

MANDAN REMEDIATION TRUST (MRT)

March 6, 2019

Meeting: 306th Official Meeting
Date: March 6, 2019
Location: Mandan City Hall, 205 2nd Ave. NW
Time: 3:30 p.m.

The MRT meeting was called to order by Jim Neubauer. Francis Schwindt and Dave Glatt were present. Also, Leon Vetter and Reuben Panchol from the North Dakota Department of Health were present.

Minutes. MRT minutes from the February 5, 2019 meeting were previously reviewed.

Motion. Glatt moved and second by Schwindt to approve minutes of February 5, 2019. All ayes. Motion carried.

Tax Returns for Supplemental Environmental Projects Trust and Mandan Remediation Trust. Tax returns for 2018 were previously emailed to the Trustees and reviewed.

Motion. Motion by Schwindt, second by Glatt to approve the MRT tax return for 2018. All ayes. Motion carried.

Billing from Brady Martz for the tax return preparation fee of \$450 for the MRT 2018 tax return.

Motion. Motion by Schwindt, second by Glatt to pay Brady Martz \$450 for the tax return preparation fees for the Trust for 2018. All ayes. Motion carried.

Billing from WSP. Invoice was received from WSP for \$2,765.27. Billing lacked any details. Vetter will contact WSP and request an itemized billing.

Huntington Bookstore. Neubauer – The Huntington Bookstore is now as empty as it's going to get based on my walkthrough at 11:30 this morning.

Schwindt – Roger is ready to go next week Thursday. I told him I would like to be there through a good share of the time at least when they get started. I do have time on Thursday morning and at 3:00 Thursday afternoon, so that would give me some time to meet with them. I would also have time on Friday. It sounded like they planned on working over the weekend.

Neubauer – I have a meeting over there tomorrow at noon, so if Fritz and Roger want to come over we can group look, and the potential new owner will be there, therefore, maybe we can kill several birds with one stone.

Schwindt – That would be good. I am going to meet Rusty tomorrow to go through to make sure the electrical is all turned off for all that stuff. We were going to meet here at 11:30, so I think that would probably all fit together. I'll just have to give Roger and Curt a call to make sure they can make it tomorrow. I don't know whether they are available, but I assume they are.

WSP Spring Monitoring Event. Schwindt - I guess the other thing, while it is probably a little early to ask about it, but maybe not, because it is already March, is when you talk to WSP Leon, we should probably ask them when they plan on doing that monitoring event this spring. It will probably be the end of April or May.

Vetter – Yeah with this snow...

Glatt – It's still kind of frozen.

Schwindt – We need to get them thinking about that rather than them waiting until June and saying "Oh, were we supposed to do that?"

Neubauer – I think that's a good idea that we ask them for here are the tasks that you are supposed to do, there is a monitoring event this spring and there is another one in June just confirming we are all on the same page and that's their responsibility to get that lined up.

Schwindt – Have you got that on your schedules?

Glatt – Yes.

WSP Closure Report. Schwindt – I guess the other thing is are we going to be seeking some kind of a report from them on shutting the system down? Or are we good enough based on what they've provided us in the past as far as documentation from them that they are okay to close it down?

Glatt – Well, our biggest thing for closure is the monitoring event. So if we get that, we're happy.

Schwindt – I understand that. But, do we want something for them to evaluate the data and say "Yes, it's good." Or are you guys going to do that? I'm just not clear in my mind how it's going to work.

Vetter – We have the goal of .1 feet of free product and then the evaluation is do we meet those goals.

Glatt – That's something we can look at. I agree. I don't think we need to get that technical, we can just look at the data and trends and see if that makes sense to us. Whether they tell us, or we look at the same thing, we're still going to have to make that determination. I don't know if they need anything more, unless you think they may have some enlightenment.

Schwindt – No, I guess I'm just thinking kind of closing that loop.

Neubauer - So something that says last monitoring event meets the site's closure strategy, and therefore ...

Glatt - Yeah, they could do that. If they want to say if you think based on the criteria we've laid out that it meets the closure based on what the monitoring results say, submit it to us and we can, if we don't mind paying for that evaluation, basically a couple of sentences is all they would say.

