

07-21-10 Citizen Coordinating Council Meeting - DRAFT

Lake City Senior Center, 6:30 PM to 9:00 PM, Coeur d'Alene, Idaho

Attendees (who signed in and/or announced themselves)

Serena Carlson
Jeri DeLange
David Fortier
Denna Grangaard
Terry Harwood

Andy Mork
W.C. (Bill) Rust
Alicia Warren
Amy Wheelless
Vera Williams

Meeting Overview

The July 21, 2010 meeting of the Citizen Coordinating Council (CCC) of the Basin Environmental Improvement Project Commission (Basin Commission or BEIPC) covered the following topics:

- Basin Commission Updates
- Blood Lead Testing Meeting Debrief
- Communications Project Focus Team (PFT) and Recreation Education Subcommittee Update
- Repository Updates
- Open Discussion on Basin Cleanup/CCC Issues

CCC Vice-Chair Vera Williams chaired the meeting.

Open Discussion on Basin Cleanup

Serena Carlson introduced herself to those present. Previously, Serena worked in the timber industry and had attended Basin Cleanup events in that capacity. In the past few months, Serena has opened a consulting firm, and has been hired by HECLA Mining to staff their Wallace office. She will be attending Basin Cleanup events as a representative for HECLA over the coming months.

Alicia Warren said that she was attending the meeting on behalf of the Coeur d'Alene Press to cover the proceedings.

BEIPC Updates

Terry Harwood, BEIPC, provided Basin Commission-related updates to the CCC. He also provided some updates on behalf of EPA, who were not able to send any representatives to this CCC meeting.

Upper Basin Cleanup Plan

Terry distributed a handout that EPA developed on the Upper Basin Cleanup Plan (http://www.epa.gov/region10/pdf/sites/bunker_hill/upper_basin_pp_fs.pdf).

On August 4, EPA will be holding an open house and public meeting at the Shoshone Medical Center Health and Education Center in Smelterville, ID on the Upper Basin Cleanup Plan. The Open House will be a chance for the public to ask informal questions to EPA staff; it will be held from 5-6:30pm. The public meeting will be a chance for the public to submit formal oral

testimony that will be recorded. Citizens also have a chance to submit written comments on the Proposed Plan from July 12, 2010 to August 25, 2010. After reviewing and responding the comments on the Plan, EPA will issue its final cleanup decisions in a ROD amendment later in 2010. After the ROD amendment is issued, an implementation plan with adaptive management will be developed and remedial actions in the Upper Basin will be implemented. EPA will review the cleanup every five years.

The Proposed Plan builds on the remedies identified in the previous RODs issued for other portions of the Superfund site. The Plan will take a comprehensive approach to protecting human health and the environment in the Upper Basin. The Upper Basin ROD amendment will include additional contamination source areas such as mine sites, mill sites, and contaminated floodplain tailings that are not in the OU3 (Operable Unit 3: all areas of the Coeur d'Alene Basin outside the Bunker Hill Box where mining-related contamination is present) Interim ROD. It would also include changes in water treatment and actions to protect remedies from tributary flooding and heavy precipitation. Among other benefits, the ROD Amendment would provide a final remedy for human health protection for surface water, ecological protection for surface water, and human health and ecological protection for soil, sediments, and source materials in locations where remedial actions are taken. It would also reduce the contribution of contaminated groundwater to surface water and reduce metals levels in ground water. Terry mentioned that one of the goals of the Cleanup Plan is to protect human health by reducing metal concentrations in surface water to levels that are safe for drinking purposes. He noted that remedies would not make surface water safe for drinking from the stream from a bacteriological standpoint, but would reduce metal concentrations prior to water treatment for drinking purposes.

Serena Carlson, citizen and representative for HECLA mining, asked why so much of the Upper Basin cleanup was focused on zinc, which is not a human health issue. Andy Mork, Idaho DEQ, responded that the cleanup is mainly ecological and that zinc is a concern for fish. He mentioned that the cleanup will also focus on arsenic and lead, but zinc is the main contaminant in the Upper Basin.

