



BUTTE COUNTY COMMISSIONERS

COURTHOUSE
P.O. BOX 737
ARCO, IDAHO 83213
(208) 527-3021
FAX (208) 527-3295

SETH E. BEAL
MARK L. STAUFFER
JOHN C. TRAUGHBER

Toni Hardesty, Director
Idaho Department of Environmental Quality
1410 N. Hilton
Boise, Idaho 83706

Feb. 2, 2006

Michael Bogert, Administrator
U.S. EPA, Region 10
1200 Sixth Avenue
Seattle, Washington 98101

Elizabeth Sellers, Manager
USDOE Idaho Operations Office
P.O. Box 1625
Idaho Falls, Idaho 83415-1222

A federal court in the Eastern District of Washington (*Moses Lake v. United States of America*) recently ruled that local governments have legal standing under CERCLA, 42 USC §9620(f) to participate in the planning and selection of a remedy at CERCLA cleanup sites. Consistent with this ruling, we expect Butte County, Idaho to have a more formal role than we have had in the past in the planning and selection of remedies at the Idaho National Laboratory, particularly where operable units are within Butte County or where remediation decisions may affect Butte County.

The Butte County Board of Commissioners would like to meet you or your representatives to discuss appropriate participation for the County in the ongoing CERCLA cleanup at the Idaho National Laboratory.

A handwritten signature in cursive script, appearing to read "Seth E. Beal".

Seth E. Beal
Chairman of the Board

Cc: Governor Dirk Kempthorne
Congressman Mike Simpson