



THE
VERDIGRIS
PROJECT

KBMF & BUTTE-SILVER BOW ARCHIVES

FRITZ DAILY

The Verdigris Project

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Oral History Transcript of Fritz Daily

Interviewers: Clark Grant & Aubrey Jaap

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Jaap: Okay. It is March 11th, 2020. We're here with Fritz Daily. I would like you to start and just talk about your family, how your parents or your ancestors got to Butte and just what you know about that.

Daily: Sure. Uh, my pleasure to be here, but you know, I'm a lifelong Butte guy, I guess I call myself a Butte guy. I've lived here all my life. I went to grade school here, went to Catholic grade schools and went to the IC, went to Butte Central. I graduated from Butte Central. Obviously, I graduated from Western Montana College with a bachelor's degree. And I also have a master's degree from Western Montana College too. As far as my ancestors and how we got here, I always like to say, and I do this in many interviews that I've done and many comments that I've made over the years.

I consider myself really lucky to have been born and raised here in Butte, Montana. I think Butte, Montana is the greatest community in the world. I try to do things to make Butte, Montana a better place and a more environmentally safe place to live. And I'm just thankful that my grandparents and all of my grandparents were born in the United States and they moved here because of mining.

My mother's maiden name was O'Neil. Her name was Dorothy O'Neil. She had three sisters and she had two brothers. I always like to state that brothers served in the war. My dad's family came from Colorado, and because of mining and that's how they got here. And my dad had one brother and one sister. His brother also served in the military during World War II, which I think is so important.

And one of the things I stress whenever I have the opportunity to be like in front of you folks, is I like to stress the importance of Butte, Montana in the shaping and creating of this great nation. And I always say that if it was not for Butte, Montana. And Anaconda, Montana for that matter, this nation would not be the great nation that it is today. And it's because of the mining that's taken place here. And because of the need for the copper to electrify the country, because of the need for the copper to establish the communication system throughout the country, that's primarily one of the main reasons why we're such a significant community.

But I think the most important thing is that we have provided the ore that was used to build the materials to defend this country during times of war. And if it was not for this community, that the three of us might be here today talking in German or Japanese. I mean, that's how significant Butte, Montana is to the shaping and creating of this nation.

And as you know, uh, I've been involved in environmental issues here, uh, for boy, a long time, 35 years. And, I stress that all the time and I just stressed the fact that we've paid our dues and this community provided the ore to do the things that were necessary to make us this great country and we paid our dues and it's time for us to be repaid.

And I feel really strongly about that. And I don't know where you want me to go from here, but I really feel really strongly that the environmental protection agency, state of Montana, our local government and Atlantic Richfield / British Petroleum company have totally failed our community in providing us with the quality cleanup and restoration that we need. We are entitled to. And we deserve it. I think that's been a major failure. I can go on about my history in the legislature if you'd like that, whatever you guys choose to.

Jaap: I guess before we go there. When you were young growing up here, what did you think about the environment as a little kid? Did it cross your mind?

Daily: No. As a young kid - and I say this all the time too - and let me just add just that one little tidbit, you know, for over 25 years, I made a presentation at the University of Montana to the Montana history class and my friend Harry Fritz taught the Montana history class. And it was the class that the K Ross Tool had taught before. And one of the things that I always try to stress too, is, you know, growing up in Butte that the mines were our playground. They were our playground. I lived on the westside. In Butte, Montana, you identify as a kid, not only what school you went to, but also by what mine you grew up by. And I grew up by the Anselmo mine. And so at the Anselmo mine, they had the timber yard for the whole Anaconda operation. And, and so we used to get like our, they used to use the tampon poles, that they'd use for tamping dynamite. We would use those as crossbars for high jump pits.

We would go to the mine and walk right in where the gallows frame is. I mean, within 10 feet of the gallows frame and we'd get steelies and most people wouldn't even know what steelies are, but steelies are ball-bearings that we used to use for marbles. So. We used to use those. We played in the playgrounds, you know, at the mine. I played in the playground, you know, my friends and I would play football, we'd play pompom, pull away. We'd play whatever, because it's hard to believe, but when I was growing up as a kid, you know, and I'm talking in the fifties now, not many places in Butte had grass. That was pretty uncommon, really. And most homes didn't have grass in their yards. And so, but the mines always did have, they always had an area where there was grass, where kids could play. They had the rink at the Anselmo mine, the skating rink. And the people from the timber yard, the guys in the timber yard would bring timber and drop it off for us to have in the fires. And we'd have a big barrel, 55-gallon barrel. It was called a salamander. That's what it was called.

And we would have fires to, you know, to keep warm. And it's interesting. Back then, everybody had skates. Everybody had skates. I always kind of say that growing up, I was kind of poor to be real honest with you. I believe we were poor, but, but I believe everyone in Butte was poor, so to speak, you know? And so the mines, when we played on the dumps and we played, you know, we went to the mines and I mean, we were welcomed at the mines and the miners welcomed us. And it was just, it was, as I said earlier, I mean, I think we live in the greatest community in the world and growing up, it was definitely the greatest community in the world. And that kind of takes me to where I am, you know, because when I grew up in the sixties and seventies and after I graduated from school and, you know, from high school and stuff, I mean, this community was a community, a thriving community of 65,000 people or so, and now we're a community of 34,000 people and we haven't grown at all. I mean, our economy is stagnant basically. And that disturbs me because when I go places like this weekend, I happened to go to Billings. My grandson plays basketball for Billings West. You know, you see a thriving economy and people

working and that's the thing that bothers me the most about where we are today and that's we don't have jobs for young people.

We need to figure out a way to keep our young people here. And that's our biggest challenge. And that's the biggest failure of super fund is it has put us in a position where we can't grow and prosper because the agencies and the local government haven't done the job that they need to do, to make sure we have that community.

Jaap: So you feel like we gave it all and we have not been compensated, right?

Daily: Absolutely. Absolutely. We gave our all, you know, like I said, I had four uncles who served in the war. My grandfather on my mother's side, he died in 1917. He was the chief of the Centerville fire department. I don't know this for sure, but my sisters always would tell me this, that he did in fact go to the Speculator Mine fire. And that, because of that is probably the reason he died. And if you look at his death certificate, it's because of lung issues that he died. So I would suspect that my grandfather died because of that.

And so there's no doubt about it. I mean, this community has given it's all. And we're not being compensated for that. And that disturbs me a lot. And that's why I do the things that I do. And I've tried to make it where we are a better community.

And in September of 1980, after a long strike, the Atlantic Richfield Company who bought the Anaconda Properties in 1977. And when they bought those properties, they bought them for \$132 million cash and \$11 million stock. Most people feel they bought that property for a tax write off. Most people believe that's why they bought it though. That's the reason they bought it. And in 1980, they made the decision to close the smelters.

So I was in the legislature when that happened and I happened to be there when the decision was made. And when that happened between Butte and Anaconda, we lost 3,200 jobs, instantly. 3,200 good jobs.

And then in 1982, which is really ironic on April 22nd, 1982, which ironically is Earth Day. That's the day that the Atlantic Richfield company made the decisions to shut off the underground pumps in the Kelley Mine. And on a real significant point to that is they shut the pumps off, but when they shut the pumps off, they didn't inform the community that they had shut the pumps off for at least two days later or so.

And so when I do give presentations, kids ask me a lot, "Well, why didn't you stop it?" You know? And the reason that you didn't, you couldn't stop it is because you didn't know what happened until it was flooded. So, you couldn't do anything about it. And then in 1983, in July of 1983, they closed what we call the East Continental pit, which is the Washington mine today.

They closed that. And in essence, what they did is they ended mining in Montana, as we have known it for a hundred years. And as a result, I keep stressing this to the people involved, as a result, they are responsible for cleanup. Superfund was created in 1980. They shut the smelter down, which caused all of the environmental issues that we have here today. And they're responsible. They're totally responsible. I'm really offended. I'm offended. And I've said this at many, many meetings. I'm offended that now we have taken the Atlantic Richfield Company off the hook for the cleanup of a major portion of our town. And that's the cleanup of Silver Bow

Creek from, basically, Casey street, back to Texas Avenue, while there's going to be some cleanup further down, that part of the cleanup is not guaranteed.

And I'm also offended that we are going to use natural resource damage dollars to remove what is the very most important contaminated area in maybe Montana, at the headwaters of the iconic Silver Bow Creek, is the Parrot tailings. And we are now going to use our dollars that are supposed to be used to restore the place, restore the community and make the areas that have been cleaned useful again.

And what's happening now is we are using those dollars to do cleanup work. And it's beyond my comprehension, how we could let the Atlantic Richfield Company, who is totally responsible, and they're now British Petroleum Company, how we could let them off the hook. It doesn't make any sense just to just add another tidbit to that.

The British Petroleum Company was responsible for the Horizon oil spill in the Gulf of Mexico. To date the British Petroleum company has spent \$82 billion with a B in that cleanup. And here we are, we're begging to get a cleanup and it's just totally irresponsible.

And how anyone can accept that, it's beyond my comprehension. I have a really difficult time with that.

Jaap: So talk about your time in the legislature. What other things were going on during that time, Fritz?

Daily: Let me just phrase it kind of this way. I always consider myself to be a Democrat, a very strong Democrat. And I always considered myself to be an old school Democrat. And what I mean by that is my philosophies were always based on - number one, it was based on jobs and unions, but it was also based on the fact that we take care of the elderly. We take care of the needy. You know, we provide education for our children and we do the right things to make our state and community a better place. And my philosophy, and it was true along with my friends in the legislature. And I have some very close friends.

I mean, myself and, we were there together. And Bob Pavlovich and Joe Kelsey, and JD Lynch and Red Meaghan and the list goes on and on. We always had the philosophy that the way we operated is, we always took care of Butte first. The state of Montana, second. And party was third. And today's philosophy in what we, for some reason call, progressives, I think it's a misguided term, but the Democrats use, but it seems like that philosophy has just reversed. And we're at a point where party is first, Montana is second and Butte is third. And I think that's so wrong.

I mentioned I served seven terms and during all of those terms, Montana was facing some difficult times as well. And I think a lot of that was because of the closure of the mines and because of the taxes that Butte provided to the state. And so out of those seven sessions, only one time did we have money? In every other session we had to cut government, we had to raise taxes. We had to do things to make Montana survive and prosper. And for many years after I was gone in 1993. So '95 was basically when I was gone, but after that, Montana had some pretty good years. And I think we had those good years because of what people like us did to set that up. And we had plenty of money then to fund schools and to do the things that, that we needed to do.

