

Billings City Administrator Weekly Report

September 3, 2020

1. **Tuesday's COVID-19 Update** - update will be given by the Yellowstone County Unified Incident Management Team.
2. **Public Safety Mill Levy Presentations** – The PSML presentation was given to the following groups this week:
 - a. Pioneer Park Task Force
 - b. Q2 Montana Matters – PSML stories with Lt Wooley and Assist. Chief Valdez and I will air throughout next week.

We continue to update the FAQ sheet to address questions/issues that are being brought up.

Please contact wynnette Maddox at 406-657-8433 if you have additional presentation ideas.

The PS2020 web page is where the videos are available on the city website. A webpage has been created for all educational materials for the public safety levy. The web link is:

www.billingsmt.gov/ps2020

3. EPA - National Priorities List –

“.....tomorrow the EPA will be announcing that Billings PCE in Billings, MT will be proposed to be added to its Superfund National Priorities List (NPL).

As you know, before being added to the NPL, a site must meet the listing requirements and be proposed for addition to the list in the Federal Register, subject to a 60-day public comment period. The site will be added to the NPL if it continues to meet the listing requirements after the public comment period closes and the agency has responded to any comments received.

Under the Trump Administration, EPA has a renewed focus on the Superfund program. We are taking action to clean up some of the nation's most contaminated sites, protect the health of communities, and return contaminated land to safe and productive reuse for future generations.

The NPL includes the nation's most serious uncontrolled or abandoned releases of contamination. The list serves as the basis for prioritizing EPA Superfund cleanup funding and enforcement actions. Only releases at sites included on the NPL are eligible to receive federal funding for long-term, permanent cleanup.

This action is one step closer to positively contributing to the health, safety, and economic development of the local community.”

Please see the attached letter to Governor Bullock and Shaun McGrath regarding the Billings PCE Groundwater State Superfund Site.

4. **FY2021 Budget** - The FY2021 final budget document is now available online at: <https://ci.billings.mt.us/475/Budgets-Financial-Reports>. Printed versions of the document have been ordered and will be delivered to City Council once they are received.

5. Preparation for the 2021 Legislative Session:

- a. **Infrastructure Coalition** – Darryl James provided a quick update on the HJ 35 Subcommittee meeting. For those not fully tuned-in, the **HJ 35 Subcommittee was charged with conducting a comprehensive review of our state and local tax structure with the intent of analyzing the need for and possible mechanics of property tax relief and a statewide sales tax, among other things.**

Granted interim committee meetings have been challenging during the pandemic, but the HJ 35 committee discussion didn't get to a detailed level of discussion on what a statewide sales tax mechanism might include until August 25th. There was general consensus that the emphasis of any statewide sales tax discussion should be on the need to provide property tax relief, and a sales tax would simply serve as the mechanism to backfill lost revenue for local governments. There also seemed to be consensus that any statewide sales tax measure would need to address the regressive nature of the tax to some degree. Beyond that, there are numerous options/elements that were introduced but not discussed to any substantive degree by the Subcommittee.

Given that this was the last meeting of the Subcommittee, and a need for much more detailed discussions, they declined to forward a bill draft for consideration by the Revenue Committee. On behalf of the Coalition, I acknowledged their efforts and strongly encouraged everyone on the Subcommittee to continue to engage in the conversation, to keep working on the details, and to think beyond the immediate legislative session. The Montana Chamber, MACO, League of Cities and Towns, and Montana Taxpayers Assoc. all voiced the same support for continuing the conversation.

Long and short, we should not be surprised that this is where the interim committee work landed. Whether we had a committee bill or not, our work on this issue has just begun. As you've likely seen, both our gubernatorial candidates have taken strong positions in opposition to a statewide sales tax, and our polling continues to suggest that a sales tax without conditions and other tax relief is dead on arrival.

At the upcoming Board Meeting, I anticipate our Board will be discussing this issue and how the Coalition will position itself on the issue moving forward.

