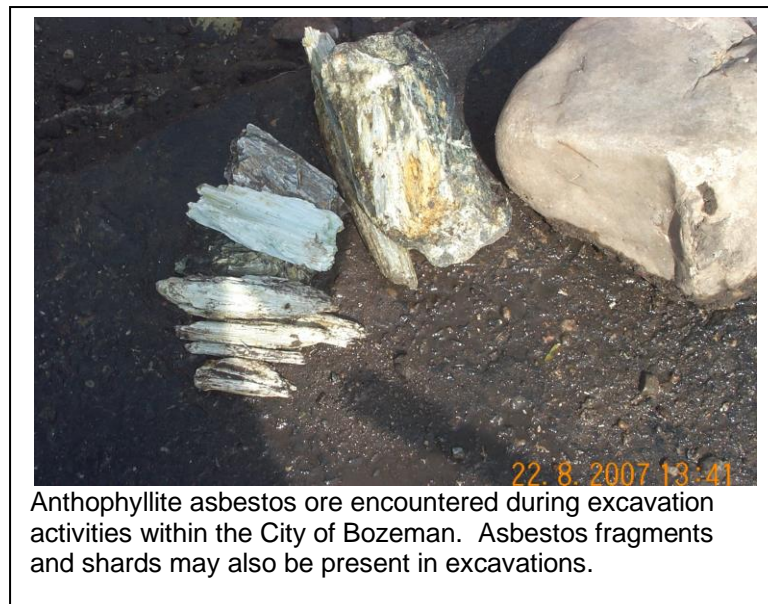


ADDENDUM TO MDT'S UTILITY OCCUPANCY AND ENCROACHMENT PERMIT
NOTIFICATION OF ANTHOPHYLLITE AND ACTINOLITE ASBESTOS ORE WITHIN THE CITY OF BOZEMAN

Anthophyllite and actinolite asbestos ore were historically stockpiled at several locations in the Bozeman area. Asbestos ore from the CMC asbestos facility (located near the 600 block of East Main Street in downtown Bozeman) was used as fill material for a variety of construction projects within the City of Bozeman. Soils in these areas may be contaminated with anthophyllite and actinolite asbestos (or Karstolite) from ore-loading and milling activities. A representative photo of anthophyllite asbestos ore that a permittee may encounter during excavation activities is included below:



Anthophyllite and actinolite asbestos ore may be encountered on MDT right-of-way in known asbestos locations or in previously undiscovered asbestos sites.

Known Asbestos Locations

There are two known locations of anthophyllite/actinolite asbestos ore on MDT right-of-way on the east end of Main Street, within the City of Bozeman:

1. South side of Main Street, adjacent to Wallace Avenue; and
2. South side of Main Street—beneath the sidewalk—adjacent to Heebs grocery.

If the permittee is planning excavation activities in either of these areas, the permittee should coordinate excavation activities with MDT and the DEQ Asbestos Control Program, provide appropriate PPE to guard against potential exposure to anthophyllite and actinolite asbestos, and comply with Deed Restriction 2342042 (filed with the Gallatin County Clerk and Recorder's Office). The requirements of this deed restriction include:

- Hiring a Montana DEQ-accredited asbestos contractor/supervisor to inspect (and sample) for the presence of asbestos-containing materials in these areas;

- Removing, transporting, and disposing of any asbestos-containing material in compliance with all current laws and regulations;
- Collecting confirmation samples in accordance with current EPA guidance to demonstrate proper removal; and
- Obtaining any required permits.

Following removal of asbestos-contaminated soils, the permittee must backfill and compact the excavation with clean fill material.

Previously Undiscovered Asbestos Sites

There may be previously undiscovered asbestos sites within the City of Bozeman, and the permittee may encounter this material during subsurface excavation activities. The permittee should pay particular attention during projects on the east end of Main Street near Wallace Avenue, the City of Bozeman Public Library, and Heeb's Grocery.

If the permittee suspects anthophyllite or actinolite asbestos ore is present on a project, the permittee must stop work immediately and notify MDT in Bozeman at (406) 556-4700.

Permittee, its agents and employees, agree to protect, defend and indemnify the State of Montana, MDT, its agents, and employees, and save and hold each of them harmless from and against all claims, demands and causes of action of any kind or character, including defense costs, arising from activities conducted under this permit, from any claims or causes of action from the permittee's agents, employees, or other third parties arising from or allegedly due to activities under this permit, and from any claims, demands and causes of action of any kind or character, including defense costs, or damages due to or allegedly caused to any third parties for personal injuries, property damage, loss of life or property, civil penalties, or criminal fines resulting from or in any way connected with activities pertaining to this permit.

This Addendum constitutes an addition to said permit. All other provisions of said permit remain unchanged. For additional information or questions regarding this permit addendum or Deed Restriction 2342042, permittee may contact MDT Environmental Services at (406) 444-3423 or DEQ Site Response Section at (406) 841-5000.

I have read, understand, and agree to the terms of this addendum to MDT's Utility Occupancy and Encroachment Permit within the City of Bozeman.

Permittee	Title	Date
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