

Basin Environmental Improvement Project Commission (BEIPC)

Meeting Minutes

February 18, 2015, 9:30 AM – 3:15 PM

Wallace Inn, Wallace, Idaho

Attendees:

Terry Harwood (BEIPC Executive Director)

Commissioner/Alternates present:

Rick Albright, Jack Buell, Marc Eberlein, Rob Hanson, Caj Matheson, Grant Pfeifer, and Leslee Stanley

Staff present:

Glory Carlile (Assistant to BEIPC E.D., note taker), Ed Moreen (EPA), Bruce Schuld (IDEQ), Rebecca Stevens (CDA Tribe), and Sandra Teccani (State of WA)

Other attendees that signed in:

Bill Adams (EPA), Eric Blischke (CDM Smith), Jerry Boyd (CCC Chair), Todd Bragoon (CDM Smith), Jamie Brunner (IDEQ), Don Carpenter (IDEQ), Kyle Collen (MFA), David Fortier (Citizen), Rene Gilbert (EPA), Denna Grangaard (IDEQ), Jon Harwood (IDEQ), Andy Helkey (Panhandle Health), Jay Huber (Shoshone Co.), Laura Laumatia (CDA Tribe), Kit Pearson (Shoshone NewsPress), Sandy Podsaid (Shoshone Co.), Sandra Raskell (CDA Tribe), Dan Redline (IDEQ), Kyle Richards (Pioneer Tech Services), Cathleen Sanborn (SVEDC), Rusty Shepard (Kootenai Co.), Kevin Yrjana (NWCS), and Andy Zachary (CDA Tribe).

(Please note that these minutes are a summary of reports and presentations and are intended to provide capture key topics and issues, conclusions, and next steps and not every detail of the discussions.)

Call to order: Commissioner Jack Buell (Benewah County) called the meeting to order at 9:30 a.m. followed by the flag salute. He presented Terry Harwood with a certificate from IDEQ acknowledging him for 10 years of service as BEIPC Executive Director. New Commissioners Marc Eberlein (Kootenai County) and Leslee Stanley (Shoshone County) were introduced.

Review and Approval of November 12, 2014 Meeting Minutes:

Harwood had 2 small edits. Take out the extra “to” on page 1 and on top of 3rd page take out the 2nd “1996”. Pfeiffer moved and Matheson 2nd to accept the minutes. **M/S/C**

Note: Add Ed Moreen to the November minutes under staff present.

Presentation and Review of Annual Report:

Terry Harwood explained that at the end of the year all the various agencies provide a narrative of the accomplishments made throughout the year and then they are compiled and reported in the Annual Report. As part of the reporting process, Harwood presented the 2014 Annual Report and reviewed the accomplishments in each section in Part 1, Work Performed Through Federal Superfund or Other Cleanup Programs and in Part 2, Other Activities that are going on in the Basin or activities that the various governments have asked him to get involved in. Once approved, this report will be posted to the Basin Commission website at www.basincommission.com.

Stanley moved and Pfeifer 2nd to approve the BEIPC 2014 Annual Report for publication. **M/S/C**

Measuring Progress – Bill Adams, EPA, Rob Hanson, IDEQ

Rob Hanson (IDEQ) presented examples of how to best present information such as showing how much work has been done and what the environmental impacts were. He asked for feedback on the sample graphs shown depicting performance metrics for CDA Trust work, Remedy Protection, Costs to date and projected costs. Repositories Costs showed increases due to additional work. Roads graph showed Percent of Roads Program completed by number of miles and Source Control graph showed lead and zinc over time.

Feedback: Matheson commented that he would also like to see metric showing environmental impact. Pfeifer said that he was impressed by the scale and progress so he likes to see presentation of timeline and how it progresses over time. He thinks that a Pie chart is a snapshot and does not work as well.

