Message

From: Werth, Drew [Andrew.Werth@arcadis.com]
Sent: 9/6/2019 10:24:08 PM
To: Calanog, Steve [Calanog.Steve@epa.gov]; Makerov, Mike [Mike.Makerov@BNSF.com]; Stegman, Allen M [allen.stegman@bnsf.com]; Thomas, Charles D [Charles.Thomas@BNSF.com]; Harmon, Alison [Ali.Harmon@arcadis.com]; 'David M. Metres' [DMetres@bargcoffin.com]; Kuhl, Brooke [Brooke.Kuhl@BNSF.com]
CC: Gallo, Madeline [Gallo.Madeline@epa.gov]; Tom, Priscilla [Tom.Priscilla@epa.gov]; Chilingaryan, Sona [Chilingaryan.Sona@epa.gov]; Townsend, Amanda [townsend.amanda@epa.gov]; Vivian Craig [viviancraig@navajo-nsn.gov]; Winter, Mike [Michael.Winter@arcadis.com]
Subject: RE: 9/3/19 Haystack Mine Conf Call Notes
Attachments: 2019-09-06_Draft Haystack AUM Schedule.pdf

Hi All – Attached is the Revised Draft Schedule we discussed on Tuesday's call. We will update this on a regular basis as the work progresses and we can discuss as a team on our biweekly calls.

Thanks,
Drew

Drew Werth
O: 720.344.3892 C: 303.717.9966

From: Calanog, Steve <Calanog.Steve@epa.gov>
Sent: Wednesday, September 4, 2019 7:44 AM
To: Makerov, Mike <Mike.Makerov@BNSF.com>; Stegman, Allen M <allen.stegman@bnsf.com>; Thomas, Charles D <Charles.Thomas@BNSF.com>; Harmon, Alison <Ali.Harmon@arcadis.com>; Werth, Drew <Andrew.Werth@arcadis.com>; 'David M. Metres' <DMetres@bargcoffin.com>; Kuhl, Brooke <Brooke.Kuhl@BNSF.com>
Cc: Gallo, Madeline <Gallo.Madeline@epa.gov>; Tom, Priscilla <Tom.Priscilla@epa.gov>; Chilingaryan, Sona <Chilingaryan.Sona@epa.gov>; Townsend, Amanda <townsend.amanda@epa.gov>; Vivian Craig <viviancraig@navajo-nsn.gov>
Subject: 9/3/19 Haystack Mine Conf Call Notes

BNSF: Mike Makarov, Brooke Kuhl, Charles Thomas, Allen Stegman, Mike Winter
- Arcadis: Drew Werth
- Outside Counsel: Dave Metres

NNEPA: absent
USEPA: Steve Calanog, Maddy Gallo, Priscilla Tom, Sona Chilingaryan, Amanda Townsend

1. Safety update: heat safety and fire season. Watch where you park and avoid sparks.

2. Residential Lease Application Process

Arcadis received the draft cultural resources report from DCRM and reviewed it. BNSF is reviewing now. Next it will go to Navajo Historic Preservation Department. Drew will reach out to Vivian, as she had offered to help coordinate the submission of the report.

DCRM has the legal survey and biological survey. It will next go to Navajo Department of Fish and Wildlife to check for any endangered or threatened species. Drew will follow up with Vivian about getting the survey approved by all relevant agencies.

3. Time Critical Removal Action

Mike Winter, principal engineer, gave an update on the bid walk that occurred Aug 27. He was joined on the bid walk by the three bidders, Priscilla, Vivian, Mike Makarov, and Clayman (not sure about spelling). They walked through all six TCRA sites, heading eastward. Bidders had an opportunity to inspect each site carefully, and BNSF talked about the definition of areal limits and depths. The bidders are expected to bid as requested, but are also welcome to provide alternative bids in addition to the requested bid.

During the bid walk through the new residential location, they made approximate estimates on utilities extensions and defined a preliminary alignment for the access road leading from an existing road to the new residential locations. The family was present at home but did not attend the bid walk.

The bid walk also covered the Section 19 test pits, and took about 3 hours total.

Deadlines for bidders: submit all questions by 9/13, BNSF will reply to questions by 9/27, and final bids due 10/11.

Sona asked about the schedule for moving the family into new residences. BNSF will submit a revised schedule for all work by this Friday (9/6). Allen also requested that Drew ask the bidders if they can submit bids sooner than the deadlines.

4. Septic tank requirements

Drew will follow up with Vivian to see if she has learned anything more about septic tank requirements and recommendations.

5. Community Liaison

No new applicants or interest has been received from the fliers.

Priscilla expressed concern about the determination that hiring the Chapter President as a community liaison could be a conflict of interest. He expressed interest, she thinks he would be a good candidate, and no one else has expressed interest. One potential lead (a pastor) did not pan out, as he was not interested in the requirements of the job.

Arcadis and BNSF explained that they are not aware of an actual conflict of interest, just the perception of one. BNSF is discussing internally about hiring him since there are no other candidates.

Sona requested that the group talk with Navajo EPA about their concerns for further discussion.

6. Housing Agreement- Discussion Draft

Dave explained that the draft he sent on Friday is for discussion and wants to discuss with the group and reach resolution before sending the draft to the family, so that the family does not get led astray by changing drafts or shifting information. He would prefer to receive comments in a telephone conference, perhaps early next week.

EPA committed to completing its review by the end of this week (9/6). Maddy and Sona will check in with Navajo DOJ and Navajo EPA to see what timeline works for them.

Next steps:

A. Drew will follow up with Vivian on items 2, 4, and 5 above.
B. Drew will ask bidders if they can submit bids earlier than current deadline.
C. BNSF will submit revised schedule for work under AOC by 9/6.
D. US EPA will complete review of housing agreement by 9/6.

E. Sona/Maddy will reach out to Navajo DOJ and Navajo EPA regarding timing of review and scheduling a discussion of draft housing agreement.
F. Next call: 9/17 – canceled due to multiple conflicts. BNSF/Arcadis will provide an email summary update on 9/17 instead.
G. We will have our normally scheduled 10/1 call, plus any interim calls to discuss the draft housing agreement and other tasks requiring input, such as the community liaison selection.

Let me know if you have any questions or comments.

Steve Calanog
Federal On-Scene Coordinator
Emergency Response Section
US Environmental Protection Agency

415-595-8350 (m)

This email and any files transmitted with it are the property of Arcadis and its affiliates. All rights, including without limitation copyright, are reserved. This email contains information that may be confidential and may also be privileged. It is for the exclusive use of the intended recipient(s). If you are not an intended recipient, please note that any form of distribution, copying or use of this communication or the information in it is strictly prohibited and may be unlawful. If you have received this communication in error, please return it to the sender and then delete the email and destroy any copies of it. While reasonable precautions have been taken to ensure that no software or viruses are present in our emails, we cannot guarantee that this email or any attachment is virus free or has not been intercepted or changed. Any opinions or other information in this email that do not relate to the official business of Arcadis are neither given nor endorsed by it.