

TLG Meeting Minutes
Technical Leadership Group Meeting
July 22, 2009, 9:30 a.m. – 2:30 p.m.
Coeur d'Alene Casino & Resort (Aripa Room)
27068 S. Highway 95, Worley, ID

Call to Order: The TLG Chair, Ms. Rebecca Stevens (CDA Tribe), called the meeting to order at 9:42 a.m. She welcomed everyone and introduced BEIPC Commissioner, Mr. Phillip Cernera (Lake Management Director, CDA Tribe). Ms. Stevens then asked everyone to introduce themselves.

Changes to the Agenda: Ms. Stevens suggested a change to the draft agenda for Mr. Terry Harwood (BEIPC Executive Director) to provide an update on the CWA financial report.

Approval of TLG Minutes from April 16, 2009: Ms. Stevens asked if there were any changes or corrections to the minutes, and noted a correction (on page 2, third paragraph) for the spelling of *Springston* (incorrectly listed as Springsteen). Mr. Kenny Hicks (Shoshone County TLG rep. and TLG Vice-Chair) brought up two corrections: 1) change bridge to “*site*” (page 8, last paragraph); and 2) to include that “*he also asked if he could make a presentation on SEEP at a BEIPC meeting in the future*” (page 7, last paragraph). Mr. Hicks made a motion to approve the minutes as corrected; seconded by Mr. Nick Zilka (IDEQ). The minutes were approved as corrected.

Remedy Protection: Mr. Rob Hanson (IDEQ) made a presentation on remedy protection. He explained that as the remediation program moves forward in the Basin, some of the clean soil barriers are not staying in place due to stormwater issues on steeper terrains. This is not a problem in the Box, but they do see a need to do remedy protection work in the Basin. The EPA has decided to include this work as an element of the ROD amendment and has teamed up with IDEQ. They will be working with Mr. Harwood on using the Drainage Control Infrastructure Revitalization Plan (DCIRP) as a way to sustain the human health remedy across the Basin. Mr. Hanson said that he and Ms. Anne McCauley (EPA) have been meeting with local mayors and looking at problem areas to see if some of the work may match. However, some of the work pertaining to roads may not be included as they think it may be covered in the existing Records of Decision (RODs). The Panhandle Health District (PHD) has been sampling some of the potholes and finding contamination in excess of action levels, but the community does not have adequate funding for its roads. Mr. Hanson noted that the agencies have the authority to work on right-of-ways (ROWS) under the ROD. Ms. Angela Chung (EPA) also acknowledged that they have the authority to help, but they are not sure what that involves.

Mr. Hicks asked if IDEQ and EPA recognize the problems related to the streets as he believes that trucks damage the roads as you lose shoulder compaction when removing contaminated ROW along the pavement. Mr. Hanson said that he was not sure if heavy trucks make a difference and pointed out that the trucks have been going for a long time. He confirmed that the potholes are a risk to the remedy, and brought up that the other remedy protection piece that is not covered are flooding issues pertaining to the main levees. However, he indicated that EPA and IDEQ are not in the business of doing flood control. Mr. Hanson said that State Senator Joyce Broadsword brought the agencies together for a few meetings to try and get funding to address this issue from the State Legislature. They are also trying to get funding through the State Bureau of Homeland Security.

Mr. Bill Rust (Shoshone County TLG rep.) said that he is putting together a presentation on EPA inconsistencies such as the Golconda district where EPA rip rapped the bank, capped it, and did an evaluation of flood potential, in comparison to the area remediated along side of the gondola. Mr. Rust wonders why there is a difference in the way it was taken care of, and if it really makes sense. He brought up the millions of dollars in remedy below Elizabeth Park to the Bunker Hill Bridge that needs to be stabilized and does not see why the EPA cannot do a 100-year flood evaluation.

Ms. Anne McCauley (EPA) answered that flooding is system-wide in the CDA Basin. She indicated that it requires a number of agencies that understand flood control and talked about what needs to be done on everyone's behalf, whether it's protecting sewer lines or other issues. Ms. Stevens thanked Ms. McCauley for coming and providing an update.

Mr. Harwood informed the TLG that the BEIPC's consultant (TerraGraphics) will complete the DCIRP next week and then produce the final product. He asked everyone to let him know how many copies of the report they will need.

Presentation on Sentinel Earth Solutions: Mr. Gavin Hudgeons (Sentinel Earth Solutions) gave a presentation/demonstration to the TLG on his company's technology and service for its 3D and 4D geospatial site models.

