare alternatives. They're not meant to be a budgetary number. The expected accuracy is plus 50 percent to minus 30 percent of the actual cost of implementation. So it can vary, you know, within that range once you go to designing and implementing the action. But the point being: Using a similar cost basis for both of the alternatives meets the CERCLA objectives of comparing and contrasting alternatives to make sure the right decision related to cost is factored into it.

As Nate mentioned, it's not the only thing that you look at in evaluating the selection or the recommendation of a removal action alternative. There's some other categories of effectiveness and implementability that also factor in to that decision. So the bullets up here are meant to represent some of that decision logic in recommending Alternative 2.

But getting back to the cost point: Even though there's a few additional roads, overall it's not that significant relative to all the roads that are being, you know, I guess, maintained and, you know, improved for purposes of implementing the action within

the Mitchell Jackson Project Area. So it doesn't add that much of a cost differential. I think the other main cost component that's different is some reforestation activities related to some of the fuels management work, particularly in Alternative 2.

But the point being, like Nate said, a lot of the action is similar between the two, so you don't see much of a cost differential within that accuracy range indicated. But you do see, you know, some significant benefits in terms of the effectiveness and permanence of the action by doing the work under Alternative 2. Even though it's a small amount of additional acreage, it's in a fairly strategic location relative to fire spread, particularly the southwest area of the Mitchell Jackson Project Area. So Forest Service believes there's a lot of additional benefit for the small additional acreage and road addition.

MR. CASTANEDA: A follow-up question. Maybe you answered it. Maybe I didn't hear it correctly. Are the costs offset by economic benefits?

MR. HAZEN: So what they do in an EE/CA -- and this is typical for all CERCLA work -- they use constant dollar analysis, which means that you don't take into account, for instance, effects of inflation in the future. It's averaged out: A dollar a day is a

dollar -- worth a dollar tomorrow. So there is present value analysis which does discount that, meaning that you assume money is put in trust and pays for it over time. And again, this action's a fairly short duration action in the scheme of CERCLA, so there's not much of an effect from present value analysis. But the point is it doesn't necessarily reflect all of the economic analyses that you would do in designing this action. And that's part of why the accuracy range is wider. You know, plus/minus 50/-30 is a more simplistic analysis of cost.

Having said that, Forest Service has put a lot of work into making sure that the unit costs used for vegetation management and road building is the very best information that they're using to design the -- this kind of work. So it takes into account, you know, inflation to date for the unit cost. It's just not necessarily forecasting the inflation into the future in making this decision now.

But as part of the removal action, design and implementation, there would be a more critical look at cost and the refining of the costs beyond what was presented in the EE/CA.

I guess, Nate, anything to add to that?

MR. GASSMANN: [No response.]

MR. HAZEN: Okay.

And I don't know if I answered your question. But it's a more simplistic analysis. It doesn't take into account every aspect of economic analysis that could be done --

MR. CASTANEDA: I could understand --

MR. HAZEN: -- because CERCLA said it's not necessary.

MR. CASTANEDA: -- the cost that it would take to implement the alternatives. But say that there is removal of timber and there's value to the timber, that value --

MR. HAZEN: Oh, you're saying --

MR. CASTANEDA: -- of the timber offsets the cost.

MR. HAZEN: -- an offset.

MR. GASSMANN: So we have -- the EE/CA doesn't determine that. That's the implementation strategy that we are developing. And so we, the Forest Service, have to account for the federal property, which are the trees and the roads. So this EE/CA did not do that for us.

MS. ROCKWELL: Because it's considered differently, right? It's considered --

MR. HAZEN: CERCLA, you know, it's atypical, I guess I'll say, for CERCLA to account sort of, I guess

I'll say, salvage value, is what they would call it under CERCLA. It's not to say that you can't consider it, but it's highly speculative. And so for purposes of determining a remedy moving forward, we have to assume that it's potentially not salvageable for any reason.

MR. GASSMANN: And to be clear, he's using "salvage" in a much different way than we would traditionally use --

MR. CASTANEDA: Right.

MR. GASSMANN: -- the word "salvage" under Forest Service rules.

MR. CASTANEDA: Right.

MR. HAZEN: The more typical situation in CERCLA is an industrial facility that has a lot of scrap metal, and you might be able to recycle the scrap metal and get some money out of it. But in CERCLA that can often be contaminated, and the cost of decontaminating it may outweigh the salvage value, and it's a wash. I know it's a little different with timber, but obviously the timber that we're targeting here is timber -- and we didn't touch on this much -- but a lot of it is timber that's susceptible to fire, so it's already diseased or has, you know, stressed or maybe has bugs. So maybe it's not the optimal timber for harvest, typically. You would have to speak to that more.

