

01-16-14 Citizen Coordinating Council Meeting

Wallace Inn – Wallace, ID

Attendees (who signed in and/or announced themselves)

Bill Adams

Matt Beehner

Jerry Boyd

Wayne Brown

Jack Domit

Rene Gilbert

Denna Grangaard

Terry Harwood

Morgan Hoenig

Cathy Mayer

Ed Moreen

Sandy Podsaid

William “Bill” Rust

Rusty Sheppard

Meeting Overview

The January 16, 2014 meeting of the Citizen Coordinating Council (CCC) of the Basin Environmental Improvement Project Commission (Basin Commission or BEIPC) covered the following topics:

- Open Discussion on Basin Cleanup/CCC Issues
- Basin Commission Updates
- EPA Updates on Lower Basin Activities
- EPA and IDEQ Updates on Basin Outreach Activities

CCC Chair Jerry Boyd chaired the meeting. Brief introductions were provided by meeting participants.

Open Discussion on Basin Cleanup/CCC Issues

Jerry Boyd asked participants to bring up any issues or topics to discuss.

Rusty Sheppard, CCC member, commented that the Idaho Department of Environmental Quality (IDEQ) is testing metal concentrations in the Spokane River, but that this also may be within the Environmental Protection Agency’s (EPA’s) jurisdiction because it is part of a Superfund site. Rusty asked if IDEQ would be doing the cleanup after testing results come back, or if EPA would be doing it.

- William (Bill) Rust, CCC member, commented that IDEQ is going to do a total maximum daily load study (TMDL) on the Spokane River in parallel with Clean Water Act (CWA) work being undertaken by EPA. He asked if it makes sense to start the monitoring now, when the Central Treatment Plant (CTP) is not yet online.

NOTE: This comment refers to the treatment of additional groundwater from OU2, which is expected to reduce metal loading to the South Fork of the Coeur d’Alene River.

- Bill Adams, EPA, responded that a baseline for water quality and contaminant levels is being established by the Water Program as a result of these efforts, which will influence future cleanup projects and discharge limits.
- Jerry Boyd, CCC Chair, asked if it would be helpful for citizens if the Spokane River monitoring issues were to be covered at a future CCC meeting. Jerry and the meeting participants agreed that for the purposes of the CCC, the Spokane River monitoring and the relationship between EPA and IDEQ in this effort should be a topic for the next meeting.

Matt Beehner, citizen, commented that he has received a notice that he will be fined \$25,000/day and be required to pay for the cleanup of his property out of pocket if he does not allow cleanup on his property to take place. Mr. Beehner has spoken briefly with Bill Adams about the issue, but is unsatisfied with the response he received. Mr. Beehner commented that the sampling was done incorrectly, with only eight holes completed on his property. Mr. Beehner's property is located in Woodland Park.

- Terry Harwood, BEIPC Executive Director, requested that Mr. Beehner come to his office so that they could review the notice and any other materials that Mr. Beehner has received. Mr. Harwood's office is located next to the Kellogg City Hall.
- Bill Adams responded to Mr. Beehner that his understanding was that representatives of Idaho DEQ implementing the Basin Property Remediation Program had worked closely with Mr. Beehner to address his concerns.

NOTE: Following the meeting, this issue was resolved with Mr. Beehner, Terry Harwood, and EPA.

Wayne Brown, CCC member, asked if EPA is doing any monitoring of the Yellowstone Pipeline work being conducted by ConocoPhillips, and asked about the nature of the work being conducted.

- Terry Harwood responded that there is a separate federal agency that oversees issues related to the management of pipelines.
- Ed Moreen, EPA, responded that the work includes the removal of abandoned crossings on the North Fork, and that EPA does not have any regulatory authority in this case.
- Sandy Podsaid, Shoshone County Resource Coordinator and citizen, commented that John Thomas, Shoshone County Public Works Director, has been active in working on the pipeline issues, and he would be a good person to contact with questions. The work will also include the replacement of river culverts.

Wayne Brown also commented that page six of the December Basin Bulletin mentioned five remedy protection projects completed in 2013. Mr. Brown said that the Bulletin stated that work occurred in Mullan on Lower Dewey and Dewey Streets, but that this did not seem consistent with his in-person observations of the work – he believed the work took place on Faye Street. Mr. Brown owns property on a strip of land below Upper Dewey.

- Terry Harwood responded that work happened in the locations reported by the Bulletin. Mr. Harwood said that he has maps available in his office that show where the work took place. Some confusion about location may be due the question if street names are consistent with maps of the area.
- Denna Grangaard, IDEQ, responded that his concern is likely in regards to a Paved Roads project, and that the City of Mullan would be the eventual point of contact.
- Rene Gilbert, EPA, responded that the work on Lower Dewey was a remedy protection project, which also covered Upper Dewey and Dewey. Ms. Gilbert also has maps available that depict where the work took place.

