From: Gervais, Gregory
To: McDonnell, Kimberlee
Subject: FW: Your 9/16 email after the site visit, and ANL"s revised proposal
Date: Tuesday, October 28, 2014 1:44:55 PM

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In addition, as we discussed and documented in the Work Order in Salt Lake City, the scope of this project entails identification and evaluation of ETT for phosphorous material in the soil at the FMC OU that may include material in the groundwater table/saturated zone. The team is not precluded from reviewing information that may be relevant to their task; this may include reviewing groundwater contamination information as they find it relevant to their ETT evaluation. We can discuss this further when we talk about the need and details for a conference call with the Review Team. I believe EPA HQ staff is available after 1p ET on Thursday, 10/16. Please let me know if your team is available. If that date does not work for the Tribes, please let me know your availability to talk the week of October 17th.

Best,

Greg

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Kelly,

It would be timely if you can provide comments on today's attachments by the end of your day next Tuesday, 10/7. If you will need more time, please let me know.

As to your other statement, EPA HQ coordinated and collaborated with the Tribes to prepare the Work Order that is the basis for the Independent Review. EPA HQ assigned the Work Order to Argonne National Laboratory and is working only with the Tribes to ensure ANL's technical proposal is responsive to the Work Order. Beyond EPA HQ's monitoring of invoices to fill our financial responsibilities, no party is directing ANL other than by what the Tribes and EPA HQ agreed to put in the Work Order. Region 10 is not directing the review. ANL via the Work Order has specific instruction to document and notify EPA HQ and the Tribes if any party contacts them to provide additional information or opinions, as part of the transparency and independence language EPA HQ and the Tribes worked out in Salt Lake City.

Let me know if we should discuss this further.

Many thanks,

Greg

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I wanted to respond to your 9/16/14 email regarding the site visit for the independent study. I appreciate you taking the time to share your concerns and observations from the event. After speaking with Linda Fiedler of my staff, who also participated, it is apparent that haste in scheduling the site visit may have contributed to several situations observed. It is EPA HQ's desire for ANL's independent review to meet EPA's senior leadership commitment to the Tribes' leadership.

Moving forward, to enhance communications and clearly identify expectations, I propose that EPA HQ work with your team and you to prepare agendas ahead of any meetings and conversations. Additional materials may be prepared and distributed in advance, and facilitation services may be acquired, to ensure all participants agree with the planned course of events and that expectations are clear.

To further our communication and coordination in the future, it is important that the Tribes identify any concerns or questions during conversations and meetings. It is EPA HQ's goal to ensure that this effort and ANL's deliverables are of high quality and useful to the Tribes and EPA. If your issues and concerns are identified as early as possible, together EPA and the Tribes can address them effectively and efficiently when they arise. If your current concerns reduce the Tribes' confidence in this effort, we should have a discussion and develop a mutually acceptable path forward right away. Please let me know whether you are available to further discuss these issues.

Additionally, thank you for identifying in your email supplemental information to be provided to ANL's team. We will add those references to the Work Order.

Finally, ANL has revised its technical proposal based on receipt of EPA's and the Tribes' comments dated 9/10/14. I have attached it to this email for your review, so you can ensure ANL has adequately addressed your comments. EPA will review ANL's revision concurrent with you. Please let us know by 10/7 whether the revised proposal is acceptable to you or if you have any remaining comments/issues, as EPA still needs to issue a final notice to proceed to ANL. Note that Mike Adam removed ANL's attachments that included specific 'lack of' conflict of interest forms and the cost proposal. I included ANL's conflict of interest policy for your information.

Best,

Greg

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Greg Gervais, P.E.
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From: Adam, Michael
Sent: Wednesday, October 01, 2014 2:54 PM
To: Gervais, Gregory
Subject: FW: Draft Final Argonne Proposal & Argonne COI Policy/Process

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Michael Adam, U.S. EPA
Environmental Scientist; Cleanup Technology Advocate
Office: 703-603-9915
Mobile/SMS: 703-399-4268
Web: http://www.cluin.org

If you believe you have received this email in error, please contact me ASAP.

From: Martino, Louis E. [mailto:martinol@anl.gov]
Sent: Monday, September 29, 2014 1:47 PM
To: Adam, Michael
Subject: here are four files

Michael,

Please find a draft final version of our response to the request for a review of ETT technologies dated 7/1/2014. Also please find the cost estimate for the draft final version of the response. I also provided an example of the forms we complete for documenting the lack of conflict of interest and the actual policy regarding COI from ANL.

