

DSCRT Quarterly Meeting Minutes

October 6, 2010

The meeting was called to Order at 11:15 a.m. by Lee Bodnar, Chairperson

Members in Attendance:

Lee Bodnar, Painesville Township (Chairperson)
Linda Coffman, Village of Fairport, Citizens
Todd Davis, Hemisphere Corporation
Ted Galuschik, Lake County
Teri Heer, Ohio EPA (Secretary)
Teresa Jordan, Painesville PRP Group
Chris Loxterman, Lake County General Health District
Nathan Scott, Tierra Solutions, Inc.
Kristopher Weiss, Ohio EPA

Also in Attendance:

Kara Allison, Hull & Associates

A. Review of Previous Meeting Minutes

The last meeting was held on 9/9/2009 and the meeting minutes were approved via e-mail.

B. Site Update (Ohio EPA, Painesville PRP Group, and Hemisphere Corp.)

See Attachment A

C. Communications Committee Report

The group discussed sending out a mailing to remind people to keep track of site activities on the DSCRT web site. All of the discussions and approvals of the mailing will be handled by the committee via e-mail. Kara Allison will draft the mailing and distribute it for comment.

The DSCRT web site needs to be updated. Please review the web site and send all comments to Teresa Jordan by the end of October.

D. Community Concerns

Painesville Township residents have been requesting more information about the status of the site.

E. Comments from the Public

Russell Bimber, former Diamond Shamrock employee, was present at the meeting. Mr. Bimber stated that the area of elevated chlorinated solvents in OU18 may be related to the historic Uniroyal landfill that is mentioned in records related to the site, but could not be located during field investigations. He also asked why information regarding the OU1N-Lake investigations was not made public. Ohio EPA explained that the OU1N-Lake results were/will be incorporated in the preferred plans for OU3, OU10, OU18 and the Dartron Site.

F. Organizational Business

Teri Heer made a motion to keep the same DSCRT officers for 2010/2011. The motion was seconded by Ted Galuschik. The motion was passed unanimously.

Lee Bodnar will contact Rita McMahon at the City of Painesville to discuss representation on the DSCRT by the city.

The next meeting date has been set for April 6, 2011.

Linda Coffman made a motion to change meetings from quarterly to biannual, and to hold the meetings in April and October of each year on dates to be determined by the group. Todd Davis seconded the motion. The motion was passed unanimously.

Teri Heer made a motion to change the bylaws to reflect the change to the meeting schedule. Ted Galuschik seconded the motion. The motion was passed unanimously. See Attachment B for the proposed amendment to the bylaws.

I. Old Business

None.

J. **New Business**

None.

Meeting was adjourned at 12:10 P.M. by Lee Bodnar, Chairperson.

Respectfully Submitted,

Teri R. Heer
Site Coordinator
Division of Emergency and Remedial Response
Ohio EPA

ATTACHMENT A
SITE UPDATE

DIAMOND SHAMROCK PAINESVILLE WORKS
SITE UPDATE
October 6, 2010

Site-Wide: The Painesville PRP Group (PRP Group) has been working with Hull & Associates personnel to review and correct the Envirodata® database containing all of the analytical data for the site. This has led to a delay of activities in most operable units across the Site. The Agency is anticipating that the revised database will be submitted shortly.

OU1N-Lake – Work has been completed.

OU1N-River – The submittal of the Summary of Results letter has been postponed until a resolution is reached regarding OU18 (see below).

OU1S – Ohio EPA and the PRP Group are evaluating whether the ground water under all of the OUs south of the Grand River should be combined into a single ground water OU (see OU4, below).

OU2/OU6 – Based on the results of confirmatory sampling within OU2 & OU6, additional sampling was required for cyanide and arsenic. The additional sampling has been completed and results are to be submitted to the Agency by October 14, 2010. To finalize the CORF Round 3 project, final remedial activities to excavate approximately 7,200 cubic yards of material along the historic gas pipeline easement are expected to be completed during October 2010.