But I think that was some of the reason, along with those sort of CERCLA reasons, to say for this action let's exclude that value of timber which CERCLA would consider a salvage value for making a decision. Again, particularly since the footprint doesn't vary much. So even if you took that into account, it wouldn't make that much of a difference in selecting an alternative. But obviously, moving into actually implementing this, the Forest Service is going to work with that.

MR. GASSMANN: Yeah. I mean we have to. I mean, we're bridging two worlds with the CERCLA regulations and our other traditional regulations. And so the -- if we were to implement a portion of this with the timber sale, we would consider the value of the timber sale and go through the whole, you know, valuation of what that is. If we're doing a mastication contract, we'll evaluate cost breaker and implement through an IDOQ contract or other ways to implement the project.

Does that get to what you're looking for, Bob? For now?

MR. CASTANEDA: [No response.]

MR. GASSMANN: Okay.

MR. HAZEN: So we touched on this earlier, but

you're here on the process, that red box. So that's what this meeting is, is to facilitate public comment, give you more information. Again, you have a 30-day calendar period to provide comment, orally or in writing. You know, Nate and Mandy can talk about that a little more. And then based on that feedback, along with information Forest Service has already developed, an action memorandum will be created to actually formally select the removal action alternative. And right now, the recommended alternative is Alternative 2.

MR. GASSMANN: So we're recommending Alternative 2.

And to comment, a couple of different ways. Mandy did these, so you can take this one home. You've also got the project site in an e-mail that I'm pretty sure most everybody received. You can go to there. And then still want to keep pushing this, GovDelivery system, where you go in and you select on all the projects that you think you might be interested in. And it's pretty easy. But if you have any questions or it's not coming through, just let me know and we can work through it together.

But again, you can take these home. Or in some of the e-mails I'm pretty sure some folks received, it will direct you to the project site, which then also

directs you to how to comment on there too.

So if we're here, how do we get to implementation? I don't think that's on the next slide, though.

So why don't we close out with that.

Next slide.

See? Okay.

Next question is how do we get to implementing? We are expecting 30 days here. We're going to be drafting and working through the non-time-critical action memo, and once we complete that, we're looking at, you know, sometime in that September time frame for a signature. And then we get signature, we're able to implement.

So that gives you kind of an idea of where we're at with actually doing something on the ground.

MR. CASTANEDA: Maybe it's a course on semantics, but why do you call it noncritical time?

MR. GASSMANN: Non-time-critical action?

MR. CASTANEDA: Yeah. Seems like this is something that's important to get done right away. The words "noncritical" suggest that this is not too important.

MR. HAZEN: Well, so it has a formal CERCLA definition. And, again, Forest Service is using that

authority. Basically, "non-time-critical" means that you have more than six months of planning to implement the action. It doesn't mean it's not important. In fact, in the CERCLA process, removal authority is typically more important. There's more of an impetus to doing work sooner than remedial action. But the point is, it's relatively quick in the CERCLA process. If you look at the overall Libby cleanup that EPA has done or even the Operable Unit 3 cleanup that EPA is conducting now, that's going on a fairly long time compared to how quickly, you know, Forest Service is intending to implement this action in that area. So, I mean, I could get more into detail on all the specifics of non-time-critical removal action, but --

MR. CASTANEDA: That's a different authority. I can understand that.

MR. HAZEN: But it's still important relative to remedial action, which is an authority that Forest Service could have used but typically doesn't use. And for this action, it's more important to get it done sooner.

MR. GASSMANN: Right. Non-time-critical does not mean it's not important.

MR. HAZEN: Yeah.

Yeah, Brent?

MR. TESKE: Brent Teske, Lincoln County Commissioner.

Is there a long-term maintenance plan, and what authority will that fall under in the future? I mean, what happens 15, 20, 30, 50 years from now?

MR. GASSMANN: So the time that this is being applied to, is it 15 years?

MS. ROCKWELL: Mm-hmm.

MR. GASSMANN: Right.

MR. TESKE: Okay.

MR. GASSMANN: So this action is good for 15 years. So we expect to -- in a perfect world, we get this thing signed, and we got this action signed on September 1st, 2024. That starts the 15-year time frame. You can imagine, just knowing how this takes -- how long it takes to get certain things done -- road building and all sorts of things, that's why we have to bound it by time. So 15 years for this. At the end of that 15 year -- or every year, then we report out what we've achieved through that year. And at the end of 15 years, it doesn't go away, but it doesn't continue. There would have to be another EE/CA or something else, maybe, at the time. Who knows 15 years from now what that might be? But we would be evaluating it.

