

JON TESTER  
MONTANA

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HOMELAND SECURITY AND  
GOVERNMENTAL AFFAIRS

SENATE HART BUILDING  
SUITE 311  
WASHINGTON, DC 20510  
202-224-2644

INTERNET:  
<http://tester.senate.gov/contact>

# United States Senate

October 6, 2016

Mr. Shaun McGrath, Regional Administrator  
U.S. EPA, Region 8  
1595 Wynkoop Street  
Denver, CO 80202-1129

Dear Mr. McGrath:

I am writing you regarding the proposed clarifier remedy decision for Solvay's Silver Bow Plant in Butte, Montana. A plan for addressing the remaining phosphorus at the plant is long overdue and I am encouraged that this process is underway. I want to ensure that any final decision protects Butte and the surrounding communities over the long-term. As the families in Butte know firsthand, transparency in this process is critical and will ensure responsible decisions are made and appropriate parties are held accountable for the safety of the community.

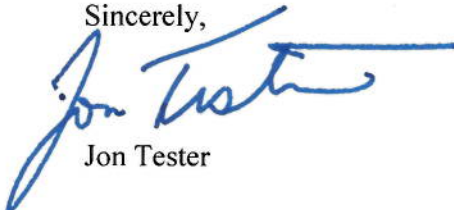
As you are well aware, when the plant halted the onsite processing of phosphorus in 1997, about 500,000 gallons of phosphorus-bearing sludge remained in the open-topped concrete clarifier, which is now protected only by a few feet of water. Should this sludge come into contact with air, the result could be catastrophic and put folks in harm's way. This has put the communities in the vicinity of Butte at risk for nearly 20 years.

When Solvay acquired the former Rhodia plant in 2011, it took on a responsibility to the community to address the long-term disposal of hazardous materials that pose a threat to health and the environment. I understand that the Environmental Protection Agency (EPA) has evaluated the alternatives provided by Solvay based on criteria that take in account long-term effectiveness of the remedy, short and long-term risks to the community, and cost and selected a proposed remedy that would allow the company to treat the sludge on site. It is critical that a cleanup solution be effective and sustainable in mitigating the risk this sludge poses to the community.

The complexity of the site and dangerous mismanagement of hazardous waste in the past makes efforts to inform the public and provide transparency all the more important. During the 45-day public comment period for this proposed decision, I strongly encourage you to increase efforts to inform the public on this proposed decision and be available to answer any questions they might have. It is essential that we fully understand the benefits and drawbacks of this proposed decision and the alternatives.

Thank you for your attention to this important matter, and I would appreciate a response regarding plans for public outreach and an update on timelines for addressing additional hazardous materials on site.

Sincerely,



Jon Tester

BOZEMAN  
(406) 586-4450

BUTTE  
(406) 723-3277

GLENDAVE  
(406) 365-2391

GREAT FALLS  
(406) 452-9585

HELENA  
(406) 449-5401

KALISPELL  
(406) 257-3360

BILLINGS  
(406) 252-0550

MISSOULA  
(406) 728-3003