Another goal of the Cleanup Plan is to reduce metal concentrations in surface water to below site-specific water quality standards. Serena asked why there should be standards if EPA's intent is to go below them. Dave Fortier, citizen, responded that the site-specific standards were exceptions to the Clean Water Act under CERCLA, and that EPA is attempting to get the system to a cleaner level to bring the value and river back to the national standards.

Terry discussed the number of sites that are included for cleanup in the Proposed Plan. He said that EPA had included sites that present the cleanup as the "worst case scenario" as it would be harder for EPA to bring in sites after the Plan is finalized. The cleanup right now looks bigger than it might end up being. Denna Grangaard, Idaho DEQ, said that the scale of the cleanup is a concern that she had heard from citizens.

Serena asked about the proposed action to remove water from Canyon Creek and move it to a treatment center in Kellogg. She questioned whether this action would dewater the creek, further damaging the fishery. Terry responded that EPA is going to develop a water budget to show what the effects of this action would be, but they have said that removing some of the contaminated ground water will not dewater the fishery. More information about the water

budget is expected for the August 4th open house. Dave said that the water treatment action plan would be the quickest way to decrease the amount of metals going through the system. Bill Rust, citizen, said he has suggested pulling all of the active mining water into the same pipe and also treating that, in order to get more value from the plant. Dave said that there are opportunities down the road for doing this, and that the adaptive management plan under the Proposed Plan would allow for this kind of change. Serena asked whether most of the contamination comes from the Central Impoundment Area (CIA). Dave said that the CIA is the major contributor in the Box and thus the Lower Basin, but not the Upper Basin.

The table on page 7 of the fact sheet summarizes cost of the Cleanup actions. Within the Box, there is \$39 million in work to do that will not be covered by the ASARCO Settlement. If EPA and Idaho could find these funds, it would accomplish a significant amount of water cleanup for a relatively small amount of money. Vera Williams, CCC Vice-Chair, noted that the overall issue of funding of actions, and the specific Box remediation issue, should be discussed at the next CCC meeting when an EPA representative will be in attendance. Serena noted that one of HECLA's concerns with the Cleanup is its overall cost.

Terry noted that, with this plan, EPA has established public input on prioritizing cleanup projects through the BEIPC structure. Vera Williams, CCC Vice-Chair, asked how a citizen would get involved and knowledgeable about the process to have an educated opinion. Terry said that the Technical Leadership Group (TLG) is made up of technical people to develop work plans and present to the Basin Commission for the Commissioners to vote on. The Project Focus Teams are under the TLG and are for specific topics. Anyone can be involved in these meetings. The PFTs present their work products to the TLG, which sends them up to the Basin Commission. Citizens can also participate by attending and commenting at Basin Commission meetings and attending CCC meetings. If they have questions or concerns, they can also contact Terry Harwood directly, as well as staff at EPA and Idaho DEQ. Finally, there is a wealth of information available from the Basin Commission, EPA, Idaho DEQ, and other agencies on the Cleanup. Bill noted that sometimes people can get frustrated because they sometimes want quick answers to complicated questions, but if they use one of these routes, they can refine their questions and their own knowledge.

For more information on the Upper Basin Cleanup, see EPA's website on the ROD amendment: <http://yosemite.epa.gov/R10/CLEANUP.NSF/sites/bh+rod+amendment>.

Flood Control Update

Terry provided an update on the flood control issues in the South Fork Coeur d'Alene River and Pine Creek. In 2008, FEMA developed flood plain maps of the Basin, which assume there are no levies in the Basin because they are not certified. These maps show the Basin being flooded in the event of a 100-year flood, and FEMA requires that all homeowners in the flood plain purchase flood insurance if they seek reimbursement for damage to their property or potentially home mortgage loans. However, there are levies in the Basin, but they are not certified. The BEIPC has been working with state and federal agencies, including FEMA, U.S. Army Corps of Engineers, and Idaho Department of Homeland Security to address this issue. Terry has also been working with Senator Crapo to send a project proposal to be authorized to revitalize the flood control system. Once the proposal has been authorized, it is eligible to have federal appropriations. One of the big issues with the levy work is that the local government will need to come up with 50% of the costs, though some of those costs can be in-kind services.