Basin Commission Updates

Terry Harwood, BEIPC Executive Director, described the Basin Commission and provided the following updates related to the Basin Commission work in the Basin.

General Updates

Jeri DeLange, staff assistant for the Basin Commission, resigned recently to take a job closer to home. Mr. Harwood has hired Glory Carlile as Jeri's replacement.

Basin Road Surface Remediation Program

Terry is continuing to work with, EPA, IDEQ, local communities, Shoshone County, and the East Side Highway District on the road surface remediation program to address road contamination issues that may affect human health in the unpaved Basin.

Unpaved Roads: A pilot project was completed in 2012 to develop the approach for all unpaved public roads in the Basin. At this point unpaved road segments inside the Box that required remediation are complete. In the Basin nearly all the unpaved road segments identified will be completed by the end of the 2014 construction season, and the final two projects are in the contracting phase now.

Paved Roads: Paved roads are being addressed by individual road jurisdictions, such as counties and road districts, using a funding process set up for each jurisdiction using settlement funds from the ASARCO and Hecla settlement. Terry, EPA, and IDEQ worked with local jurisdictions to develop an inventory of contaminated paved roads, determine the life expectancy of the pavement, and to develop a strategy for addressing these projects. In the event that the jurisdictions secure contracts to complete the work for less than the amount of funding that was allocated, the remaining funding will not stay with the jurisdictions – they are used as carryover for funding in the next year. Once these projects are completed they will become the responsibility of the local jurisdiction.

Remedy Protection Projects: There are a number of projects identified in local communities to improve drainage issues to prevent prior remediation work from being washed away during flood/high flow events. These projects include both urban drainage issues within communities like Wallace, Mullan, and Kellogg, Pinehurst, Osburn, Silverton, and side drainage issues outside the urban areas. In the Box, these projects will be managed by Terry. In the Basin, the projects will be managed by the CDA Work Trust.

Following Mr. Harwood's updates, participants were asked to make comments or ask questions.

Sandy Podsaid, Shoshone County Resource Coordinator and citizen, asked if there is a place where a summary of Basin success stories exists. He believes that this information would be useful in his work related to the Superfund site.

- Terry Harwood responded that the BEIPC produces an accomplishments report annually, which is available on the website.
- Mr. Podsaid commented that the accomplishments report is not well promoted.
- Rene Gilbert, EPA, responded that there has been a significant amount of work done over the past year to coordinate with the press and promote the report.

EPA Updates

Bill Adams and Ed Moreen, EPA, provided updates on EPA's work in the Basin.

Property Remediation, Roads, and Remedy Protection Projects

Property remediation projects in 2014 will be scaled back from the number that was completed in 2013 as EPA looks at new locations and capacity for completing the work. EPA needs a better sense of scope and duration before proceeding. Additional outreach will be conducted to encourage property owners to sign up for remediation projects on their land. Refusals are going down, but there are still a number of them. The Upper Basin is running at about 95-96% compliance, and the Lower Basin is closer to 70-80% compliance.

There is a waste consolidation area being constructed in East Fork Ninemile Canyon, which will receive all of the Ninemile waste. The Interstate Callahan site will be the first area to have its waste taken to this

consolidation site. The CDA Work Trust will be responsible for the maintenance and monitoring of the waste consolidation site. Additional projects completed and underway in the East Fork Ninemile include: additional evaluation of the Tamarack site, infrastructure work, roadwork, pre-design and design work at the Success site, potential lining of the creek at the Rex site, and developing a conceptual strategy for the remainder of the Ninemile riparian area.

Repository Updates and Basin Work Planned for 2014

Ongoing repository management work is occurring at the Big Creek Repository, including the potential addition of a new area, which would be called the Annex. There would be no comment period for this proposal because it is considered an expansion of the existing site, not a new site. The design phase at the Lower Burke Canyon Repository is underway, with the intent for construction to begin in 2014 so that Institutional Controls Program (ICP) waste can be received there.

Remediation projects in the community areas are of the highest priority to finish. There is an implementation plan – the Superfund Cleanup Implementation Plan – that outlines all of the different pieces of work that are to be completed in 2014. The comment period for this plan ends on January 17th.

Additional status updates on work include:

- Box Remedy Protection work in 2014
 - Portland Road roadside drainage project in Kellogg - 30% & final designs and full construction
 - Little Pine Creek channelization project in Pinehurst - 60% and final designs and full construction
- CDA Trust Remedy Protection work in 2014
 - Shields Gulch channelization project in Osburn – complete construction (approximately 80% remains to be completed)
 - Meyer Creek new subsurface bypass pipe in Osburn – final design and full construction
 - Revenue Gulch channel culvert upgrades and new roadway storm water collection systems in Silverton – 60%, 90% and final designs
 - Mill Road new storm water collection system in Mullan – 60%, 90% and final designs
 - Pre-design work on Tiger Creek, Mill Creek, Second Ave, Printers Gulch and Copper Street projects in Mullan and Wallace

Wayne Brown asked if the work on Mill Street in Mullan would be completed in 2014. Terry Harwood responded that it will not.

