

MANDAN REMEDIATION TRUST (MRT)
October 1, 2013

Meeting: 240th Official Meeting
Date: October 1, 2013
Location: Mandan City Hall, 205 2nd Ave. NW
Time: 10:00 A.M.

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

Minutes. September 3, 2013 minutes, as amended.

Motion. Schwindt moved to approve the MRT September 3, 2013 minutes, as amended; second by Neubauer. All ayes. Motion carried.

BND Statement. The bank statement was received from the Bank of North Dakota for the period ending August 31, 2013 showing a balance of \$7,401,801.08 and two payment requests have gone through. Trustees acknowledged its receipt.

Pay Request. City of Mandan billing for the industrial wastewater charges of \$794.22. There were no issues.

Motion. Schwindt moved to approve payment to the city of Mandan for industrial wastewater charges in the amount of \$794.22; second by Neubauer. All ayes. Motion carried.

Pay Request. Received the request from Water Supply, Inc. for the plugging of wells on the Collins and Main general vicinity for \$804. Wells numbered 2001, 2002, 2004, 2005, 2006, 2008 and 2009 were plugged on August 30 and September 1.

Motion. Schwindt moved to pay Water Supply \$804 for plugging of wells on Collins and Main; second by Neubauer. All ayes. Motion carried.

Pay Request. Brady, Martz and Associates statement for preparation and filing of the 2012 1120 SF income tax return for the MRT Trust for \$300.

Motion. Schwindt moved approval to pay Brady, Martz for the preparation of the 2012 1120 SF income tax return for \$300; second by Neubauer.

Pay Request. The billing for 2013's third quarter from the city of Mandan for utilities for the Remediation buildings, water, sewer, MDU, etc. is \$17,030.94. Radig reviewed. Schwindt noted there were some water charges. It wasn't clear to him that we weren't double paying some of those, but I wasn't sure.

Neubauer -- Generally, we pay the water bill, the MDU bill.

Radig clarified that the water bill is separate from the wastewater bill.

Schwindt – There was some stuff in there for the bookstore building, insurance charges. I didn't have enough time to look at it.

Radig – The buildings are all included under the State, Tornado, Fire, and Insurance Fund. That is paid yearly.

Neubauer – So the two Remediation buildings I don't know if we separate out the one at the Fire Station. I don't think we do.

Schwindt – There was something in there about that, but it was probably utilities.

Radig – There are utilities for that one. Overall it is in line with the previous billings. I didn't sit down and compare every single one to the previous one, but they have all been running in that \$16,000 to \$20,000 range every quarter. Usually, it is a little bit higher. The lowest has been around \$16,000. This one is \$17,000 something. Usually, they are closer to \$20,000.

Schwindt – So you did have a chance to go through them and look at all that stuff.

Radig – Whoever prepares it, they always highlight the current one in yellow, so it is pretty easy to go through.

Schwindt – There was something about the bookstore building there was something highlighted in yellow with that one. I didn't have enough time to go back and look to see if that was included or not included.

Radig: I didn't print out the whole thing, just printed out the cover page, but there is a charge for the bookstore every quarter that comes through for some utilities, MDU probably.

Schwindt – It seemed like there was a charge for Mark's Heating. Did they do an air conditioner or condenser on the roof or something?

Neubauer – Yes, they did. I don't know if that would be appropriate for the Trust to pay.

Schwindt – I wouldn't think so. There was something highlighted in yellow, but I don't remember what it was.

Radig – I can go back and check that.

Neubauer -- We will approve this and we will look at the bill and if we find a credit, we will just credit it on the next one.

Schwindt – We can do that.

Neubauer – I will have a discussion with Greg and Curt.

Motion. Schwindt moved approval of payment to the city of Mandan for utilities, for the third quarter in the amount of \$17,030.94; second by Neubauer with the caveat that we review the billing for the bookstore on the third quarter. If we find there is an error in there, we will do the credit on the next invoice. All ayes. Motion carried.

Pay Request. LBG billing of \$26,499.31, which is for the invoice dated September 23, 2013. Radig indicated there were no issues. If it wasn't for the charges for repairing the RTO, it actually would have been lower than normal. That was between Angvall Environmental and R3 that was \$8,000.

Motion. Schwindt moved approval of payment to LBG in the amount of \$26,499.31 on the invoice number 201309235; second by Neubauer. All ayes. Motion carried.

Well Closures. Along with well closures, the overall status of the Site Strategy Plan and the closeout are we transferring that to some finale, the Health Department?