Kind of a fun thing about the legislature. And maybe I could come back to how I got involved in this environmental stuff too, but kind of a fun thing in a way is, is during the 81, 83 sessions, I mean, we were trying to do whatever we could for Butte to make sure we had money for the community and to make sure that the community had what it needed to survive.

And, there's a fund called the resource indemnity trust fund. It's a fund that was established through initiative. And the purpose of the fund is to provide reclamation and restoration for areas that have been disturbed by the taking of natural resources. In the 1983 session, Governor Schwinden, who by the way, is my friend and I like the guy, but he decided that in his administration that they would use those monies instead of for reclaiming lands disturbed by taking of natural resources, he made the decision to use that money for the operation and maintenance of the department of state lands and the department of natural resources.

And so we were trying to figure out what to do, and it was a very difficult time. And my friend, Bob Pavlovich and I, we were so frustrated. We decided what we would do is, we went over and visited with Judge Frank Morrison who was on the Montana Supreme Court. So, we sat in a room with Judge Morrison, just like the three of us are sitting here today. And we visited with Frank and he was a friend of ours. And so in the end, Frank said, "The only thing you can do to stop what governor Schwinden is doing is to file a lawsuit." And so we'd never been involved in the lawsuit or anything before.

So we asked him some questions and he said, "The most important thing you need to do is make sure you hire the best attorney you can hire." And he said that the best attorney in the state of Montana, as far as a constitutional attorney, is Jim Goetz from Bozeman. And he said, you guys should visit with Jim Goetz. And we said, "Well, we don't know Jim Goetz." And Frank Morrison said, "Do you want me to call him?" We said, "Yeah, give him a call." So we called him and arranged a meeting with him. And we eventually got involved in the lawsuit. And then in the end, we lost the suit. We were not successful.

And Butte Silver Bow at that time had quality leadership with Don Peoples. And Don got involved with us and he got involved in the lawsuit and I could go on and on about it. But in the end Judge Skeff Sheehy who was on the Montana Supreme court. He wrote the famous line. He wrote a dissenting opinion and it's probably one of the most quoted lines that's ever used. And I use it myself a lot still. He wrote, "Once again, the state gets the goldmine, Butte gets the shaft." And I think that's true. And we've followed through with that, you know, to this point in time.

If I'm rambling too much, you just tell me that I'm rambling. But my initial involvement with, excuse me, I'm going to have a drink.

My initial involvement began basically in 1983. I was obviously involved before then, but my real involvement came at that point in time.

I want to come back to when they shut the pumps off. The underground pumps were shut off on April 22nd, 1982. Well, the water, obviously a lot of people don't realize this, but the mines are flooding as well. And so the mines started to flood in the first place and the water in the mines did not reach the bottom of the Berkeley pit until November of 1983.

And in 1959, there was a major strike in Butte. And at that time, the Anaconda Company made the decision that they would no longer mine what they call the West camp, which is the Travona

and Emma mine. So just below Pork John's here. Okay. And they made that decision and they bulk headed those two mines off from the rest of the active mine workings.

Well, ironically, what happened again, in the early sixties is, is the water in those mines began to rise and it began to rise to the point where basements began to flood in the central Butte area. So it was a really significant problem.

And it got to the point where, like I said, basements were flooding. I had a visit with Joe Roberts who ran Robert's Rocky Mountain Equipment. And he had it, he was showing a guy his business was on Centennial Avenue, which is at the bottom of Montana street. And he was actually showing a truck to a customer and the truck sunk through the ground and they could see the mine water flowing to the West. Okay. They could actually see the mine water with timbers flowing to the West. Okay. And so the water, again, rose to that point. Well, the solution that they used was to drill a relief well. They drilled the relief well, number 21, and the well flowed for several years and never came back up. It flowed and the water in the mines went down about 400 feet. And it didn't come back again until they shut the pumps off at the Kelley mine, and the water reached the bottom of the Berkeley pit. Well, then that water began to rise again, and it rose to a significant point where it was just about to start flooding basements and moving towards the West.

Okay. So at that point, people like me got involved. And I got involved with Don Peoples. And Governor Schwinden actually got involved and Senator Conrad Burns actually got involved. And, we were told all through this process that the Environmental Protection Agency, by John Wardell of the Environmental Protection Agency, that they had technology on the shelf to deal with this. And there would not be a problem if it ever arose. Okay. Well, the reality is it did arrive. The problem did come to fruition. And so at that time they did not have technology on the shelf. They lied. And the EPA, I had them lying to me again this morning, I can tell you that in a little bit too, if you want.

I mean, the EPA is . . . we've gotten to a point in society today that, you know, I guess because of Trump as much as anything, but I hate to be political, but you know, lying seems to be an acceptable thing to do these days. And that's the real tragedy in the political system, but that's the way it is.

And so anyhow, long story short in order to solve the problem, the Montana Bureau of Mines became involved and so we ended up where we had to pump water out of the Travona mine, run it through the Butte sewer system, run it to Metro sewer, where they treated it and discharged it.

And what they were doing [is the same as what we do] with Berkeley Pit water, you know, the solution to pollution is dilution, you know, so their only way to deal with it is to dilute it, which is wrong instead of doing it right. But, again, the EPA lied to us.

And this is kind of a funny story too. When we were involved in trying to get things going and trying to get a proper cleanup. And I was involved with sister Mary Jo McDonald and Ron Davis, and we formed a group called the Silver Bow Creek Headwaters Coalition.

And, so we were trying to figure out a way to get the community cleaned up properly. And again, we got the services of Jim Goetz to help us. And, in the process of doing that, a real ironic

story is Jim Goetz came up with the idea that there's not a law firm in the state of Montana large enough to handle a lawsuit against British Petroleum Company.

And so he came up with the theory and we were working on this anyhow, let's sue over the name of the creek. And if we can at least get that, then we would at least rock the boat. Okay. That was kind of the philosophy. And so in the process of doing this, this is kind of ironic, but it's unbelievable again, but that is how it works, but sometimes I hate to be so negative and I don't mean to be that way, but I don't know how else to tell the story, but yeah.

In the process I called the legislative council and they gave me some information. So if you want to change the name of a creek or mountain or stream or whatever, then you have to go to court and you have to have public hearings and you can't just change the name.

And ironically, what happened is the EPA, the state and the local government changed Silver Bow Creek to, they called it Metro Storm Drain. And so we were kind of bantering back and forth on that name. And so finally we had a public meeting and I'll use names because that's the way it works. But at a public meeting, Sarah Sparks, who was the EPA person here in Butte said, "We no longer have to deal with this issue because the 1964 legislature changed the name of Silver Bow Creek."

And so I wasn't at the public meeting, but my friend Joe Shoemaker was there. And so he called me the next morning. I actually had some knee surgery and that's why I wasn't at the meeting, but, and he told me this and I said, "Well, I still have some connections with the legislative council and with the attorneys there."

So I called the attorney and I said, "Is that true?" You know, that the 1964 legislature changed the name of Silver Bow Creek to Metro Storm Drain. And he said, "Well, I don't know, but I can do some research for you, if you'd like me too." So anyhow, he called me back about 15 minutes later and he apologized, he said, "Fritzy, I'm sorry to tell you this but the legislature didn't even meet in 1964." So I mean just another one of these issues that we've dealt with over the years with the Environmental Protection Agency.

And it's frustrating. And I'm just a person who cares. I'm just a person who wants to make things better. Oftentimes I use the phrase nowadays when I go to meetings (and I don't go to as many meetings as I used to) I feel like a CNN reporter at a Trump rally, you know, not to welcome. And that's the tragedy of it.

We always hear that they want public input and they want us to be involved and they want to have transparency. And, transparency is not in the local government's vocabulary, the state of Montana's vocabulary, the EPA's vocabulary. It's not even in their vocabulary, transparency. They're not transparent. And for whatever reason, which is a tragedy about the government.

So again, I'm kind of negative about that but I don't know how else to tell the story. You know, I'd like to, I would really like to, I would really like to look at what's happening today and say, "Man, this is the greatest thing since sliced bread."

What we're doing is really good, you know, and the cleanup that we're getting is really a quality cleanup. And, it's what this community deserves and is entitled to receive. But the reality is we're not, we're not getting the cleanup.

I've used this term many times or this phrase in meetings and different places and publicly - it's unconscionable that we spent a hundred million dollars to remove the Milltown Dam and we've spent \$151 million cleaning Silver Bow Creek. And here we are in Butte where we're at the headwaters and we're at what we call the last first mile, which should have been cleaned in the first part, but was not. And here we are begging for a cleanup and Missoula has a beautiful park and now they're going to get another beautiful park.

And they have an amphitheater that's on the Blackfoot river going into the Clark Fork River. And again, we have a failed cleanup, so to speak, you know, an inferior cleanup and that really disturbs me.

Jaap: So yeah, it's disturbing. Hey, you said you'd tell us a story about the EPA lying to you this morning. You want to tell us that story?

Daily: Yeah. I should have said this at the beginning of this interview, the greatest asset that I bring to this table and to this discussion is my historical involvement. Because as I explained earlier, I've been involved since 1980, basically when Superfund came into existence.

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So, I've been involved that long and I use this phrase a lot anymore and it kind of explains to me where I'm at in the process and how I see the process.

And, I say, like myself, I know too much because of my historical involvement. And I wish I didn't know. I didn't know sometimes. And then I could at night when I wake up every single night for a couple hours thinking about this and even last night, and you're trying to figure out what to do and how to do.

And it's really difficult, you know, when they had this, what they call the so-called rollout of the Consent Decree. The morning of the rollout, I happened to have had a call the day before from Denver and the new EPA regional administrator, Greg Sopkin. He wanted to have breakfast with me that morning, along with Andrew Mutter, who's also from Denver and is the public relations person.

