

# **Libby Community Advisory Group**

## **Meeting Summary**

### **November 8, 2007**

#### **Introductions**

The members of the Libby Community Advisory Group (CAG) and its facilitator, Gerald Mueller, introduced themselves. A list of the members in attendance is attached below as Appendix 1. Gerald Mueller introduced Ward Armstrong of the Executive Leadership Institute of Portland State University. Along with the Institute's Dr. Craig Shinn, Mr. Armstrong has been leading a week-long leadership training seminar studying the Libby Superfund asbestos-contaminated vermiculite clean-up. Participants in the seminar are mid-level managers from federal and state natural resource agencies from the Pacific Northwest. Mr. Armstrong stated that several agency staff and people from Libby addressed the seminar, and he thanked the Libby community for its support and cooperation.

#### **Agenda**

The CAG agreed to the following agenda for this meeting:

- Review of EPA prepared materials for the January 10, 2008 community meeting
- CAG Outreach
- CAG Letters;
- MDPHHS Director Miles' Visit
- Agency Reports; and
- Public Comment.

#### **January 10, 2008 Community Meeting**

Ted Linnert reported on EPA's plans for the meeting which will be a one topic meeting held on January 10, 2008 at the School District Little Theater. At the meeting, Paul Peronard will present and solicit public comments on EPA's 2008 work plan related to Libby. EPA is preparing a comment form on the work plan which will be circulated prior to the meeting. Mr. Linnert asked if this approach was satisfactory to CAG members. No concerns were raised by CAG or audience members.

#### **CAG Outreach**

CAG members reported on their efforts to visit with community groups to solicit additional members on the CAG. Rita Windom made a presentation to the City Council. Mike Cirian visited with the Board of Realtors. DC Orr and Paul Lammers spoke to the Rotary Club.

#### **CAG Letters**

A question was asked about the status of the letter to EPA Secretary Johnson asking that he talk with Secretary Leavitt, Secretary of the US Department of Health and Human Services to seek an alternative to the declaration of a Public Health Emergency that would address Libby's health care needs. None of the CAG members present knew if the letter had been sent. LeRoy Thom agreed to check into its status.

#### **MDPHHS Director Miles' Visit**

Bill Patten invited the Joan Miles, Director of the Montana Department of Health and Human Services, to attend tonight's meeting, but she was not able to do so. She plans to attend the February CAG meeting.

## **Agency Reports**

### **EPA**

Mike Cirian reported on behalf of EPA on the following topics.

2007 Construction Season - Construction has finished for this year and will resume next April. This past week, EPA has been completing demolition of one house. The Libby fire department considered burning the property to practice its procedures, but EPA determined that the house contained too much contaminated vermiculite information to be burned safely. EPA therefore demolished it and is disposing of the debris.

Properties Cleaned - This year, EPA cleaned the target number of properties, 160. The total number of properties cleaned to date is 954. The size of the properties cleaned has increased. In 2005, the average property was 0.3 acres. In 2006, the size increased to 0.5 - 0.6 acres. This year the average lot size of properties cleaned increased to 3.3 acres.

Amounts of Material Sent for Disposal - This year, EPA has removed about 45,000 cubic yards of contaminated soil from Libby properties (for a project total of approximately 500,000 cubic yards) and trucked it to the mine for disposal. Another 1,650 cubic yards of vermiculite contaminated insulation and building materials have been shipped to the landfill for disposal in the asbestos cell.

*CAG Member Question - What material is being taken to the mine and what to the special cell in the landfill?*

Answer - Soil contaminated with asbestos is taken to the mine. Contaminated building materials including insulation are taken to the landfill.

*A Member Question - You said that construction has ended for the year. Are any activities continuing?*

Answer - Yes, several activities are continuing, including project design, ambient air sampling, personal activity sampling, and ground water monitoring. The EPA Information Center Libby will continue to be open five days a week, and the similar facility in Troy will be open three days per week.

Method of Operation - As EPA reviews the past construction season, we have noted problems with various aspects of our operations including:

- Improper slope of soil left next to buildings;
- Contamination breaches at construction sites (e.g., workers walking from one site to another without decontaminating);
- Relaxing of the safety culture (e.g., not wearing seat belts or safety glasses); and
- Contractor not using filters on hoses at the Mine's decontamination station (a "CURE Notice" was issued to contractor).

Because of the nature of these problems, EPA will bring in an outside agency to review existing

operating procedures.

*Audience Member Question - What should a contractor do if he encounters vermiculite when putting in a septic tank?*

Answer - Call the EPA Information Center at 291-5335. We will work with you to address the contamination. We are planning additional contractor training in 2008, including a 40 hour hazard waste operation course and an 8 hour refresher course. Completion of the 40 hour course results in certification to address asbestos contamination.

*Audience Member - Addressing contamination seems like a never ending process for contractors.*

*Audience Member Question - You mentioned that you are calling in an outside agency to review your procedures. How will the work of the outside agency be funded?*

Answer - Funding for this review will come from EPA Headquarters. It will not come out of the cleanup budget.

*Audience Member Question - What agency will do the review?*

Answer - The US Army Corps of Engineers will conduct the review, which is known as a "Value Engineering Assessment."

### **State Report**

Catherine LeCours reported on behalf of the state. Work in Troy finished on October 1. This year, 535 of the 1198 houses have been evaluated for contamination. Of the 535, 153 met the contamination removal criteria, a rate of about 30%. Analytical data from the evaluation sampling are being reported from the labs. We expect to mail sampling results in March.

*Audience Member Question - Have any residential cleanups been conducted in Troy?*

Answer – Not yet. Six houses are scheduled for cleanup. These six were judged to be high priority because of the risk they posed to residents.