Break

Basin Environmental Monitoring Plan and ROD Amendment Update: Ms. Anne Dailey (EPA) gave an update on the Basin Environmental Monitoring Plan (BEMP). For the ROD amendment, she said that the focus is a comprehensive cleanup plan for the Upper Basin that reflects improved knowledge and addresses the National Academy of Science (NAS) recommendations as they want to be sure they are making the best use of cleanup funding.

(They are not considering cleanups for the Lower Basin at this time). The goals that they are working towards for the Upper Basin include additional benefits for surface water quality criteria, improvements to contaminated groundwater, reducing particulate lead, and reducing risk of released contaminated mine waste. She indicated that EPA will continue to provide updates on the ROD amendment process at the CCC, TLG, BEIPC, and PFT meetings. The information is also being posted to EPA's website and people can also access a link to EPA from the BEIPC's website. They are still hoping to have a public comment period in February 2010. Ms. Stevens thanked the EPA for providing the information on the web and mentioned that it's a good tool. Ms. Dailey said that they heard from people about education and outreach, so they are trying to do a better job to share the information with everyone. She appreciates people providing input.

Upper Basin Priority Setting Update: Mr. Bill Adams (EPA) provided an update on the Upper Basin priority setting process for the ROD amendment. This process pertains to prioritization for the sequence of work and identifying actions that give the most value along with other relevant factors. He said that we need to ensure that we are achieving our goal, depending upon how many of the actions we take. However, he pointed out that we may not be able to get to all the contamination in some of the areas. He then gave a brief summary on the information presented at the Upper Basin PFT meeting held on June 30, and discussed the next steps of priority setting with the TLG. He mentioned that there will be another meeting at the Forest Service office (Grizzly room) in CDA on July 28 and that everyone is welcome to attend.

Lower Basin PFT Update: Ms. Rebecca Stevens gave an update on the Lower Basin PFT. She said that the last meeting was held on May 27 and included the following: 1) Mr. Ed Moreen (EPA) and Mr. Steve Clayton (CH2M Hill) provided an update on the Enhanced Conceptual Site Model (ECSM); 2) Mr. Brian Spears (USFWS) provided information on biological monitoring in the CDA Basin for fish and waterfowl including the Monitoring Avian Productivity and Survivability (MAPS studies); 3) the LIDAR flight was flown in May and covered the area from Harrison to Mullan including Ninemile and Canyon Creeks; and 4) she invited some of the regulatory permitting authorities for a panel discussion to get an overview of what they have been receiving as applications for bank stabilization projects. Ms. Stevens then asked if the TLG would be interested in having another Basin Information Forum (BIF) and brought up possible agenda items for discussion.

Another topic that Ms. Stevens brought up for TLG discussion was in reference to the Recreation PFT and recreational inventory subcommittee. She proposed that this group should not dissolve, and that maybe it could be combined with another PFT as Mr. Kenny Hicks suggested on a previous TLG call. Mr. Harwood recommended that it not be combined with another PFT as he believed it may lose impetus for some of the issues. Mr. Nick Zilka (IDEQ) suggested that more

people may attend if the PFTs were combined. After additional TLG discussion, it was suggested to possibly combine the PFT with the Lower or Upper Basin PFT.

Before breaking for lunch, Ms. Stevens asked TLG members to be thinking of nominations for the position of TLG Vice-Chair.

Lunch

TLG Nominations for Vice-Chair Position: Ms. Stevens called for nominations for the position of TLG Vice-Chair. Mr. Hicks volunteered to stay on as the TLG Vice-Chair; and the TLG agreed unanimously.

Repository Siting Process Update: Mr. Andy Mork (IDEQ) provided an update on the Upper Basin repository site selection process. He also mentioned that another alternative they are looking at is the concept of “fill the holes” for bringing in contaminated soil and filling in holes to facilitate economic development. There are still a lot of details to work out such as legal and liability issues, etc. Mr. Harwood noted that they will need the legal opinion of the Attorney General (i.e. State and EPA) after everything is identified and clearly assigned.

Ms. Anne McCauley (EPA) said that they have been working with local elected officials, the Bunker Hill Task Force, Mr. Jerry Cobb (Panhandle Health District), Mr. Harwood and others on this issue. She credited Mr. Kenny Hicks for keeping the “fill the holes” concept in the forefront and thanked him for his efforts. She clarified that they are not filling in holes yet, as they are still discussing all of the issues. Ms. McCauley indicated that Mr. Harwood has provided three guidance documents regarding the roles, responsibilities, assignment of liability along with comments from Mr. Cobb and his legal counsel.

