

ITEM 144-1501-R0909

Proposed acquisition of approximately 11 acres of land adjacent to the west side of the north campus of Montana Tech of The University of Montana by donation from ARCO Environmental Remediation L.L.C. (AERL); Montana Tech of The University of Montana.

THAT:

The Board of Regents of Higher Education approves the acquisition, by donation from AERL to Montana Tech of The University of Montana, of approximately 11 acres of land adjacent to the west side of Montana Tech's north campus.

EXPLANATION:

The September 2006 Board of Regents meeting included a conceptual review of Montana Tech's proposed land acquisition by donation from AERL. At the May 2007 meeting the Board of Regents approved Montana Tech's proposal to accept approximately 57 acres from AERL. This property was accepted and the required remediation has been completed as evidenced by the attached letter from EPA and DEQ.

Montana Tech now requests permission to accept two additional tracts of land adjacent to the west side of campus. Tract 2-A (see attached survey) is 7.874 acres and is located immediately west of property accepted from AERL in 2007. This property is important to Montana Tech because it includes the opening into the Orphan Boy Mine. This part of the property has been used by Montana Bureau of Mines and Geology for over 20 years as a site for studying underground mine water. If funding is obtained through a grant submitted to the Department of Energy this mine opening will be used to access the mine water as a heat source and heat sink for geothermal heat pumps to retrofit the Natural Resources Building with geothermal heating and cooling. Testing for heavy metals (see attached report) has been conducted by the Montana Bureau of Mines and Geology and only one "glory hole" has been found to contain Lead that exceeds residential levels. This can be reclaimed by pushing the dirt back into the hole, capping with clean material and seeding with vegetation.

Tract 3-A is 3.341 acres located between the walking trail (formerly the BA & P Railroad tracks) and the World Museum of Mining. This acquisition will bring Montana Tech's west boundary to the property line of the World Museum of Mining. Testing for heavy metals indicates that this property does not contain heavy metals that exceed the residential levels.

ATTACHMENTS:

1. EPA/DEQ Letter indicating that remediation on previously accepted property is satisfactory
2. Surveys of Tract 2-A and 3-A (2 documents)
3. Report on heavy metal testing
4. Remediation plan approval