

Lincoln County
City-County Board of Health Agenda
Lincoln County Courthouse, Libby
6:00 PM, September 15, 2025

- **Call to Order**
 - Pledge of Allegiance
 - Roll Call
- **Administrative Items - None**
- **Public Comment on Items Not on Agenda**
- **Unfinished Business - None**
- **New Business**
 - Discussion of Libby Groundwater Superfund - Controlled Groundwater Area
 - *Action Item* – Appointment of Superfund Liaison
- **Public Comment**
- **General Comments from Board Members**
- **Adjourn**

ZOOM Login – Meeting ID: **5451478326** / Password: **59923**

MISSION STATEMENT

The City-County Board of Health for Lincoln County works to prevent disease and illness, ensures a healthy environment and promotes healthy choices by setting county-wide policies to protect the health of Lincoln County residents.

PUBLIC COMMENT

The Board encourages public comment and time is designated for public comment on every agenda. Public comment on non-action agenda items and non-agenda items is welcomed during the general public comment period. Action items will include public comment as follows:

- Presentation of the action item
- Board motion and second
- Board discussion
- **Public comment**
- Additional Board discussion
- Board vote

GROUND RULES

1. Plan comments to be concise, relevant, and meaningful.
2. Keep questions and comments respectful in content and tone.
3. Submit lengthy, detailed comments or supporting documentation in writing
4. Address the problem not the person.
5. Be prepared by reviewing the agenda and pertinent information.
6. Listen with an open mind.
7. Focus on the mission statement.
8. Encourage participation of all board members and attendees.
9. Public participation according to Operating Procedure #2:
 - Participants will address the Board at the time designated in the agenda or as directed by the Board, by presenting before the Board and stating their name audibly.
 - Persons wishing to speak, including Board members, shall first be recognized by the Chair. One speaker shall be given the floor at a time and may not re-enter the discussion without being given recognition by the Chair.
 - Verbal comments will be limited to 3 minutes per individual or as time permits.
10. Participants ask the chair for permission to speak. Participants are to give their full name and topic.
11. Questions or remarks shall be addressed to the board as a body and not to any member of the board or staff without permission from the chair.
12. If a remark has been made, the attendee can agree with what was previously stated. Repetition is unnecessary.

Everyone is responsible for enforcing ground rules.

Lincoln County Board of Health
Superfund Sites
Summary of History and Advantages¹
September 5, 2025

- In 2016 the reorganized City-County Board of Health (BOH) was soliciting involvement to form an Institutional Control (IC) Steering Committee (ICSC) for the Libby Asbestos Superfund Site (Site). The Record of Decision (ROD) for the Site specified the intent to closely engage with the community to develop ICs to protect the remedy (selected clean up).
- ICs are non-engineered instruments such as administrative and legal controls designed to limit human exposure to contamination and to protect the integrity of the remedy (clean up).
- Both the Libby amphibole asbestos (LA) Site and the Libby Groundwater Superfund Site (GW Site) lie entirely within the jurisdiction of the BOH.
- The BOH is charged with responsibility to prevent disease and illness, ensure a healthy environment and to promote healthy choices. They are also vested with the authority to enact policies and regulation to protect the health of County residents. Thus, activities and conditions related to both Superfund sites fall directly under the BOH responsibilities and authorities.
- The primary IC for the Site is the Asbestos Resource Program (ARP) was established in 2012 while remediation was still ongoing. It was funded by an Environmental Protection Agency (EPA) grant to the County and managed/staffed by the Health Department. The ARP mission is to support property owners and the public in reducing and minimizing exposure to LA.
- The ARP provides educational materials, hands on guidance related to LA management, LA related property records, assistance and support to address additional activities needed at properties, etc.
- In 2017 the BOH created Operating Procedure #1, Focus Area Liaisons, which resulted in selected members being appointed for Superfund Liaisons. That vehicle worked very well to facilitate leadership with the ICSC, interaction with DEQ and EPA in Operation and Maintenance (O&M) planning, ARP direction, etc. The liaisons became the central focus for Superfund related activities, and greatly enhanced communications. They grew to a major source of institutional knowledge about the Sites as the activities progressed.
- In 2017 the Institutional Control Steering Committee (ICSC) was formed by the BOH. Six members from the public worked with BOH members, the Health Dept, the ARP, the Commissioners and others to generate a detailed set of recommendations for Site ICs. The report was provided to the BOH in March 2018, and subsequently approved and forwarded to the County Commissioners, MT Department of Environmental Quality (DEQ), and EPA. Most recommendations were implemented.

