



DRAFT Summary Notes of the Tremont Work Group (“TWG”) Meeting, June 2, 2014 (Springfield)

Version 1

Meeting time and location:

June 2, 2014, 10:30 am to 3:00 pm, Large Conference Room, Clark County Combined Health District, 529 East Home Rd., Springfield OH 45503

Representatives and advisors

Organization	Representative(s)	Advisor, Observers
Clark County Combined Health District (“District”)	Charles Patterson, Commissioner	None
US EPA	Joan Tanaka, Remedial Response Branch 1 Chief; Donald Bruce	None
People for Safe Water (“PSW”)	Marilyn Welker, President; Karen Duncan (PSW Member and Springfield City Council Member)	Peter Townsend, Technical advisor
Ohio EPA (“OEPA”)	Mike Proffitt, Assistant Chief, SW District; Chuck Mellon	None
PRP Group	Beth Whelley, PRP consultant; Jim Forney, Midwest Group Director, Waste Management	None

Purpose of the Summary Notes: These notes generally reflect what was mentioned in the meeting and do not purport to change any applicable legal documents. These notes are general and do not include every subject or position raised. Where the TWG discussed and reached an agreement, only the agreement was restated.

TWG Meeting Topics and Tentative Decisions

Context, approach and suggested protocols

There was a facilitated discussion of the purpose and effect of the proposed Protocols for how stakeholders would approach this work and a facilitator summary of “What Works, and What Does Not Work.” See Appendix 1.

Stakeholder interests

Each Stakeholder discussed what its core interests were as noted below. This list may be amended as needed. The purpose of this list is to clarify the motivation of each stakeholder in this process.

Stakeholder	Interests Regarding this Site/Process
PSW	Protect human health and the environment on a large and long term scale. Have real engagement with key stakeholders Honor and value the prior work of community members on this subject Use good science in discussions and decision making Ensure the needs of the ultimate stakeholders (the community) are valued Make thoughtful decisions from a long term perspective Ensure that the water/aquifer are properly valued
District	Protect the water supply as a sole source of water Create long term solutions (not short term) Identify the real issues for discussion and ensure quality data are used Use plans that actually reduce risk
OEPA	Long term protection of health and environment Work to flesh out issues and create understanding/acceptance (adopt interests of others already listed)
PRP Group	Be engaged and understand/listen to other stakeholders Do the remediation once – a sustainable solution
EPA	Protect human health and environment Create permanent solutions Get into the site hydrogeology/site model as needed Respect other applicable regulations Use treatment Use cost effective methods

Key issues for technical discussion

The TWG had a general discussion with facilitator input on the goals of this process. This includes:

- Having a technical discussion on key topics that separates policy from technology and science (acknowledging there is some overlap)
- Importance of using good science.

The facilitator prepared a list of potential technical (or technical/decisional) issues as a starting point for our work. The goal was to identify the technical issues that were most important to the TWG work.

Principal subjects nominated for TWG discussion were:

1. How were the cost estimates prepared for 4(a) and 9(a)?
2. What does the hydrogeology underlying the site affect the prospect for future contamination? This does not refer to an immediate but rather a long term problem.
3. How does 4(a) compare with 9(a)? Are the distinctions really understood?

It is assumed that data quality is a relevant point for each topic.

Overall approach to the two key issues (cost and hydrogeology)

For construction cost estimation and hydrogeology (the two key topics), the TWG decided on the following process:

1. Clarify the questions we have as a group about the subject
2. Convene a facilitated meeting of the consultants with expertise in the subject, aimed at looking for areas of agreement/disagreement, and data quality
3. The subject matter consultants then meeting with the TWG to explain their conclusions (group and individual) and explain their views to the TWG
4. If feasible, the meeting of consultants with the TWG would occur at a single 1.5 day TWG meeting, tentatively scheduled for August 26-27.
5. The TWG would digest this information and assess how it can be used to create better understanding among the stakeholders and perhaps resolve some disputes.

How we will approach the cost estimation issue

1. Stakeholders will nominate consultants/experts for this issue (now thought to be as follows: EPA (Jena Sleboda, CH2M if feasible); PRP (Haley & Aldrich, CRA, Jim Forney); OEPA (Chuck Mellon, Jeff Martin)).
2. OEPA will send out a memo/email on its cost concerns on or before June 6, 2014.
3. The facilitator will schedule and facilitate a meeting of the above consultants in which the consultants will discuss and be prepared to present to the TWG their views on the following:
 - a. Define and clarify the OEPA concerns
 - b. For Alternatives 4(a) and 9(a), are there any errors in the cost estimates?
 - c. Using applicable standards of estimation for this phase of the process, are any such errors significant?
 - d. If significant, how can such be corrected?