Blood Lead Testing Meeting Debrief

Denna Grangaard, Idaho DEQ, provided a summary of the Blood Lead Testing Participation Workshop that was held June 29. Community members were invited to the workshop to help generate ideas on how to increase blood lead testing participation. The workshop was sponsored by DEQ, EPA, and BEIPC. Representatives from the Panhandle Health District, Medicaid, Lands Council, and the Agency for Toxic Substances and Disease Registry (ATSDR) were also in attendance and gave overviews of their program. Following this introduction, participants discussed why they think that parents do not bring in their children for blood lead testing. None of the reasons given were particularly surprising. Often, parents do not see the point of bringing their child in, if they have already been in, or they do not want to go through the hassle. In addition, there is some perceived stigma of having a child with high blood lead levels. There was also a discussion of doctors having trouble with the additional paperwork to get reimbursed for the test for Medicaid patients; some of the agencies are working to develop training or guidance for these doctors. Terry Harwood, BEIPC, noted that giving doctors who take Medicaid patients lots of rules and paperwork can make them more likely to drop coverage for Medicaid patients. Bill Rust, citizen, and Vera Williams, CCC Vice-Chair, said that they had heard from some members of the public that they do not think that agencies really want to know the blood lead levels because it could impact their proposed plans for cleanup. Denna noted that the blood lead levels are not intended to justify cleanup actions. Terry followed up her comment, saying that the remediation program would continue regardless of blood lead levels, because the remediation is dependent on contamination levels in soil.

After discussing the perceived barriers, participants discussed ideas for bringing in more blood lead testing participants. Ideas were organized into four categories: messaging, advertising, incentives, and any other ideas. The notes are being compiled and will be distributed in the next few weeks to all those invited and attended and posted on various websites.

Bill said that providing incentives for bringing children in for testing has been shown to work and that the Panhandle Health District should spend their money on incentives rather than advertising the program. Denna noted that one idea from the workshop was increasing incentives, where a parent would get, for example, \$20 for the first year of testing, \$40 for the second year of testing, etc.

Communications Project Focus Team (PFT) and Recreation Education Subcommittee Updates

Jeri DeLange, Communications PFT Chair, provided an update on the activities of the Communications PFT and the Recreation Education Subcommittee.

Communications PFT

Jeri updated the CCC on the status of the survey that the Communications PFT has been working on to find out what the public would like to see regarding BEIPC/CCC related communication. She expressed appreciation to PFT member Cathy Cochrane of the WA Dept. of Ecology and staff member, Brooke Beeler, for their help in refining the questions for the survey. CCC members and the public will be asked about their interests related to the Basin Cleanup, and the best formats for CCC meetings and receiving information. After the PFT finalizes its draft of the

survey, Jeri will send it to the CCC Chair and Vice-Chair for review. The plan is to have the survey ready for the EPA Open House on August 4 and distribute it there at a CCC table. The survey would also be sent to current CCC members and others on the CCC mailing list.

The Communications PFT is also discussing holding a workshop or training session for the public on how to give effective public testimony. If this event is held, it would likely be in the fall of this year.

Recreation Education Subcommittee (RES) Update

The Chair of the Recreation Education Subcommittee (RES) is Tina Elayer, DEQ. The RES held a meeting on July 14 (following the Communications PFT meeting) at the Idaho Fish & Game office in Coeur d'Alene. The goal of the subcommittee is to strengthen communication and education about taking precautions and playing safe while visiting recreation areas where contamination may be a concern in the Basin.

For the North Idaho Fair, members of the Recreation Education Subcommittee, Communications PFT, and CCC will be working in a joint fair booth distributing information about the BEIPC, CCC and recreation education. There will also be a "wheel of fun" to spin for kids. The joint fair booth is being sponsored by the DEQ-CDA Lake Management Plan (LMP) and BEIPC. Denna Grangaard of DEQ-Kellogg is coordinating efforts for participation by the various parties involved: DEQ (Kellogg and CDA), BEIPC, CCC, CDA Tribe-LMP, and the Panhandle Stormwater Erosion Education Program (SEEP). SEEP is contributing by purchasing admission and parking passes for the volunteers. The fair is the last week of August from Wednesday to Sunday. Everyone is encouraged to visit the booth and look at the displays and the public education/outreach materials.

