



April 1, 2015

Doug Duschene
Bozeman Site Services, LLC
133 Meriwether Avenue
Bozeman, MT 59718

via email: doug@bozemansiteservices.com

Re: Comments on Remedial Action Plan for Magnesium Chloride Spill. [CVID 18102]

Dear Mr. Duschene:

The Enforcement Division (ENFD) of the Montana Department of Environmental Quality (DEQ) has completed its review of the above-referenced report (Report) discussing assessment, remedial and sampling activities. The Reports were prepared and submitted on behalf of Bozeman Site Services, LLC (Bozeman) by Team Jenkins, LLC (Jenkins).

In the letter accompanying the Report, Jenkins stated “Doug Duschene and I consider this matter closed” and that “This recommendation is in corroboration with Toby Day (Day), the Montana State University Extension Horticulture Specialist.”

ENFD concurs with Jenkins assessment for no soil removal due to the close proximity of the spill to a mature spruce tree and soil removal could be detrimental to the tree’s root system

However, ENFD respectfully disagrees that this matter is closed and has the following comments:

Comment 1

In its December 19, 2014 letter, ENFD requested the following, among other actions:

By September 30, 2015, conduct a follow-up site inspection to document that vegetation is properly reestablished and submit a letter report, including photographs, discussing the observations from the follow-up site inspection.

Action

Submit the above-discussed letter report by September 30, 2015.

Comment 2

As stated above, the Report’s recommendations were made in collaboration with Day: however, Day is not discussed or are his recommendations provided in the Report.

Action

By April 30, 2015, please provide documentation regarding Day’s recommendations for assessment and remedial actions.

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The above-requested responses can be submitted via email or mailed to:

Daniel R. Kenney
MT DEQ Enforcement
P.O. Box 200901
Helena, MT 59620-0901

Upon receipt of the September 2015 letter report, ENFD will determine if additional soil assessment is warranted or if the spill file can be closed.

Please reference CVID 18102 on any future correspondence related to this incident.

If you have questions related to this matter, please contact me at either dkenney@mt.gov or the telephone number listed below.

Sincerely,



Daniel R. Kenney
Enforcement Specialist
[Enforcement Division](#)
(406) 444-1453; fax (406) 444-1923

cc via email: Gallatin County DES
Gallatin County Environmental Health
Team Jenkins, LLC