Note: this assessment must be for the Alternatives as now proposed; these cannot be changed in the consultants' assessment

How we will approach the hydrogeology issues

1. Stakeholders will nominate consultants/experts for this issue (now thought to be as follows: EPA (Jena Sleboda, USGS, Ecology and Environment, Inc.); PRP (Haley & Aldrich, CRA, Jim Forney); OEPA (Chuck Mellon, Jeff Martin); PSW (Peter Townsend)).
2. This hydrogeology consultant group is asked to address the following questions:
 - a. What if any are the long term risks of aquifer pollution from the Site due to underlying geology? Is the underlying geology impermeable? To What extent? Including:
 - i. Fractures, glacial till
 - ii. Other pathways?
 - iii. OEPA logs of drilling
 - b. What is the adequacy of the site conceptual model?
 - c. What is known about the trace contaminants? What is the source? With what degree of confidence?
 - d. What do we know (and with what accuracy is it known) about the transmissivity and groundwater gradient at the site? Time of travel? What is the significance of this?
 - e. Any problems with pit characterization? Or soil separation?
 - f. What is known/unknown about the 1075 interfill? Or other elements of the leachate collection system?
 - g. What is the significance of the location of the Springfield City Well Field? How do we characterize the risk to such? Short term and long term.
 - h. What is the significance of the deep carbonite aquifer? To what extent is it at risk from the site?
 - i. Other OEPA/PSW concerns?
 - j. Is there a commonly accepted risk assessment system that could be useful to characterize any such risks? If not, can systems from other fields be adapted?
 - k. What if any are any other hydrogeologic issues that may be of interest/value to the TWG?
3. The facilitator will schedule and facilitate a conference call among the hydrogeologic consultant for the following:
 - a. Review and amend the set of questions set forth above.
 - b. Identify the reference documents relevant in addressing these questions
 - c. Clarify our group task
 - d. Schedule our face to face meeting

4. The facilitator will facilitate a face to face meeting of the hydrogeologic consultant group to:
 - a. Clarify view of the Questions
 - a. Consider to most efficiently present to the TWG the hydrogeologic consultant group/individual responses to the questions

TWG Meeting #2

The facilitator suggests we have a 1.5 day meeting at CCHD and would discuss:

1. Cost estimation – consultants’ presentation and TWG discussion
2. Hydrogeology – consultants’ presentation and TWG discussion
3. Path forward for this effort

We have tentatively set this meeting for August 26-27, 2014 at CCCHD.

Deferred for possible later discussion

The TWG agreed that any TWG member may present ideas about creative approaches to better dealing with site issues – recognizing that any discussion of such would require consultation with others outside the TWG. This could include “What if?” questions about remedy?

The TWG may wish to discuss how the EPA has or will make decisions on site remedy – but such is deferred.

Appendices

Facilitator recommended protocols

Facilitator guidance on what works? And What does not work?

Appendices



Draft TREMONT WORK GROUP: HOW WE AGREE TO WORK TOGETHER¹ Ver1

We have agreed that the following will guide our joint and collaborative work.

Attitude and approach to the Work Group process

1. Our collaboration and conversations in our work will be objective and free from bias.
2. We will work for the best interests of our respective organizations and the larger community affected by this site.
3. We will expedite the process, and will not cause delay.
4. We will work in good faith toward the agreed upon goals.
5. We will maintain flexibility and give integrity our first priority.
6. We will seek to find areas of agreement and, where disagreement exists, find ways to clearly explain why it exists and search for resolution/simplification.

Interaction and communications at our meetings

7. All members will prepare for and fully participate in our meetings.
8. We accept that the facilitator holds the context for the conversation but the facilitator shall not control or push an outcome.
9. We seek meaningful conversations on topics rather than debate.
10. We agree that a member's willingness to discuss a topic or idea will not be considered to be support for the idea – only a willingness to be in a conversation about it.
11. We will be respectful of all involved in this process, and will not coerce or manipulate.
12. We will adhere to the agreed-upon agenda and agreements about time limits.
13. We will ensure that everyone and all points of view are heard.
14. We will share speaking time, have one person speak at a time and avoid side conversations or interruptions.
15. We recognize our responsibility to both (a) state our views and (b) listen to the other party's views. We speak to explain, and listen to understand.
16. We will avoid dogmatism, speeches or posturing.
17. We will speak succinctly, avoid repetition and not raise issues that we have previously resolved.

¹ Drafted by Joseph P McMahon as modified from Milton R Wessel's *Rule of Reason*, 1976, Howard Raiffa's *The Art of Negotiation*, 1982, Fred Ikle's *How Nations Negotiate* 1987, David Straus', *Managing Meeting to Build Consensus*, The Consensus Building Handbook.

Information, data, science and professional opinions

18. We will approach our task using the best information and technical data available.
19. We will openly share data. Data will not be withheld merely because it may be “negative.”
20. We will **affirmatively disclose** uncertainty, hypothesis and lack of knowledge—rather than concede it reluctantly or when under pressure.
21. When/if we become aware that we need additional data for our work, we will seek it out with an appropriate scope and schedule.
22. We will distinguish (a) scientific fact, research and professional judgment from (b) purely personal opinions or perspectives.
23. For those speaking as “experts,” we agree to confine our professional and expert opinions to our areas of expertise.