I mean, we didn't go out 50 years, because it

has -- how did that work with the time component, though? We had to -- we were -- we had to be certain that we could achieve the actionable items within a time frame was a bigger factor. So 50 years from now, too many variables.

MR. HAZEN: Removal actions are generally more short-term, and there's no defined time, like if it goes beyond this point it can't be a removal action. But typically if it's going to go much beyond a decade or two, you would shift to remedial authority, which again the Forest Service doesn't typically use.

But again, getting back to a point we made earlier, this is meant to complement the EPA-led action in Operable Unit 3 with W.R. Grace. And the point being, and maybe it's optimistic, but that Forest Service is, like, we can provide this action now to help complement what work will be done in OU3, and presumably in 15 years EPA will have made the decision and work with W.R. Grace to implement the action in the forested area around the mine, and that by then it would lessen the need to continue work in the Mitchell Jackson Project Area under CERCLA.

MS. ROCKWELL: And give a different perspective of what you're looking at, at that point, based on what's happening inside.

MR. VINCENT: Bruce Vincent with Environomics.

The -- I think what Brent's trying to get to, and for community discussions it will become important, but usually in a removal you're removing, and it's a permanent removal. The steel doesn't grow back. By the time we're done with this round, it will be time for the early entry areas to have another entry for precommercial or to continue to reduce the fire danger, because as soon as we're done with this removal action, the need for the next removal starts growing. So is future planning going to be under CERCLA?

MR. HAZEN: And see that's going to --

MR. GASSMANN: Yeah. So the idea that the trees don't stop growing, some of the silviculture prescriptions that we're looking at, some of the specific treatments that you're going to find in the document, touch on more sustainable species of trees, spacing of those trees, those sorts of things that you kind of typically see. But, yeah, at the end of 15 years, there's a different evaluation, like Mandy said. Maybe there's something else that affected it in a different place. Maybe we had another fire that we were able to catch and corral 5,000 acres and not have to go into OU3. That takes on a different analysis in consideration of what happens over there.

So again it's like it -- we don't want the trees to stop growing. We want to promote and have the trees in places that we want the species compositions, those sorts of things that provide that resiliency to insect, disease and fire. And that's what you're going to see as part of the overall implementation of it. But in 15 years from now, I mean, we just cannot say for certain that that's going to be anything different. So 15 years we felt very confident that we can achieve all the different activities -- the road building, the domestication, the harvesting, all those sorts of things -- in 15 years. That's kind of what we settled on. So, yeah, it will be there. It's not going to go away.

MR. TESKE: Well, and some of the other OUs, you know, when they were -- when they went into operational maintenance phase and the five-year review, you know, I didn't know if there would be something established similar to that in the future to say, okay, you know, we've got this, we're going to do a five-year review. And we need to do some vegetation maintenance in this section. You know, how's that going to be evaluated in the future?

MR. HAZEN: So part of the reason or justification to do a five-year review is, if you don't

have unlimited use or unrestricted exposure scenarios -- and I know that's sort of a fancy term; we acronym it as UUEE. But the point is, we're not addressing contamination in the Mitchell Jackson Project Area like a typical CERCLA Superfund site. So it already is UUEE. What we're affecting is conditions that affect the adjacent Operable Unit 3. So from that perspective there is no need to do a five-year review and --

MR. TESKE: I'm saying something similar with the intent of deciding whether or not there needs to be additional maintenance and work, so ...

MR. HAZEN: Yeah, I think that's something, as Nate and Mandy mentioned, have to be assessed at a later date once the work's complete and --

MR. GASSMANN: Right.

MR. HAZEN: -- see how the vegetation is performing in terms of, you know, the reforestation.

MR. GASSMANN: I mean, we still can't get away from reforestation requirements part of the --

MR. TESKE: I get that.

MR. GASSMANN: We still have to do that. So anything that we would prescribe as regeneration prescription would have to be planned.

Now, we're still then looking at species composition for that. We're still looking at tree

spacing for that. So it's not a five-year review; it's a yearly disclosure of what has occurred. Are we on track? Did we get waylaid by something else that we didn't get something done? I mean, those things can be talked about and maybe massaged and those sorts of things. But we're still looking for that 15-year time frame to be completed. And, yeah, I mean, we should be on the idea of the trajectory of what we set out to do, to know were we successful. I think we'll see that evolve over time for sure.