Update on LMP and Lake Symposium/Lake Water Quality, etc. – Laura Laumatia, CDA Tribe, Jamie Brunner, IDEQ

Brunner gave an overview of the Lake Water Quality Status: LMP Triggers (aka: Coeur d'Alene Lake Management Program 2008-2012 Review). Next step is to provide a written report but first they are going through a quick internal review and then will present it to the TLG for review. They plan to have the report ready before the next Basin Commission meeting in May.

Laura Laumatia reported on the Our Gem Symposium Community Café that was held in November. They had about 200 attendees representing community stakeholders, real estate, environmental groups, and agency staff. The focus was on 3 questions: What does this all mean? What more do we need to know? Where do we need to go from here? This was another great opportunity for them to continue to expand outreach and education. They are tentatively looking at March 2016 for the next symposium. Brunner added that a lot of questions that have been posed by the LMP Team and other stakeholders previously were prevalent questions that came out of the Community Café such as where are the nutrients coming from and when.

Report on Project Implementation:

At Wolf Lodge Creek they are addressing bank erosion. In preparing to update Our Gem Map saw Fullers Launch Road and worked with the conservation district to develop a proposal to install additional culverts and to redirect the flow from the road. Other potential projects: St Joe River – recreational property bank stabilization, and Mica Creek – bank stabilization/wetland enhancement.

CCC Update and Public Comments – Jerry Boyd, Chair CCC

Jerry Boyd reported that the January meeting had more agency people than citizens. There was a presentation on the water quality on the CDA Lake and he knows there will be many people interested in the conclusions in the report. He commented that people are wondering if there will be any money left from the settlement to do work in the Lower Basin. They see that not much is happening in the Lower Basin but are concerned still about the lead levels and they are concerned about the wildlife and the continued contamination coming down the river.

He said that although we did not have a meeting in October, we will still continue to have regular quarterly meetings prior to the Basin Commission meetings. He noted that we have made sure that the information that is available goes out to our contact list at least by email. The next CCC meeting will be in April in the Upper Basin

Commissioner Albright responded to the issues brought up concerning the Lower Basin stating that they are acutely aware of the funding issue and not enough money to do everything. It is very important in making funding decisions to keep in mind resources. Commissioner Buell agreed with Boyd's comments and stated that we need to start doing something down there in the Lower Basin and said that the Board needs to start looking into that.

Limited Use Repository Policy – Bruce Schuld, IDEQ

Brue Schuld (IDEQ) reported that the definition of Limited Use Repositories (LUR's) is an idea that came out of evaluating fill locations for the Community Fill Program. Currently waste projections for this next year includes generating over 70,000 cubic yards of concrete and asphalt concrete that results from the roads program that they are looking at recycling it in a number of different ways. However, as we move forward in our Paved Roads Program we are losing our sources of concrete and getting more asphalt being the byproduct of the roads work. As long as the material is not contaminated it is a good resource to use for construction of low traffic areas such as parking lots.

In this next year we have about 76,000 cubic yards of asphalt generated coming into the program. We have looked for fill locations that can accept limited amounts of the benign asphalt concrete that we can cap and cover it in a way that allows for future development of property that can be built upon.

Because fill locations are in the remediation action area, they must be designed according to current engineering criteria for our repositories. They will go out to the communities with their public outreach process so the public understands what we are doing with this material. Outreach includes working with Shoshone County, U.S. Silver Mining Company, and property owned by the State of Idaho. The 3 potential locations are Government Gulch site, East side of Osburn, and Shoshone County Transfer Station.

Buell asked if there is danger of reusing asphalt and about the costs of grinding asphalt. Schuld said that the asphalt comes from a number of different sources and that a lot of it is benign material but does not know the exact costs. He added that there is a policy about the use of the asphalt regrind and engineered new pavement criteria. It is important to determine how and when to use this material in trying to find cheaper ways to dispose of waste and develop as many options of using waste in future development. A lot of considerations are going in the design of the LUR's and in future development.

