

**MANDAN REMEDIATION TRUST (MRT)**  
**May 14, 2013**

**Meeting:** 235th Official Meeting  
**Date:** May 14, 2013  
**Location:** Mandan City Hall, 205 2nd Ave. NW  
**Time:** 10:00 A.M.

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

**Minutes.** April 2, 2013 minutes.

**Motion.** Glatt moved to approve the April 2, 2013 minutes as revised; second by Schwindt. All ayes. Motion carried.

**Bank Statement.** Received the Bank of North Dakota statements for the period ending March 31, 2013 and through April 31, 2013. March 31 showed a balance in the Remediation Trust of \$7,519,887.02. Payments for wastewater charges and LBG have gone through. The next statement for April 30, 2013 shows a balance of \$7,484,391.67. This is to acknowledge that we have received and reviewed. No issues with these statements. There is interest of about \$300 a month.

**Pay Request.** We have a bill from city of Mandan for wastewater industrial charges from March 1 through March 30, 2013 for \$1,099.25 with a volume of 68,574 cubic feet. There is no BOD or TSS.

**Motion.** Schwindt moved approval of the city of Mandan's invoice for wastewater charges in the amount of \$1,099.25. Second by Glatt. All ayes. Motion carried.

**Pay Request.** Received LBG's bill dated April 17, 2013 for \$13,667.64.

**Motion.** Schwindt moved to approve LBG's April 17, 2013 invoice in the amount of \$13,667.64; second by Glatt. All ayes. Motion carried.

**Waste Hauler.** Neubauer indicated that Tri-B Oil (663.1314) the waste hauler to Sawyer is out-of-business. Does Hobbs haul stuff?

Glatt will ask for a licensed haulers' list to review.

**Closure Strategy:** Schwindt asked Glatt if his staff had time to put together the information on the wells discussed last time. Glatt has not seen that. Schwindt asked, what we used around the Iverson building was what LBG had put together on free-product. I guess that's the only thing, I am aware of that they are looking at.

Glatt – It must drop off on vapors, we should look at that.

Schwindt – Yes, I did talk with Rusty Krikava yesterday and he said they did take PID readings at individual manifolds. He said most of that information had been sent on

to Rick Stoor who is no longer with LBG so somebody else is obviously going to be taking Stoor's spot with LBG. He said we could take additional PID readings, but he said anything north of First has been pretty dead for a long time. There is just nothing really being generated up there as far as gases are concerned. What they do is try to operate the RTO so that it is less than 20 percent. He said right now it is running at 13 percent, which is an ideal range where you don't have to use a lot of makeup natural gas to heat it up. When the concentration gets a little too high to have the RTO operate efficiently that's when they start drawing off more air from the north side so that there isn't anything in there that needs to be diluted. It's used as makeup air, is my impression.

Glatt – So they were taking PID readings at one point in time, but they have basically shown nothing. It was very low readings. They are saying there is not very much out there based on that.

Schwindt – It sounded like they were taking PID readings for quite a while and they may still be taking them in parts of the system.

Glatt – The PID readings in addition to the free-product should be used as another indicator to determine the presence/absence of contamination.

Schwindt – I'm sure if Radig was to get a hold of LBG, they would be able to provide that PID information. I don't recall that he said anything about the frequency in which they did that whether it was monthly, semi-annually, or whatever, but he did say that they had quite a few PID readings. That was the first time, I had ever heard that.

Glatt – That's good.

Neubauer – Asked about the instrument used and if the MRT bought one.

Glatt – It's a detector where you can measure the volatiles.

Schwindt – I think we did. We were using that one over at the horizontal well.

Glatt – They are a good indicator of volatiles. I will have Radig get a hold of them to get that information. The reason I ask for that is the more documentation we can have as a state and to show there are indicators showing that were used to determine the level of contamination present.

Schwindt – I also asked Krikava about the system if there were any issues with the system coming out of the winter. He wasn't aware of any. I drove around and looked at the manifolds this morning. Didn't notice anything in particular with any of the manifolds so I think they came through the winter in good shape. I asked him about the stinger operations in front of the bookstore and in front of the bank. Actually, we are finally just getting some of the wells thawed out so we are getting access to some of those. So he said they would probably be starting that up again whenever they can get

into those locations. Forget where the third one is. There was one in front of the bank, one in front of the bookstore, but I thought there was a third one. Maybe it was over at the LEC.

Jim, another thing I noticed this morning was that parking lot over south of the Fire Station, there are some pretty big holes in there where the gravel has kind of disappeared. I don't know if you want to have your city crew fill those back in. There are some that are 6" to 8" deep already. If we ever get any rain, it is certainly going to accumulate there and you end up with some big ponds. I don't know if that is our responsibility.

Neubauer – I think we can find some gravel or move some of the other stuff around.

Schwindt – That was the only thing that I noticed as far as issues with the system.

**BNSF Request to Close Some Wells.** Glatt indicated BN has approached us about closing some wells located along the tracks. We are taking a look at them. The reason is they have some of them that are just right adjacent to the tracks. They are a hazard and BNSF has to shut down everything and get a flagman and they are just a pain so we are entertaining closing some of them. We want to keep a couple of them open. As long as they operate their facility as a train area, they need to maintain their area but make sure nothing gets off site. There are several of them that don't have free-product and haven't seen any for awhile.

