

From: [Hausrath, Katherine](#)
To: [Duncan, Catherine](#)
Cc: [Harris, Harley](#); [Martin, Douglas](#)
Subject: NRDP follow-up to requests for information, please distribute
Date: Thursday, February 2, 2023 5:52:00 PM
Attachments: [Exhibit E NRD report.pdf](#)
[2023.02.02 NRDP Narrative.pdf](#)

Ms. Duncan,

Could you please provide this information to the Joint Subcommittee on Judicial Branch, Law Enforcement, and Justice?

Dear Chair Mercer and Members of the Committee,

Thank you for your time today. We appreciated your thoughtful questions.

This email is in follow-up to a question to the Natural Resource Damage Program about what sort of restoration may need to be done at Operable Unit 3 (OU3) of the Libby Asbestos Superfund Site. Chair Mercer correctly noted that the rest of the operable units at the site have been settled and a final remedy selected. OU3—the subject of the proposed settlement agreement—is the only portion of the Superfund site that does not have a final cleanup remedy. OU3 consists of the mine property and surface waters and forests that have been contaminated by the mine. OU3 is still being investigated by W.R. Grace (under EPA and DEQ oversight) and is several years from a final cleanup remedy.

Please see attached for Exhibit E to the proposed Libby Asbestos settlement agreement, which summarizes the State's alleged injuries to natural resources at OU3 and gives examples of some potential restoration actions.

We are also attaching a brief summary of our program and the work we do that we adapted from a previous application for grant funding (unfortunately unsuccessful), to further the Committee's understanding.

We are working on the request to add a column to the settlement slide that shows how much money was available for restoration following repayment of the past costs. We plan to get that to you next week.

Please feel free to contact us directly if you have any questions. Thank you again for your interest and time.

Regards,

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