Schuld reported that Government Gulch has about 4 acres of flat ground, has a setback away from Government Creek, and they are incorporating a storm water system conducive to future development. Cost will be about 1.2 M. "turnkey". It will contain about 92,000 cubic yards of asphalt concrete and replaces the need to remediate this portion using limited Special Account funds. The repository can be completed in 2 years and then will be saleable property. The U.S. Silver property is about 5 acres on the east side of Osburn adjacent to Silver Hills Elementary school. They can put about 37,000 cubic yards of asphalt into it and will have about net \$200K in haul cost savings to Paved Roads and Remedy Protection programs. The Shoshone County Transfer Station is also a candidate for cleanup under the Basin Property Remediation Program (BPRP) and is a potential LUR site a year or two out. They will need to work closely with the county in trying to develop a concept for development of the site in the future.

Conclusions:

LURS can be built and closed out in very short periods of time, will use the same core design elements used in larger Remedial Action Waste Repositories, and LURs are very cost effective means of disposing large volume of inert asphalt concrete. Potentially, the saving is about \$5 per cubic yard. There will be site development and construction access and engineering controls. They will have long term storm water management systems in place. Currently have environmental monitoring. Schuld said that the new owners would have to comply with ICP rules to maintain the site and for development of the property.

Overview of Planned 2015 Work and Budget Issues for Special Account and Trust Budgets – Bill Adams, EPA

Bill Adams, (EPA) gave updates on the Project Work 2015 – reporting that the Basin Property Remediation Program is being transitioned this year to the CDA Work Trust which saves dollars from the Special Account (SA). They plan to reduce SA spending and prepare for long-term management. Transition begins in 2015 and will be completed by 2016. The CDA Trust hired Allan Davis as the new BPRP Trust Project Manager. He noted that the IDEQ will have a continued role.

Adams reported there are strategies to address recreational exposures particularly in the Lower Basin (LB) and in recreational areas. The Paved Roads Program has high priority projects to get done. The Remedy Protection includes design and construction of side gulch projects along Silver Creek and Slaughterhouse Gulch in the Box, on Revenue Gulch in Silverton, and Mill Road and south 2nd Street in Mullan. Design work on several projects including Copper Street, Boulder Creek and Mill Creek in Mullan, Rosebud Gulch in Osburn, and Printers Creek in Wallace.

Harwood added that the Jackass Creek Remedy Protection Project is a State, and the Hospital matched, funded project that is in design. They need to increase the size of the channel and the only way to do that is to put in a collection system. They came up with the funding from the state and the hospital will come up with a portion.

Repositories

Adams reported on the Box repository operations and maintenance at Big Creek Repository (BCR), Big Creek Repository Annex (BCRA), East Mission Flats Repository (EMFR) and Lower Burke Canyon Repository (LBCR) and final closure of BCR. They are working on Investigation/Design of Silver Valley Natural Resource Trust (SVNRT) area with proper drainage and to potentially move the material. Work will begin this year.

Removal and disposal of the Interstate Callahan Mine waste dump in East Fork Ninemile Canyon (EFNM) will be completed this year. Next major project in Ninemile is the Success Mine site with design and EFNM Infrastructure work.

Plans include further characterization of Tamarack site, award contract and start construction on CTP upgrades and GW collection, and further progress towards Lower Basin actions.

Adams explained that they will have a 5 year review in place this year which is a statutory requirement under CERCLA. The purpose of the review is to reassess the Remedy where action has been taken, evaluate the effectiveness, and it also looks at any new information and if there are any issues that have been identified in the course of that review.

A summary report by the CDA Trust of 2014 Trust Projects Labor Report showed the Project, Contractor, Local and non-Labor with Total Labor, and % of Local labor used on the projects. He noted that in almost all of them it is at 80% or above of the local labor pool and there were about 400 jobs created as a result of cleanup activities in 2014.