Terry Harwood noted that roughly 41,000 feet of paved roads were completed this year.

Jerry Boyd, CCC Chair, asked if the implementation plan was released. Rene Gilbert responded that it was distributed by Andrea Lindsey and mentioned in the Basin Bulletin. It is also available on the Region 10 website.

- Rusty Sheppard commented that it would be useful for the Basin Commission website to be updated with this information as well.

Status of the Lower Basin Pilot Projects

Project proposals were solicited from the public in early 2013 and 46 pilot project proposals were submitted from about 24 different entities ranging from citizens, consultants, and other agencies. EPA has selected two projects to focus on at this time, a combined riverbank and beach remediation and a water level management project using hydraulic controls. The combined riverbank and beach remediation project will show how to

best keep a site clean that is used for recreation. It is set to begin at the end of camping season in 2014 at the Kahnderosa campground. The objectives of the project are:

- To reduce potential exposure to people from contaminated material in banks and beaches where recreational use is common.
- Isolate contaminated material beneath clean and stable soil.
- Support recreational use and ecological habitat requirements.
- Measure recontamination occurrences.
- Measure and document bank stability during the project.

The water level management project will investigate if it is possible to prevent migratory waterfowl from ingesting contaminated sediment by raising water levels in areas where birds land. This project will require a lot of monitoring to see where birds typically travel and if they are able to adapt to finding food sources in non-contaminated areas when the water levels are raised. This project will likely not occur in 2014 due to the monitoring requirements. The location has yet to be determined. The objectives are:

- Use clean tributary flows to maintain higher water levels.
- Deter waterfowl use of contaminated areas during migration season.
- Reduce contamination deposition during high flows.
- Monitor waterfowl usage and feeding patterns, water levels, sediment deposition rates and related factors.

Treatment Plant Design Status

EPA will be adding a groundwater collection system to the Bunker Hill site. CH2M Hill is a contractor for this effort and is in the process of responding to comments made on their initial design. The design is also undergoing a value engineering study, which could result in design improvements and cost savings. The design is expected to be completed in roughly one year, and will then proceed to construction. The Army Corps of Engineers will be responsible for securing and overseeing a construction contract for the work.

Jerry Boyd asked if there are estimated costs available for the construction of this project. Ed Moreen, EPA, responded that cost information will not be shared at this time because the project has not yet been released for a competitive bid, and this would affect the bidding process.

Initial Findings from the 2013 Lower Basin River Sampling Project

Successful river-bottom coring was completed in 2012, but this is a slow and expensive process. In 2013, EPA tried three new geophysical techniques for mapping the full extent of the contaminated sediment layers in the riverbed – electronic resistance, magnetic resistance, and sonar – but none of them proved effective when compared to coring results. More than 300 shallow cores were taken in 2013, showing contamination levels of lead ranging from 32ppm to 60,000ppm. EPA is analyzing the data and will present the results at a future BEIPC/CCC meeting. EPA will also be generating a map of the findings. The riverbed contributes roughly 80% of lead loads from the river to Lake Coeur d’Alene, which is why so much time is being spent studying the riverbed.

Rusty Sheppard, CCC member, asked if EPA is testing water temperatures as well. Ed Moreen, EPA, responded that temperatures are not being taken as a part of this project.

Jerry Boyd, CCC Chair, asked if stability of the riverbank is part of the study. Ed Moreen responded that yes, EPA has looked at this and found that the banks contribute approximately 5-10% of the lead in the river, and that approximately 2-3cm/year of banks are lost on the Coeur d’Alene river.

Basin Outreach Update

Rene Gilbert, EPA, and Denna Grangaard, IDEQ, provided a review of outreach activities from 2013 and activities planned in 2014.

EPA Outreach Activities

2013 outreach activities conducted by EPA included:

- Announced funding approval for the Superfund Job Training Initiative Program – program graduates are now working at repositories, flagging, assisting in the Blood Lead Data Program, assisting the House Dust Sampling program, and more
- Attended City Council, Chamber of Commerce, and other community meetings
- Partnered with IDEQ on the Healthy Living Brochure – gathering feedback and distributing the brochure, which is now the most accessed document on the EPA Region 10 website
- Held informational meetings for community members
- Solicited pilot project proposals
- Launched a Facebook page to inform and engage the public
- Produced three issues of the Basin Bulletin
- Held quarterly press sessions
- Produced newspaper display ads and press releases on high interest activities
- Created fact sheets
- Conducted door-to-door and community outreach campaigns

2014 outreach activities by EPA are expected to include:

- Continue to work with the CDA Work Trust and IDEQ
- Engage local jurisdictions in remedy protection projects
- Enhance local communications by providing better access to EPA

Jerry Boyd asked where Rene Gilbert's office is. Ms. Gilbert responded that her office is in Kellogg, and that she can also be reached through the IDEQ office.