MR. HAZEN: And ultimately CERCLA is about protection of human health and environment from contamination. So if the Operable Unit 3 action that the EPA is working on addresses that in a sufficient manner, there wouldn't necessarily be a justification for future removal action in Mitchell Jackson. It's not -- the CERCLA action isn't to mitigate fire; it's to mitigate fire spread that causes those exposure risks to the asbestos. So a little bit of a different slant than the normal --

MR. GASSMANN: Yeah.

MR. HAZEN: -- Forest Service management of the forest.

MR. GASSMANN: Yeah, that's a good point. Very good point.

MR. VINCENT: What's the health of the forest inside those inventoried roads? You know, that's some rough country.

MS. ROCKWELL: Mm-hmm.

MR. VINCENT: That's why it has not been. Do you know what condition it's in?

MR. GASSMANN: I mean, I don't recall specifically of what it was. I don't, no. I could find out, but I don't -- I don't know. And how it relates to the other components that we are trying to prescribe having treatments on. I don't.

MR. HAZEN: And, Nate, you can -- and Mandy can probably speak to it, but I believe part of the reason there's not an emphasis on there beyond the fact it's roadless is those fire models were tending to indicate the southwest edge and more of the western edge than the southeastern edge in terms of an importance for fire spread into OU3. Isn't that --

MR. GASSMANN: Yeah.

MR. HAZEN: -- generally correct?

MR. GASSMANN: Generally speaking, we have been around here long enough that they've seen multiple fire seasons coming from the southwest generally, and a bunch of lightning, and continue to push everything to the northeast. And that's why, you know, when we're

looking at taking action, that's that Tubb Gulch, that side, up and over to Jackson Creek, basically. That side of the project area is really the starting point for anchors for keeping fire to spread into and have the cause of asbestos concerns to the firefighters inside the zone. It didn't typically show up down in that -- in that wilderness area.

Still, trying to address things through this EE/CA, though, is the cheatgrass component. I mean, we've got different prescriptions for how we can address some of the -- hopefully address some of the cheatgrass and get some more native species on site and those sorts of things so that we don't see those things drying out as fast at the beginning of the year, causing different scenarios for fires to start up sooner.

MS. ROCKWELL: We did consider prescribed fire in the IRA, some big burns earlier on, but our field folks felt that presents its own risk, you know, not having solid control lines to keep it from going over the top into the OU3 itself. So we looked at it, talked about it, but decided that was not the -- probably the best way to go.

MR. PECK: Probably a fairly short conversation.

MR. VINCENT: Alternative 2, which looks like

the way to go, more treated acres, eight additional road miles. Is there a road density? Are we in a BMU, or is that going to require roads being addressed outside the area to meet density requirements? Or is that separate?

MR. GASSMANN: So just the Endangered Species Act applies. So we had to produce a biological assessment for the project and we've submitted that already. And then so BMUs --

MS. ROCKWELL: Bores.

MR. GASSMANN: Bores, thank you.

Take it. Go.

MS. ROCKWELL: So West Kootenai bores.

MR. GASSMANN: Go on. Just go through the whole idea. You know, we --

MS. ROCKWELL: So it's not road density, but the linear miles for open roads, total roads, gated roads. So that was part of the road management of what's open, what's gated. So most of our new roads for Alternative 2 will have a gate on it to help keep the open roads down. So it will allow our management and fire responsibility, but it will keep -- public won't have the use of some of those new routes.

But we were able to do the offset and the work all within the project area. So it didn't extend beyond the project area to the greater bores area. Yeah.

MR. GASSMANN: Still, we considered the wolverine, we considered the lynx.

MS. ROCKWELL: Lynx critical habitat. Yeah.

MR. GASSMANN: So this is a good map. Shows the difference -- the different road system components that are part of the alternative. And you can tell there's -- I mean --

MR. HAZEN: And they have a CERCLA purpose. Again, to do this under the removal action authority, there needs to be a CERCLA purpose form so that the roads indicated, you know, are either needed to implement the vegetative management for various blocks of land or it's to help with firefighter response related to, you know, that vegetation management.

MR. GASSMANN: Usually those two complement each other pretty well.

MR. HAZEN: Mm-hmm.

But that's part of why you've identified the road maps you have and which ones are closed to the public is to limit those human-caused fire starts but allow that fire response when needed to those trails.

MS. ROCKWELL: So this is Alternative 1. So some of the new roads are up in this area. So there will be kind of the connection through here rather than having to go up one side or up through the other.