Schwindt - No, it won't be from them.

Glatt - Well, let me rephrase that, there would be a couple of sentences that will be meaningful to me that I'll be looking for.

Vetter - But we would want that at the end of the monitoring event, right?

Glatt - Well they would have to because that's evaluating that data to determine that it meets our closure criteria.

Schwindt - There might be a spot or two that doesn't meet the one tenth of a foot.

Glatt - I think there will be.

Schwindt - More than likely there will be. So I guess I want us to make sure that we are all on the same page as far as the process that we're going to get through this.

Glatt - Here's the way I think about it. So if we ask them, and they say "well a, b and c will work" but b doesn't, so we say, "we can make b work." At the onset I would like to have one determination, and if that's our determination, say we look at the data these are the areas that meet our criteria for closure, these don't, and then we'll have to decide whether or not we can do more monitoring, or we close it based on the data we have.

Neubauer - So really, my non-engineering mind would be here is the measurement at the last measuring event, here is the one we did this spring, here is the one we did in June, there has been no change, our recommendation is shut that down well by well by well. And we want to have WSP then make a call back to us as far as a recommendation that we think this entire site can be decommissioned based on your site closure strategy, and then we obviously would have to come in after that and say, "we agree," or "we disagree."

Glatt - You can do it that way. I guess the discussion is how involved do you want the engineering firm to say thumbs up or thumbs down. Or is that just a decision that you want the department to bring to the MRT saying "based on our evaluation, this meets our needs."

Neubauer - If the department is comfortable doing that, I'm fine with that.

Glatt - At the end of the day we'll have to make that decision anyway.

Schwindt – You will.

Glatt – Whether I go to the engineering firm and say “tell me what I’m going to have to review” anyway to see if I concur with it or close it. If you want to pay for it, that’s fine. I’m just saying I don’t think we have to.

Neubauer – Okay, that’s the question is do you need that other layer of protection for the Health Department to say you’re quasi objective, reviewing your own results. “I’m good. I like that.”

Glatt – We’re not reviewing our own results. We’ve laid out criteria already that he has to meet, so we objectively put the data right next to it and say, “yes this meets, this doesn’t.”

Neubauer – I’m all for that. I just want to make sure you’re protected on your side.

Glatt – At the end of the day I don’t think we have any more or less protection anyway to be honest with you. So it’s just a matter if you want a separate opinion, there is some benefit in having a separate opinion look through all that. I don’t know at the end of the day we’re going to look at it and say, “we agree” or “we don’t.” And evaluating data is what we’re doing.

Vetter – You know a lot of it is if we wanted him to go after the last little bit that is there to meet those .1 feet of free product, he could. With the technology that is there it’s just not effective anymore. He’s going to have to do additional stuff. So you would have to have wording in there for example, based on what we have out there, this technology isn’t good to get the remaining stuff.

Glatt – What you could do is take out all this no brainer stuff, these all comply, these are the hot spots, you could go back to the engineering firm and say “do you have any recommendations” or is this just throwing good money after bad, and then if they say, “you can pump this,” or “you can try these other technologies,” “we can’t guarantee that would be any different, we think it’s localized and it’s not moving,” that type of opinion would be helpful.

Vetter – This is kind of a side note, we did this little bit of analysis on cleanups from another site that is real similar system to here and those last gallons of fuel recovered are extremely expensive. The first gallons I think were around \$60/gallon for recovery and the last ones were in the neighborhood of \$250/gallon for recovery. And that’s with the system running for two years.

Glatt – And what is the risk?

Vetter – Yeah. Right.

Neubauer – So I think we all are clear that I’m perfectly fine with the Health Department doing that, I just want to make sure that you guys are okay with that too in case someone would question it.

Glatt – I am. They may question it, but again you just go back to the criteria. If it doesn't meet the criteria, that's where the questions would be. And I think there will be, I agree with Leon, I think there will be a couple of spots that we're going to go "Well, what do you do with this?" We've been at this for a long time, I do think that's where you go back and look at the historical data of more than just a year and say, "this has been pretty stable and no matter what we do it's the same."