Answer by Mike Cirian - The remaining Libby residences awaiting cleanup, about 400, are all judged to pose about the same risk. The high priority cleanups in Libby have been completed.

### **Operation and Maintenance Working Group (O&M)**

Catherine LeCours also reported on behalf of the O&M. Yesterday, the O&M facilitator met with the Portland State University Executive Leadership Institute seminar to discuss the group's activities. There are no other activities to report.

### **TAG Report**

LeRoy Thom reported on behalf of the TAG. Philip Erquiaga has joined the TAG. A board position for a member at large remains to be filled. TAG is currently finalizing its contract with their technical advisor.

### **CARD Clinic**

Dr. Black reported on behalf of the CARD Clinic. A CARD representative also visited with the Executive Leadership Institute seminar. Along with the Agency for Toxic Substances and Disease Registry (ATDSR) and the National Institute for Occupational Safety and Health (NIOSH), CARD is conducting a 15 month study comparing the traditional film version of chest

X-rays with digital radiographs. The digital versions are easier to transport and produce an image that can be evaluated easier for particular effects such as plural thickening and scarring. We have compared about 10% of 250 X-rays. EPA is also keeping us busy building a data base of patient data that can be used to conduct epidemiology research. Data placed in the base is done so with the patient's consent.

*CAG Member Question - You said that comparison of 10% if the X-rays have been completed. Do you have any results to report?*

Answer - No data will be released until all comparisons are completed.

*Audience Member Question - Any results yet from the blood indicator study?*

Answer - This study is seeking a blood indicator for mesothelioma. Again, there are not yet results to report.

*CAG Member Question - What is the status of your funding?*

Answer - Funding continues to be a problem. Both Senators Baucus and Tester are seeking funding through a rider on the appropriation bill for the US Department of Labor. It is not known if it will be accepted by the Bush Administration. We have a funding development staff person, Betty Jo Wood, seeking funding from foundations. We have received funding from the Paul Allen Foundation. Officials from the US Department of Health and Human Services (HHS) visited Libby several years ago and acknowledged our need for funding for medical services. However, when W.R. Grace announced its health plan, HHS backed away from funding. W.R. Grace medical funding has declined steadily. For example, a former California resident who worked at the Libby mine has end stage asbestos-related disease. He has been denied funding under the W.R. Grace plan for oxygen and is allowed only one visit annually to his pulmonologist. Because of the decline of W.R. Grace funding, we are again approaching HHS for health care funding. We need the support of the community for seeking funding for medical care from HHS and our Congressional delegation.

*Audience Member Question - In 2001, CARD was part of St. John's Hospital. Do you see any advantage in recombining with the Hospital?*

Answer - We separated by mutual agreement because of our research function, which is not part of the Hospital's mission. We continue to believe that CARD will be more successful seeking funding as a separate entity.

*CAG Member Question - A letter to the editor addressed costs covered by the W.R. Grace health plan. Can you comment on the letter?*

Answer - Some think that CARD is funded by W.R. Grace. That is not correct. CARD is funded by fee for services, not W.R. Grace grants. CARD also provides some social and psychological services without collecting fees.

*CAG Member Question - What is the CARD annual budget?*

Answer - We need about \$500,000 annually to stay open. If we get research grants, a portion would help with our administrative expenses.

## **ARDNet**

The funding appropriated by the 2007 special session of the Montana legislature has not yet been provided by the Montana Department of Public Health and Human Services (DPHHS). The

funding will only be available to counties with 150 people affected by asbestos-disease, which will limit it to Lincoln County and Libby. The DPHHS initial proposal would have precluded funding for ARDNet and the services it provides. This is apparently being changed. When the funding is available, Commissioner Windom will convene the Health Board to allocate it.

## **Public Comment**

*Audience Member Question - Is it correct that the EPA wood stoves are guaranteed to cleanup Libby's air and keep the community safe?*

Answer by Mike Cirian - EPA is providing funding for a wood stove program administered by Lincoln County. The stoves provided through the program operate differently than the stoves they are replacing. The new stoves are improving air quality, but there is no guarantee about results. How people operate the stoves will make a difference. The 2.5 micron particulate standard has been violated only twice this year.

*Audience Member Question - Is it also correct that if standards are not met that EPA will remove the new stoves?*

Answer - No the stoves will not be removed. However, the county may be forced to ban wood burning when standards are being violated. The county is issuing tickets if houses are emitting visible smoke.

*Audience Member Comment -EPA is replacing soil with dirt containing rock. Rocky soil will cause people to use more use more city water when watering lawns which is expensive.*

Response - Libby does not have a lot of available top soil. We are currently trucking top soil from Eureka for cleanups. When we remove contaminated soil, we provide a 6 inch top soil layer. We can discuss this with you after the meeting.

*CAG Member Comment Thank you to the staff of Senators Baucus and Testor, Kirby Campbell-Rierson and Virginia Sloan, for working hard on behalf of Libby.*

## **Next Meeting**

The next regular CAG meeting is scheduled for 7:00 to 9:00 p.m. on February 14, 2008 in the Ponderosa Room of Libby City Hall. DPHHS Director Joan Miles intends to attend this meeting. On January 10, 2008, the CAG will sponsor a special community meeting at which EPA will discuss and take public comment on next year's work plan. The meeting will begin at 7:00 p.m. at the School District Little Theater.

**Appendix 1**  
**CAG Member & Guest Attendance List**  
**November 8, 2007**

<b>Members</b>	<b>Group/Organization Represented</b>
David F. Latham	<i>The Montanian</i>
K.W. Maki	Libby Schools
Phillip Erquiaga	Libby Resident
Catherine LeCours	Montana Department of Environmental Quality
Ted Linnert	EPA
Mike Cirian	EPA
LeRoy Thom	Technical Advisory Group
Dr. Brad Black	Lincoln County Health Officer