Repository Updates

Andy Mork, IDEQ, provided updates on the Osburn and Star Site Investigations, EMF Construction, EMF Groundwater Monitoring, and Big Creek North Side Expansion.

Osburn and Star Site Investigation Overview

Andy gave an update on the Osburn Ponds and Star Ponds Site Investigation. IDEQ has funding, partly from EPA Region 10, to characterize the sites for design purposes. As a part of that study, IDEQ will evaluate the sites on a number of fronts, including gathering information on cultural resources, threatened and endangered species, wetlands, geophysics, and visual impacts. In addition, IDEQ will also examine the flood and seismic characteristics of the sites. Following these analyses, design of the Osburn site will commence first, and the Star site design will begin after the Osburn site design is completed. A public comment period is planned when design is 30% complete (sometime in 2011).

Dave Fortier, citizen, provided the comment that locating the repositories at Osburn and Star Ponds was a poor choice for the Cleanup and that the prioritization scheme seemed to have been geared to make those the preferred sites. Andy responded that the siting criteria had been developed by citizens and weighted by elected officials, appointed representatives, and agency representatives in Repository PFT meetings.

Dave also said that, if these were the sites that IDEQ would be going forward with, then they should put together good reference studies of the site, or the state risks inheriting contamination that was left at those sites and there will be no way to separate out old contamination with new contamination. He noted that the Osburn site, in particular is situated over an old river bed, which is difficult from the standpoint of contaminant flow. Andy said that this issue was a concern for IDEQ as well, which is why they conducted background studies of the sites.

EMF Construction Update and Groundwater Monitoring Results

Andy showed a number of pictures from the East Mission Flats (EMF) site to give an update on construction activities. More construction is planned for the EMF repository this summer, including a sump on the west end, and a concrete pad for waste disposal on the east end.

Andy also presented the latest groundwater monitoring results at EMF. IDEQ is monitoring the site on a quarterly basis and will be posting the monitoring data on the EPA website. Monitoring at the site indicates that contaminated soils are not leaving the site and are not influencing the groundwater. IDEQ is aware that samples from a monitoring well approximately 1700 feet west of EMF had levels of arsenic exceeding drinking water standards, but this was present before EMF activities began. Monitoring also indicates that groundwater levels at EMF are influenced by the nearby river, as levels go up and down in coordination. Dave said that IDEQ needs more long-term data to really understand the results at the monitoring well that is showing arsenic results.

Dave asked whether IDEQ had planted trees on the toe of the site toward the interstate, both for flood control and aesthetic reasons. Andy noted that over 360 trees had been planted at the site. Dave also said that, in future repository building, IDEQ should pick a stone that blends in more with the landscape, rather than the bright white rock that the EMF site has.

Big Creek North Side Expansion Update

IDEQ is still evaluating the expansion of the Big Creek Repository. IDEQ owns the land under and around the repository, and would add waste soil to the north side of the existing repository. Expansion of the repository could allow the repository to store up to an additional 200,000 cubic yards of soil, which would expand the life of the site by two to four years. IDEQ will be conducting assessment at the site over the summer and preparing a design modification report to be ready in Fall 2010. Site preparation activities may begin as early as Spring 2011. IDEQ is not taking formal public comment on the expansion, but welcomes comments at CCC meetings, BEIPC meetings, and other forums.

Next BEIPC Meeting

The next BEIPC Board meeting will be held on August 18, 2010 at the Wallace Inn in Wallace, ID.

Adjourn

The CCC meeting was adjourned at 9:15 PM.

Presentation of Citizen Comments to the Basin Commission Board

July 21, 2010

Written Comments

No written comments were provided at the CCC meeting

Verbal Comments

Verbal comments provided at the July 21, 2010 CCC meeting are reflected in the CCC meeting summary and paraphrased below.

