

MANDAN REMEDIATION TRUST (MRT)

January 7, 2020

Meeting: 315th Official Meeting
Date: January 7, 2020
Location: Mandan City Hall, 205 2nd Ave. NW
Time: 10:00 a.m.

The MRT meeting was called to order with Jim Neubauer, Francis Schwindt and Dave Glatt present as Trustees, along with Leon Vetter from the North Dakota Department of Environmental Quality.

Minutes. MRT minutes from the December 3, 2019 meeting were reviewed.

Motion. Glatt moved to approve minutes of December 3, 2019 meeting and second by Schwindt. All ayes. Motion carried.

Bank of North Dakota statement. Neubauer - The most recent Bank of North Dakota statement for the period ending November 30, 2019 shows that a few payment requests moved through the bank that were approved.

City of Mandan bill for the fourth quarter utility bill for \$2,997.83.

Motion. Motion by Schwindt, second by Glatt to approve paying City of Mandan for fourth quarter utility billing totaling \$2,997.83. All ayes. Motion carried.

Brady Martz has submitted letters regarding their preparation of the tax returns for 2019 for the Mandan Remediation Trust and the Supplemental Environmental Projects Trust. Glatt moved to approve having Brady Martz prepare the tax returns for both trusts; second by Schwindt. All ayes. Motion carried.

Glatt presented a letter from the Department of Environmental Quality to the Remediation Trust indicating that DEQ has reviewed 2018 and 2019 groundwater monitoring data from WSP for possible closure. The cleanup goal for free product measurement in wells is point one feet or less. Based on those monitoring results, almost all the wells have met this criteria. No odors reported from stakeholders or other folks in the downtown area. Continuing with the current remediation system will not significantly impact those amounts. Therefore, DEQ is recommending the system infrastructure in all zones excluding monitoring wells be permanently decommissioned, and we should follow the guidelines established by the MRT closure strategy.

Glatt indicated a public meeting/hearing is scheduled for Jan. 22 at 6:00 p.m. Notices authorizing the meeting were signed by the trustees.

Glatt said DEQ would prepare a short (15 minute) overview of where this project has been, where there was settlement, hired consultant firms, then have a map showing where it started and a map with all the pipes and wells, and do that, and show where it ended up. How much was recovered; the criteria for closing the site and that the criteria has been met; and that DEQ recommends closure. There may be some comments on how much money is left over,

and that information could be reported. It should be stated that from the State's perspective, since the State took on liability for the contamination, the money probably would have to stay put for a period of time until it's seen how things settle out. Schwindt suggested using the slides which show that there hasn't been any material change for the last three years. Neubauer suggested including information showing what the total product recovery is to date.

A Notice of Public Meeting will be published in the Mandan newspaper on Friday, January 17, and a notice is on the NDDEQ website. Jim Neubauer will see to it that notices get posted on their electronic media.

Neubauer said that after the Public Meeting, they would need to start contacting property owners that have wells in the basements and get release from them to move things forward. Schwindt said the agreement that attorney Malcolm Brown puts together should have wording negating the access agreements signed by the property owners at the beginning of this project to clear the title to the property.

Schwindt mentioned DEQ should provide information on which wells should be maintained for long-term monitoring. Vetter reported he has spoken to Burlington Northern; they are anxious to close some of the wells on their property, and Vetter has told them he does not want them closed because they are our only data points in there. Glatt suggested looking into whether they want to enter into an agreement with the State to pay for some of the costs of monitoring those wells, or if they have some operational issues of why they want to get rid of the wells onsite, that could be discussed. Schwindt said closing the wells that are on BN property should be discouraged because the flow is toward those wells, so monitoring should be done from those wells.

No Further Business.

Next Meeting. January 22, 2020 at 6:00 p.m. in conjunction with the Public Meeting. The next monthly meeting will be February 4, 2020 at 10:00.

Motion to Adjourn. Glatt moved to adjourn; second by Schwindt. All ayes. Motion carried.