Schwindt – That was kind of what Paul was telling us a year ago.

Glatt – I don't want to push our services on the MRT.

Neubauer – Oh, goodness no. I want to make sure that if someone comes back and looks at this a couple of years from now and all of a sudden they say, "well that's like the fox in the henhouse saying you're done cleaning up and you're done" because you've been intimately involved in the cleanup rather than having a third party objective come in and say "you're clean; shut it down." I'm perfectly fine with the Health Department making that determination.

Glatt – At the end of the day we would make that determination anyway.

Schwindt – And you will. I don't have any objection to that process you are laying out either. I just want to make sure we are all understanding what process we were going to use.

Glatt – I'll make it clear, because I don't object to either way.

Neubauer – There are a lot of no objections going on here.

Glatt – Well we can do anything we damn well please, but I just don't know, just from the financial end of it, if that really would change our opinion one way or another.

Neubauer – So all really were asking WSP is to have Rusty go out, measure the wells, see what you got, put it in a spreadsheet, send us the spreadsheet, done. We're not asking them to do any data interpretation.

Glatt – And what we may do, when we have a couple of hot spots, we may circle back to them, and say "Do you have any recommendations for this? Is this something you normally see in other remediation sites that you have done?" Maybe we just end up keeping an eye on it for a bit. If it hasn't changed over a time period, we're not throwing any more money at it. Our big issue is that it doesn't create any health risks.

Neubauer – Reuben are you good with that?

Panchol – Sure.

Glatt – What we'll do, is we'll wait for the data we need from them when they do the monitoring events and when we can inspect the data.

Pretreatment Conference Preparation. Schwindt – And as far as that pretreatment conference, I talked to Steve this morning, and I guess we are on for half an hour.

Glatt – 20 minutes then 10 minutes of questions.

Neubauer - That's May right?

Schwindt – Yeah. May 4, 5, 6 or someplace in there. You haven't heard any offer from Ken to do that beyond that initial time right?

Neubauer – I haven't talked to him since. I can call him and ask him that.

Schwindt – I guess we can go ahead and prepare that. I wasn't sure that I was going to be around during that time. I usually take off at that time. I'll probably be back in time for that, but I'll have to put things together, and I'll probably need Leon to prepare some of it.

Glatt – What are they looking for?

Neubauer – I think they're looking for a brief history of what we've done in the last 15 years.

Glatt – If you're going to be on vacation, I wouldn't worry about it. Leon or Reuben can do it. We'll get it done.

Schwindt – I don't have anything specifically planned, and that's why I haven't responded. I can still put the abstract together. It'll be pretty generic.

Neubauer – If you want to do that and get that to Steve then we'll do that.

Schwindt – Who do you want to list as the presenter?

Neubauer – Put you down. If you're not here, then we'll just fill in.

Schwindt – Okay, I'll list all three of us. Are you going to put the presentation together or do you want me to work with Leon to get it together?

Vetter – What kind of stuff do you need? Do you want maps?

Schwindt – I thought what we should do is show several of the product maps from early on, and then we have to get some of the history of how much BN recovered because that's the big numbers, and then we I think last spring or summer we got those numbers from LBG on how much was recovered so we can add those in. I got a schematic from Steve today for the Mandan treatment plant. We need to describe how our treatment process works and the things involved in that.

Neubauer – What we're sending the wastewater plant. Maybe a picture inside the main remediation building.

Schwindt – We can do that.

Neubauer – I've got a map I used for the Mayors of the cities today of the 2006 plume delineation versus the most recent one.

Vetter – I'm wondering though because since we didn't make these maps, I can scan them certainly, but I wonder if it wouldn't be worth going to these guys and asking them for specific maps.

Neubauer – We've got those in pdf form.

Glatt – It's a visual. We were like this and now we are like this. We've spent this much money; this is what the system was about; because there is an evolution of what this whole darn thing as we first started out with BN, and here are some of the wells pumping, and then we did the horizontal deal, and then we went with multiple-phase type extraction and so it kind of moved through, and this is where we are at.

Schwindt – We could even use that picture or two from the bookstore basement showing what we did in buildings downtown.