Also, to go on top of that there is a lot of wells that we have right along city property and I think between both of them, we can allow some closure of some of their wells and still have wells identified that we would monitor. In addition to that, the groundwater flow is moving to the south so we would, unless there is a major, major spill up here, we wouldn't anticipate any product coming back to the north to the city property. So we are looking at that. I think some of these right adjacent almost on the track we'll allow them to discontinue. Some of them have had no free-product for a while. I think we want them to resample some of these again just to make sure there is nothing there. At the end of the day we will probably end up keeping just the ones we have identified here, not allow them to abandon all of them or just a few.

Schwindt – How about in exchange for allowing them to discontinue some of these we have whichever ones we can identify along here to get representative spacing combined with the wells that they have that they at least do free-product monitoring in some of these as well?

Glatt – Radig and I talked about that a little bit. We haven't gotten back to them on that.

Neubauer – Or maybe they pay us to do the monitoring.

Glatt – But at the end of the day, we need to have the appropriate data to allow us to determine whether or not any contamination is moving outside.

Schwindt – Exactly.

Glatt – And that is their requirement, as part of the Agreement. I don't see the need for all the wells there, but there is a need for some wells to be kind of sentinel wells that we can identify a number of them and ask them to do some sampling. Whether they do all of it or it is shared every other year type of deal, or if the city hires someone to do that and we just pay the city so much. At the end of the day, see if they can share the cost. I think they just want to get out of it completely and not have to monitor.

Neubauer – I think the tradeoff is if we take out 5 or 6 or 7 of those you are not going to require them to monitor anymore. Maybe those casings say alright, they cost us a \$100 to read per well. Give us a check, we will give you the data and away we go.

Glatt – And we are hopeful there will come a time we won't need a whole lot of wells out here. You are looking at 3 or 4.

Schwindt – I could understand why they would want to discontinue those, if they are a safety or hazard to their employees. That's why I'm thinking if we use some of the wells that we have along the city property that kind of addresses that safety issue and provides assurance to us that nothing is moving.

Glatt – That's exactly right. If we would not advocate from the state level that they close all the wells what we will do is a proposal. Do we want to close and which ones do you want to keep open. We will try to indicate on which ones we want to keep open and then we can talk to Radig and see an opportunity for some shared use or ...some of those other ones that are an easier place to monitor. They might get into the issue of maintaining the wells because they are not on our property and those type of things or we might get to a point if they would sample them the city would assure the MRT would be maintaining the well. There is not much to do periodically. If something happens to them and you can't repair them, just abandon them anyway.

Schwindt – The city could probably provide, if they needed it, some kind of agreement to allow access to the well for something like that if that's a legal concern of theirs.

Glatt – Knowing BN they have several legal concerns.

Schwindt – I suppose for the time being, the Trust could allow them that access or sign some kind of agreement, but in the long-term it would be the city anyway.

Neubauer – Do we want them coming in and accessing the wells?

Glatt – We can probably talk to LBG. At some point in the future, we are going to be getting rid of most of all these wells anyway. There are some of them there that we are getting close to thinking about that anyway, but we would like them to have the sentinel wells. As a tradeoff it would be...those by the track. We understand there is a safety issue and to have some of these for monitoring purposes.

Schwindt – And there are some strictly monitoring wells located along the back side of that city property there, too, so maybe we do those? See if you can work something out.

Neubauer – We pay \$13,000 a month to continue to monitor that line. I'm sure it is pretty spendy for them to get all their folks to shut down the tracks. There is significant benefit to we will do the monitoring and we will report on a, b, c, d, e, f, g wells to you. We will share that information with you; however, it is going to cost you "x" amount of dollars for us to do that.

Glatt – We understand the safety issues. We need to get rid of those. We still need to provide some sentinel wells and there are a lot of wells to choose from. Maybe we can work something out here that will meet their obligation but also give us a comfort level.

**Other Business** – Have you heard anything from the developer Galpin, about their schedule for things?

**Galpin Project.** Neubauer – I thought they were to go in at the end of the year with American Bank Center or this fall this time, but I think the way he is working it is as the contractor has time to do it, they are doing stuff so it will cost a little less money. I thought it was later September.

Schwindt – I'm wondering if we need to make a decision on those 2 wells that are interior to the building when we remove that manifold on the west side. I will try to call him to find out what their schedule might be for working on the west side of the building. Also, that parking lot on the east side to see if... Have you been able to check on the disposal of that manifold building?

Neubauer – I don't know if we can use that for anything.

Schwindt – At one time he said he had a friend. I can talk to him again.

**Request for MRT Tour.** Neubauer sent a message to Radig about someone wanting to take a tour in September. The last thing he heard was LBG will have people at that ND, SD conference so maybe they will have someone here that will do it.

Schwindt – The only other thing would be if Krikava could provide a little detail to that tour group that would probably be the most informative as far as what this pump does and the details on how the system operates.

**Siren Replacement.** The Fire Department has talked to Krikava about adding a pole over by the remediation site somewhere to put the siren.

**Next Meeting.** June 4, 2013 at 10 a.m.

**Motion to Adjourn.** Schwindt moved to adjourn at 10:40 a.m.; second by Glatt. All ayes. Motion carried.