Individual and group decision making

24. We will approach our decisions thoughtfully.
25. We will remain open minded and avoid judging ideas prematurely.
26. We will not use decisional short cuts or just seek to confirm our prior thinking on a subject.
27. We will consider both the decision itself as well as consider how to make the decision.
28. We will use decision-guiding tools when appropriate to provide clarity.
29. We will consider common decision errors and consider whether we are making them.
30. If we are not in agreement with an idea, we will look for ways to improve it.

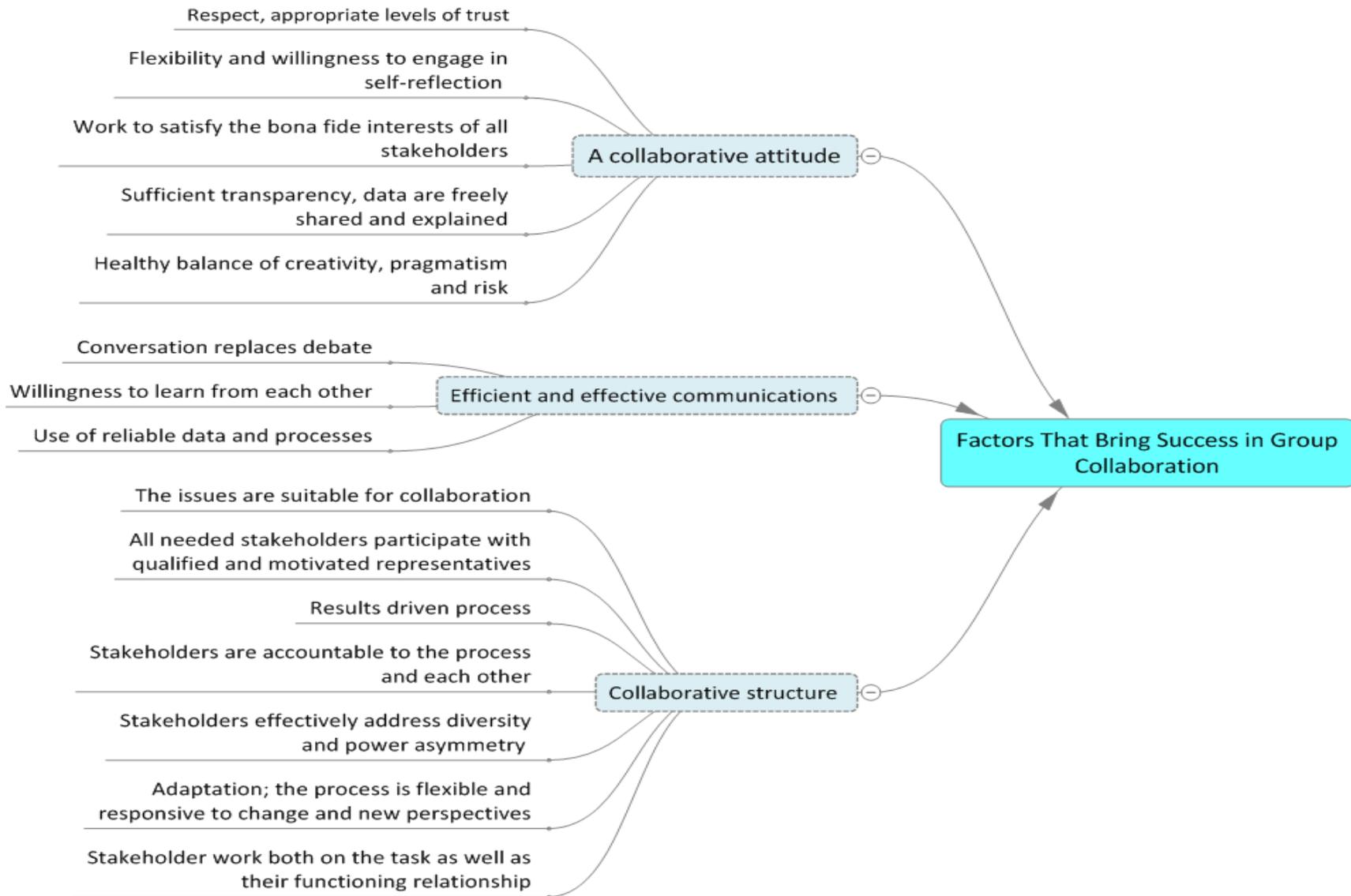
Respect for the process

31. We will support the processes, both within and outside of its meetings.
32. We will bring any complaints or concerns about the process directly and initially to the group -- rather than raising complaints with others, in emails or the media.
33. Before any stakeholder resigns due to a complaint about the process, they will bring their complaint to the Work Group and the Work Group will in good faith work to resolve the issue fairly.



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What works (page 1)...and what does not (page 2)



and what does not work

