From: Gervais, Gregory
To: Jill Grant; Kelly Wright; susanh@ida.net; dreisman@cinci.rr.com Reisman; Virginia Monsisco (vmonsisco@sbtribes.com)
Cc: Fonseca, Silvina; Fiedler, Linda; Adam, Michael; McDonnell, Kimberlee
Subject: RE: FMC Independent Expert Review | Follow Up with Tribes on Several Items
Date: Monday, December 22, 2014 11:51:55 AM

Jill/All,

Thanks for working with Kelly to get the response below. We are doing the following:

1. We will let ANL know that the information I have listed under item 1 below is the information the Tribes wanted added to the list of references for ANL.
    a. As an aside, in order to complete the process of EPA and the Tribes providing references and information to ANL so they do not have an open-ended in flow of information, EPA HQ proposes that the Tribes and EPA HQ agree to 'cut off' our identifying/sending references and information to ANL one week after we hold the conference call with ANL for the Tribes to present their perspectives on the FMC OU.
    b. ** I ask that Kelly and the team let us know if this is reasonable or if we need to discuss this issue.
2. Mike Adam has reached out to Lou Martino of ANL and asked that Lou poll his team and identify dates and times between January 22 and the second week of February 2015 where they would be available for an up to 3 hour conference call/web meeting. Given time zone differences, ANL will focus on times that are in the afternoon Eastern Time to ensure availability of those in western time zones. I will send ANL available dates/times to you once we receive them.
    a. It also appears that Lou will have a suitable meeting space available at Department of Energy HQ in DC at L'Enfant Plaza. As Jill and I discussed yesterday, Jill would be able to participate in-person with Lou and some of us EPA HQ participants. Others would be able to call in and possibly also login to our Adobe Connect web meeting service. We will work with the Tribes and ANL on meeting logistics once we all agree on a day/time.
    b. ** I ask that Kelly and the team agree to provide the Tribes' presentation materials (PowerPoint slides?) to EPA HQ and ANL no later than one week prior to the scheduled conference call. This will allow time for participants to ensure they have the materials and can print them or otherwise have the available during the meeting.
3. Thank you for the written comments. Similar to your comments on ANL's proposal, EPA will review your comments and as you for any clarifications prior to our sending them to ANL. We will also prepare our comments and send them to you. If EPA HQ and the Tribes have any conflicting comments, we may need to convene a conference call to develop a mutual agreement on what to send to ANL so they have clear direction on how to proceed with use of review parameters for ETT's. Given work and holiday schedules, I expect we will send you EPA HQ's comments by January 9th.

If you have any questions or issues, please email or call me. I will be out of the office from December 23rd through January 2nd but can be reached via email or cell during that time.

Best regards,

Greg

@@@

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From: Jill Grant [mailto:jgrant@jillgrantlaw.com]
Sent: Friday, December 19, 2014 10:30 AM
To: Gervais, Gregory; Kelly Wright; susanh@ida.net; dreisman@cinci.rr.com Reisman; Virginia Monsisco (vmonsisco@sbtribes.com)
Cc: Weigel, Greg; Fonseca, Silvina; Fiedler, Linda; Adam, Michael; McDonnell, Kimberlee
Subject: RE: FMC Independent Expert Review | Follow Up with Tribes on Several Items

Greg,

I'm following up on your call from yesterday, in which you said you were waiting for a response on items 1-3 in your email below. I reached Kelly by phone at the end of the day yesterday, and he asked me to reply to you on his behalf.

1. Yes, the information you have listed under item 1 below is the information the Tribes wanted added to the list of references for ANL. The Tribes don't have any other documents to add to the list right now.
2. Thank you for agreeing to schedule a conference call for the Tribes to present their perspectives on the FMC OU. Kelly asked if you could propose some dates after January 21 when EPA and ANL will be available, and he'll try to arrange things on the tribal side.
3. Please find attached the Tribes' comments on ANL's review parameters.

Thank you very much for your patience.

Happy holidays to everyone!

Jill

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From: Gervais, Gregory [mailto:Gervais.Gregory@epa.gov]
Sent: Tuesday, November 18, 2014 4:50 PM
To: Kelly Wright; susanh@ida.net; Jill Grant; dreisman@cinci.rr.com Reisman
Cc: Weigel, Greg; Fonseca, Silvina; Fiedler, Linda; Adam, Michael; McDonnell, Kimberlee
Subject: FMC Independent Expert Review | Follow Up with Tribes on Several Items

Kelly et. al.,

I wanted to follow up with you on several items.