Radig. One of the questions we are going to have to talk about is the issue of groundwater elevation. When we started out the water table was pretty low. In the past few years, it has come up. It has come down somewhat, but it is not all the way down to where it was. If you look at a lot of graphs, you can definitely see that. When the water table is low, that is when the free product is thickest. As the water table went up, the apparent free product seemed to disappear so if we do shut down the system, there may be potential somewhere there would be free product again if the water table goes down far enough. But who can predict when that is going to happen. We need to be operating the system. We could be in a wet cycle now for 10 years.

Schwindt – How far are we from not meeting those criteria for those couple wells? Is it within a tenth or a couple of tenths?

Radig -- They are still pretty low amounts of free product.

Schwindt – I mean as far as groundwater elevation.

Radig – A couple of feet. If you look at all the charts, the green line is 1629 elevation that they put as a goal. I think the 1629 is the depth of what they call the clay plug like the center of the area so that if the groundwater level is higher than that, it is going to be into that clay so those areas may not cover very well. You can see that the

water table went way up. The lines are two feet on here. Currently, it is over two feet above that.

Schwindt – And 29 was the elevation that we had set across the entire area.

Radig – Just as an average.

Schwindt – Just a couple of wells, it doesn't make sense to me.

Radig – I think it is variations of geology. You get a little spot that is more clay in it and it doesn't pull out as good. I haven't looked at the well logs for each of those wells to compare them with the surrounding ones. Given that, I think we will probably going to have to be flexible on the water table elevation factor. I don't think we should change the product thickness one. The water table one I think we will have to otherwise or who knows how long it will be.

Schwindt – I guess I generally agree with the recommendations of LBG. I guess before we would take any formal action on it, we are going to schedule that meeting with the city, a public input thing on how we want to proceed.

Neubauer – I think an update to the City Commission needs to occur, but I think their question is going to be alright what are your steps, what are you going to do or agreeing with the recommendation from LBG that there are manifolds here and wells that can be abandoned and they need to meet criteria for abandonment. Here is what our next steps are going to be so we can discontinue operating, not that we have been operating a bunch, start to reduce the overall operating expenses for the year. What time will we be done? Put a definition on that so OK, we are done. With those manifolds, start the process of removing them, plugging them.

Radig – I generally agree with all the recommendations as well. In my email I said, "The one on the south side I think we should consider keeping a few of those wells on the south row."

Schwindt – Like we did over at the Iverson building or tried to.

Radig – I think only two or three of those along that south line we should keep. Other than that, I agree with Tim's recommendations.

Neubauer – So the next process from the Health Department's standpoint or our standpoint, the Trust, is to say OK, we are in concurrence. Now do we start decommissioning?

Radig – Do you want to run it by the City Commission first just to get their overall blessing on it as well? We talked about having a public meeting at the Commission, which would be a public meeting giving an update.

Neubauer – I think an update to the Commission is going to be fine. From the Health Department's standpoint, do you think we need to schedule a public meeting?

Radig – I don't really think we have to advertise a public meeting. We will see what Dave Glatt says. Just an update to the Commission--those meetings are televised, right?

Neubauer – Yes.

Radig – You could mention if somebody does have some specific comments feel free to contact the Health Department with a question if they have comments.

Schwindt – I guess before we make a formal determination on these in keeping with what Dave has said and the Health Department had expressed we ought to have some kind of public input process. The City Commission is fine. If we want to go beyond that, I am OK with that too. But if we want to limit it to that and I think we could generally say to the City Commission that our intention would be to go ahead and abandon these unless you have some objection to that process and after we get that input from them, then we could come back at the next meeting and make that decision here.

Neubauer – At the November 5 meeting?

Radig – When are the meetings in October?

Neubauer – Tonight and the 15th. Unless we want to do the 15th.

Radig – Then we could make the formal decision at the next MRT meeting in November.

Schwindt – That goal would work for me unless Dave can't make it on the 15th for the next Commission meeting.

Radig – I can do a power point.

Neubauer – Just do an executive summary that says here is where we are at.

Radig – I think you could almost do a power point and show a couple of maps, some of the graphs that show that the free product has been going down or going away.

Schwindt -- Those summary tables that LBG prepared for us—the three of them. There are Tables 2, 3 and 4.

Radig – Those could be handed out as a packet.

Neubauer – It is something we could drop on the website and say, if John Q. Public wants to peruse this, here is information on the website.

Radig – You could put the whole packet on the website, if somebody wants to look at it they are free to do it, but I wouldn't include that in the whole presentation.