OU3 – Due to issues related to contamination within OU18, the OU3 decision document has not been released (see OU18 below).

OU4 – Ohio EPA requested additional ground water gauging information from OU1S to determine whether ground water from OU4 and the rest of the individual OUs located south of the Grand River should be combined into a single ground water OU. Based on the information submitted by the PRP Group in June 2010, the Agency has requested additional information. The submittal of the Summary of Results for sampling within OU4 has been delayed until the Agency has determined whether the ground water will be combined into one OU.

OU5 – The Agency is currently reviewing the baseline risk assessment for OU5. Once the risk assessment has been approved, the PRP Group will begin work on the Feasibility Study.

OU7 – All of the additional sampling required by the Agency (soil, ground water, surface water) has been completed and the PRP Group will be submitting the Summary of Results letter in December 2010.

OU8 – Nothing to report.

OU9 – Additional sampling within the OU has been completed and the Summary of Results letter is due to Ohio EPA in October 2010.

OU10 – The PRP Group submitted the revised Feasibility Study Report for OU10 (One Acre Landfill) in July 2010 and the document is currently under review by the Agency. Larry Antonelli, Ohio EPA, DERR, NEDO is assisting with the review of the document.

OU11 – Nothing to report.

OU12 – Additional sampling has been completed and the Summary of Sampling Results letter is due on October 14, 2010.

OU13 – Nothing to report.

OU14 – Nothing to report.

OU15 – The issuance of the Decision Document has been delayed due to changes currently being made to the Ohio Voluntary Action Program policies by Ohio EPA.

OU16 – Work on the golf course has been completed in accordance with the revisions requested by Tierra Solutions, Inc. and approved by Ohio EPA. The Agency will be performing the final inspection in early October 2010.

Dartron Site (OU17) – Chemtura Corporation contractors recently completed additional soil sampling within the former OU17 and will be submitting a new work plan to confirm and delineate elevated concentrations of chromium on the northwestern portion of the property.

OU18 – Additional sampling performed by the PRP Group revealed elevated levels of chlorinated solvents in soils and ground water within the OU. This OU is bisected by a natural ground water divide, which means that ground water within this OU flows in two separate directions – some to Lake Erie and some to the Grand River. Ohio EPA is in the process of reviewing additional information submitted by the PRP Group and will be making a decision regarding the collection of additional samples shortly.

OU19 – Work has been completed.

OU20 – Additional sampling has been completed within the Western Chemtura Ditch by the PRP Group. Based on those results, the Agency has required the collection of additional surface water and sediment samples to determine whether the remediation of ditch sediments can be performed following completion of the Feasibility Study.

OU21 – The PRP Group has submitted the Summary of Results letter for the additional sampling required by the Ohio EPA. The document is currently under review by the Agency.

OU22 – Additional sampling was completed within the OU and the Summary of Results letter is due to the Agency in mid-October 2010.

ATTACHMENT B
PROPOSED AMENDMENTS TO DSCRT BYLAWS

BYLAWS OF THE DIAMOND SHAMROCK COMMUNITY RELATIONS TEAM

ARTICLE I – NAME

The name of this organization shall be the Diamond Shamrock Community Relations Team (DSCRT).

ARTICLE II – PURPOSE

The purpose of this organization shall be to serve as a responsive community team dedicated to communicating information and addressing public concerns regarding the investigation, remediation and reuse of the Diamond Shamrock Painesville Works Site.

