

MEETING NOTES

SITE: Koch North Paraxylene, Wilmington, New Hanover Co.
NONCD0002797

MEETING LOCATION: Catlin Engineers and Scientists, 220 Old Dairy Rd., Wilmington, New Hanover Co.

DATE: 05/24/11, 9:00 a.m.

ATTENDEES: Ginny Henderson (IHS), Jeff Becken (Catlin), Michael Christopher (Reiss), Dimitri Talbert (Catlin) and Nicole Cory (FHR, via telephone)

NOTES:

Jeff said that they had several questions and wanted to determine if they were thinking in the right direction. Michael asked if I thought that there would be a significant change in the direction for the site. I said no. I knew they had done quite a bit already to address the groundwater issues and had been very proactive. Jeff said that they had recently installed some additional sparge wells. They asked about the 30 day deadline and I said that was for a response, not for the submittal of the Remedial Investigation Plan (Plan). I said we usually allow 60 days after meeting about the site and everything has been discussed and settled. They pointed out that the letter said 90 days, but Jeff said that 60 days from today would be about 90 days from the letter. They asked if they could submit a formal written response to me within the next few days. I said that was fine and that submitting via email was acceptable.

We then discussed the need for a signed agreement. I said that they didn't have to sign an Administrative Agreement (AA) before the Remedial Investigation phase but would have to before the Remedial Action Plan (RAP) was submitted. They asked if I could send them a copy of the AA. I said that I could send them a copy of the standard draft AA. I mentioned that for the RAP, they can also reference previous documents, but if they choose to continue what they have been doing they will have to justify why that choice is still the best remedial option(s) for the site.

Jeff said that Flint Hills Resources' (FHR) position has always been that they were only going to handle the paraxylene (PX) on the east side of the road and asked if that was going to be a problem. I said that it may be. I said that while I agreed that the issue on the west side of the road was probably due to Sunoco's 1981 PX spill, I didn't know how we were going to proceed with addressing that. We do try not to make parties clean up contamination that they didn't cause. Michael asked if the Sun issue had a separate incident number. I said that we didn't handle incidents separately like that. Each site gets one ID number, which covers everything at the site. I explained that currently there is a separate ID number for the Sun side of the road because that is how it came over from the Aquifer Protection Section (APS) and since neither was a priority until recently, I hadn't addressed the issue. I am still re-reviewing the file to make sure that I am familiar with all the issues before I make a decision.

They asked if the Plan should just address vapor intrusion (VI) issues. I said that even though the VI issues triggered the site to be moved up in priority, the Plan should address everything. I reiterated that if something has already been addressed, they could just reference where it was addressed in the file. I told them that they do have the option of doing it in phases, addressing

the VI first and then the other issues in later phases, but eventually everything would have to be addressed. They asked if taking care of the VI issues would bring the priority back down. I said that once a site becomes a priority, we want it to continue until it is done. We would probably just keep it under me, since it really wouldn't be a good candidate for the REC program. They asked if OSHA would be involved in the VI issues. I said OSHA doesn't regulate office buildings. They pretty much just handle buildings in which the chemicals are actually used or manufactured. They asked if they should also address VI issues at the boiler building, which is used to heat the PX so it remains a liquid. PX isn't actually used in the building. People do go in and out of the building, but no one is in there all the time. I said yes, if there is a VI issue in there, then anyone that goes in there could be exposed. Jeff said that the water table was less than 5 ft so they would have to proceed with sub-slab samples. They also asked about when to sample saying that the guidelines said to do it during the colder months. I said that would provide for a worst case scenario evaluation. Jeff asked if we had guidance for how many sub-slab samples they should take and said that they have been using EPA's guidance. I said I didn't think we did and using EPA's guidance was probably fine. Jeff also said that he was going to propose only analyzing for PX in the vapor samples.

Jeff then said that he would like to proceed through the letter and address any questions that they had about specific items. They asked if submitting Invista's Hazardous Waste Management Plan would cover the hazardous waste management practices requirement. I said probably. He also said that they had completed the contacts for Environmentally Sensitive areas when they submitted the REC checklist. I reiterated that if something had already been done, they could just reference that in the Plan. He asked if they needed to attach the old reports they reference in the Plan to the Plan. I said that if we already had a particular report on file then it wasn't necessary. I suggested that they review our file to make sure that we do have everything on file. I did my best when I split the file, but something may have disappeared. Jeff asked if they could just submit PDFs of anything they find is missing from the file. I said that was fine. They asked about the permitting history and how thorough it had to be, since they no longer owned the property. I said that it should be as thorough as they can make it. They said they will contact Invista to try and get that info. They asked if they needed to redo the receptor survey, which was redone in 2005. I said that if they thought that the info was still accurate, then I would say no. Nicole asked if the person signing for the company on the certifications had to have a specific title. I said no, it just has to be someone with authority to bind the company.

They asked if I had any other advice based on comments that I had had on previous Plans that I had reviewed. I said they should make sure to include the conditions of the product tanks, a map showing locations of any wells, a plan for QA/QC duplicates, etc., and a schedule. They should also understand that the requested equipment decontamination procedures are just for investigation related work and that the certifications should be notarized.

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