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FOR IMMEDIATE RELEASE

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Asbestos in Libby

EPA Action Update #9

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EPA files suit against Grace for Cleanup Costs

Helena, MT – EPA is seeking payment from W.R. Grace for the cost of investigation and cleanup in Libby, Montana. The Agency filed its complaint in federal district court in Missoula on March 30, 2001 to recover over \$10 million that EPA has spent investigating and cleaning up asbestos contamination from a vermiculite mine near Libby. The lawsuit also asks the court for a declaratory judgement for any future costs expended by EPA in further investigations and cleanup at the site.

“Our priority is to clean up the asbestos contamination that is endangering the public health and environment in Libby,” said Paul Peronard, EPA’s On-Scene Coordinator. “The goal of this action is to ensure that W.R. Grace, which caused the contamination, will pay to clean it up—not the taxpayers.”

The complaint names W.R. Grace in Delaware, W.R. Grace Conn in Connecticut and Kootenai Development Company in Montana. W.R. Grace owned and operated the mine and processing facilities which caused the asbestos contamination in and around Libby, Montana. Kootenai Development Company is the current owner of the mine and part of a former processing facility.

EPA will pursue its cost recovery case in federal district court despite W.R. Grace’s recent bankruptcy petition. EPA will seek collection of any judgement through the bankruptcy court.

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EPA's cost recovery lawsuit was filed shortly after the Montana federal Court ordered Grace to provide EPA with access to the former mine site and two other properties in Libby to conduct cleanup actions. Those cleanup actions will begin this spring.

The property became contaminated with asbestos over a 70-year period as vermiculite, which was used in home insulation and other products, was mined from the mountainous area and processed in and around Libby. The vermiculite ore was commingled with asbestos. Mining began at the site in about 1919 and continued until 1990, when Grace shut down the mine. Grace owned the property from 1963 until the early 1990s, when it sold the mine and two processing plants to KDC and other entities.

Beginning in November 1999, EPA and its contractors have conducted numerous investigations into asbestos contamination at several locations in Libby, identifying contamination at two former processing plants with asbestos concentrations as high as 12 percent by weight. An initial investigation of the former mine showed high concentrations of asbestos in the tailings pile and tailings pond. EPA has also identified the dirt road to the mine as a potential health threat and will address it this summer. Ongoing sampling at Libby homes and in school yards is expected to reveal more information on current levels of asbestos contamination and the health threat it may pose.

Asbestos, a recognized human carcinogen, is known to cause lung cancer and mesothelioma, a lethal tumor of the lining of the chest and abdominal cavities. Soil containing asbestos may pose a risk to the health and safety of people residing in contaminated areas and in the surrounding community.

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