Louis Martino
Environmental Science Division
http://www.evs.anl.gov/
Argonne National Laboratory
Suite 6000, 955 L'Enfant Plaza SW
Washington DC 20024
202-488-2422
-----Original Message-----
From: Kelly Wright [mailto:kwright@sbtribes.com]
Sent: Tuesday, September 16, 2014 7:14 PM
To: Gervais, Gregory; Williams, Jonathan; martinol.anl.gov; Adam, Michael
Cc: Dave Reisman (dreisman@cinci.rr.com); Fiedler, Linda; Fonseca, Silvina; Jill Grant (jgrant@jillgrantlaw.com); susanh@ida.net; Jerden, James L., Jr.; Quinn, John; Kimmell, Todd A.; Zavala, Bernie; Vilpas, Sirkku
Subject: RE: EMF FMC OU Independent Expert Review of ETTs -- Site Tour Info (Updated w/ANL's Input)

Observations on the meeting today. It was helpful to meet members of the Argonne Team. Very disappointed in EPA regional staff and representative from Headquarters. Questions pertaining to the Independent Study Scope of Work could not be answered with any level of confidence- appeared the study was disorganized. Arguing with members of ANL in front of FMC whether groundwater can be looked at was not appropriate.

Meeting was a forum for FMC to provide their skewed version of things. This may have started out as a fact finding mission but opinions rather than facts were presented. FMC misspoke many times. Representatives for the Tribes corrected but this clearly was not the right forum. Tribes had a room reserved to go over additional questions and answers, in adequate space so at least everyone could have a seat and representative from EPA prohibited this from happening did not want members of ANL coming to Fort Hall.

We identified some specific documents UAO- RCRA data from the UAO's, the original PSCS for EMF and Pond 8s Recovery Process document (April 1, 1993) that should be made available to the team.

We will discuss further with you.

Kelly

-----Original Message-----
From: Gervais, Gregory [mailto:Gervais.Gregory@epa.gov]
Sent: Monday, September 15, 2014 7:29 AM
To: Williams, Jonathan; martinol.anl.gov; Adam, Michael
Cc: Dave Reisman (dreisman@cinci.rr.com); Fiedler, Linda; Fonseca, Silvina; Jill Grant (jgrant@jillgrantlaw.com); Kelly Wright; susanh@ida.net; Jerden, James L., Jr.; Jim Cunnane; Ira May; Quinn, John; Kimmell, Todd A.; Zavala, Bernie; Sheldrake, Beth; Vilpas, Sirkku
Subject: EMF FMC OU Independent Expert Review of ETTs -- Site Tour Info (Updated w/ANL's Input)

All,

Thanks for your patience as we work with ANL's independent expert team, the Tribes, EPA Region 10 and FMC to facilitate a good site tour for the Independent Team. Lou Martino of ANL provided their info on what his team wants to see, discuss and accomplish on the site tour and any follow on Q&A. Please take a look (pasted below the itinerary) as it will likely enable some forward planning, even if at the last minute. For example, it looks like ANL expects there will be a need for a Q&A session after lunch. I'd encourage a discussion among Lou, Linda Fiedler, one or more of the Tribes' reps and Jonathan Williams this afternoon/evening regarding who ANL would like to participate in the Q&A session (most likely this will focus on whether FMC would participate, and if yes who among the names Jonathan provided should participate).

Finally, as I've never been to Pocatello and the site I don't know whether the 'main gate' location is easily found but Jonathan did not provide a street address or driving instructions.
-->It would be helpful for Linda and Lou to get that kind of specific location info for where to go for the 8a MT start for the site tour.
-->Additionally, the Tribes are providing a meeting location for the afternoon Q&A session so they need to provide that location info/directions too.

