

From: [Martin, Douglas](#)
To: [Evan Barrett](#)
Cc: [Ford, Jim](#); [Hausrath, Katherine](#); [Cunneen, Pdraig](#); [Natural Resource Damage Program](#)
Subject: RE: Materials re NRD Ann EPA re: Grove Gulch
Date: Tuesday, April 9, 2024 2:48:03 PM
Attachments: [image001.png](#)

Hello Evan,

Letting you know that NRDP has received your information request and will provide the information to you as soon as possible.

Thanks, Doug

Doug Martin
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From: Evan Barrett <evanbutte@outlook.com>
Sent: Friday, April 5, 2024 8:53 AM
To: Martin, Douglas <dougmartin@mt.gov>
Cc: Ford, Jim <JFord@mt.gov>; Hausrath, Katherine <KHausrath@mt.gov>; Cunneen, Pdraig <PCunneen@mt.gov>
Subject: [EXTERNAL] Materials re NRD Ann EPA re: Grove Gulch

Doug -

I was quite offended during the recent EPA/BP-ARCO "technical meeting" when NRD's Jim Ford mentioned that EPA had not ever responded in writing to NRD's written comments related to the proposed cleanup plan for Grove Gulch here in Butte.

One of EPA's representatives stated, rather rudely, that "EPA has been responsive," and further stated that EPA "will not be providing written response."

I find this arrogant and offensive action on the part of EPA to be a violation of EPA's responsibility to the Montana public.

I plan on delving into this further and need to be fully informed on the exchanges between NRD and EPA regarding Grove Gulch.

Pursuant to the Montana constitutional, right to know, I would appreciate it if you would provide to me, as a citizen, all the information about the exchanges between NRD and EPA about Grove Gulch. Included in that list of material would be the written comments you submitted to EPA last October to which they have not responded; information related to the meeting between NRD and EPA that took place on December 21, including all notes, and email messages submitted to EPA by NRD following that meeting and any of EPA's responses including responses from Erin Agee in which EPA "punted" the issues of Grove Gulch to a "technical committee" when in fact, they are substantially legal in nature ; and any other communications that I have failed to list.

I keep my eyes and ears open here in Butte and hear a lot... And what I've heard, is that NRD has consistently acted responsibly on behalf of the people of Butte by asking questions and raising objections to the planned cleanup of Grove Gulch in a manner that would leave waste in place within a floodplain in complete contravention of the direct language of the Consent Decree.

I expect to be challenging that position, and need complete public information to ensure that I am accurately representing the acquiescence of EPA and other public entities, such as the DEQ and Butte Silver Bow, in violating the floodplain provisions of the CD.

I appreciate your timely response to this request, and again ask you to error on the side of completeness when you provide me all of the exchanges and information about NRD, EPA, and the Proposed Grove Gulch cleanup.

Thank you.

Tap 'er light!

Evan Barrett

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