IDEQ Outreach Activities

2013 outreach activities conducted by IDEQ included:

- Sought information from community members and groups about what they wanted to see included in the Healthy Living Brochure – focused on highlighting the positive aspects of the project
- Created and promoted multimedia recreation educational materials, including the Riley Raccoon Activity Book, which was also vetted through many civic groups – more information can be found at www.deq.idaho.gov/playclean
- Managed work on the Hercules Mill Historic Interpretive Sign, which the public had asked to have remain a historical sign
- Worked with the Kellogg Panhandle Health District to do school presentations on lead for preschool to third grade students
- Participated in the North Idaho Fair to provide information on Basin cleanup activities
- Conducted door-to-door outreach for the Woodland Park Unpaved Road project and the Smeltonville Remedy Protection Project
- Supported production of the EPA Basin Bulletin
- Released Superfund Straight Talk, generally monthly, which is available on IDEQ's website, and in the Shoshone, St. Maries, and Coeur d'Alene newspapers

2014 outreach activities by IDEQ will continue to build on 2013 activities. IDEQ also plans to get more science-focused education programs into schools relating to Basin issues, including hands-on examples to help children see how the projects relate to human health.

Cathy Mayer, citizen, asked what grade level this education would target. Denna Grangaard, IDEQ, responded that it would focus on middle school and lower.

Jack Domit, citizen, asked if students have been receptive to educational outreach so far. Ms. Grangaard responded that yes, they have been receptive, and that they tend to respond the best to real-life examples. These examples also help children see the career options related to local issues that might be available to them in the future.

- Terry Harwood commented that getting kids in the Basin more interested in science is a high priority.

Additional Open Discussion on Basin Cleanup/CCC Issues

As a follow-up to the community outreach updates, Jerry Boyd asked for feedback on what people are hearing in the community about the Basin Commission and the CCC, and if they have any ideas for how the CCC meetings could be promoted or topics for the future. Any other comments about the Basin Commission and CCC were also welcomed at this time.

Sandy Podsaid suggested that putting website and contact information on the front of all reports and flyers would help increase traffic to the website and help people more easily find information. He also observed that having new elected officials in office every year creates a steep learning curve for dealing with Basin issues.

Cathy Mayer observed that she has lived in the Basin since 2006 and believes that the attitudes of community members are generally more positive towards the Basin Commission and the CCC than they were when she moved in 2006. Ms. Mayer believes that this improvement is largely due to having information made more widely available. Ms. Mayer also commented that she believes middle school is an important age to target for educational outreach.

Wayne Brown commented that the City of Mullan has a new mayor and a new city council – the clerk who he spoke with at the mayor's office had never even heard of the Basin Bulletin. Mr. Brown asked if the City could stockpile supplies of approved materials and distribute them to the local jurisdictions for fixing roads.

- Terry Harwood responded that the roadwork is funded through the Paved Road Program, while the operations and maintenance are the responsibility of the local jurisdiction.

Rusty Sheppard observed that in his community, it seems split down the middle in terms of feelings toward the Basin Commission and the CCC. The people who don't agree with the county ordinances would like to see the Basin Commission do the work of the counties. Mr. Sheppard suggested that it should be made clearer to the public what the responsibilities of the Commission are versus the responsibilities of the county so that the public does not expect the Commission to do county work.

Wayne Brown asked if the bike trail is part of the road agreement.

- Terry Harwood responded that the bike trail was part of a settlement with the railroad company, and it includes a maintenance program.

Jerry Boyd noted that he has heard comments from lakeshore owners about the ICP not applying to lakeshore property. The testing is not available to the shoreline owners, and if contamination is found, the repositories

are not available for taking contaminated soil. Shoreline owners have to pay for the testing, digging, and hauling all out of pocket, and digging is not even allowed within 25 feet of the lake.

NOTE: The ICP Administrative Boundary stops at the Coeur d'Alene River and Harrison, as requested by the Kootenai County Officials some years ago.

Bill Rust, CCC member, commented that he has received Technical Leadership Group (TLG) emails about Basin planning meetings. Because the TLG and CCC are separate entities, Mr. Rust believes that their agendas and emails should be sent separately to help avoid confusion among community members.

Announcements

The CCC is looking for a new vice chair. The person who fills this position will help with agenda development and cover meetings if the chair is not available.

Adjourn

The CCC meeting was adjourned at 8:45.