And, I wasn't sure why they wanted to have breakfast with me, to be honest with you, you know, if they wanted to use me or whatever, I don't really know to be honest with you, but, but anyhow, we did have breakfast. And the one thing I said to them along with lots of other things, I mean, everything I'm telling you here, I've told them, I mean, I tell them they failed and there's no doubt about it. And I believe that really strongly. And I tell them that all the time, you know, I think they're a failed agency, but the one issue that I stressed to them that morning was that in this process of public participation, what happens is I believe that the, again, because of my historical involvement and my knowledge, the only reason that the EPA, the state of Montana and the local government have public hearings, is to satisfy the legal requirement to have public hearings. They don't have public hearings because they really want to know what we can or can't do, or they don't have public hearings, you know, to find out what the people really think. They don't care about that. They don't care what people think that was pretty obvious in the meeting the other night at the courthouse when they wouldn't let people testify.

But then anyhow, in that conversation that morning, I said to Greg and Andrew, what happens in this process is that people comment, they can make written comments. They can make public comments. And the only time they ever record public comments is at the very end of the process. All the other meetings, they never record anything, but they record it then. But what the EPA does at that point, and this is important for you guys to know this, what the EPA does is they don't give the judge who makes the final decision. (Judge Hadden makes the final decision.) They don't give the judge . . . And I could kind of explain the process to you if you want a little bit, but in the end, what the EPA does and what the State of Montana does is they summarize the comments. So they say five people said this, two people said this, four people said that, two people wrote, you know, and that's how they give information to the judge.

And I said to Andrew, and to Greg, I said, that's wrong. And Andrew said to me, "Fritz, that isn't how it works. It may have worked like that in the past, but it's not going to work like that this time." He said, "The judge is going to receive the actual comments that people like you make."

And I said, "That's great." I said, "I'm not sure you know what's going on here, but that's great, if it is true." Well, that's fine. But now that the consent decree is out, you know, there's a number of pages that people are able to read and see. And obviously the comments that have been made, public comments are summarized there. They're not the actual comments that the people made and it's not identified as to who makes the comment, you know? And, and so he was adamant that that's not how it works.

So anyhow, I saw that in just going through the consent decree and I pointed that out to Andrew Mutter, who's a public relations person. And he was adamant that morning that the judge would see the actual comments. And so I wrote him that, and I said, "You know, this just isn't the case. Does the judge receive the actual comments or not?"

And then he wrote back to me, his big, long explanation. I haven't responded to it yet but I'm going to, but he wrote back that no what's going to happen is it's going to be summarized again. That's how the judge gets the information. They summarize it, you know? And I said, you know, this is crazy.

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I'm going to tell him that let's put it that way. And the judge should receive the actual comments. So what really happens is the judge who makes the final decision on the whole process, he gets the information from the EPA and the state, local government's comments are not summarized either, but just the two. So all the hearings that the local governments are having, none of that information is going to go to the judge. But that's what the judge gets. And then the judge makes a decision. Well, reality is what's happening is the judge doesn't get the information that he needs to get. And the judge is going to make that decision without having the information that he needs to have.

And that's a real tragedy, because again, and I probably should've said this at the beginning too, as you sit here and talk to you kind of think, and I went back and reviewed stuff this morning, and last night trying to, so I'd have it together, but, but you know, it's, uh, that the process is really broken and, and the process needs to be fixed.

And, you know, it's really a tragedy. I've said that many times in this interview, but it is. And let me just tell you another interesting part to this, that plays into this too. I've been involved in basically three different lawsuits trying to get this thing straightened out. Let me first talk about the one that just comes to my mind right now.

And that's, again, as Silver Bow Creek, headwaters coalition, myself, sister, Mary Jo McDonald, and Ron Davis, we joined with the Montana Standard and throughout this whole process for 35 years, everything's been done in secret behind closed doors with no public input into the process. And so we actually sued to open up the consent decree talks so that the public would have the opportunity to provide some input to it, you know, and we lost that.

We lost that. And the Butte Silver Bow local government was against us. The state of Montana was against us, the EPA and the Atlantic Richfield company sat at the same table together. I mean, they're in cahoots together. And again, that's a tragedy, but when it was all over for myself, and this is kind of a fun story in a way about how life works so a little bit, but when it was all over, I was really frustrated knowing that the judge didn't receive the information that he needed to receive.

And so I have a friend who's on the Montana Supreme Court who I served with in the legislature. And he's a very good friend. He's a Republican, a conservative Republican, but we have different philosophies, but he's my friend. And so, his name is Jim Rice. I'll even tell you his name.

So anyhow, I called up Jim Rice and I said, "I'm really frustrated with this and all this has happened." He said, "Yeah, I know about it." And he'd read all the stuff. So he knew about it. So I said to him, "Well, I want to write the judge a letter."

And so we talked back and forth and he said, "What we do in the Supreme Court," and I knew this, but he said, "you know, we get briefs from the different sides, you know, from the plaintiffs and the defendants. And that's what we have to rely on, you know?"

And he said, "We try to keep others info out of it. You know?" So finally I said to him, "Well, what do you do if you get a letter, what do you do?" He said, "I read it." Well, good deal, I'll write him a letter. So I wrote the judge a letter. I don't know if he ever read it or not. I can't tell you that, but I did write the judge to tell him how frustrated I was.

And another really significant part for me. And I've mentioned this a couple of times, is about the lawsuit that Silver Bow Creek Headwaters Coalition had. And I learned a lot about the process throughout this lawsuit. And the lawsuit took four years. And by the way, we won that lawsuit. We won and Judge Newman, who's the local judge here in town, Brad Newman, he ruled that Silver Bow Creek from Texas Avenue to Montana Street is a creek. And that it's protected as waters of the state of Montana in the Montana Constitution. And that's what he ruled. And basically the EPA, the state and the local government have ignored that ruling and Judge Newman has now publicly testified, that's recorded that it is correct, and that he ruled it's a creek.

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He ruled that it's waters of the state of Montana, and he ruled that the local government and the state, since the suit was filed in the state court, he has publicly stated now that they are obligated to follow the laws of the state of Montana. And what will happen as a result of that, I don't know.

I'm hearing that he may do some things about it. And again, I don't know what will happen, but I'm hoping that it happens. And I come back to the process and this is something that I talk about a lot too. In the process of a lawsuit, one of the things that happens is that the judge always tries to get mediation.

So he wants you to resolve the issue before you go to court. And so during mediation, I represented my group along with my lawyer, Jim Goetz, and the mediator's name was Jim Regnier. And he was a former Supreme Court judge, and it was pretty obvious that my lawyer and he were very good friends.

And so they really wanted to settle the issue. But the state of Montana had present that day five attorneys and the director of the department of natural resources. And it was a five-hour session. And the point I want to make to you guys is that, and this is the most important point about it, is that I believe from going through the process, that the state of Montana was not concerned about the legality that we were trying to establish. And trying to make things better for our community. They weren't concerned about that issue. And in the process of this mediation, they actually tried to make a decision, tried to make a ruling that would override the judge. That the judge had already made, as I mentioned earlier, you know, there's two things you have to have - public hearings, you have to have a court legal process. And neither one of those things were done. And they actually tried to change that. So finally, the mediator said, "No, you can't do that." And our lawyer said, "No, you can't do that." So we'll go to trial.

But the point I want to make is, let me preface it by saying, I've also met with three different EPA administrators. And I had recently met with Andrew Wheeler who's the current EPA administrator under the Trump administration. And the one thing I said to Andrew Wheeler, and this is the point I want to make to you guys, and I've said it many times since, but they weren't concerned about the legality or anything to do with that. All they were concerned about is they wanted to beat us because we were from Butte. That's why they wanted to beat us. They didn't care about the other parts of it. And so when I met with Andrew Wheeler . . . I get these two questions, asked to me all the time. And the two questions are, you know, why did they start to clean up at the middle and at the end, and not at the beginning? I probably had this question asked to me 500 times. And I've also had the question, asked him, and I've asked the question 500 times. So that was a thousand, but I'm also asked why didn't we clean up Butte, you know, in the beginning? I mean, Silver Bow Creek has been listed on the national priority list of SuperFund sites since 1983. Silver Bow Creek is number 20 on the national priority list of SuperFund sites, we're number 20 out of 1200 sites.

So that's where we are, you know? And, so the question, why hasn't Butte been cleaned and why did we start in the middle and the end and not at the beginning? And I said to Andrew Wheeler, and I say this all the time, that the reason that that's happened is number one, it's incompetence of the EPA, the state of Montana, local government. It's incompetence.

But it's also the anti-Butte mentality that's so prevalent. And if you aren't from Butte, sometimes you don't realize it, but there's today, even today, there's a tremendous anti-Butte mentality in the state of Montana and the state government. And it, again, it's another one of those tragedies and I wish it would go away, but it doesn't go away.

I mean, it's like our kids, when our kids are playing ball in different cities. And one of the kids from the other schools yells out at us, you know, "Dirty water! Dirty water!" Well, it's not our fault that we got dirty water. It's not our fault. We did the things that I said earlier to make this country, the great country it is.

And so we just deserve better. And so I really believe a lot of what's happening. And the inferior decisions that are being made are because of the anti-Butte mentality that's so prevalent. And I wish it wasn't, but it is.

I don't know where you want me to go from here.

Jaap: So I guess Fritz, I would like to know what does your ideal cleanup look like? And I get, that's a really big question, but what would you like to see?

Fritz: Well, what I'd like to see? Well, what I'd like to see first of all is we deserve to have a creek, okay. From Texas Avenue to the interstate. And if we fail and I include me in that, I include me, if we fail to provide a creek and I use the word "crick" because that's what we always say in Butte, "Silver Bow Crick", not creek. If we fail to provide a Crick, then we've all failed. And Butte deserves to have a Crick. That is the first thing that we do. They have a way of solving the storm runoff from the Butte Hill by establishing these large retention ponds. And I call these retention ponds, Zika Mosquito ponds. That's what I call them. Okay.

And I think that's wrong. I think we need to clean the Butte hill properly. And then we wouldn't have to worry about that. I think we need to have a Crick. I think the other thing that happens is the agencies and Arco and BP always say that there's no water for a Creek. And that's absolutely a false statement. It's unbelievable that anyone involved would make that kind of a statement, but they do because eventually the same amount of water that always flowed from the Butte Hill prior to the Berkeley pit, when we had Silver Bow Crick, is going to be there again. I mean the same amount of water at some point in time is going to be there again. The current mine uses some water but eventually the mine is going to close. That's inevitable. And when that happens, there's going to be plenty of water to solve that problem.