Comments	Commenter
<p>Why is so much of the Upper Basin cleanup was focused on zinc? That's not considered a human health issue.</p> <p><i>Andy Mork, Idaho DEQ, responded that zinc is a concern for fish. He mentioned that the cleanup will also focus on arsenic and lead, but zinc is the main contaminant in the Upper Basin.</i></p>	<p><i>Serena Carlson, citizen and representative for HECLA mining</i></p>
<p>Why are there standards for water quality if EPA intends to go beneath the site-specific standards as part of this plan?</p> <p><i>Another citizen responded that the site-specific standards were established as exceptions to the Clean Water Act and that EPA intends to bring these sites back to the national water quality standard.</i></p>	<p><i>Serena Carlson, citizen and representative for HECLA mining</i></p>
<p>You're going to be piping water out of the upper reaches in Canyon Creek and shuttling into the central treatment plant in Kellogg. Doesn't that de-water the river quite a bit? It seems funny to me that you're saving the fishery by de-watering it.</p> <p><i>Terry Harwood responded that EPA is going to develop a water budget to show what the effects of this action would be, but they have said that removing some of the contaminated groundwater will not dewater the fishery.</i></p>	<p><i>Serena Carlson, citizen and representative for HECLA mining</i></p>
<p>I think if you're going to do this plan of moving water from Canyon Creek to the central treatment plant, it would make more sense to put all the active mine water into the same pipe and treat it as well. NPDES compliance is costing more than it costs to run that treatment plant.</p>	<p><i>W.C. Rust, citizen</i></p>
<p>HECLA Mining is concerned about the costs of the Upper Basin Cleanup Plan.</p>	<p><i>Serena Carlson, citizen and representative for HECLA mining</i></p>

Comments**Commenter**

Where is EPA and Idaho going to get money to fund the groundwater cleanup in the Box?	<i>W.C. Rust, citizen</i>
We should discuss funding questions of the Cleanup at the next CCC meeting with an EPA representative.	<i>Vera Williams, CCC Vice-Chair</i>
If a citizen is interested in learning more about Basin cleanup, I would recommend approaching any PFT members, or sitting down with Terry Harwood or EPA staff to discuss the issues.	<i>David Fortier, citizen</i>
If you want children to be tested for blood lead, pay the parents. Spending money to run ads in the newspaper is costing more than giving incentives to parents.	<i>W.C. Rust, citizen</i>
Quite a few people think that the agencies do not want to know what the blood levels are and so do not want people to get tested. <i>Denna Grangaard, Idaho DEQ, said that the blood lead testing program is not used to justify any cleanup actions but to ensure safety and health.</i>	<i>W.C. Rust, citizen</i>
You need more data and more longer-term data to really understand the East Mission Flats groundwater monitoring results from a contamination point of view.	<i>David Fortier, citizen</i>
Using the Star and Osburn sites for repositories were poor choices. The prioritizing scheme that was used was set up to make those sites the preferred ones from the beginning. However, if you are going to continue with these sites, develop good reference studies or the state is inheriting the high risk of contamination that is leaving from those sites. There is no way to separate out old contamination from the new contamination that you will put it. One of my concerns with the Osburn site is that it is right over top of the old river bed. <i>Andy Mork, Idaho DEQ, responded that the old versus new contamination issue is a concern for DEQ, and so they have developed background studies. For the siting criteria, Andy noted that the criteria were developed by the citizens and weighted by elected officials, appointees, and agency representative during Repository PFT meetings.</i>	<i>David Fortier, citizen</i>
Are you planning to plant trees along the toe toward the interstate on the EMF site? This would be helpful from a flood protection standpoint and as a visual barrier. <i>Andy Mork, Idaho DEQ, responded that more than 360 trees have been planted near the location indicated.</i>	<i>David Fortier, citizen</i>
The white rock chosen for the EMF site just lights the area up. I would recommend that future sites not include that color rock so that they blend in more with the landscape.	<i>David Fortier, citizen</i>