¹ This summary document is highly abbreviated. The BOH webpage has many documents related to BOH involvement. Summary prepared by George Jamison; personal opinions provided to assist the BOH. Some of the dates are approximate.

- During this period the remediation at the Site was nearing a close, and intense activity was underway by EPA and DEQ to plan for the O&M period. DEQ has responsibility for O&M in perpetuity for the Site, except the Mine site, Operable Unit 3 (OU3).
- With strong support from the Commissioners, BOH representatives played an active advocacy role in the O&M planning, and were allowed to participate in the “deliberative process” with EPA and DEQ. The BOH was the focal point for that activity. That input positively influenced many of the elements of the final O&M program that are in use today.
- An early effort by the ICSC was to create a simple Position Statement to guide ongoing efforts². Adopted by the BOH and Commissioners as policy in Jan 2018, it remains central guidance.
- In 2017 and 2018 the BOH, through the Liaison members, participated in detailed examination of the proposal to create Controlled Groundwater Area (CGA) at the GW Site. The BOH was prepared to act as Petitioner but action was deferred at the request of the City of Libby, pending negotiations with International Paper.
- In addition to the ARP, the other central IC pillar of the O&M program is the BOH regulations “Libby Amphibole (LA) Property evaluation Notification (PEN)” adopted early 2021. This regulation has worked well, and is a reminder of the essential BOH role.
- About 2018 what is now the Libby Asbestos Superfund Advisory Committee (LASOC) was created by the MT legislature to provide a strong voice for Lincoln County in matters related to the Site. LASOC is administratively part of DEQ. Since that creation, matters related to largely to O&M shifted focus from the BOH to LASOC, partly owing to concurrent Covid issues facing the BOH.
- Around late 2020, the ARP transitioned from the Health Dept/BOH to oversight by the Commissioners. Two long time BOH members formerly active as Superfund Liaisons left the Board to allow for more representation from North county with the advent of Covid issues.
- In 2021 the Site remediation was completed and activities over a year transitioned fully to O&M.
- LASOC is currently the main entity besides the ARP focusing on Site topics. While that is indispensable there is a need for the BOH to re-establish their role with their unique responsibilities and authorities. Their participation and voice is essential. The BOH should again become a principle participant in Site issues, along with LASOC. (LASOC has expressed the desire to establish a link and regular communication with the BOH.)
- Collaboration on upcoming review of the Site Five Year Plan and the OU3 Feasibility Study (estimated March 2026) is needed and welcomed by LASOC.
- Resources should be available to help both LASOC and BOH in upcoming efforts.

² That statement is: “Indiscriminate protection of human health and the environment will serve as the universal criterion for all O&M related actions and activities. Further, property owners will not bear the cost of any future issues related to the Libby Asbestos Superfund Site. Support of or participation in O&M elements will be based on this position.”

**Operating Procedure #1
City-County Board of Health
Lincoln County, Montana
(Final- Approved 8 March 2017)**

Focus Area Liaisons

1. The Board may assign a Liaison for specific focus areas, with the objective of promoting:
 - A. Communication and cooperation between the Board and the Department;
 - B. Support of Department activities, including technical expertise;
 - C. Increased understanding of focus area issues and activities; and
 - D. Increased advocacy with the public and other entities for Board and Department activities.
2. Liaisons may be assigned, or reassigned, at any time by Chair with input from the Board, as documented in minutes, and other means as desired. Assignments will be reviewed and updated at least annually at the first meeting of each calendar year.
3. Focus Areas may include, but are not limited to, the following:
 - A. Environmental Health;
 - B. Superfund Sites;
 - C. Public Health; and
 - D. Landfill.
4. For each Focus Area, one to three Board members will be assigned to act as Liaisons. If more than one Board member is assigned, then one (or two) will be designated as the leader, or co-leaders.
5. A Focus Area Liaison may recommend the formation of one or more work groups that include public or specialized participants, such as legal counsel, consultants, etc. Any such work groups must be approved in advance by the Board.
6. The Focus Area Liaisons are expected to work closely with the Department Director and staff. The Liaison roles are not supervisory or management roles for the Department. Focus area reports at Board meetings will be conducted by the Department staff, and may include input from the Board Focus Area Liaisons.
7. Creation and functioning of Focus Area Liaisons is not intended to be exclusionary to Board Members not assigned to that particular area.