So those are just a couple of the issues. The other major issue is we're going to lower the water discharge standards to, from federal standards to state standards. And so we're going to do that. We're also going to take, they are now treating Berkeley Pit water. And what we're doing with Berkeley Pit water is we are putting it into a pipeline and we're bypassing Silver Bow Creek from Texas Avenue to Montana Street. And the reason they're doing that is so that they can put the water in from the Berkeley Pit polishing plant and treatment plant at Montana Street into Blacktail Creek so we can dilute it some more. Okay. Montana Resources is also trying to bring in 4 to 7 million gallons of Silver Lake water, which is pristine water, which should be used for other purposes, but they're also going to bring that water in and put it into Silver Bow Crick below Montana Street so that we can dilute it some more.

Okay. So you don't have to be too bright to figure this out. Even, I can figure it out, you know, Stevie Faulkner can figure this out. But if you need to dilute the water on two different occasions, I mean the solution to pollution is dilution. That's what's happening. And again, it's not right.

The Berkeley Pit water should be treated properly. And that's a major issue. In order for this community to thrive again and become the thriving economic community that it once was, we need to have a proper cleanup of Silver Bow Creek, but we also need to deal with the Berkeley Pit issue.

The Berkeley Pit issue is a serious issue, a very serious issue. The Berkeley Pit water will never stop rising. There's 52 billion gallons of water in the Berkeley Pit. To put that in perspective, if you were to build a lake, you could build a lake using Berkeley Pit water that would be like 44 feet deep, and it would be five miles square. So from the East Ridge to Rocker, from where we are here at the Archives to Lydia's and there'd be 43 feet of water. The mines have 80 billion gallons of water. So if we were to combine them together, we would have that same five miles square amount of water, contaminated water, and it would be 100 feet deep.

So, you need to put it in perspective, how much water it is. The tailings. And this was a question that Ed Seminovich tried to pursue at the public hearing: what's the volume of tailings that are going to be removed? Okay. What's the volume of tailings? And as you both know, as the community now knows, the groups involved - the EPA, the state, the local government, Arco, BP, we're going to move those tailings, which they said was 200,000 cubic yards of tailings. They were going to move that to a private neighborhood and in an area where our kids play little guy football and baseball. So that's where they were going to move those tailings. They tried to hide that by the way, they tried to keep that from the public. And through Facebook, they got caught.

And I think there was a whistleblower. I think that somebody on the inside finally said, we can't do this anymore. We gotta tell the public what's really going on. Coming back to what I was talking about with the volume of the tailings, I think there's three people in this process who have a tremendous amount of knowledge that we don't use enough and we should use.

And that's Elizabeth Erickson who owns a firm in town called Water and Environmental Technologies. They call it WET as an acronym. Nick Tucci, who has worked for the Bureau and who studies everything and has really come up with a lot of the research that shows what they've been doing is wrong. And then Pat Conine, who has worked for the state.

I was doing an interview for the Washington Post. And so I wanted to find out the actual volume of tailings. So I wrote to my friend, Nick Tucci, and I said, you know, what are the volumes? What's the volume of tailings? Well, Nick sent me back and he talked about the diggings east, which is one area, talked about the North side tailings, which is another area, talked about the Blacktail berm, which is another area. And between the three of them, there's about 500,000 cubic yards of contaminated soils.

So they're only gonna remove 200,000. And leave 300,000 in place. And that's another thing that they've done is leave waste in place.

I think cleanup is kind of like cancer. I had a daughter who recently had breast cancer. She went through 16 chemo treatments and she had 33 radiation treatments and she had two surgeries, but in the two surgeries, hopefully they removed the tumors and the cancer. But again, they're not sure. So that's why they do the radiation and the chemo.

Cleanup is kind of the same thing. If you remove the contaminants from where they are, then you got a good chance of having a successful cleanup, but if you just try to hide them, which they do, then you're never going to have a very successful cleanup. I call the cleanup in Butte and Anaconda, The Great Cover up.

That's what I think it is. It's a great cover up. What they really do with all the things is they just try to cover it up and hide it, you know? Well, if you would deal with it, then you got a better chance of solving the issue. That's the reality. The Parrot Tailings need to be removed.

The Diggings East tailings need to be removed. The North side tailings need to be removed. The Blacktail berm needs to be removed. And if all of those are removed properly, Nick Tucci, my friend, who I trust more than anybody, he tells me that within 10 years, the aquifer could probably clean itself.

[01:01:18]

And so, you know, they like to tell us that we can't have a creek because in order to have a creek, it's got to be connected to ground water. Well, the reality is yes, if you remove the tailings and if you clean it, then yes, you can have a creek. Maybe you can't have it tomorrow, but part of that is because they didn't do their job. But, eventually you could have a creek and a quality creek flowing through the town. So, we need that.

Let me just tell you another little tidbit. Legend has it . . . So the Silver Bow Creek is formed . . . on the East Ridge, basically behind Meaderville at the confluence of Dixie Creek and Yankee Doodle Creek. And legend has it that the civil war ended right at about the same time that gold was discovered in Butte. Gold was discovered in Butte in 1867. And it was established right around that date. Anyhow the prospectors named Silver Bow Creek, Silver Bow Creek, because the silver bows that were shining in the water from the sun.

Okay. But again, Silver Bow Creek is formed at the confluence of Dixie Creek and Yankee Doodle Creek. And legend has it that after the Civil War ended, the Yankee soldiers who obviously were here, they settled on one side of the creek and they named that part of the creek, Yankee Doodle Creek. And then the Confederate soldiers were on the other side and they had migrated here too to pan for gold and to mine for gold, and then they named the Creek, Dixie Creek. So that's how Dixie Creek and Yankee Doodle Creek came about. And then they formed Silver Bow Creek. Obviously Silver Bow Creek was cut off by the Berkeley pit. So obviously it's not there today, but eventually it will be.

One of the things that just came to my mind too, when we were talking about the Berkeley pit, which is really significant too, is that not only is the water an issue, but the erosion that's taken place on the Berkeley pit right now is, and landslides that have taken place in the Berkeley pit are also very significant and need to be dealt with.

I have a friend who probably knows more about mining in Butte, Montana than any other person that I know. And his name is Al Beavis and he lives in Walkerville and he's an old timer. He is pretty close to 90. And, but he was a miner since he was a young kid and he was involved in all of it, but he has a real concern that the North wall of the Berkeley pit is going to be involved in a landslide. And when that happens, he feels it's going to be very significant. And it's going to

raise the water instantly quite a bit, which happened with another couple of landslides too. So, there's a lot more to it than just dealing with the water and we need to be thinking ahead. Like I said earlier, the mine is going to close and when the mine closes, then you know, now that, you know, the dam does leak every once in a while, Yankee Doodle tailings pond does leak, but they have the equipment there to deal with it.

But once the mine closes, are they going to have the equipment there to deal with it? I don't know that answer, but we just need to be more on top of it than we are. And, we're the headwaters, that's the other thing.

I'll leave you with that tidbit as well as you know, Silver Bow Creek is the actual headwaters of the Columbia River and the Clark Fork River. When I was in the legislature, I used to say, it's one of the headwaters, but it's the actual headwaters. It's the furthest place East where water flows West to the Columbia River, making it the headwaters. We live in a unique place because, and we're probably the only community in the United States where this occurs, we get our water basically from East of the Continental Divide and we discharge it west of the Continental Divide. And there's probably not another community in the whole United States that does that, that I know of anyhow. So anyhow, that's again, I can ramble and I hope I gave you what you wanted to get, and I hope it's significant and I hope people will somehow appreciate it. So I don't know if you have any more questions for me.

Jaap: How do you feel about doing anything in perpetuity? Like treating water? How does that work in your brain?

Daily: It's a funny thing. I'll preface that by saying, I tell this to the agencies all the time and my friend John McKee uses it too, because of what I say, but the water from the Berkeley Pit will never stop rising, never.

And so it must be pumped and treated in perpetuity. And so what I was telling the agencies that a perpetuity is a pretty long time. That's a pretty long time. And so we need to be prepared for dealing with Berkeley Pit water forever, you know? And, maybe to answer that, maybe you need to go back a little bit too.

When I was talking about the erosion. Montana Resources has been very good to me and, and they have me come over, not on a regular basis, but you know, every six, eight months and they kinda keep me in the loop, so to speak. And I think they do that a lot because they'd rather have you as their friend than their enemy.

And by the way, I'm a strong supporter of the mine, a very strong supporter of the mine. And I think the mine in Butte is critical. And I think it's the economic engine that drives the town. Okay. And I think our future . . . I said earlier about cleaning the creek and the Berkeley Pit. . . If we don't deal with those issues, I don't think this community is ever going to thrive and prosper again. And I think our economic futures are in danger, I think our environmental futures are in danger. And I think our social futures are in danger because of that. And I don't think we'll ever grow and prosper again.

I think we'll be a community of 34,000 people. And half of us like me are elderly, you know, so that's not a good thing to have, but anyhow, Montana Resources did bring me over and along

with a few other people that I kind of work with on this but including Don Peoples and Mick Ringsak and Jim [inaudible].

And I mentioned names because they're my friends and David McCumber who's the editor of the Standard. I always try to get them included. And so Montana Resources did bring us over about eight months ago and informed us that the Atlantic Richfield Company wanted to build an additional treatment plant.

And the reason they wanted to build this additional treatment plan, this is important for the community to know, but the reason they wanted to build that additional treatment plant is because they were concerned about a dam failure. And they were concerned about a dam failure because there were two recent dam failures in Brazil and in one of those dam failures, several people got killed.

And so it was a liability decision from the British Petroleum Company. And the decision was made not in Butte, Montana, but the decision was made in England at the highest level of the British Petroleum Company, as we were informed. And, they were concerned about the possibility of a dam failure. And if you had a dam failure where the current treatment plan is, number one, it would have knocked that treatment plan out.

And so they wanted to build another treatment plant, higher up that would be away from that and connect it to what they call their polishing plant. So, they wanted to do that and the reason they wanted to do that was obviously liability. And the perpetuity issue that we talk about.

So, they wanted to do that, but that idea I understand has now been scratched and I thought it was a good idea at the time. I still think it's a good idea. And again, in perpetuity, we're probably going to have to build treatment plants. You know, I mean, we've got a treatment plant now in the end. I mean, we're talking about forever. The decisions made today are forever decisions and they have forever consequences. And so it's imperative that we do it right. And to date that hasn't happened. And we need to be more vigilant and we need to be on top of things and we're not.