They'll be connected. And there's some roads up through here to get up towards that OU3 boundary to get up to that edge.

MR. ROSENBUSH: And let me show that figure. I can scroll down on that one.

There you go.

MR. HAZEN: Yeah, the ones that have the white -- it's sort of hard to see, but the white dots within are the new roads, typically, under Alternative 2. And the others are existing.

And existing roads, you know, under this action could be realigned within.

MS. ROCKWELL: Yes.

MR. HAZEN: So there could be improvements to them, but they're not necessarily new roads.

MS. ROCKWELL: Right. So the main one, that's that, and y'all are familiar with Tubb Gulch. And this is for both alternatives. But Rainy Creek, you've got Tubb Gulch. And there's this lower Rainy road. It actually starts right here. Because right now it -- folks are saying it takes like five-point turnaround even for a pickup to make that turn to get up on that road, and then it's really steep. So that is going to be realigned in both alternatives to actually make it accessible to large equipment, getting a lowboy up there

so folks can actually respond, rather than just like ATVs or that sort of thing. So -- but that is meaning new road-building for realignment is in -- within OU3. So that's a component of the project.

MR. GASSMANN: Mandy just touched on something that we just -- so the idea of I think the logging truck getting there is different than a lowboy getting there with a dozer. So those are the considerations on how, like Mandy mentioned, that first big switchback off -- coming off of Rainy Creek Road is -- the road's there, but we're realigning that road. We're going to do a lot of work to that road to get it so that you can make the corner and keep going on a lowboy.

MS. ROCKWELL: Yeah, our engineer is very pleased with his --

MR. GASSMANN: He should be.

MS. ROCKWELL: -- his engineering on that one to make it happen. It was something he had to work through a lot to figure it out and get it to work.

MR. HAZEN: And one point to make -- or reiterate is on the vegetation management, it's all outside of Operable Unit 3. But we are touching on the fact that there is some potential road improvement within Operable Unit 3, Tubb Gulch area, and there's a little segue right here too.

MS. ROCKWELL: Yeah.

MR. HAZEN: That work is going to be coordinated with EPA and W.R. Grace because it's in OU3. So that's indicated in the EE/CA that there will be that coordination occurring. And there will be the proper protective measures for the workers doing that road improvement work within Operable Unit 3.

MR. CASTANEDA: Bob Castaneda again.

CERCLA is pretty new to a lot of us, so a couple questions.

The preferred Alternative 2, was it required to look at more than one?

MR. HAZEN: It's desirable to look at more than one. I wouldn't say it's required, but it also calls into question whether it was an objective review of an action. So typically there's at least two.

MR. CASTANEDA: Okay. So the follow-up question: So the objective of the proposal is to improve firefighter safety, reduce fire intensity, reduce greater spread and those kind of things. The disclosure of the cost, does that -- is that relevant to making a decision?

MR. HAZEN: Yes.

MR. CASTANEDA: And how does that fit with the benefits of improving firefighter safety and fire --

reducing fire intensity and those things?

MR. HAZEN: So it is a requirement of CERCLA and the NCP. NCP is the implementing regulations for CERCLA to look at cost. Again, it's not a full economic analysis; it's a more focused analysis specific to comparing alternatives. It's one of many factors that are looked at, and I could go through the whole list, but there's basically seven or so factors beyond cost that are in the EE/CA that are looked at: But it has to do with the effectiveness and permanence of this action; short-term risk to workers and the environment and the public from implementing it; the actual implementation challenges of the work, both administrative and technical in doing the work. And there's a few other factors that aren't really relevant to this action, because again we're doing work outside the zone of contamination that normally would be assessed.

But the point is, all of those have weight in determining, you know, what action is the best action under CERCLA. And cost is just one of those. They call it a balancing factor. So it's one factor among some of the others that are compared to make the best decision.

MR. GASSMANN: Does that help?

MR. CASTANEDA: It's kind of vague.

MR. HAZEN: I mean, usually you would -- you

know, you would have very different alternatives under the CERCLA process. Like you might excavate and take to a landfill waste versus cap it in place. And so there might be a very different spread of cost to where cost becomes more of an important consideration. Here, the majority of the work is similar between the two alternatives, so it's not as critical a factor as it is for some other removal actions under CERCLA.

MR. CASTANEDA: Who's going to be the presiding officer?

MR. GASSMANN: Regional forester.

He's been briefed.

Mark?

MR. PECK: Mark Peck with Lincoln County Port Authority.