Best,

Greg
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The general 9/16 Site Visit itinerary will be as follows:

8:00a - Convene for FMC safety briefing; location likely to be a FMC job site trailer; exact address/directions To Be Confirmed by Jonathan Williams and conveyed to all participants by EPA HQ via email
--> ANL the Tribes' participants are asked to provide their own safety equipment:
steel toe shoes/boots
hard hat
safety glasses w/ side shields
gloves
high-visibility safety vest

8:30a (or when safety briefing ends) - Tour of FMC OU and any other accessible locations at the EMF Site as requested by ANL's team. ANL will have Q&A with tour participants as they choose
-->see details from Lou Martino below

1:00p - Tour ends; break for lunch

2:30p - Regroup at meeting room location at Fort Hall, ID provided by Tribes for follow-up Q&A if requested by ANL's team

5:00p (or when ANL's team indicates it requires no further tour or discussion) - Conclude site visit activity
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From Lou Martino, ANL:

Site Visit to the Former FMC Plant, Pocatello, Idaho on September 16, 2014.
Anticipated attendees: representatives of the Argonne Independent Review Team, the Shoshone-Bannock Tribes, EPA, and FMC.
Purpose of the Site Visit: Site overview, site tour, and discussion with stakeholders.

- We would like a site tour from a process operations standpoint. We feel that will help us conceptualize what occurred at the site. We recognize that some of the main site features are now gone, but we would like to see the general location of where process operations occurred and associated waste generation practices. For example, we would like to see the following processes or where the process occurred (if vestiges of the processes are gone):
  Shale receiving via rail cars, the shale stacker-reclaimer and where shale was screened and crushed

Briquetting
Calciner and calciner scrubber blowdown and where residuals were then handled (solar drying unit, lined ponds, “Old Ponds”)
Proportioning or where calcined shale nodules, coke and silica were prepared for the furnace feed
The CO flare pit, CO pipelines from the furnace to the calciner
The electric furnace and furnace operations
Where ferrophos product was loaded
Where furnace slag pit is located and where slag piles are now located
Routing of scrubber blow down from the electric furnace/precipitator to lined ponds and “Old Ponds”
Routing of the precipitator slurry to lined ponds or landfill
Primary and secondary condenser CO pipelines (as noted above) the CO flare
P4 pumps and tanks
Routing of the residuals/split of the P4 tanks to phos dock vs rail cars
Waste routing from the phos dock to lined and unlined ponds

- As we tour the site, or after the process-related tour, we would benefit from a discussion and tour of the remediation units (RU). We are interested in:
  waste types and contaminated construction debris/structures and soil present in the RUs and/or unique to an RU,
  waste handling systems present and/or unique to an RU for example: pits, ponds, lagoons, sumps, pipelines, landfills, piles, storage areas, treatment technologies (for water, air, P4 decon fluids).
  RUs where elemental phosphorus is likely to be present
  RUs where elemental phosphorus is not present
  RUs where waste or product were reclaimed and reused like RU 13 where P4 was recovered from pond sediments and RU 20 where residuals were reused by BAPCO and where P4 decontamination occurred like RU 3
- We would also benefit from a discussion and tour of monitoring systems (for all environmental media as relevant: fugitive dust emissions, surface water overland flow and releases, and groundwater, for example) and in-place remedies.

Thank you: Louis Martino, John Quinn and James Jerden.

END

From: Williams, Jonathan
Sent: Friday, September 12, 2014 17:33
To: Gervais, Gregory; martinol.anl.gov; Adam, Michael
Cc: Dave Reisman (dreisman@cinci.rr.com); Fiedler, Linda; Fonseca, Silvina; Jill Grant (jgrant@jillgrantlaw.com); Kelly Wright (kwright@sbtribes.com); susanh@ida.net; Jerden, James L., Jr.; Jim Cunnane; Ira May; Quinn, John; Kimmell, Todd A.; Zavala, Bernie; Sheldrake, Beth; Vilpas, Sirkku
Subject: RE: FMC RTT RE: Combined response RE: Response to the work order of 7/1/2014

Thanks for providing this information. I have confirmed that FMC will be ready to provide site safety training for those touring the FMC operable unit at 8 am MDT next Tuesday, Sept. 16. Meet at the main gate office. The training will either be conducted there or at the nearby onsite training center building. I would guess, based on my experience, that the site tour itself will not take more than a few hours.

FMC intends to have four people who are knowledgeable about the site lead the tour in the morning, and join us to help answer any questions the ANL team might have that afternoon. The FMC group will be Barbara Ritchie of FMC along with consultants Rob Hartman, Paul Yochum, and Mark Smith. The consultants are former FMC employees at the Pocatello plant.

See you next Tuesday.

Jonathan Williams, LHG
Remedial Project Manager
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Seattle, WA 98101

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END