And so the perpetuity, yeah, it's a critical thing. And, you know, again, the Atlantic Richfield Company made the decision to shut the pumps off. So they made that decision. That's the other thing that's critical. I mentioned that earlier, but I could emphasize that over and over. I mean, they made the decision to shut the pumps off. They made the decision to close the smelter. Nobody else made those decisions. They made them and they need to be held accountable for it. They need to be held accountable.

Grant: I've listened to you talk over the last hour and I put together about a dozen questions. So I'll just run through them. Um, former Butte Silver Bow chief executive, Matt Vincent once said in response to the Restore Our Creek notion that we do have a creek and it's called Blacktail. What do you make of that? Why isn't Blacktail the creek that you guys want?

Daily: Silver Bow Creek has always been the Creek that we wanted. Okay. And I personally feel that if the town's ever going to grow and prosper again, as I said, we need to clean that portion of the Creek. And if we don't do that, then we've failed. And Matt Vincent, I've dealt with Matt Vincent for a long time.

And, I could say he's a friend somewhat, you know, but Matt works for the company. The truth of the matter is, Matt's being paid by Montana Resources right now as a consultant. So he's part of the mine process. And so Matt's philosophy comes from the mine and protecting the mine and protecting mining. Where my philosophy is way different than Matt's.

My philosophy is let's do it right. And I know Matt has been, I recently did an interview with a gal from the Washington Post, and it's a Butte gal who lives here now, and a gal who's been in China for years and Matt Vincent was very critical of that article. He was very critical of it. In his criticism, he never, ever proclaimed that he worked for the mining company and that he was part of the mining company. Again, I support mining in Butte, but I think if we're going to do those kinds of things, I think we need to be honest. And I think we need to be upfront. And, Butte has always had Silver Bow Creek. It's always had Blacktail Creek, and I think we can have both. And I think we should have both.

Grant: What do you think will happen when MR does shut down? Like you said, it's inevitable. It's just a matter of time. Will it be listed and what impact do you think that'll have on Butte's economy?

Daily: Unless we do the cleanup right that we're involved in right now, it's going to be significant. It will be very significant. I can tell you this, the total reclamation bond for Montana Resources right now is \$57 million. It probably should be \$5.7 billion. It's a big, I mean, that's an exaggeration obviously, but \$57 million is a drop in the bucket for what needs to be done.

And that's part of the problem that we've had is, if we've never dealt with things right. And I'm a strong supporter of mining, as I said, you know, and always have been because it's what made us. It's the economic engine that's driving the town but if you look at the history of mining in Montana, mining and reclamation and restoration has not been very good. I hate to be so negative, but I don't know how else to be. I'm so upset with what's happening and what's been done. But I come back to when I was a kid, I mean, we had the premier hospital in the state of Montana. We had the first and only TV station. We had a huge post office, you know, the list goes on and on and on and on. And now we don't have any of those things.

And our medical community is really suffering because of that. And we need to do things right. And if we don't do things right, this community is going to be, we'll never be a ghost town. I don't think that for a second, but it's going to suffer. I mean, when you look at the mine and people that are trying to come here, businesses and whatever else, it's very difficult when they see the mine and they see what's there and they say, you know, "Do I really want to raise my family here?"

I mean, this is crazy, but this shows you where I come from, the number one person for the Environmental Protection Agency right now that deals with Butte issues is Nikia Greene. Nikia Greene. I've never met with Nikia, ever. Okay. And in my 35 years he's never approached me ever. Nor has anyone else from the EPA except for the former Region Eight administrator, Doug Benevento with whom we have become friends, but he and I have a very good friendship now, which is a good thing. And by the way, he's going to be the number two man on the EPA pretty quick.

Okay. But, Nikia Greene, I listened to him on the radio when he first came to Butte (and he didn't come to Butte). But when he drives from Helena (and he lives in Helena), but Nikia said, "I'd never live in Butte. I'm not going to live here. My wife would never live here." He said, you know, I mean, "Why would I live in this shithole?" So to speak, you know, excuse my language. But that's the reality of it, you know? And so that tells you a lot about them. I mean, that tells you a lot about the EPA, doesn't it? It does me. It tells me a lot. I mean, they should live here. We've tried to get them to live here. Their main office should be here. I mean, this is where the issues are. This is where the contaminants are. This is where they need to be, but they're not, they don't live here. They don't want that. They're not gonna live here. None of them are going to live here. What a tragedy.

Grant: I find that interesting. The community involvement coordinator lives, not in this community, you know, I find that interesting with the EPA.

Daily: Let me just say that the former community coordinator, Andrew (I'm trying to think of his name). Robert Mueller, great, great person. But he was really good for Butte. And he reached out to people like me. He reached out to people like me and he wanted to know what Fritz Daily really thought. And he wanted to know like I think you guys are doing here today.

Well, I know what you guys are doing here today is you want to know what I have to say. You want to know because of my involvement and my historical background and my love for this community, you want to know what I have to say. And Robert reached out and he reached out to the community, but I think what happened to Robert is, he finally got to a point where he said, "I can't deal with this anymore. I can't deal with this. I can't deal with these lies. And these untruths, I can't do this anymore." And so he resigned his position. Okay. Then the new person who was appointed here, her name was Jackie Barker and she came to town and she reached out to me and she wanted to visit with me. And she wanted me to take her on a tour and show her things.

And I did that. I did that, and I'll do that for anyone. You know, I'll do that for anyone. And I did. And within a few days after that she resigned. And I think she resigned because of what she saw and heard and that she knew she probably couldn't do anything about it because of the people above her. You know, that's my gut feeling. I don't know that. I mean, she moved here from Florida. They claim that she resigned because she has a daughter that didn't want to move here, to Helena. But wouldn't you think that you would have taken care of all those issues before, I mean, let's get honest with that.

Grant: What'd you tell her, Fritz?

Jaap: What was this tour?

Daily: I told her the same things that I told you guys today. I told her the same things that I would tell anybody. And I've told her, I mean, you know, there's nobody in Butte that's been involved longer than me in Butte. That has participated more than me. I'll guarantee that. I mean, I've been to more public hearings than you guys are aged alive, you know, and presented testimony, you know?

And my testimony is always the same. I mean, I want us, I want us to get a better cleanup, but that's what I want. And I want to see this community grow and prosper again. And like it was

when I was a kid and I want that to happen. And I readily admit that I failed because I didn't get that done, you know, but I tried, I think I have. But I feel bad about that too.

[01:22:28]

Grant: For fear of naming names, one of the other people we've had in for an oral history with John Sesso and, um, you know, he will stand up and say that he's worked really hard to get the best possible cleanup that's protective of human health and the environment. And sure, it's not a hundred percent, but it's, you know, 98% of the way there. I was just curious if you would comment on the work of John Sesso as you see it.

Daily: Oh yeah. John Sesso is way more part of the problem than the solution. No question about that. If John Sesso would listen to folks and would let people like me give them the information that they really need to have, I think we would have a way better clean up. But like I said, John's way more part of the problem than the solution. And I wish he wasn't there to be honest. I'm not gonna lie to you, but I mean, I wish he wasn't there. I wish he was someplace else, but that's what we have. And that's a sad comment too, you know? And, John knows how I think. I'm not speaking out of school here. John knows how I feel. I mean, I think he's a good person, but he's terribly misguided. I think he's way too in cahoots with the company and with the EPA and the state, and he's way too in cahoots with them and not in cahoots with us as a community. I'm not afraid to mention names.

I'm a tell-it-like-it-is guy. Sometimes it's good. Sometimes it's bad, but that's who I am.

Grant: If John were here, he might say, and this was one of my questions, you know, "Would you rather a unilateral administrative order over a CD?"

Daily: At this point with the failed consent decree that we have, I'd rather have a unilateral order. What's really sad about this whole thing is I've been through nine presidents. Think about that. You're probably rambling through your mind now. How could that be? But I've been through nine presidents. Okay. So there's been a lot of regional administrators. And none of them have really come to Butte except for Doug Benevento. He's the only one that's truly reached out to us to find out what the community really wants and needs. And I'm kind of disappointed when I looked back and, you know, obviously Jimmy Carter was when, you know, super fund started, but you know, Clinton, we've had Clinton, we've had Obama, we've had our people and they haven't done, when I say our people as a Democrat, you know, and I kind of have the philosophy, Clark, at this point that I think it's such a failed system. I think we'd be better off with unilateral orders.

And at some point we're going to have an administration who truly believes that superfund was a good deal and is a good deal, and we're gonna do it right. So, yeah, that's where I'm at. Yeah. I think with Doug Benevento just free information probably in all this, but I mean, Doug Benevento and I, like I said, are friends, I mean, he actually contacted me recently to ask me to write him a letter of recommendation because he has to be approved by Congress, by the Senate. And I thought about it. I was going to do it and in my 3:00 AM wake up that I have every night, I came to the conclusion, if I did that, then people like John Sesso and them would use it. Fritz Daily, you know, is a supporter of Doug Benevento and the Trump administration.

And I got back to Doug and just said, "I can't do that. In my heart, I just can't do that." And so I'm not going to do it.

Grant: What is it that wakes you up at night?

Daily: The failure of where we are. The failure of where we are, that does wake me up at night. We need the best cleanup possible using the best technology that's available. We need to have a decision that's not etched in stone because there's so many contingencies and there's so many issues that come up that need to be addressed that are not addressed. Uh, Dave Schultz, for example, I mean, his recommendation on moving (he was an engineer and a PE and the whole bit) he recommended that, his assessment of moving the county shops to where we're moving them now or to any other place would cost \$14.2 million. The State of Montana came back and said, we won't give you \$14.2 million. We'll only give you \$12.2 million. And as a result, we, they have moved in that.

This was a decision by John Sesso and Dave Palmer, I believe, not by the commission because, but they made the decision to move the bus barn and the bus washing facility to the parking lot of the civic center, which is probably Butte's greatest asset, except for maybe Montana Tech. And we eliminated a third of the parking, you know, by doing this. I'm offended. I'm absolutely offended that when we get to this point in the cleanup, that cost is now the determining factor. Cost was never the determining factor. When we removed the Milltown Dam or we built a park in Missoula, or, you know, we cleaned Silver Bow Creek, uh, cost was never the issue. I mean, let me just tell you about Silver Bow Creek . . . I mean, the numbers are out there. It's pretty simple, but this'll answer your question. The original record of decision on Silver Bow Creek and there actually is a record of decision. It would cost anywhere from 26 to \$41 million to clean it. Okay. \$26 to \$41 million.