And this is just because there's so much trying to figure out how to handle timber within OU3, even though the risk assessment says that it's okay. But I was just wondering if you've got plans -- you're not going to log inside OU3, but there's going to be right-of-away timber. And have you thought about the disposal of that? Are you going to try to sell it? Are you going to ...

MR. GASSMANN: We have thought about it, but we didn't decide yet on what we're going to do with it.

MR. PECK: Okay. I just wondered for --

MR. HAZEN: If it's in OU3, then EPA and W.R. Grace are going to have a say in what happens with it, as well as Montana DEQ.

MR. GASSMANN: And it's not much, considering what --

MR. PECK: Oh, no.

MR. GASSMANN: And to be clear, there is no risk of asbestos outside where we're working.

MR. PECK: Oh, yeah, no, that's ...

MR. CASTANEDA: One more?

MR. GASSMANN: Yeah.

MR. CASTANEDA: Taking up all the questions.

Are you going to be able to quantify the benefits of this? So the objective being improve firefighter safety, so you do that by reducing fire intensity, fire spread, flame length. So are you going to be able to show in a quantitative fashion, not just a narrative way but in quantitative fashion, how this is an improvement over no action and how the two alternatives vary in those same measures?

You talked about fire modeling, and there's an array of tools. But are you going to be able to show somehow numerically the differences between doing nothing, doing 1, and doing 2?

MR. GASSMANN: So the doing nothing part, we did not evaluate this project for the no-action component, right?

MR. HAZEN: Right.

MS. ROCKWELL: And Eric -- Eric would have his existing condition in his fuels report.

MR. GASSMANN: So there's going to be the -- you're going to be able to see in what Eric produced, the field specialist, for the differences. There's -- I'm guessing, but I think there's like six or eight different criteria that he ran these models for. So the existing condition didn't change in Alternative 1 and Alternative 2. The existing condition was the same because he had to keep that the same. And then it spits out the different metrics of percent this and that acres. So you'll see the difference in that. But that doesn't paint the entire picture, but it does get more into the discussion about where it is as much as how much is going on.

So that's where the two alternatives in how we describe it in EE/CA, but we bring in Eric's supporting documentation into EE/CA to help narrate why Alternative 2 is preferred over Alternative 1.

I never feel like I'm getting you answers.

MR. CASTANEDA: No, I -- because all these

fuel reduction projects that were taken across the forest, the objective is very similar in all of them. We want to reduce fire risk. We want to protect communities. But it becomes more difficult when you try to put a comparison on those different alternatives, because what we are good at, what you're good at, is talking about the differences in a narrative way: Yes, we're going to reduce this, we're going to improve forest health, but doing that in a way that's more quantitative.

Here's my very simple wish that we could do, is say that right now the risk is 10. If we do nothing up there, it's a high-risk area. If we do Alternative 1, do we reduce that risk by five? Is Alternative 2 reducing that risk by two? That's what I was hoping at some point we could be able to show on documents, because the public can understand that improvement a whole lot easier than they can understanding flame length, rate of spread, fire intensity.

MR. GASSMANN: Okay. I understand a lot better. It's not coming out like that in this report. But red is usually bad. Red is usually like, you know, danger, and that's what you're going to see in the reports is that it goes from red to, I think it's like a

yellow and bluish-greenish color. The green good, red bad is kind of that spread of how you can demonstrate the differences. But again, it's evaluating it based on fire spread, you know, those sorts of components are what it's more stovepipe to respond from. So it's -- again, the narrative is important because it collects all that to describe why, when you do all of it or you do one piece of it, it's not as good as everything else. So that helps. I appreciate that.

You've asked it before and I just -- that definition of like 1, 2, 3, 4, that I -- you know, I can use that.

MR. VINCENT: Green good, red bad. That works.

MR. PECK: Mark again.

I think we also need to make sure on the talking points that we go beyond firefighter safety and, you know, normal, because this isn't normal. And that's the reason for the CERCLA is that we're trying to mitigate the possibility of fire getting into an area that is contaminated. And the primary release vehicle for that is -- you know, we get a plume-dominated fire inside OU3, and we've got a hundred-mile-an-hour treetop uplift winds sucking all that duff off the forest floor and throwing it 10-, 15,000 feet in the air, and it all

lands back in Libby, that's a whole different threat than, you know, not that -- but that's what makes this unique over normal wildland urban interface type of language and management, I guess.

MR. GASSMANN: It does. But bringing it back to the EE/CA, what we had to evaluate is the firefighter that's going to put on the respirator, go into the zone, into the fire.

