

**MANDAN REMEDIATION TRUST (MRT)**  
**June 8, 2010**

**Meeting:** 202nd Official Meeting  
**Date:** June 8, 2010  
**Location:** Mandan City Hall, 205 2nd Ave. NW  
**Time:** 10:05 A.M.

The MRT meeting was called to order by Jim Neubauer. Fritz Schwindt and Dave Glatt were present. Also, present were Scott Radig and Marilyn Mertz, State Department of Health.

**Minutes.** May 4, 2010 minutes to consider. Schwindt has made revisions.

**Motion.** Schwindt moved to approve the May 4, 2010 minutes, as amended, and seconded by Neubauer. All ayes. Motion carried.

**Bank of North Dakota.** BND's statement dated June 1, 2010 through May 31, 2010 total balance is \$8,778,213.64. Neubauer acknowledged its receipt.

**Pay Request 208.** Request to approve payment to the city of Mandan through March 2010 for its wastewater recovery system in the amount of \$747.84. Statement is dated April 30, which is for March and April.

**Motion.** Schwindt moved approval to pay the city of Mandan for PR 208 in the amount of \$747.84 for wastewater recovery charges; second by Glatt. All ayes. Motion carried.

**Pay Request 210.** Statement dated May 31, 2010 for the current amount of \$466.55 to the city of Mandan covering April and May industrial waste charges.

**Motion.** Glatt moved to approve payment of \$466.55 to the city of Mandan for statement dated May 31, 2010 covering recovery charges; second by Schwindt. All ayes. Motion carried.

**Pay Request 209.** LBG's invoice request for the period ending May 19, 2010 in the amount of \$22,991.88. Radig has reviewed and says it looks OK.

**Motion.** Schwindt moved and second by Glatt to approve LBG's May 19, 2010 invoice in the amount of \$22,991.88. Radig noted the amounts were within the required scope. All ayes. Motion carried.

**LBG Recovery Numbers.** Radig provided LBG's recovery numbers received by an e-mail as follows: May 2 to June 1, 2010 VOC Vapor was 1.1 gallons; Gasoline Vapors 70.8 gallons; Diesel Vapor 27 gallons; Free Phase liquid fuel 1,000 gallons and

Bioremediation 1,791 gallons for a total for the month of 2,890 gallons, which brings the total cumulative recovery to date of 249,757 gallons.

These numbers cannot be broken out by zone. The numbers have dropped off. Schwindt indicated it may be related to the groundwater level too. Radig thinks the level is up a little bit.

**LEC Update.** Neubauer has not heard much on the LEC update. A week ago they didn't have some areas fully sheet rocked yet. Some of the flooring is still on order. Schwindt stopped there within the past two weeks, but he couldn't get down to the basement because the elevator was locked up.

**Morton County.** Neubauer indicated that the city and the county entered a new Law Enforcement Agreement and Morton County and Mandan are kicking into a capital improvement fund, which was part of the original agreement back in 1985, but neither party had followed through on that. At the last LEC Advisory Committee meeting there was talk about using some of that money for some of the flooring in the basement. Currently, the percentage rate is unknown. Discussion continued. Neubauer will send an e-mail to Paul Trauger asking for a progress update and see if he can supply that on July 6, 2010 at the next meeting.

**LBG.** We have the communication from LBG regarding the issues at the Mandan Place on the pipes, re-configuration, etc. Schwindt noted we helped identify the location for the well. He repeatedly told Community Contractors that they need to verify where those pipes are at. He thinks it is the well in the sidewalk.

Discussed what could be done to piece it back together. LBG is saying that it doesn't really pay to go down and repair those pipes so they are rerouting internally. They should have some costs for that. Radig indicated there will be some hard costs plus labor. The drilling contractor was Braun. Schwindt didn't know where the rig came from but it was within the Braun Company. They were working for Community Contractors. Schwindt attempted to notify Gene Kringstad at the job site to let him know that had occurred but he wasn't there so communication has not been relayed to him. Schwindt will try to locate him after the meeting today.

Neubauer asked. Were they drilling based on our telling him where to drill? I understand what you are saying, "field verify everything" but the contractors don't necessarily know what that means but to be careful when you are drilling. Schwindt indicated Gene Kringstad and I staked out the locations for the well. We measured from the theater building. Radig asked. Did you go off the as builts or how did you decide how far to measure up? When Schwindt talked to Chief Construction there were no dimensions on the as builts. Chief said that they were about 7 feet away from the theater building. We tried putting the well in between that and the theater building; the well is about 3 to 3 ½ feet off the theater building. As I said, there aren't any dimensions on the as builts. That's why I kept telling them you need to verify where the pipes are at. We have pipe down here at 13 feet.

Radig indicated if they would have vacuumed the wells in like they did in the basement wells they would have ran into the pipes, but it wouldn't have done anything to them. That's what I tried telling Community Contractors repeatedly. You should vacuum down or when they were excavating the interior of the building they were down 10 feet and I suggested that they dig down those extra 3 feet to locate where those pipe are at before you drill any well. That didn't happen either. Schwindt noted I don't know why two of them were hit. What Chief said was they were supposed to be about 4 feet apart. Why two of them were stacked on top of each other, so to speak, they would have to be in order to hit them. Radig added, unless they are so close together they hit right in between.

Neubauer noted the latest e-mail says that LBG's costs so far are \$7,700. Radig added that doesn't include some of the other things – programming work and what not. There is still more. Schwindt will try to approach them about the cost of the work. Glatt and Neubauer agreed with that plan. Make them aware that there were some system anomalies that were occurring that we couldn't quite figure out and trace them back. There were two pipes that were dinged when they were installed.

Schwindt stopped by when they were drilling that one well that is further out. Schwindt' message to them was you need to tread lightly to verify and be sure you are not running into black HDPE pipe. Glatt indicated clearly we did not indemnify them for any activities that they were having on site. We identified what needed to be abandoned and those types of things. They were well aware of the piping system there. Schwindt recalls having difficulty getting the as builts from LBG, which was part of the issue as well.

Schwindt displayed a layout of the monitoring wells. They showed us well 1052. These are my dimensions. This well that they show in the alley is actually way over here. When we put this fence in over here the piping shows as coming into the west side of the remote manifold. It actually comes in on the south side. So when they were putting the post in for that fence back here they were running right along the top of the pipe. Dave Auch with the city has said repeatedly you can't trust anything they have because when you go out to start marking stuff, it is never at that location.

**Remediation Building.** No need to take out the oldest Remediation building. It can stay there until we have to take it out.

**Next Meeting.** July 6, 2010 at 10:00 a.m.

**Motion to Adjourn.** Glatt moved and second by Schwindt to adjourn the meeting at 10:30 a.m.