1. Additional Reference Items the Tribes wan added to the list for ANL

Thank you to Susan for providing additional clarity on the information to add to the list of reference information for Argonne's team, and to Kelly for speaking with Greg Weigel last week. I was able to speak with Greg W. yesterday.

Now I understand the extent of the information to be included when Susan says "Amended Work Orders and results." Based on my discussion with Greg W. , I understand the following should be added to the list and provided to ANL:

2006 Time-Critical Removal Action associated with Pond 16S Time-Critical Removal Action for Phosphine Gas
-- UAO [already provided to ANL]
-- Administrative Record index [http://www.epa.gov/region10/pdf/sites/emichaud/em2-ar-index.pdf]
-- Administrative Record contents [EPA Region 10 Records Center has burned the documents to a CD and has sent it to me; I will have Mike Adam send it to ANL as soon as it arrives]
-- 'Results' to include documents related to the implementation of the TCRA, such as Work Orders and amendments, progress reports, correspondence including email [Greg W. will develop an index of all these documents and make it available to EPA HQ and the Tribes by mid-December 2014; I will have Mike Adam send it to ANL as soon as it arrives; ANL can request copies of these documents through Mike Adam to Greg W.] {note: I understand from Greg W. that the Tribes have received all these implementation documents at the same time as Greg W. over the last 7 years}

2010 Time-Critical Removal Action associated with Time-Critical Removal Action for Phosphine Gas at Additional Closed Ponds
-- UAO [already provided to ANL]
-- Administrative Record index [http://www.epa.gov/region10/pdf/sites/emichaud/fmc-ar-index-092810.pdf]
-- Administrative Record contents [EPA Region 10 Records Center has burned the documents to a CD and has sent it to me; I will have Mike Adam send it to ANL as soon as it arrives]
-- 'Results' to include documents related to the implementation of the TCRA, such as Work Orders and amendments, progress reports, correspondence including email [Greg W. will develop an index of all these documents and make it available to EPA HQ and the Tribes by mid-December 2014; I will have Mike Adam send it to ANL as soon as it arrives; ANL can request copies of these documents through Mike Adam to Greg W.] {note: I understand from Greg W. that the Tribes have received all these implementation documents at the same time as Greg W. over the last 7 years}

We will update the list of reference documents to include the items described above. I understand these items conclude the Tribes' additions to the list. If this is incorrect, please provide your other additions right away.

2. Need to schedule conference with ANL so Tribes can present CSM and other perspectives to ANL

As we discussed during our 10/16/2014 call, the Tribes would like to make a presentation to the ANL team on the Tribes' conceptual site model and other perspectives on the FMC OU via teleconference or video conference. EPA HQ would like to schedule this conference to occur as soon as the Tribes are ready for their presentation and the ANL team and EPA HQ are available. Please let us know when you would be ready to present to the ANL team, with possible dates and times with the assumption of a 3 hour conference. If you require more than 3 hours, please let us know.

3. Need Tribes comments on ANL's Draft Review Parameters

Mike Adam provided the Tribes with a copy of ANL's draft review parameters on 11/4/2015 (also attached to this email). Note that ANL's file name call them 'final' review parameters, however they will not be finalized prior to EPA HQ and the Tribes providing their feedback to ANL. Please review the attachments and provide us with your comments by COB Tuesday, 11/25/2014. If you won't be able to provide comments by that time, please advise us of when you expect to provide your comments.

4. EPA HQ needs to expand conditional approval to ANL to include Task 2

Upon review of his prior direction to ANL, Mike Adam determined that ANL has not received approval to perform Task 2 (Review of Existing Site Characterization Information) beyond what they needed to do leading up to the September site visit. EPA HQ intends to give expanded conditional approval for ANL to continue working on "Review of Existing

Site Characterization Information." This would include the following caveats:

1. The Tribes are still going to give a presentation to Argonne, which is additional information, and this "continue working" does not preclude ANL's review and use of that information.
2. Draft Review Parameters: there may be some minor impacts as to some details that are relevant or not relevant given the agreement on the final Review Parameters (which I sent out this week as draft from Argonne).

Please let us know right away if you have issues regarding EPA HQ providing the conditional approval for ANL to perform Task 2.

If you have any questions or issues, please let me know.

