



ENVIRONMENTAL QUALITY COUNCIL

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September 1, 2010

TO: EQC members
FR: Hope Stockwell, EQC staff
RE: LC 7010 (petroleum tank release sites & mixing zones) public comment

During the EQC's July meeting, members directed staff to put LC 7010, authorizing the use of mixing zones in the remediation and closure of petroleum tank release sites, out for public comment.

Public comment was taken between July 27 and August 27. Only a few comments (attached) were received by the deadline. If additional comment is received prior to the September 14 meeting, it will be included in your meeting folders.

CI2255 0242hsxb.

From: [Bary](#)
To: [Stockwell, Hope](#)
Subject: petro bill draft
Date: Wednesday, August 11, 2010 11:56:17 AM

I am writing in support of LC 7010 which concerns the use of mixing zones. I have a site next to a BN railroad spur which is about 50 feet away. Without legislation like this, my site will never close since it will not ever be deemed "clean" due to its proximity to the spur, which I can do nothing about. I have spent approx. 500K on removal of dirt and monitoring. My money and the Fund's. There is no longer any point source on my property. It should be closed. Thank you.

Sincerely,
Bary Moore
President
Moore Oil Inc.

From: [Greg Cross](#)
To: [Stockwell, Hope](#)
Subject: Petro Bill Draft Comments
Date: Friday, August 13, 2010 2:22:02 PM

Hope:

I personally appreciate your efforts to insure the solvency of Montana's Petro Fund.

- The Petro Board and Staff has worked very hard and to a certain extent successfully to cover the cost of cleaning up the contamination resulting from leaking Underground Storage Tanks. Terry Wadsworth and his staff have perfected the art of fiscal gymnastics and through sheer determination kept the fund a float.
- Over the past ten years I have found the Board staff and Members to be a talented and conscientious group. Any reasonable suggestion which promises to extend the life and efficiency of the Petro Fund is closely and quickly studied and supported.
- The concept of using mixing zone technology and science to manage the implementation of corrective work plans holds great promise. I am encouraged by your commitment to work with our group to see that this innovative idea has a reasonable chance of survival.
- I know of no one on you're A-List of supporters that is not very busy with life in general but this very busy group will be behind you in your efforts. Ask for our help and we will be there for you.

If I can be of any help please don't hesitate to ask. Please add my name to your e-mail list and keep me updated as we progress.

Greg Cross
Past Presiding Officer, Petro Board
Now just one of the guys....
gcross@transedge.com

From: [Eide, Jerry](#)
To: [Stockwell, Hope](#)
Cc: [King, Todd](#)
Subject: Petro Bill:
Date: Wednesday, August 25, 2010 5:09:31 PM

Members of the Council:

I am an environmental specialist working for CHS Inc. and wish to comment on the proposed bill to incorporate the "mixing zone" idea into remedial options for petroleum release sites. It is my belief that this idea makes a lot of sense and could be a viable option at many sites where groundwater quality hovers just above the cleanup levels and all practical remedial actions have already been completed. This bill should save the Petroleum fund many thousands of dollars by giving DEQ project managers a defensible framework to follow towards closure instead of monitoring for many years. This is especially true at problem sites where contaminants are not actively migrating towards sensitive receptors and there are no effective or practical remedial options left. The mixing zone idea along with sensible institutional controls should be considered a viable alternative to strict MRL's at sites meeting the conditions specified in the proposed bill. I would like you to add my comments to those in favor of passage of this bill. Thank you

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From: [Bruce Anthony](#)
To: [Stockwell, Hope](#)
Cc: [Lynn Anderson](#); [Rick Johnson](#); [Valeria Jeffries](#)
Subject: Petro Bill Draft - LC 7010
Date: Thursday, August 26, 2010 1:04:32 PM

Ms. Hope Stockwell
hstockwell@mt.gov
Environmental Quality Council
P.O. Box 201704
Helena, MT 59620-1704

Subject: Petro Bill Draft - LC 7010

Dear Ms. Stockwell:

On behalf of Rocky Mountain Oil, Inc., the owner and operator of Holiday Stationstores in Montana, I am writing to express our support for LC 7010 which would allow "mixing zone" determinations in groundwater at petroleum contaminated sites. Although we don't know whether this rule change will directly benefit Rocky Mountain Oil at any of our sites, we believe that this change is consistent with the concept of Risk Based Corrective Action. This change could also potentially reduce the financial stress on the Petroleum Tank Release Fund by reducing the number of contaminated sites that require funding. As you probably know, the Fund has lately been unable to meet all of its financial obligations in a timely manner,

Rocky Mountain Oil, Inc. supports LC 7010 and we urge its swift approval.

Sincerely,

Bruce K. Anthony
Environmental Director
Rocky Mountain Oil Inc.
4567 American Blvd West
Bloomington, MN 55437
phone: 952-830-8899
fax: 952-830-1681
bruce.anthony@holidaycompanies.com

From: [Lary Poulton](#)
To: [Stockwell, Hope](#)
Subject: mixing zone draft bill
Date: Friday, August 27, 2010 3:56:10 PM

Hope: I feel that it is very important that the "mixing zone draft bill" be completed to allow this to be considered in cleanup. It is very important that we can get some sites closed by DEQ in order to protect the Petro Fund from continuous monitoring costs.