Budget Update:

Sources/Uses/Distribution of Settlement Funds and the Special Account:

Adams reviewed the project budget update and the projects demand on the accounts. He reported that there is about \$104M in the Special Account and this is the only source of funds for work in the Box. It is the source of funds for all contractor support, oversight, cooperative agreements with the State and the Tribe, monitoring and investigations of site etc. The total court registry funds were \$67M. Of that \$15M came to EPA and the balance of \$52M went into the State Endowment Fund. Total Box construction costs are now at about \$106M and based on the projections, the SA may be exhausted by the end of FY17 depending on a number of factors and decisions.

CDA Work Trust current balance is \$513.5M. The funds cannot be used for work in the Box and can only be used for Environmental Actions cleanup (human health and ecological risks), cannot be used for oversight of Trust work per bankruptcy agreement, and has a spending cap of \$25M per year in order to grow the Trust. The Trust balance and growth variable is due to investment volatility. Approved budget for 2015 is \$24.5M. He added that three pending property deals that were acquired will leave only one original Asarco property left. Adams said they are addressing the highest priority activities for completion of roads and remedy protection projects.

Albright asked about the money from the property sales and Adams confirmed that it goes into a special account – a property management account.

Implementation Plan update:

Goals identified are the same as previously reported. As part of the 5 year review they will do a refresh of this implementation plan looking ahead for the next 10 years.

Comments:

Stevens asked about the endowment fund. Adams said that they took a guess of how much they would need and estimated about 10 years. They took that estimated amount and put it into the endowment fund.

Harwood added a comment about the Trust process saying he is impressed with what is being done and with being careful with the funds available there will be money for the Lower Basin.

Adams commented that the 5 year review will reflect over the past 5 year's progress and will take a long term look that will include some of the metrics.

Update on CDA River Bank Stabilization, Lower Basin Work, and Central Treatment Plant Upgrades – Ed Moreen, Kim Prestbo.

Kim Prestbo (EPA) gave a presentation about the Remedy Selection:

Selected capture of the groundwater near the Central Impoundment Area (CIA) and treat at the Central Treatment Plant (CTP), noting that there are 2 Targets for the groundwater monitoring: Acid Mine Drainage and Mining impacted Groundwater. She also presented a map showing the additional work that has been done and indicating the sources, transport, and trends for selected trace metals and nutrients in the CDA and Spokane River Basins.

United States Geological Survey (USGS) Surface Water Sampling Stations in Kellogg:

In this remedy they will be installing a slurry wall with a series of 8 to 12 extraction wells.

Key points: Trying to isolate, and to maximize the capture of the groundwater capture of metals.

Procurement Strategy CTP/GCS:

The project is a combination of upgrading the CTP and the design and construction of the groundwater collection system. Operate/Design/Build/Operate (ODBO) – team of contractors completes design and constructs upgrades in accordance with Work Statement while operating the CTP. The contractor will also be operating the CTP for 1 year following construction. They have a 30% design in place now.

ODBO Contract Milestone Dates – Corps of Engineers lead tasks:

Currently we are in the Selection of Qualified Contracting Pool stage. Phase 2 solicitation should come out in March and a contract award in the summer of 2015. The anticipated construction completion is in early 2018.

O&M Responsibility:

ODBO contract requires 1 year of O&M following construction and acceptance testing of system. Consent Decree with Hecla Mining Company set aside a portion of funds to pay for long term O&M of CTP with funds that are now in the State Endowment and earning dividends. Idaho will assume operations following the 1 year ODBO – O&M activities.

Bunker Hill Mine and the Water Diversion System Status:

Ed Moreen (EPA) reported on the Bunker Hill Mine flows that are treated at the CTP and the Water Diversion System Status that is being discussed with the mine owners. As previously reported, they are working with the Bunker Hill Mine owner to allow greatest flexibility for mine operations in constructing and operating Mine Water Diversion/Storage System.