Neubauer – Whatever we present to the Commission that's what we put on the website. Here is what was presented if you want to look at it and study it in-depth. It is there and it is available.

Schwindt – So the question becomes whoever is going to do that presentation would be able to have that prepared by October 15.

Radig – I am sure I would put it together or Dave.

Neubauer – Coming from Dave it would be a Health Department standpoint. I can get up there, but it is still going to be tilted a little towards the city's standpoint. And whether it happens October 15 or November 5 the meeting starts at 4 o'clock.

Schwindt – Is there a lot of agenda items on either meeting?

Neubauer – Hopefully not. We would put it up first.

Schwindt – To me having Dave making the presentation would be appropriate because it is a shared responsibility, ultimately, a Health Department decision.

Neubauer – Do we want to invite LBG? I did talk to Tim Kenyon when he was up here for the Solid Waste Conference just from a consultant's standpoint.

Radig – I'm sure he would be willing to come up here. I don't know that he is going to say anything different than what's in here.

Schwindt – I would think if we give the summary and Dave gives the presentation that would be sufficient for me.

Neubauer – We can invite him and say you are more than welcome to come up but it is your nickel because he might want to do that. We were the consultant contracted to do this and this is what we have done for you. It is time to close out. We said we were going to do this, this, this and here we are.

Schwindt – If they don't have any objection, invite him.

Neubauer – I would just as a courtesy. I know we have commissioners that have not experienced Mr. Kenyon before. When was the last time they were up here?

Radig – OK, I can mention it to him.

Schwindt – I think the last time they were here was when we had the meeting at the Fire Station on the Closure Plan two or three years ago.

Neubauer – See if he wants to come.

Wells. Those wells along the south property line between the city and the railroad by the Iverson building when the contractor went in to remove some of that asphalt behind the building they destroyed the concrete collars around two of the wells. I got a call from Chief Construction and some emails from LBG about those wells that weren't abandoned. We had decided we wanted to keep those five along the property line. Well, two of them are now abandoned because they pulled those collars off and so I had Roger Schmid go ahead and plug those two wells as well. They were 3406 and 3413.

Neubauer – So we should be expecting something from him.

Schwindt – So because the well was open to the atmosphere, they had hauled in some gravel around those areas and stuff like that. Didn't know how much stuff went down the well. I thought it would be better to plug them so we got that done.

There is still some concern where the manifolds were. We have those pipes coming up out of the ground. They are cut off at ground surface, but they are concerned about doing anything over the top of them because if you cover with gravel, the gravel is going to go down inside the tubing and eventually settle. I am just wondering if we shouldn't consider filling those vertical portions of those pipes with some kind of weak cement grout of some kind just so we avoid some of that settlement issue, because as we abandon all of these manifolds, we are going to have potential settlements.

Radig – It would just be better to dig down and cut them off and cap them.

Schwindt – It seems like we have to do something that is more permanent than we have been doing.

Neubauer -- I'm assuming it is HDPE pipe that is like a normal piece of plastic pipe that you buy and glue it on and that should solve the settlement.

Schwindt – You would have to excavate down a little bit.

Neubauer -- Cut them down below the surface and then cap them and cut it back up and the way you go.

Schwindt – That is easier said than done because it is going to be all hand work because those pipe are this far apart. In order to excavate, you will have to go in and

hand dig around everything if you are going to have a clean end in order to put a cap on.

Radig – I don't know if that HDPE will break that easy either.

Schwindt – It's not. It's not going to be easy.

Radig -- It is tough stuff.

Neubauer – Green space and flowers.

Radig – If you put any grout in it, it would have to be pretty thick. It is just going to run down the pipe unless you shove some sort of plug in there.

Schwindt – I am not sure how we want to proceed with that whether we should get together with the contractor like Chief and have them take a look at stuff or should I work with Jeff at Public Works to see what his suggestion might be?

Neubauer -- I would take Chief because he has more experience. You could talk to Jeff or Justin.

Schwindt – When they were going to be putting some gas lines in and that's why Chief got involved with—they were working for MDU. They were running some utilities across the backline of that lot and he was asking about some of the manifold pipe and stuff and they were going to go around where the manifold was because they were just concerned about settlement going forward. And we had that other issue right on the west side of the building where that other manifold is as well. It just seems like we have to do a better job of closing those down than just cutting them off.

Neubauer – Maybe first talk to Jeff and Justin out of Engineering. Bob, the new planner is a professional engineer, too, and see if we have any suggestions.

