

January 6, 2010 Bay Harbor RSG Technical Work Group Meeting

DRAFT Summary

Attending: Ralph Dollhopf (EPA), Dean Branson (3 Lakes Assn.), Rick Gross (Walloon Lake Assn.), Bob Walker (Bay Harbor Community Council), Bob Wagner (MDEQ), Steve Kircher (Boyne USA), Jennifer McKay (Tip of the Mitt WSC), Rachel Smolinski (LTBB), Tim Petrosky (CMS), Ray Bier (Friends of the Jordan River), Denny Brya (Bay Harbor Co.), Melinda Holland (E²), Krissy Hussell-Hedstrom (E²), Tiffany Reed (E²)

Bob Walker began the meeting by presenting his draft diagram of the leachate sources, systems, engineering controls, diversion wells, etc. at the site. The work group decided that a diagram such as this is useful and with some modifications should be presented to the full RSG. Work Group members will provide suggestions to Bob regarding improvements to the diagram.

E2 Inc. preliminary recommendations for TASC technical advisors:

- Krissy Russell-Hedstrom presented the process for identifying Technical Experts at the site. E², Inc. began with a list of 37 experts and divided them into three tiers of desirability. The top tier included nine individuals, all of whom were contacted.
- The five individuals who responded with interest in participating: Gary Bigham (Exponent), David Hyndman (Michigan State University), Shu Guang Li (Michigan State University), Jim Lolcam (KCF Groundwater), and Bob Shreiber and Doug Abeln (Shreiber and Yonley), were interviewed and ranked again.
- Although Exponent was the best choice in terms of experience, their hourly rate is too high for the contract. E², Inc. recommended Shreiber and Yonley for mercury and CKD expertise supplemented by David Hyndman and Shu Guang Li for ground water expertise.
- Some members expressed concerns regarding Shreiber and Yonley's independence, given the firm's focus on representing the cement industry. Another member stated a preference for a firm with experience working on remediation projects and working with regulatory agencies.
- After discussion the Technical WG decided that Exponent was the work group's first choice and should be contacted to attempt to negotiate a lower hourly rate. If this negotiation is unsuccessful, Shreiber and Yonley could be retained with ground water modeling expertise provided by David Hyndman. Krissy will provide the work group with the full qualifications packages submitted by Exponent, Shrieber Yonley and KCF Groundwater. The work group will review this information and respond to Krissy by January 11th regarding their views on the qualifications of Shreiber Yonley, Hyndman, and KCF as an alternative to Exponent should Exponent remain too expensive for use under TASC.
- Once a decision is made by TASC, Ms. Russell Hedstrom can begin the subcontracting paperwork. If the chosen expert is available it will be arranged for them to be present via conference call at the Jan. 20th Technical Work Group meeting.

Strawman Draft Document Regarding the East Park RI/AE:

Dean Branson explained that the draft strawman proposal on the East Park RI/AE had the following intentions:

- To begin the process of providing something in writing from the RSG to EPA and MDEQ.
- To help determine which items the agencies would most like to see addressed by the RSG.

January 6, 2010 Bay Harbor RSG Technical Work Group Meeting

DRAFT Summary

- Was not intended to be controversial, delay agency acceptance of the East Park RI/AE, or place a burden of work on any individual/agency.
- To set the stage for producing a document for presentation at the Jan. 27 full RSG meeting.

Concerns were expressed by CMS, EPA and MDEQ regarding the amount of work necessary to produce the items requested in the strawman draft in a timeline that would not delay acceptance of the RI/AE.

- Agency representatives noted that items 2-4 deal with agency approvals which are on a different time track than agency acceptance of the East Park RI/AE.
- The technical WG decided that item numbers 1 and 5 on the strawman draft were the top priority and will be discussed in further detail during the Jan. 20 technical WG meeting with CMS responding to Item # 1. If time allows, the agencies and CMS will discuss the statistical sampling plan issue and the agencies will discuss the Technical Impracticability (TI) process as mentioned in Item # 5. Melinda suggested that a subgroup should refine numbers 1 and 5 from the draft strawman and circulate it to the Technical Work Group prior to the January 20th work group meeting. Subgroup volunteers were Jennifer McKay, Steve Kircher and Dean Branson.
- A possible format for the revised draft could provide an overview of the background, issues of concern as well as items requested or suggested.

Topics/goals for the January 20 Technical WG meeting:

- Discuss revised strawman Item # 1 first and move to Item # 5 if time allows.
- Review revised strawman and reach agreement, if possible, on what to present to the full RSG on January 27th.
- Determine if any substantive presentations at the January 27th RSG meeting are required for technical WG topics, and if so, which individuals will present.
- Other work group priorities such as permits, agency approvals, and the Development RI/AE.

Technical topics and presenters for the Jan. 27 RSG meeting:

- An MDEQ water quality program representative will present information on the NPDES program.
- Bob Wagner will present an update on the status of NPDES and other permits related to Bay Harbor.
- Rachel Smolinski will present an overview of the Odawa criteria and interests regarding the Site.
- Revised draft document covering Item # 1 and # 5 of the strawman for possible approval by the full RSG.

Action items

- Krissy Russell-Hedstrom will negotiate with Exponent to attempt to reach an acceptable rate.
- Krissy Russell-Hedstrom will provide the work group with the full qualifications packages submitted by Exponent, Shrieber Yonley and KCF Groundwater.

January 6, 2010 Bay Harbor RSG Technical Work Group Meeting

DRAFT Summary

- The work group will review this information and respond to Krissy by January 11th, regarding their views on the qualifications of Shreiber Yonley, Hyndman, and KCF as an alternative to Exponent should Exponent remain too expensive for use under TASC.
- The subgroup will revise numbers 1 and 5 on the strawman into a format suitable for presentation to the full RSG including background issues and items requested by COB Jan. 13, 2010 for circulation to the technical WG and consideration at the January 20th work group meeting.
- Work Group members will provide suggestions to Bob Walker regarding improvements to his draft diagram.