Vetter – We have a lot, we have a file cabinet full and everything is scanned from our program, but then Scott left and gave us a whole file cabinet of stuff and that stuff isn't scanned. But you want to put together a PowerPoint presentation, right? So you'd have to go from a pdf to a jpg, so I'm just wondering, it's best if you have a nice quality...

Glatt – At the end of the day you have 20 minutes or so to talk about 30 years of work, so it's going to be a lot of just quick snapshots in time, and we'll have more than enough. We'll probably have a tougher time just paring it down.

Neubauer – I probably have the yearly presentations that LBG used to give. I can get that to you. Those are all electronic. I'll get you the 2006 and most recent plume maps. I just used those today. I'll get you some pictures from what an inside well looks like. I think their interest might be how do we treat what we get out and then what stream are we dropping in the sewer and then out to the plant. I don't know that stuff.

Schwindt – I got the permit from the city today as well. Ryan sent that over, so I can forward that on to you. It shows the parameters that we are responsible for monitoring. I think that would be of interest for this conference.

Neubauer - I can send you the FU slide from Furniture First when they tore that down. I used that one year. The only letters they left on the building were FU. I probably have the one of fuel gushing out of a locomotive when they were filling it.

Schwindt – They want the document to put into their proceedings as well, so we need to get that put together in the next couple of weeks too I suppose. So I guess if you want to look at starting to put some things together, I can stop up whenever you are ready for me to stop up, and we can kind of go through it.

Vetter – If you can give me a list of things that you want me to look for, you know what you want to see, then I can look for some of that stuff and get it together. Like I said just making a slide, if things are all in pdf I can do it. It's a screen capture. I don't think you can put a pdf on a slide, so you have to make it a jpg. At any rate if it's a pdf, it's got to be a single page, or you can't actually put it in there. But we'll get it figured out.

Glatt – If you can't read every damn little well number just colors of how big this is and how small this is ...

Neubauer – We got a blob here and a blob there and now we've only got a little tiny blob left.

Schwindt – I think one of the maps showing the radius of influence of each well, they had a map showing all the little circles on there and they overlapped, I think that would be kind of useful to have.

Glatt – Do we have any quantities of what we are typically pumping to them? Yeah, we do because we get the sewer bills. Just like on average.

Neubauer – I don't know that we've ever tracked them. That might probably be interesting to say you know "you're shooting us half a million gallons of crappy water every month." I don't know what that number is.

Glatt – Slightly contaminated water.

Neubauer – Crappy water. But those would be based on all the bills.

Schwindt – Clean water.

Neubauer – Quasi clean water. If it were clean they'd be shooting it into the Heart River.

Vetter – How much water they are treating each month typically.

Glatt – On average.

Schwindt – To me, I think that would be one of the most important things to point out is that we went with this system because it didn't generate as much water as some of the other kinds of systems that were proposed to us.

Glatt – Think about a picture where ...

Schwindt – A schematic of the well showing the drop tube and how it works.

Glatt – We can explain how it works.

Neubauer – I've got that in my office right now.

Schwindt – Maybe Jimmy has all that stuff already.

Glatt – Jim has already done this.

Neubauer - We can put together a few of them.

Vetter – I suppose it just needs updating pretty much what you had already.

Neubauer – You mean the LBG slides here, a brief history, here's what we've gone through, here's what we're at today, here's what we send the wastewater plant. I guess it's their conference; that's what they're more interested in probably, if they're interested in anything other than getting their credit.

Glatt – Okay. We'll make it work.

Vetter – When is the conference?

Schwindt – May 5th or something like that.

Glatt – You'll want material earlier than that.

Schwindt – Yeah. So we need to get it kind of done at least by the early part of April, I would guess.

Glatt – Okay. We've got a month.

Neubauer – You've heard Fritz's talks before, then. You need five slides and bullet points.

Glatt – Okay.

Neubauer – Good.

Vetter - I think so.

No Further Business.

Neubauer – We next meet April 2nd. Thank you for rescheduling today, by the way.

Glatt – It worked better for me anyway. So thank you.

Next Meeting. April 2, 2019 at 10:00 a.m.

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