Schwindt – Maybe we could just try it with the city if they brought a backhoe in and excavate down six feet. When we start doing these other ones like the one right outside your office and over by the Law Enforcement Center, I don't know how that will be because we can't bring in a lot of heavy equipment because you tear up the lawn doing that kind of stuff.

Neubauer -- The one by the county is in a grassy area so settlement will be a big issue there but I don't know if you want to talk to Justin and Jeff and maybe Bob Decker, city planner, to get suggestions on that.

Schwindt – They do make PVC caps. I'm thinking it would fit down over the top of them. If you just go down six inches or something like that below the surface you could probably excavate down around each pipe and just put a cap on each one.

Neubauer – Then you've got settlement and you have these pipes coming up out of the ground.

Schwindt – That shouldn't settle too much anymore. That stuff has been there for years. So if we just excavate down a little bit you could put a cap on. That might work in the lawn areas because you don't have to worry about getting really deep.

Neubauer -- Starion's parking lot, Wells Fargo parking lot, the one behind the south side of the Fire Station, the one over by the fountain. We might have to come up with a better plan to decommission those.

Schwindt – I guess after talking with Chief Construction about it and looking at it and giving it some additional thought, I think we do need to do a better job of abandoning these wells. Maybe we could just try dumping concrete down some of those pipes, but trying to get it down four-inch holes.

Radig – That would almost be by hand as well.

Schwindt – It would be. OK, we will do some suggestive figuring on that stuff.

Neubauer – Have we plugged the lateral lines that came in from the tallest tool shed all the way over to Wells Fargo? Do we still have those three big lines that are open?

Radig/Schwindt – They are still open.

Neubauer – Do we still have to have those plugged or what are your thoughts on that?

Radig – They were horizontal. One was a sparging well which was never used and the other was a collection well. Those are pretty wide in diameter.

Schwindt – They are four- to six- inch lines as well.

Radig. I think once you get down a ways then you uncap them off and just leave them open.

Neubauer – If we get the building over at the Fire Station, that's where they all exited into a manhole or did we bring them up into a manhole and then pipe them over?

Schwindt – It seems at this end, we brought them up.

Neubauer – I thought we dug a manhole and put an end cap on them? They were sucking dirt and everything else in the end. I don't remember, if we tried to fill them with mud, there would be a lot of mud.

Schwindt – They are about 1,300 feet long.

Neubauer – Just something to think about.

Radig – I don't think we had planned on filling those, but to make sure the ends are capped off so there wouldn't be another settlement.

Neubauer – Kind of like where the tool shed is and Fire Station we will have to dig down, cap and cover up. OK.

Schwindt – I will take a look at that over there as well. Over here at the bank there was some kind of an end on over here. Don't think it was a full manhole kind of thing like a sewer manhole, but there is some kind of end over there like a curb stop. I guess do we want to try filling them with concrete or something like that?

Radig – Those horizontal wells?

Schwindt – It would take a lot of pumping.

Radig – You would have to get a couple grout pumping....

Neubauer – Almost like a big crane with a big end where they push a tube way down there...unless you can push that stuff all the way to the end. It's a long way to push.

Schwindt – Maybe you don't necessarily have to plug the entire length, but 20 feet on each end.

Neubauer -- Is that where you take the cotton ball and shove it down the pipe 10 feet and fill the rest with concrete and done.

Radig – That would be one way to do it. I don't know if it is necessary to seal the ends.

Neubauer – I have heard on those concrete pumpers they take a Nerf ball and that's how they clean it out. They shove a Nerf ball in there and push that through. Shove it down there 10 feet and fill it up.

Radig – Run a pig through a pipeline is the same thing.

Neubauer – We should probably think about it and close that one out. Any LUST Trust funds?

Radig – No, I don't think we will be funding that one.

Schwindt – I can visit with Chief to perhaps see what his recommendation might be to plug some of those lines, too. Maybe he has some idea that would be relatively easy.

Schwindt – Going back to this report and the abandonment of some of those manifolds north of First out here the operators of the system would be happy with that too. If we can accomplish that before the winter so they don't have to do all that monitoring during the winter that would simplify operations for them. I'm not sure whether Roger would be able to get those wells all plugged before the cold weather sets in, if we don't make a decision until November.

Neubauer – If we have a plan at least we are saying our plan is to get done.

Radig – If the weather does get really bad early, it could be left until spring. We just don't have to operate them.

Next Meeting. November 5, 2013.

Motion to Adjourn. Schwindt moved to adjourn the meeting at 11:40 a.m.; second by Neubauer. All ayes. Motion carried.