And they claim that's from the interstate to Warm Springs ponds. I actually think it was the Butte's portion as well, but for sake of conversation, let's just say the interstate, the Warm Springs ponds, that was when they negotiated the natural resource damage issue. And by the way, I was involved in that. I was involved in that decision, on making that decision.

And I could explain that to you if you want, but anyhow, when they made the decision for the natural resource damage lawsuit, one of the things that they did was they negotiated an \$80 million buyout for the cleanup of Silver Bow Creek. Okay. \$80 million. But we know now that it has cost \$151 million, those are the numbers.

Those are numbers that I have from the legislative council. So you can see that when you make these kinds of decisions, you need to make sure you have contingencies in place, because if you don't, I mean, if you take the Parrot Tailings, for example, let me just put it this way . . .

Everyone knows, I don't care who they are, everyone involved knows what you need to do. To properly clean Butte and to properly clean Silver Bow Creek. Everyone knows that it's not a secret. John Sesso should know that it's not a secret, but for whatever reason, we don't want to do that.

For whatever reason, we don't want to do that here. Here's this. I mean, I can ramble on and then, but I mean, think about this. Just think about this as you do, where young people in this community who obviously want to live here, obviously care about the town.

The EPA, the State of Montana and the local government made the decision to leave the Parrot Tailings in place. That's a decision that they've made in the Record of Decision. That's still there on Butte priority soils, still calls for leaving the Parrot Tailings in place. It still calls for that. It doesn't change. It still calls for that. They made that decision, not knowing . . . think about this, Holy Christ. . . not knowing that the groundwater in the Parrot Tailings area is more toxic than Berkeley Pit water. It's more toxic than Berkeley Pit water. And we didn't know that. They didn't know that. And the only reason they found that out is because of the Butte Natural Resource Damage Committee, which is a great committee of Elizabeth Erickson and John McKee and Chad O'Krusch, Bill Callahan and Emmett Riordan. And if it wasn't for those people pushing the issue, we would never have dealt with the Parrot Tailings. Parrot Tailings would be in place.

Coming back to John Sesso, anyhow, you may or may not know this, I don't know, but Silver Bow has an agreement with the Atlantic Richfield company called the Allocation Agreement.

And the allocation agreement is a good idea. It's to have somebody in place to take care of the issues with Superfund that were not dealt with properly in the first place. Once the Atlantic Richfield company no longer has a presence in Butte, the only one who could do that is Butte Silver Bow, in the process Butte Silver Bow received a \$15 million, what I call, a bonus for supporting leaving the Parrot Tailings in place, and also for silencing all of Butte Silver Bow employees and Butte Silver Bow elected officials. And we made that decision, again, not knowing how contaminated the area was. We made that decision, not knowing the volume of tailings that were there. We made that decision, not knowing how fast the water was moving. We made all those decisions based on false data. We made the decisions to clean Silver Bow Creek based totally on false data. And, we also made that decision based on the fact that it was a sewer, not a creek. And now we, as a community are living with those, with those unbelievable decisions and that's wrong, it's just wrong.

What's really disheartening for me too, and I said this a little bit ago about myself, I believe that I've failed to, you know, what's really disheartening about it now is people like me and there's lots of them and I'll throw in my pals Sister Mary Jo and Ron Davidson, we've been in the trenches fighting this thing to try to get it done right. And we've been fighting John Sesso and the local government over this. We've been fighting these people and now all of a sudden, for whatever reason, they're the heroes and we're the enemies and the bad guys. And, you know, it's disheartening. And then you ask why I wake up at two o'clock in the morning and I wake up at two o'clock in the morning thinking about that, you know, it's disheartening, you know, I'm a pretty good person.

I'm a very good person. I'm not the enemy, I'm not the enemy. And if John Sesso and Matt Vincent, and the others would have listened to people like me, we'd have been a hell of a lot better off, you know, I can tell you this again. I can ramble, but I've been asked three different times by commissioners to help them.

Okay. I was asked first by Brendan McDonough and Dan Foley. And I was then asked later on by Cindy Perdue-Dolan and Jim Fisher. And then I was later asked by Dan Strizak to help them

to come up with ideas on how we can address this issue? And my advice to him was I think the council needs to write a strong resolution saying that this is what we need to do. And every time we got to a point where we wrote those resolutions and I can show them to y'all, I can show you all three resolutions, but in the end, all three resolutions were torpedoed. What I call torpedoed. They were stopped because of the allocation agreement.

And because of the confidentiality issue, they were stopped by the county attorney, by John Sesso, by Matt Vincent. I mean, they stopped these things. And I mean, I have one thing that I do is, is I'm a saver. Okay. So all the things that I talk about, I've documented. And I can show you if need be.

And again, if they would have worked with the community and really listened to people in the community that had knowledge, that wanted to help, we'd have been a hell of a lot better off. I don't know. I've said this to you before, but I would emphasize it over and over and over again, the consent decree is a total failure.

Now they got a dog and pony show going on. A Kool-Aid drink and a dog and pony show. They have it today, supposedly at the commission, at the courthouse. Supposedly they were going to bring the employees in yesterday afternoon, do their dog and pony show and you know, their Kool-Aid drinking show. I'm obviously very sarcastic about that, but that's what it is. And it's really a tragedy again, you know, but they're gonna, I think it's etched in stone. I don't think we can change it, but like I've told Doug Benevento and like I've told you, you know, all the others, you know, Greg Shopkin and the rest of them, you know, Pete, what's important for people like me to continue to do like what I'm doing here today.

It's important for me to at least speak out. I'm 74 years old. Okay. I'm going to be 75 here, not for a while, but Halloween is my birthday. But, anyhow, I mean, I'm at the end of the rope, the rope is stretched. You know, I'm going to be out at the marbled orchard, you know, watching airplanes come in, that's where I'm going to be, you know, but you guys aren't, you know, and that's what I care about. That's what I care about. I care about my kids, my grandkids, and I want them to have what I've had, you know, and I need to continue to speak out when I have the opportunity and I'm going to do that. I'm not going to go to their Kool-Aid drinking, you know, dog and pony shows. I'm not going to do that.

Because I don't think there's anything with the consent decree that's good, except for that it's going to create some jobs for people. That's the only good part about it. But in the future, this'll answer your question. In the future, our children, and I consider you two, as part of our children, you're going to pay for this someday. You're going to pay for this injustice, you're going to pay for it down the road. You're going to pay for it. That's a tragedy. Atlantic Richfield is responsible. They should pay for it. The people involved should demand that that happens. They should demand and they should have done that a long time ago.

They should demand that we get the proper cleanup, but. For whatever reason the commissioners are in too. I have people ask me all the time, you know, I'm a straight shooter - Are they on the take? You know, my answer is, I don't think so, but my answer is if they're not on the take and they're giving us the kind of cleanup that we're getting, maybe they should be on the take.

Jaap: Missing an opportunity.

Daily: That's pretty sarcastic, I know. You ask the question, I'm giving you my answer. Yeah. You may not like my answer, but that's all right. Nope. That's my answer.

Grant: Do you still have faith in the political process? Just in general now?

Daily: You know, I'm a really good government person. I have been my whole life. I strongly support government, but I think government's really failed. On a national level, it's an absolute disgrace, you know, I think. On a state level, I mean, I'm not a Steve Bullock fan. I'm not a Steve Daines fan either. I think they're both okay people, you know, but I think that, uh, you know, governor Bullock could have done so much more to help us if he would've stepped in and said, "Let's do this right."

When we had our lawsuit, again, Silver Bow Creek Headwaters Coalition, Sister Mary Jo McDonald, Ron Davis, myself. We had a press conference just before the election. We had a press conference in like October and Steve Bullock was running against Rick Hill and my friends, Sister Mary, John McDonnell, and Ron Davis wanted to take on Governor Bullock. Okay. They wanted to put the pressure on him that, "You need to help us. You need to do what's right here." And I stopped them. I stopped it because I felt that ours was a major issue, but there were also other critical issues that needed attention. And if we were the ones who would have elected Rick Hill, we would have made a mistake. Um, and so I stopped him, but I think back on that now, and I think I made a mistake, you know, they didn't wanna take on Steve Bullock to not get him elected governor.

They just thought it would put a lot of pressure on. It's kind of like now again, I'm a good Democrat, so take her for what it's worth. Okay. But I'm a proud Democrat and I'm a proud one, but I'm an old school Democrat, but I mean, if you will elect a Greg Gianforte now, and the first thing he wants to do is cut taxes, you know? Um, what does that do for what we're talking about? You know, I mean that same thing issue was there, you know, so yeah, I'm a strong supporter of government, but I mean, if you look at the Trumpster and you don't think government's failed . . . they can't even figure out how to solve the toilet paper issue, let alone solve the issue of coronavirus.

Grant: Why did you decide to run for office the very first time?

[01:43:12]

Daily: The reason I did is because I worked at the Vo-Tech center and they were cutting funding for the VoTech centers. I just decided to make that move at the time. And it was an opportune time for me because, my friend JD Lynch, he was not going to run in the seat that I sought and he was going to run for Congress. And so it opened the door for me to do that. And I was able to do some things. Probably my proudest moment is when I presented the proposal to build a new Vo-Tech center. And so I was the one who did that. And not that our whole delegation wasn't there to help and support because they were, but I was the one who did that. And so that's probably my proudest moment. I introduced the bill . . . kind of a funny part of this . . . I didn't introduce the bill during the '83 session to take over the smelter using eminent domain. And anyhow, it was attacked quite viciously, but it would have been the highest, the most expensive bill ever in that state of Montana. But I thought if we could save the smelter, we could save mining as we know it.

And then here's another thing that you guys should know is when the Atlantic Richfield company came to town in September of 1980, here's a couple of neat things . . . When they came to town, the feeling, the strong feeling of Butte and Anaconda was that they were going to retrofit the smelter. And that when they retrofitted the smelter, if they did that, then mining would continue in Montana. It was a shock. It was a shock to both communities when they announced that they were suspending operations and they were closing the smelter. It was a frigging shock, believe me. And they didn't think that was going to happen here.