Key Value Engineering Study Recommendation:

Control flows to the CTP maximum to 5000 gpm: This requires controlling groundwater flows that are collected and requires controlling flows from the Bunker Hill Mine. In order to control the flows out of the mine it will take some infrastructure. The mine owners control the water level with the mine pool by pumping flows to maintain the water level below the mine level 11. We are working with the mine

owner and currently in conversations with the Bunker Hill Mine owner with a plan about what they can do to divert flows, control the flows and use the mine pool in a way that meets the limits. They are acting in good faith and moving forward.

Questions/Comments:

Prestbo responded to the query about what the plan is after the groundwater is treated at the CTP and how it is conveyed to the South Fork. She said that the discharge limits will go into our contract requirements. Overall, they will be taking total suspended solids - taking zinc concentration down to meet the acceptable limits and basically scrubbing 99% of the metals during this treatment. Moreen added that the CTP process is a simple process that deals with adjusting acid levels and settling metals.

Rebecca Stevens (CDA Tribe) asked about the mine addressing the issues of controlling flows. – Moreen said it is about the volume not water quality; to drop the levels down. In order to meet the maximum 5000 gpm low rate, both the groundwater flow rate and the mine water will need to be carefully managed and controlled. Mine flow can vary and that is part of the issue.

Moreen said that the Corps of Engineers set a Cost Cap Limitation of approximately \$48M when they issued the Phase I solicitation to the contractors. A new sludge pond will be part of the procurement package.

Lower Basin Status Update:

Prestbo reported on the Lower Basin Status: CH2M completing the Calibration of the 2D Hydraulic Model (MIKE 21c) along with ongoing data analysis and parameterization of model. They have plans to have a documentation report for the 2D Hydraulic Model within 6 months. Concurrently the MIKE21c will be used to evaluate remedial options and other aspects, as appropriate.

Data Analysis Tools:

Lead Sources: Flux in at Cataldo = 11%, Bank Erosion = 10%, Net Bed Erosion = 79%
Lead Sinks: Floodplain disposition = 21% and Flux out at Harrison = 79%

Modeling tools, along with data collected to better understand the Lithostratigraphic model of the river bed, will significantly enhance the understanding of the hydraulics and how sediment is transported throughout the system and will support our analysis of options.

Current Characterization:

Presbo reported on the Vibracoring in the Lower Basin. Key findings during this effort supported their geographic and lithological mapping of the river bed. The purpose is to provide data in the format needed for the sediment transport model to come up with a 3D map.

Kahnderosa River Bank Stabilization:

Prestbo reviewed the Kahnderosa River Bank Stabilization project sharing that it held up pretty well in the last flooding.

Lane Marsh Opportunity - Pilot Project Concept:

The concept was to construct and operate a hydraulic control structure in the trail causeway to maintain high water levels in Lane Marsh during swan migration season to discourage feeding. There were some strategic questions with issues and uncertainties concerning the project. So far, they have not had to address these issues because the marsh area flooded and kept the water levels high.

Questions/Comments:

Pilot aspect of Kahnderosa was the demonstration of the technique used and is a good education project and provided access to the river. Moreen said that the cost of the project was about \$250,000 for about 300 feet. He said that the cost included the design and total installation and complies with all the regulations. Much of the vegetation used was locally harvested native material and not purchased.

Harwood suggested looking at last year's accomplishment report to show the progress of before and after of the pilot project.

Nomination and Election of Commission Vice-Chair and 2015 Meeting Dates – Terry Harwood

Albright nominated Pfeifer and Matheson 2nd to elect Grant Pfeifer as the Vice-Chair of the Basin Commission. **M/S/C**

Public Comment/Questions about BEIPC Activities.

David Fortier commented that he has been disappointed that he has not found many EPA documents online and design plans especially from the Trust. He would like to see more technical reports available to the public. Stevens suggested that he look at the ROD implementation plan that provides information. Adams said that if there is a specific project he is interested in to ask the project manager. EPA website is evolving so that it is more streamlined with basic information.

Grant Pfeifer moved and Rob Hanson 2nd to adjourn the meeting. **M/S/C**

Meeting was adjourned at 2:27p.m.