MR. PECK: Oh, no. Absolutely. Sure.

MR. GASSMANN: That's been -- that's the risk part that we're trying to reduce for, as well as the other components for getting into the streams, potentially, you know, moving it from the site.

MR. HAZEN: Yeah. And to be a little more specific, this is based on EPA's human health risk assessment that was performed in OU3. So some of the risks that you're talking about aren't necessarily the ones that this is based on, like, you know, spread over the valley isn't a risk that we're mitigating; it's that the wildland firefighter doing mop-up in duff and ash and soil that's contaminated with asbestos in OU3. And so this is affecting fire spread that could, you know, create those conditions in OU3 that are unacceptable for the human health risk assessment. And then, as you mentioned separately, there's also a need for control

of, you know, post-fire ash that contains LA moving into streams and causing migration through streams. And again, EPA, W.R. Grace are working on that through OU3. But if you have fire move in, there's more of a potential than if there isn't.

So this is all sort of probabilities. You know, we're reducing the probability of that occurring in OU3. We're not eliminating it. We're not -- we can't demonstrate exactly what risk reduction would happen in OU3. That's really more for EPA and W.R. Grace to figure out. But this can only help the conditions that cause this unacceptable risk in OU3. It wouldn't exacerbate them.

MR. GASSMANN: So really, you're not going to find what -- the concern, and it is a really concern, but --

MR. PECK: But say from a county standpoint, that's a huge concern. I mean, EmKayan Village right there having that smoke laying in on -- but anyway, yeah, that's ...

That's not to belittle what the firefighter aspect to it is, either.

MR. GASSMANN: It isn't. But then again, like, you know, when Gary said that about the, you know, there's the rock hounder and the firefighter and the

person in the woods, you know, conducting the logging activities, those are the -- that's what we're responding to as part of this project.

Thinking, John?

MR. CRAIG: Yeah.

As far as this project's concerned, has there been any coordination with EPA and W.R. Grace within the doughnut hole that will complement your treatments outside of it? Because lightning is going to strike in that doughnut hole and has for several years, and I can attest to that, having been out there. So what -- is there any coordination that will complement what you're doing inside that doughnut hole with EPA and Grace?

MR. GASSMANN: So, completely different processes, just to start off with. So with the remedial actions that are being evaluated -- right, remedial actions, we have been participating in that because we've got -- the doughnut hole's 10,000-acre site, the Forest Service has about 5,000 acres up there; the rest is Grace properties. So, yes, we have been progressing through and working with the EPA, Grace, DEQ to understand what it means to take remedial actions through those feasibility study alternatives.

So the EPA is working through the feasibility study, with Grace as a responsible party. The

Forest Service has participated in the development, in the progression of this alternative over that alternative and, you know, all those sorts of gyrations that are occurring inside the zone.

Does Grace know about this project? Yeah, they know about it. They got notice of it. EPA knew about the project. DEQ knows about the project. You know, I think this is probably the first time that, you know, the whole picture came into light and then how we're looking at things. That's probably true. But as far as the Forest Service knowing and how -- and where some of the actions might be taking place inside the zone, that's where we feel more comfortable saying that. We're working out here, and we feel comfortable saying that the actions inside, no matter what they end up being, are complementing what is that alternative may be selected for.

MR. HAZEN: And then the other thing that factors into it is because it's based on the human health risk assessment for OU3, meaning the Mitchell Jackson work, you know, some of the consideration identifying the vegetation management areas took into account where there was elevated asbestos within Operable Unit 3. So it's not to say that it's complete coordination, but it's consistent. And that's what

CERCLA requires them doing: removal action that will be consistent with future remedial actions. And so it may not be fully integrated or complementary, but it's consistent. And that's what's important in CERCLA is to make sure you're not doing something contradictory that would defeat the work inside OU3. But we're relatively confident that's not the case here. I believe that you're only helping the conditions in OU3, not hurting them, by doing this work.

MR. CRAIG: I realize you're not hurting anything, but when you're talking about fuels and breaking up the continuity of fuels, it would be nice, if you have a puzzle piece on your side of the ridge, there could be something that could be done on the EPA/Grace's side that would complement, not -- the work you're doing. And that's what I'm looking at: Is there an overall plan that puts the pieces together in the end?

MR. GASSMANN: I think the plans are developing at two different time scales, and so we're getting out first. And so if there are opportunities to connect those puzzle pieces, there's potential for that to occur. There is. Will it occur? There's no answer to "Will it occur?" because all those decisions and processes still have to go forward. Inside the zone.