- b. Transportation Interim Committee will meet on September 11, 2020 to complete its 2019-2020 interim work on traffic safety systems and policy and bicycle and pedestrian pathways.

If you wish to view only, the meeting will be streamed live on www.leg.mt.gov and broadcast on Montana Public Affairs Network (MPAN). If you want to participate, please email snowakowski@mt.gov with your name and a request, and will be send Zoom information to participate. Requests must be received by 5 pm on September 10, 2020.

The Montana Legislative Services Division will make reasonable accommodations for persons with disabilities who wish to participate in this public meeting. For questions about accessibility or to request accommodation, please contact Sonja Nowakowski as soon as possible before the meeting date.

During the September 11 meeting, the Montana Department of Transportation and the Department of Justice Motor Vehicle Division will provide the committee with its proposed 2021 legislation. MDT will also present required reports related to biodiesel usage and refunds and alternative project contracting.

The committee will review a draft final report for HJ 45, the bicycle and pedestrian pathways study. The committee also will finish its work related to the federal REAL ID Act, including deciding whether to proceed with draft legislation requested by the committee in January.

For more information about the meeting, including an agenda contact Sonja Nowakowski.

Have a great weekend.



CITY OF BILLINGS

BILL COLE, MAYOR

**P.O. BOX 1178
BILLINGS, MONTANA 59103
(406) 657-8296
FAX (406) 657-8390
coleb@cl.billings.mt.us**

November 26, 2019

The Honorable Steve Bullock Governor
State of Montana
P.O. Box 200801
Helena, MT 59620-0801

Shaun McGrath, Director
Montana Department of Environmental Quality
P.O. Box 200901 Helena, MT 59620-0901

RE: Billings PCE Groundwater State Superfund Site

Dear Governor Bullock and Director McGrath:

On behalf of the City of Billings, we are requesting your support for adding the site referenced above to the Environmental Protection Agency's National Priorities List (NPL). It is our understanding the State has limited resources and funding to mitigate potential risks and to clean up the site. The City is also under the impression this site will have a favorable ranking on the NPL due in part to the number of potentially impacted residential and business properties from PCE vapor intrusion. In addition, initial steps toward remediation of the site may begin as early as 2020.

In 1992, the area, located in east and southeast Billings, was designated a State Superfund Site resulting from earlier investigations confirming groundwater chlorinated solvent contamination. In 2008, the Environmental Protection Agency (EPA) conducted an aggressive contaminant removal and treatment near Big Sky Linen property.

Following the EPA remediation work, the Montana Department of Environmental Quality (DEQ) performed additional remedial investigation to determine the nature and extent of contamination. The investigation revealed the contaminants moved from the groundwater through the soil and is now entering overlying structures by vapor intrusion. The contaminants of concern include the chlorinated solvent tetrachloroethylene (PCE) and trichloroethylene (TCS) and other compounds.

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An EPA Superfund designation is the appropriate mechanism to address this large and complex site, like the Billings PCE Groundwater State Superfund Site. Sites on a National Priorities List (NPL) warrant additional assessment, evaluation of site risks associated with the contamination, clean up and the availability of federal funding. The City of Billings believes that adding this site to the NPL will ensure that investigations and clean up moves forward in an appropriate and timely manner.

Also of critical importance, is the coordination of EPA and DEQ for additional investigations and proposed remediation with the City and affected home and business owners. The City requests that an informational package listing potential site mitigation options be drafted as soon as possible to alleviate any home and business owner concerns and confusion when the area becomes a listed Federal Superfund site.

The clean-up must be completed with effective oversight and public involvement. A Federal, State, Local, and private partnership is needed to effectively address the remediation this site.

Thank you again for your assistance in this important project. Please support the listing of this site on the National Priorities List so the remedial investigation and cleanup process can begin as soon as possible.

Sincerely,

A handwritten signature in black ink that reads "Bill Cole". The signature is fluid and cursive, with "Bill" on the top line and "Cole" on the bottom line.

William A. Cole, Mayor

Attachment: Map