Here's another fun part of this. I have some fun political stuff too, but when they closed the smelter and again, there was like a seventh month strike. The Montana governor was Tom Judge. His Lieutenant governor was Ted Swindon. Ted Swindon ran against Tom Judge. And beat him. Okay. And so Judge was the governor, Ted Swinton was going to be the governor, but he had to go through an election. All right. And the Republican opponent was a guy by the name of Jack Ramirez. Okay. And he was the speaker of the house of representatives. And he was Republican, but he came to us (the delegation) and he wanted to call a special session of the legislature to deal with the closing of the smelter. And he came to us and said, "If you will support calling a special session of the legislature, I'll work to get \$50 million from the coal tax trust fund for Butte and Anaconda. \$50 million. I'll do that."

Well, anyway, long story short, myself and Bob Pavlovich and another senator from Butte, Bob Peterson, we signed the petition and the petition is . . . so the legislature can call themselves back into session. Okay. But you have to have 15 legislators sign a petition, and then they have a call of the legislature to see if they want to call themselves back into session.

Well, anyhow, long story short, they didn't. The Democrats were in control and they refused to call a special session. But what a difference that would have been for us at that time, if that would've happened. Okay. If that would've happened. The Democrats at the time were adamantly opposed to using the Coal Tax Trust fund for any purpose. You guys probably don't know this, but the original Coal Tax Trust Fund was a 30% tax on coal and it built up a large fund. Right now in the Coal Tax Trust Fund, there's like \$400 million in that fund. Now we spend some of it on different programs and stuff, and they take the interest that it generates and that goes into the general fund, but it's a huge fund and it should be used now for it. It was supposedly a rainy day fund. It should be used to help Colstrip. Colstrip is going through the same issues we went through, you know, and it should be used for that, but you know, that's not happening. But the Democrats were adamantly opposed to ever raiding that fund and myself and representative Pavlovich were always kind of "it's for a rainy day. It's a cloudburst. Let's use it."

Grant: Did you ever go underground yourself?

Daily: You know, no, only on a tour. I never worked underground. I worked at the pit. Going to school at Western, I worked at the pit on the weekends. When I first got out of school, Butte Central, I worked at the pit as a laborer and crusher and deals like that. So I've worked quite a bit at the pit. But when I was going to school, I had the opportunity to go underground as a diamond drill helper, which is a really good job over the Christmas holidays. The head person who did the hiring for the company was a good friend of ours and lived just a block below me. His name was Jim Carden. And so he offered me this job. And so I went home and told my mom. By the way, I didn't tell you about this earlier, but my dad died when I was a freshman in high school. So, my mom raised six of us kids. Okay. As a single mom. But then anyhow, when I went home and told

my mom that I was going to go underground, because she had brothers that worked underground, I mean, she started to cry and so I never did ever go underground.

Grant: I just have a couple more questions. I'm kind of going back to the beginning and we'll end by asking more about your parents. But, one question that my good friend, Daniel Hogan, who's interviewed you before, he wanted me to ask was, if you were solely in charge of the cleanup at the beginning, how would you have approached it? What would the steps have been in your mind to mitigate the damage and clean Butte property?

Daily: I think it's pretty simple, you know, if you were to go back and I've kind of already answered that question, but we just needed at the beginning as a community to say, we demand that we do this right. We demand that we do it right.

Grant: Which means no waste in place.

Fritz: No waste in place. We demand that we clean the creek properly. I think the biggest failure is not having a Creek. I think we should have a creek where our kids can play and fish. And I believe that that can happen and the adults of the community could enjoy it as well. I think it's an absolute disgrace what we have by the Civic Center, which is where people from Montana come to see Butte, basically, tournaments and other things. And so I think it's an absolute disgrace that it's been left the way it is. And probably people like me should have done more too maybe back then, I guess you're, I guess you relied on the system to do what's right. But the system failed. That would be my answer. We needed to deal with the two things that are going to make this community work again. We need to responsibly clean the creek from Texas Avenue to Montana Street. And we also need to deal with the Berkeley Pit issue.

Probably the biggest tragedy is the loss of the Columbia Gardens. Columbia Gardens is the biggest loss in this whole process. I mean, we had the first Disneyland in Butte, Montana. That's what we had. And we lost that because of mining and we lost that and we lost that because of the Berkeley pit. And we would be way better off if we never had the Berkeley pit as a community, we'd have been way better off if the Berkeley pit never started, but the reality is that it did.

And you know, that was 1955. So, I mean, I was a 10-year-old kid at that time, you know? Well, and I'm 74, better not age myself. But, I mean those are the answers. I mean, this community has suffered so much. I mean, we've lost so much.

I was involved with moving the playground equipment back to Clark's park. And my son and I were on a bike ride and we came upon where the Garden's equipment had been moved and cows were in there eating the tables and crapping all over the place.

And the outfit that owned them, the Butte ski club, they were going to sell all of the cowboy swings and all the other things they had. They had a company in Canada, they were actually going to sell it. So we almost lost it. But because of me. It's not something of an accomplishment but at least we still have the playground equipment. Anyhow. You guys never were at the Columbia Gardens. Columbia Gardens was really something. That was really something. I played baseball there. Biggest day in Butte was Miners' Union Day. Miners' Union Day was a huge, huge day. You know, they shut down the mines. They completely shut down. Everybody shut down, you know, and I mean, there were contests. I happened to play Babe Ruth baseball

for the Miner's Union. And I played baseball up there. It was a wonderful place. It was really a wonderful place.

When I was working for the company back in 67, and we were on strike, I was on strike here, then went to Columbia Falls to work in Columbia Falls and we were on strike in Columbia Falls. So I was on strike against two different companies at the same time.

But anyhow, that doesn't probably have much to do with the Columbia Garden.

The answer is a simple answer to your question: we could have, and should have, done so much better and we didn't. And now, you know, I know there's lots of people who are drinking the Kool-Aid and are buying into the dog and pony show, but I'm not. And I just believe that Butte deserves better and we should get better. But we're not getting better. And that's the reality of it then. And the other part of it, then the next part of that is at some point in time, you and your buddy, Dan are going to pay. If you continue to live here, you're going to pay for this injustice. Sometime.

Grant: Through all of our interviews and all of the many old tapes I've listened to, that's kind of what I've gathered is that the Berkeley Pit shouldn't have happened and Butte would be so much better off if it hadn't happened. But there've been quite a few people that we interview in here that say that, you know, mining built the town and you have to make sacrifices sometimes and that the pit employed a lot of people. And in their mind that pit represents college educations and mortgages paid. And so a lot of people have said that it was worth it, which I find so surprising considering it destroyed half the town.

Daily: Yeah. I agree with everything you just said, really. I don't disagree with that, you know, and I mean, there's like, it's me. I mean, if it wasn't for the Anaconda Company, I wouldn't have been able to go to college. I was able to go to college because of the Anaconda Company. So there were lots of positives, but in the end the negative is what we have. But there's a process to fix it. There's a process to fix it - Super Fund - but we have not done it. I mean, but that process is still there. Okay. That the danger we have now, Clark already, the danger you have now is the Trump administration. And I kind of agreed with him at the beginning, but Super Fund was created for one reason. One reason only. And it was created to clean up contaminated waste sites.

That's why it was created. It wasn't created for climate change. And even though I believe that climate change is real and needs to be addressed, but somebody else needs to address that. But the Super Fund and the EPA, I believe, went in the wrong direction and as a result, they lost their credibility. And as a result, SuperFund sites didn't get clean. And as you probably both know, when Superfund was created, it was for Comprehensive Environmental Cleanup Act. There was a large tax put in place on the chemical companies and it created this large fund and someone in Congress started calling it SuperFund. And that's how the name came about. But in the process, Congress has reauthorized the environmental protection agency, but they discontinued funding the tax.

So there is no Super Fund anymore. And so that's the danger there too. If we would have done things, right . . . We're number 20. Think about that. We're number 20 on the list. I mean, if we would have done the things that we needed to do, you know, we'd have been better off. I supported the reopening of the mine in 87. Okay. I supported reopening the mine. They closed in

2003. Dennis Washington's a billionaire because of the mine. Okay. Dennis Washington, at one point it was making a million dollars a day, probably still is, you know, off of the mine, personally himself. Okay.

But you know, if we wouldn't have reopened it, we would have been better off. If we had not reopened up, we'd have been better off. I realize that like now you got 300 people working. Thank God we do. It's the economic engine that drives the economy in our town. There's no question about that. But if we hadn't, we'd have been, you know, when you, when you go away from Butte a little bit, or go up to Tech and you look out back and you see how beautiful the Pintlers are and all the rest of it, you know?

Wow. You know, but again there was a program created to help us and, and that program has failed. That's the tragedy. Anyhow.

Grant: I just had a couple more questions. I wanted to go back to your childhood. And I was curious, you know, you grew up on the West side, you said, but did you go to other parts of town as a kid? Did you roam around?

Daily: No, you didn't. It's kind of ironic. I mean, that's kind of where you played, that's kind of where you did your thing and that's kinda where you stayed really. We had a car when I got a little older, but when I was a little kid, we didn't even have a car. But like once a year we might go to Pipestone, which is, I don't know if you know Pipestone, but that's a swimming place. And we used to go there. We stayed there maybe for a couple of weeks, but that was it. Never, I can tell you this and never went to dinner once ever with my parents. I never did.

Grant: Never went to the Rocky Mountain or . . .

Daily: The only time we went to Meaderville, to be honest with you is, is obviously we played little league baseball and I played for the Butte Elks and I was a big stud if the truth should be known, at the end of the year they'd always take you to Meaderville and we'd go to the Aero club and have chicken dinner, you know, but that was really the extent of it. I remember Meaderville was basically gone in 1962 or so. That was basically all gone, you know?

And I was still in high school at the time, so no, I don't ever remember ever going to Clark Park. Nope.

Grant: What about at home? I'm just curious about routines at home or food that your mom made.

Daily: My mom thought it was really important. Like I said, my mom raised us. I mean, having good meals was really important, but, you know, having a lot of extra things was not the case. I went to Butte Central. It was a Catholic school, but I had a paper route that I used to pay my tuition. So I had to pay my own tuition. My mom was on social security basically. So my mom was a nurse, but she never really used it once my dad died, you know?