MR. CRAIG: That's not how my head works, but that's fine.

MR. GASSMANN: In a perfect world, yeah, I think it would be much easier to say that these things don't have a line. They'll bleed it across both sides. But that's not where we're at.

MR. CRAIG: One last question. Is there -- I heard there was an RFP out for working with W.R. Grace within that CERCLA request for proposals?

MR. GASSMANN: Inside the zone?

MR. CRAIG: Mm-hmm.

MR. GASSMANN: I have not heard of that. I'm not saying it's true or not. I just haven't heard.

MR. CRAIG: Oh, it's true. I have heard that. I know some people who have submitted proposals for work within that. And I was just wondering if you had heard anything about it through the DEQ?

MR. GASSMANN: I haven't heard anything about that. I mean, if that is a thing, then you'll need -- you know, that's the EPA's. That's what they have to take care of, so ...

MR. CRAIG: I just thought there might have been some coordination there.

MR. GASSMANN: There is -- there have been at times RFPs put out that were considered, and we were

providing some consultation on some of those aspects. But I haven't heard anything recently.

MR. CRAIG: Thanks.

MR. GASSMANN: Somebody had their hand up over here. I think it was Bob.

MR. CASTANEDA: Has anyone from EPA or the Forest Service or together contacted W.R. Grace to sit down at the table and say: This is what the Forest Service is proposing to do under CERCLA. We'd like to find out from W.R. Grace, what are your future plans up here? Has anybody tried to arrange a discussion of that nature?

MR. CRAIG: That's what I said. Bob's just saying the same thing I did.

MR. CASTANEDA: I can understand you're talking about coordinating, letting them know what's going on. But I think the question is: Is there something more direct being done with W.R. Grace to get them to do something?

MR. GASSMANN: The Forest Service works weekly in coordination with W.R. Grace, the EPA, DEQ to see actions and progress through their feasibility study to ultimately get to a decision to say this is what we are going to do. We're there. We're exercising our CERCLA authorities through the EPA in that instance inside the

zone. So we are not the lead. EPA is. And Grace is the responsible party. Yeah, that's occurring. It's just not on the same scale. It's not on the same time scale for what we're trying to achieve with this project.

And there's -- quite honestly, there's different criteria being evaluated. There's similarities, but they're not the same. And the differences may seem subtle, but they're significant. So it's not happening together. It's the different place for different reasons. So we're not not doing it; it just isn't there yet. That's why we feel confident by these actions under this project, no matter what the feasibility ends up being, to get to the decision and all those other words I can't remember right now, we're not going to impact negatively Mitchell Jackson to the remedy that's going to be established for inside the zone.

When the recorder's stretching her fingers, you know we've put some time in.

You guys feel like we got a good start to dive into the document in more detail? It's not going to read like a Forest Service document. It's going to have all the different vernacular that's -- I mean, Troy had it up here earlier. I mean, it's -- it doesn't look

like a Forest Service document. So it's going to take some time to get there.

MR. HAZEN: There is a lot of technical information, including quantitative information, though, in the cost estimates, with backup for acreages and quantities, you know, in the modeling. So, you know, there is a lot of technical and quantitative information supporting the analysis of the two alternatives.

MR. GASSMANN: A lot of the appendices are just as -- almost as long as the document in total.

MR. HAZEN: Right.

MS. ROCKWELL: I think it is, actually, yeah.

MR. GASSMANN: Quite a bit.

All right. Mark's hungry. I can see it.

No?

MR. PECK: Thirsty, maybe.

MR. GASSMANN: Thirsty? Okay.

I guess with that, with no more other questions, we'll stick around a little bit longer. We're here. So if you've got something else, just let us know, but with that, thanks for coming. Appreciate you guys being here.

(Whereupon, the proceeding concluded at 6:49 p.m.)

CERTIFICATE OF REPORTER

STATE OF MONTANA)
) ss.
COUNTY OF)

I, Emily K. Niles, Registered Merit Reporter, do hereby certify:

That I reported in shorthand (Stenotype) the proceedings had in the above-entitled matter at the place and date indicated.

That I thereafter transcribed my said shorthand notes into typewriting, and that the typewritten transcript is a complete, true and accurate transcription of my said shorthand notes to the best of my ability.

IN WITNESS WHEREOF, under penalty of perjury, I have set my hand in my office in the County of Gallatin, State of Montana, this 17th day of June, 2024.

EMILY K. NILES, RMR, CRR

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