

## Appendix 2

### COMMUNITY ADVISORY GROUP

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October 17, 2001

Governor Judy Martz  
Montana State Capitol  
P.O. Box 200801  
Helena, Montana 59620-0801

Re: Superfund Designation for Libby

Dear Governor Martz:

Over the course of the past several weeks, you have had the opportunity to visit Libby and to learn first hand that this community has the immense task of finding an immediate and comprehensive solution to the nation's number one environmental disaster. To accomplish this daunting task will take the full cooperation of all parties concerned, the Libby area residents, our City Council, our County Commissioners, our State officials, and several departments of our federal government.

For the past two years the Community Advisory Group has worked endlessly to be an intricate part of the solution. With the assistance of many agencies, this group has been able to assist in finding several very viable solutions to this health and environmental tragedy. To this end, the Community Advisory Group, a diverse representation of the Libby community, are in concert with the opinion recently shared with your office by the City of Libby and the Lincoln County Commissioners. Libby must be named a superfund site and placed on the NPL. To accomplish this listing in the most timely manner available, we too, respectfully request that you use the "silver bullet" option.

To date, the concerns that you expressed in Libby have been satisfactorily answered. Several different revenue sources, including the Resource Indemnity Trust Tax Fund, the Orphan's Share Account, the use of "in-kind services", the sale of bonds, the commitment from EPA Administrator Whitman, the commitment of Senator Baucus and Representative Rehberg, the Governor's Environmental Contingency Fund and the potential of the \$116 million dollar State budget surplus by the middle of 2003 are but a few of the revenue Sources available to defray the State's expense.

Public and private landowners whether it be of a business or residential nature have been assured that they will be held harmless in respects to any and all costs associated with the clean-up) and that adequate protection will be afforded them from the possibility that they be named in a third party liability claim situation initiated by W.R. Grace. This brings great piece of mind to this community.

The EPA has committed to a very workable "timeframe" for the completion of the clean-up project and the Community Advisory Group is just one source whose responsibility will be to see that the timeframe is met and that the work is completed to the standards outlined in the remediation plan. To date the on-site staff have been most timely and accountable for their actions. The economic revitalization of this community depends heavily on all parties working hand in hand to complete the clean-up process expeditiously and without frivolous, litigious intervention.

Most recently you advised our community leaders that you must save the "silver bullet" option for a September 11th type tragedy. The lead agency for these types of events is FEMA not the EPA. Nevertheless, if you put the population of the Libby community in perspective to the population of New York or Washington D.C., you have a September 11th event that you must address today. Some 14% of our residents have died or will die a most painful death as the result of the

unspeakable, reckless acts of a corporate giant. Like the terrorists, W.R. Grace must be held accountable for their actions.

It is most urgent that you and your staff return to Libby in mid-November to present the State's plan for becoming an active partner in the solution. This plan must comprehensively outline the State's contribution to the remediation plan and the State's commitment to assisting with the long term health care needs of hundreds of our citizens over the next 40-50 years.

It goes without saying that you as the leader of the State of Montana must step up to the podium, acknowledge the tragedy, and become a "ground zero" participant in implementing the most effective, timely solution possible in this ongoing war against asbestos contamination.

We look forward to your next visit to Libby.

Sincerely yours,

(Signatures Attached)

Community Advisory Group