Grant: And how did he die?

Daily: My dad died from kidney failure and heart attack, but, you know, if it was today, he'd have lived.

You know, one thing that when you, when you asked that question, I have really strong faith. I have really strong faith and I'm divorced and whatever, but remarried, but I have really strong Catholic faith and Christian faith. And I can remember when my dad died, my dad was not religious, but when my dad died, my brother, Bill and I were in Butte Central and the Brother took us down the day he died. But about a week before that, my brother, my oldest brother, Jim, and my brother Bill, and I went and received communion with my dad. I remember that really vividly. It's a really special deal in my life. Yeah. So I'm a strong Christian. I pray a lot. I pray a lot for the town, pray, you know, believe in it.

Grant: Well, that was my final question. I was curious about the culture of Catholic school and the church here for you growing up. Could you just describe what it was like within the church?

[02:05:08]

Daily: Yeah. I was always like the president of my class, and I was always involved in that kind of stuff. When we have reunions, I'm the MC or gave a speech or something, you know, but anyhow, in 1959, there were nine Catholic schools in Butte. There were like 2,950 students in the Catholic school system. That was two high schools, you know, Boys' Central and Girls' Central. I went to Boys' Central and they had over 800 students. So, just think about that, just the Catholic schools alone. And there were 16 public schools, you know, it just shows you where we've gone and how we got to where we are. But, the Catholic school and the church are a big part of your life and my life, and, you know, I was an altar boy. It was a big part of your life. It really was, and a good part. Matter of fact, Jim Michelotti and I were going to do a . . . and he wanted to do it more than me, but the Immaculate Conception had, we call it the IC, the church is still there. But the school was across the street and across the street, they had a huge gymnasium, you know, I mean, we thought it was huge, but they had a tournament with just all the Catholic schools and it was a big, big deal in our town.

That was a big, big deal. And, Jim wanted to do just a program on it, you know, but . . . and all the Catholic schools participated in it. And we always tell our kids, Jim and I are very good friends by the way. And we would always tell our kids that we, Jim and I coached little league baseball together and stuff.

So we've just been great friends forever, but we'd always tell our kids that, uh, you know, like up at the IC, there was, it probably held 17,000 people in it. The final four started, you know, the final four originated out of the March Madness out of the IC tournament.

You know, I always say that, you know, the Dallas cowboy cheerleaders, that all started at the IC. So we have pretty fond memories. Myself, personally, as you can tell from our conversation today, I have a really good memory of current things, so to speak.

But my short-term memory is very good, but my long-term memory, for whatever reason is okay, but it's not great. You know, when people start talking about things, you kind of get into it. Yeah. Let's just wrap this up by saying, you know, I mean, this is a great friggin' place. I'm telling you this and that still is, it still is.

And there ain't a better place in the whole world than Butte, Montana. There isn't, you know, but we need to make it better. And if we don't make it better, we're not going to grow and prosper.

And I know there's people like me, where I'm at today, it's perfect for me, you know, why would I not like it? I can do whatever I want. I can go in the afternoon and have a couple of beers with my buddies. I can go fishing and I can do whatever. But I hate going to them stupid meetings anymore. Nothing's going to happen. And you know, it's just like now, you know, I mean the commissioner, but none of that info is going to the judge.

And it's a tragedy that the judge doesn't get all that stuff. Isn't that a tragedy? I mean, what a tragedy. And the reason it doesn't go to him is because they don't want it to go to him. You know, they don't, you know, they, like, I wrote the deal the other day after that tragic meeting that they had.

And as you guys know, and if you don't, you should . . . Discovering that they were going to put those tailings in that neighborhood was a fluke. It wasn't out there to be known. It wasn't out there to be known and it came out on Facebook. And I've done that. I've gone through the consent decree, so to speak, you know, and I can tell you this, let me tell you this.

And let's just end with this. This just tells you, this is the truth. And this is what bothers me so much about these things. First of all, that was a hidden thing. I don't know why they hid it, but they did. That was probably the most important thing that people should have known about, but they didn't know about it.

When you go through what they put out on the so-called rollout, like your paper here. Okay. When you go through that. Okay. There's three sections to it. The first section is in roman numerals, and that's from one to nine. And that's like with the acronyms and that's what the, I'm trying to think of the word, but the schedule, what's in there. And then the second section, and that's all, it's worded from one page of two of nine page six of nine page.

Okay. And then, then there's 41 pages where they explain kind of what's happening and it says pages. Uh, 2 of 41, or 6 of 41, or 37 of 41, or I'm on 35 or 41. Okay. Judge Newman's on 37 or something or 41. Okay. But that may not be the numbers, but something like that, then there's 241 pages. Okay. I take that back.

I said the wrong thing. The second part, the third part is where we are and they'd explained all the . . . You know, it has all of the people that testified only summarized the whole, you know, five people said this, six people said that, two people said this, all summarized. Okay. But it, but it's 241 pages, but it says page 37 of 241. It says page 56 to 241.

You know, the document that came out on Facebook, you know what page it is? 51, not 27 of 241, not 51 of 241. It's a totally separate document that's someplace out there, I don't even know where it is. It's probably in the, you know, the 1400-page book. But it just shows you, why do they do that?

And it's like, I wrote to the people at the Standard and David McCumber and I are pretty good friends. Now we've become good friends, but you know, like I told him and like, I could tell everybody. Again, how many times did I tell you the most important thing I was going to tell you about?

But the question that everyone should ask right now, everyone should ask, what else did they hide? What else did they hide? What is not in that document that should be in that document? Do

we know? We don't. All I can do is go through and look for important things. I can't read it all. I mean, I'm no Stevie Faulkner, but I probably can't. But anyhow Steve is my friend. Right. But you know, that's what I do. And I just kinda looked for certain things and I've always done that with all the documents. I've been involved with it way back when, you know, in '83, was when I really got involved on it, you know, and they shut the pumps off.

And I could tell you stories, political stories that are just unbelievable about it, you know, but here we are today and reality is here we are. I hope I gave you what you wanted.

Grant: For sure.

Fritz: Let me just say, take this document, just take this thing here. Okay. This shows you, first of all, this is an ad paid for by British Petroleum Company. No place in there does it say that. Okay, but that's what it is. The Montana Standard didn't do this. No, the British Petroleum Company, John Sesso did this. You realize this thing here. There's not one word about the Parrot Tailings. There's not one word about cleaning Silver Bow Creek. There's not one word about Blacktail berm. You know why? Because they're not in there.

They're not part of this thing. That's why it's not in there because they're not part of it. But most people don't know that. I figured it out. But most people are into the dog and pony show, Kool-Aid drinking juice. Yeah. Leave a 1400 thing gets condensed it. And the most important things are not, not even mentioned. I mean, because they're not part of this cleanup, they're not part of the consent decree. They're not part of it. You know, the cleanup of Silver Bow Creek from Casey Street back is not, it's not part of it. It's not part of it. The only thing I've ever heard is that John Sesso says that they want to put a motel behind there, you know?

Grant: Hm. Wow.

Fritz: Anyhow. Thank you guys. It was a pleasure. I'm a little crazy guy, but aren't we all here? I am who I am. I'm proud of who I am. Proud of what I've done.

Jaap: You should be proud.

Grant: I'll go ahead and stop this thing here . . .

[Tape continues . . .]

all the time. And I get it all the time. Boy, that you're right. You know, you're right. Uh, I, I know I have my critic side. I get all that too, you know, and, uh, uh, I know some of the people at the mine, like I'm a crazy guy, but you know, but no, I, I really believe that. I, I believe that really strongly. I, you know, I do when I do party line or something.

I mean, it's, I mean, you won't believe the comments. Yeah. I mean, you get a lot of comments I'm telling you. I mean, when I did the presentation up here, which I'll do in a couple of weeks, I, you know, I mean, it'll be fun. Um, I'll, I'll make it kind of fun, but, but I'm gonna stress the other parts of it too.

But you know, last time I did it, I mean, it was packed. I mean, there's 150 people here or something, you know? So I mean, I, I can, you know,

I can't stand the EPA, but, but. It almost every time that I've gone, I can get fired up as you guys know. I mean, I can get really fired up and, and, and, and I'm, that's just me. That's who I am. But, but I've been at more of these things when I've given public presentations that, that they're standing ovations when it's done.

I mean, there's the people who are there and care. I mean, they're, they're on your side. I mean, Doug, Doug Benevento doesn't have, I mean, he, I can guarantee you, he, he wouldn't say an unkind word about me. I'll guarantee you that not some of the others, obviously, you know, you know, Matt and John are, you know, but, but they're, they're pretty much by themselves.

You know, sounds a little mad at me now over all of this whole thing, you know, but, but I mean, here's just one more thing around more rambler, but, but think about this, I mean, you guys live here. This is, this is your town too. I mean, the, the, the lead levels on a national level are 400 parts per million and Buttes are 1200 parts per million, the Hopkin.

How could anybody say that's okay. I mean, our, our kids, don't, don't, our kids deserve that. I'm the same as everybody else. I mean, I would think they do, you know, and I would think they do, you know, I dunno. But that isn't, I mean, that's a fact, I mean, that's a fact, here's the other thing fact about you, you know, I think the, the, our map program is a really good program.

Okay. That's, that's probably a good part of this, that probably a good part. But, but here's the other thing that people don't know about that, you know, is that if, if, if they inspect your home okay. And they find that there's contaminants in your attic. Okay. The only way they'll do anything about it is, is if you initiate some, uh, work on your house, you know, to, to, to, uh, um, searching for the word.

But, but if you went to initiate some work on your house to be done, where you rewired or something, then they'll remove the contaminants and then they'll put fresh, you know, installation back in. But, but if you, I mean, I've got friends that, that their houses have been inspected and they found contaminants in it.

Okay. But they didn't want to do anything about it. So their house is labeled really. I mean, if you were to, if you were to go sell that house and you didn't label it, you didn't tell the people. I mean, it would be a fraud, you know, I'm not sure it isn't on the deed, you know, I don't know that, but, um, but, but I mean, think about that.

I mean, when you think of the inspectors, your house and theirs, and they say there's, you know, arsenic levels are high, lead levels are high. No, if you think it's such a great program, Fix it pretty simple in it. Anyhow. Yeah. How are you guys? Better get, let me get outta here.

[END OF RECORDING]