Best,

Greg

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-----Original Message-----
From: Susan Hanson [mailto:susanh@ida.net]
Sent: Thursday, November 13, 2014 12:37 PM
To: Gervais, Gregory
Cc: Kelly Wright; Jill Grant; dreisman@cinci.rr.com Reisman; Weigel, Greg; Fonseca, Silvina; Fiedler, Linda; Adam, Michael
Subject: Re: Information from Greg Weigal

**20 and **21 2006 and 2010 UAO's each have Amended Work Orders and results. It would be this information that should be included to Argonne.

Susan Hanson

On Nov 13, 2014, at 6:08 AM, "Gervais, Gregory" <Gervais.Gregory@epa.gov> wrote:

> Kelly et. al.,
>
> I'd like to work with Greg W. and Region 10 to gather the RCRA ponds documents discussed in the email string, however it would be helpful to have more detail on exactly which documents you mean. If you referring to documents that aren't included in the current list for Argonne (below), can you describe them so that us Greg's can secure them for Argonne? So far all I have to work from is Kelly's 10/21/14 email identifying "all modifications that have been approved at the RCRA Ponds."
>
> Finally, would the Tribes identify any other documents than the RCRA Ponds ones under discussion that should be added to the list for ANL, as well as indicate when the Tribes would be available and ready to present any other

information to the ANL team via conference call? Please advise.
>
> Thanks,
>
> Greg G.
>
> ----
> "**" = RCRA documents
> 1. Eastern Michaud Flats Contamination Website
> 2. Interim Record of Decision Amendment for the Eastern Michaud Flats Superfund Site, FMC Operable Unit (PDF) (299 pp, 19MB) - October 2012
> 3. Site-Wide Gas Assessment Report for FMC Operable Unit (PDF) (196 pp, 24MB) - December 2010
> 4. 1998 Superfund Record of Decision (ROD) ID Number: EPA/541/R-98/034 Text Only (PDF) (172 pp, 285K)- June 8, 1998
> 5. 1998 Superfund Record of Decision (ROD) ID Number: EPA/541/R-98/034 with Maps/Tables (PDF) (227 pp, 15MB) - June 8, 1998
> a. 1998 ROD color Figures (PDF) (9 pp, 6MB)
> 6. FMC Plant OU - Interim CERCLA 2009 Groundwater Monitoring Report (PDF) (173 pp, 2MB) - February 2011
> 7. Ready for Reuse Determination FMC Plant Operable Unit, SRIA Parcels 4 to 6 (PDF) (29 pp, 12MB) - November 2010
> 8. FMC Supplemental Feasibility Study (PDF) (413 pp, 27MB) - July 2010
> 9. FMC Supplemental Feasibility Study Appendices (PDF) (1038 pp, 34MB) - July 2010
> 10. FMC Supplemental Feasibility Study Revised Work Plan (PDF) (271 pp, 8.6MB) - March 2010
> 11. FMC Supplemental Remedial Investigation Volume 1: Report (PDF) (586 pp, 25MB) - January 2010 (Appendices are available for review at any repository location, or upon request to Jonathan Williams (williams.jonathan@epa.gov) / 206-553-1369)
> 12. FMC Supplemental Remedial Investigation Addendum Report (PDF) (157 pp, 11.7MB) - January 2010 (Appendices are available upon request to Jonathan Williams (williams.jonathan@epa.gov) / 206-553-1369)
> 13. Statement of Work (PDF) (20 pp, 159K) - October 9, 2003
> 14. Figure 1 Map (PDF) (1 page, 96K)
> 15. Figure 2 Decision Tree (PDF) (1 page, 47K)
> 16. Remediation of P4 Contaminated Matrices at FMC, Pocatello, Idaho (PDF) (19 pp) US Army Corps of Engineers, January 2009
> **17. Treatment Technologies for Historical Ponds Containing Elemental Phosphorus - Summary and Evaluation (PDF) (98pp) USEPA EPA 542-R-03-013, August 2003
> 18. Administrative Record Index (PDF) (111 pp, 433K)
> **19. Summary of Pertinent Issues, Phosphine Gas Emissions, Closed Pond 16S, FMC Manufacturing Site, Pocatello, ID. U.S. EPA ORD Review completed by Shaw Environmental, Inc. as a subcontractor to Eastern Research Group, Inc. for EPA Office of Research and Development and EPA Region X. January 2010. [Electronic copy of this memorandum and attachments provided by EPA OSRTI directly to Argonne as it is currently unavailable via a website.]
> **20. 2006 UAO (http://yosemite.epa.gov/r10/CLEANUP.NSF/sites/emichaud/$FILE/Boyd-Uni%20Admin%20Order%20for%20Removal%20Action.pdf) and Appendices (http://yosemite.epa.gov/r10/CLEANUP.NSF/sites/emichaud/$FILE/FMC%20Pond%2016sow12_13_06_final.pdf and http://yosemite.epa.gov/r10/CLEANUP.NSF/sites/emichaud/$FILE/Boyd-ApprovalTimeCriticalRemoval.pdf)
> **21. 2010 UAO (http://yosemite.epa.gov/r10/CLEANUP.NSF/sites/emichaud/$FILE/rcra_ponds_uao_061410.pdf)
> **22. 1998 RCRA CD (http://yosemite.epa.gov/r10/CLEANUP.NSF/webpage/RCRA%20Hazardous%20Waste%20Management%20at%20FMC?OpenDocument)
> 23. Feasibility Report, FMC Subarea, for the Eastern Michaud Flats Site. FMC Corporation, April 1997. [Available to download on EPA OneDrive]
> 24. Clarifier Waste Treatability Study, Phase 1 Report. Franklin engineering group, inc. prepared for Rhodia, Inc. October, 2007. [EPA will provide this document when received. Note: Provided 10/2/14]
> 25. Clarifier Waste Treatability Study, Phase 2 Report, Pilot Test Design and Testing. Franklin engineering group,