Mr. Mork then reported on the short list of possible repository sites and the next steps in the screening process. A Repository PFT meeting will be held on August 20 to discuss additional information on site criteria and ask for agency input. He will provide updates at the next CCC meeting on July 29, the August 19 BEIPC meeting, and the next Upper Basin PFT meeting in September before unveiling the final ranking. A 30-day public comment will be required and then they will choose the top site. Mr. Harwood commented that they will still need to have a willing seller to acquire a site. Ms. McCauley stressed that they need additional space right now (i.e. 800,000 cubic yards) to meet the needs. TLG members also discussed ecological cleanup and related issues.

East Mission Flats (EMF) Schedule Update: Mr. Mork provided an update on the schedule for the EMF repository. There are two construction phases (i.e. Phase I & II) planned for 2009. He

brought up that a citizen complaint was filed about inadequate public notification with the EPA's Office of the Inspector General (OIG) about EMF. The OIG issued a report that indicated sufficient notification had taken place and that part was addressed. The report also went through a technical review which raised some issues about floodwater and leaching into the groundwater. The IDEQ performed additional review and a third technical review is being implemented now. Mr. Mork anticipates the results this month. However, the OIG does not want to place any contaminated soil at EMF until this issue is resolved. Mr. Harwood said that the State asked him to manage the EMF construction this year, so he is doing it (i.e. not as a BEIPC employee). They asked him to come to them if there are any questions or citizen's complaints and he will keep on top of it. Mr. Mork clarified that the OIG report does not call for a moratorium of contaminated fill placement or construction activities, so they are proceeding with it.

Enhanced Conceptual Site Model (ECSM) Update: Mr. Ed Moreen made a presentation about the ECSM process. He displayed some slides and discussed updating the working hypothesis as they need data for the tool focused on contaminant transport to make future decisions. He suggested that people read the executive summary first after they upload the information. Mr. Moreen will send out an email to the PFT when the technical memos are available, and is planning to meet with the Lower Basin PFT in August. He mentioned that the LIDAR flight was flown by the Bureau of Homeland Security and they are in the post processing phase. EPA is also looking at doing an aerial flight to compliment the process, but is looking for funding.

Data Management Storet to WQX: Ms. Anne Dailey indicated that she had talked about this topic earlier, but wanted to share new information since the last meeting. She explained the reasons for the conversion from EPA's existing database Storet. There is a nation-wide transition to WQX for improving data access capability and sharing. The work is ongoing and they should have the new webpage available in the next few days at: www.bunkerhilldata.org There will also be information on the website about how to use WQX.

Communications PFT Update: Ms. Jeri DeLange (BEIPC) gave a brief update about the Communications PFT. She mentioned that the subcommittee for conducting an audience analysis was put on hold as the chairperson is out of the country until later this year. Ms. DeLange is hoping to schedule the next PFT meeting sometime in late August or September.

CWA Financial Report Update: Mr. Terry Harwood (BEIPC) provided an update on the CWA financial report. He indicated that the first and second grant years are completed. There was about \$1,700 in funding remaining on the second grant and this will be returned to the federal government. Mr. Harwood said that Mr. Bob Flagor with the Kootenai Shoshone Soil-Water Conservation District (KSSWCD) will be giving a report at the BEIPC meeting in August

on the extra project that was funded with savings on the Lower CDA River. For the third grant year, there is about \$86,000 remaining. Mr. Harwood said that he will be making an effort to spend all of it, and remarked that he had some good projects come out of the CWA funding. For the upcoming BEIPC meeting and field trip on August 19, he asked everyone to let him know how many people are participating as he needs a count for the buses.

Other Announcements: It was announced that the new IDEQ program manager for the Kellogg office (i.e. who will be replacing Mr. Mark Stromberg as he took a new job in Trail, B.C.) will be Mr. Dan Meyer and that he will start on August 3.

Adjourn: Before adjourning the meeting, Ms. Stevens brought up the upcoming TLG conference calls scheduled for July 24 and August 20. The TLG agreed to cancel the calls as they were both in the same week after meetings (i.e. TLG and BEIPC). She thanked everyone for coming and adjourned the meeting.