ARTICLE III – MEMBERS

1. Membership of the DSCRT shall be as follows:
 - a. Two (2) representatives of the Ohio Environmental Protection Agency
 - b. Two (2) representatives of the Lake County General Health District
 - c. One (1) representative of the Lake County Commissioners
 - d. Two (2) local governmental representatives from the communities of the City of Painesville, Painesville Township, and the Village of Fairport Harbor
 - e. Two (2) representatives of the Potentially Responsible Parties (PRP) Group
 - f. One (1) representative of Hemisphere Corporation
 - g. Two (2) citizen representatives from the communities of the City of Painesville City, Painesville Township, and the Village of Fairport Harbor, appointed by the members outlined in Section 1.a. through 1.f., above.
2. Members may be represented by their authorized alternates and retain voting privileges at any DSCRT meeting.
3. If a member misses two (2) consecutive meetings, without (1) contacting the Chairperson prior to the meetings to be excused, or (2) sending an authorized alternate, they will be notified by the Chairperson via U.S. Mail that they have been removed from the DSCRT. If the member removed was identified as a representative in 1.a. through 1.f., above, the governmental or private entity will be contacted and a replacement will be requested. If the member removed was identified in 1.g., above, the DSCRT members identified in 1.a. through 1.g. will appoint a new member to the DSCRT.

ARTICLE IV – OFFICERS

1. The officers of the DSCRT shall be a Chairperson, Vice-Chairperson and a Secretary. The Secretary position will be permanently filled by one (1) of the two (2) Ohio EPA representatives.
2. Officers shall be elected by ballot to serve for one (1) year or until their successors are elected, and their term of office shall begin at the close of the meeting at which they are elected.
3. With the exception of the Secretary position, officers shall be elected from members of Article III, Section 1.f., above.

ARTICLE V – MEETINGS

1. Meetings of the DSCRT shall be held at least ~~once per calendar quarter~~ **twice biannually**, at a time and place designated by the Chairman. Except in cases of emergency, at least five (5) days notice shall be given.
2. An annual organization meeting shall be held ~~in April~~ **during the first meeting** of each **calendar** year and shall be known as the annual meeting and shall be for the purpose of electing officers, ~~receiving reports of officers and committees~~, and for any other business that may arise.
3. All meetings of the DSCRT shall be open to the public.
4. Each meeting of the DSCRT shall contain at least the following agenda items:
 - a. Minutes of the Previous Meeting
 - b. **Site Activities Update** ~~Ohio EPA Report~~
 - c. ~~PRP Group Report~~
 - d. ~~Hemisphere Report~~
 - e. Communications Committee Report
 - f. Raised Community Concerns
 - g. Comments from the Public
 - h. New Business
 - i. Old Business

ARTICLE VI – EXECUTIVE BOARD

1. The Officers of the DSCRT along with a **one (1)** representative of the PRP Group and **one (1)** representative of the Communications Committee shall constitute the Executive Board.

2. The Executive board shall have general supervision of the affairs of the DSCRT between its business meetings, make recommendations to the DSCRT, and shall perform such other duties as are specified in these bylaws.

ARTICLE VII – COMMITTEES

1. A Chairperson for the following Standing, **Communications** Committee shall be appointed by the Chairperson of the DSCRT:
 - a. ~~Communications Committee~~
2. Such other committees, standing or special, shall be appointed by the Chairperson of the DSCRT as is deemed necessary to carry on the work of the DSCRT. The Chairperson of the DSCRT shall be an ex officio member of all Committees except any Nominating Committee.

ARTICLE VIII – MEETING MINUTES

Meeting minutes are considered approved ten (10) days from publication (via e-mail and/or U.S. Mail) to DSCRT members. If comments/changes are made to the minutes, they will be resubmitted to the members for approval. **Once approved the minutes shall be placed on the DSCRT web site.**

ARTICLE IX – PARLAMENTARY AUTHORITY

The rules contained in the current Robert's Rules of Order shall govern the DSCRT in all cases to which they are applicable and in which they are not inconsistent with these bylaws and any special rules of order the DSCRT may adopt.

ARTICLE X – AMENDMENT OF BYLAWS

These bylaws may be amended at any meeting of the DSCRT by a two-thirds (2/3) vote of the members present provided that the amendment has been submitted in writing at the previous regular meeting.

Adoption Date: June 20, 1996

Revision Date: xxxx, xx, 2011

~~Linda Sentinek~~ Lee Bodnar
Chaiperson