inc. prepared for Rhodia, Inc. February 2011. [Available to download on EPA OneDrive]
> 26. Clarifier Waste Treatability Study, Phase 3 Report, Pilot Plant Operation. Franklin engineering group, inc. prepared for Rhodia, Inc. February 2012. [Available to download on EPA OneDrive]
> 27. Draft Supplemental Waste Plan, Clarifier Materials, Silver Bow Plant. Barr Engineering Company. Prepared for Solvay USA, Inc. February 2014. [Available to download on EPA OneDrive].
> 28. 2013 UAO. http://www.epa.gov/region10/pdf/sites/emichaud/fmc_ou_uao_061013.pdf
> **29. Health Consultation, Surface Soil Contamination. Eastern Michaud Flats Contamination, Pocatello, Bannock County, Idaho. ATSDR. October 21, 1998. http://www.atsdr.cdc.gov/HAC/PHA/michaud/mic_toc.htmlFMC Pond 16S Removal Action. Pollution Reports #1-#4. 2007-8. USEPA. http://www.epaosc.org/site/site_profile.aspx?site_id=2975
> 30. Site-Wide Gas Assessment Report for the FMC Plant Operable Unit. MWH. December 2010. http://www.epa.gov/region10/pdf/sites/emichaud/fmc_sitewide_phosphine_gas_report_dec2010.pdf
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> Greg Gervais, P.E.
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> clu-in.org
>
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> options** @@@@@@@@@@@@@@@@@@@@@@@@@@@@@@@@@@@@
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> -----Original Message-----
> From: Kelly Wright [mailto:kwright@sbtribes.com]
> Sent: Wednesday, November 12, 2014 10:06 AM
> To: susanh@ida.net
> Cc: Gervais, Gregory; Jill Grant; dreisman@cinci.rr.com; Weigel, Greg
> Subject: RE: Information from Greg Weigal
>
> Not that I've seen.
> Kelly
>
> -----Original Message-----
> From: Susan Hanson [mailto:susanh@ida.net]
> Sent: Wednesday, November 12, 2014 8:06 AM
> To: Kelly Wright
> Cc: Gregory Gervais; Jill Grant; dreisman@cinci.rr.com; Greg Weigel
> Subject: Information from Greg Weigal
>
> Has the information on the UAO amendments been received?
>
> Susan Hanson
>
> On Oct 21, 2014, at 6:12 PM, Kelly Wright <kwright@sbtribes.com> wrote:
> Greg W, we are working with Greg G to do an independent study for treatment at the FMC Site. One of the things that was brought up was providing the ANL Team who is going to do the work with all modifications that have been approved at the RCRA Ponds. Instead of me overlooking one of the approval letters that you prepared for these modifications, would it be possible to send the other Greg these?
>
> Also need to talk to you later about yesterday's call with FMC. When is a good time for you?
> Thanks

> Kelly