

Section 5 Study Oversight Team Meeting Summary

Place: Oak Room at 49 Main St, Proctor, VT

Date: Thursday, November 27th, 2007

Time: 6:30 p.m.-9:00 p.m.

Meeting Attendees (in alphabetical order):

Name	Affiliation
David Adilman	Geosyntec
Claire Ayer	State Senate
Ernie Brod	RCO (alternate)
Don Burns	Omya (guest)
Tony Colak	Omya
Lawrie Copley	L.G. Copley Associates
Emerson Frost	Florence (alternate)
Laura Green	Cambridge Environmental
Julie Hackbarth	ANR
Cathy Jamieson	ANR (guest)
Chris Jones	ANR (guest)
Mike Laurent	Omya (alternate)
Matt Levin	VCE (alternate)
Don Nickless	Pittsford
Bev Peterson	RCO
Kathleen Ramsey	Town of Pittsford (guest)
John Sayles	ANR (guest)
Jo Anne Shatkin	CLFV
Lynn Silloway	Florence
Annette Smith	VCE
Jasmine Tanguay	CLFV
Dano Weisbord	CLFV
Stephen Zemba	Cambridge Environmental

I. Welcome and Introductions

- Facilitator Dano Weisbord welcomed the group. He provided an overview of the meeting by reviewing the proposed agenda. Meeting participants introduced themselves and their affiliations.

II. Approval of meeting summary for October 29th Meeting

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- Jasmine Tanguay pointed out several edits that had been made by Steve Roy of Geosyntec since the summary was emailed to the group. No changes to the meeting summary were requested. The summary will be posted to the OmyaInVermont.net website.

III. Senator Ayer's proposal

- Dano Weisbord began the meeting with a brief process discussion to address an email sent earlier in the day Senator Claire Ayer. Copies of the email were distributed to OT members who hadn't read the email. Senator Ayer explained that the key parties in the Section 5 process have become quite knowledgeable on many of the issues involved. She said that it would be beneficial to the Legislature if the stakeholders could agree upon a recommendation based on the findings of the Section 5 study, so that the Legislature could avoid having to evaluate diverging interpretations of the study's findings and diverging interpretations of what needs to happen as a result.
- Senator Ayer opined that if Omya, VCE, and ANR could agree on a set of guidelines or course of action that meets their needs and recommend that to the legislature, she feels confident that it will be well received. This proposal wouldn't preclude other discussions or position-taking on legislative issues--this proposal would allow the OT (including ANR) to engage in some discussions that can benefit from consultant input and hopefully develop some mutually agreed upon outcomes as a result of the Study's findings.
- Dano Weisbord clarified Senator Ayer's reference to recommendations and confirmed that it referred to "management recommendations" as opposed to a recommendation about the categorization of the waste.
- The group agreed to table the discussion of Senator Ayer's proposal and proceed with the meeting, with the expectation it would be addressed at a later date.

IV. Presentation Of Preliminary Phase II Findings

a. Noise Study

- Lawrie Copley presented a summary of his noise findings to date. Dr. Copley's presentation began with a review of Phase 1 findings, addressed noise source identification by spectrum, computer modeling of source contributions, ambient sound monitoring, and noise acceptability criteria.
- Based on his review and analysis, Omya appears to have collected enough data with its spectral instrument to identify some of the sources that are likely contributors to noise levels.
- Two manufacturing systems seem to be causing the most significant noise disturbances: the DeAgg-C and the PX mills.
- Some important sources of noise can likely be mitigated through reasonable measures, while others may require more time to evaluate, and may or may not be easily attenuated.
- Dr. Copley addressed the issue of the additive effects of Omya's proposed dewatering facility. Based on model projections, the facility will not be a significant source of additional noise in the Florence community. Moreover, even in the absence of the existing manufacturing facility, sound produced by the proposed dewatering facility would be

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inaudible at any existing residence. The modeling techniques used by HMMH (Omya's noise consultant) may also be a useful tool in evaluating existing sources of noise.

- A challenging aspect of noise evaluation and management is the determination of "acceptability criteria." Vermont, like many states, does not have statewide numeric or other objective standards for noise; noise from industrial activity is supposed to be in harmony with nearby residential uses. Thus, criteria for noise acceptability should be based on a consideration of the pre-existing ambient sound levels in the absence of the noise source.

b. Dust Study

- A brief summary of and update on the dust study were given by Steve Zemba of Cambridge Environmental. They reviewed the goals of the ambient dust monitoring program: to evaluate overall dust levels in the vicinity of Omya's facilities, and to assess whether various Omya-related sources significantly impact these levels.
- Dr. Zemba noted that the study has evaluated enough data to reach some preliminary findings regarding the extent to which Omya's operations lead to increased levels of dust in the area surrounding the facilities, but added that some of these data are still undergoing review, and additional data are still being processed, so specific and general conclusions may change once the complete data are available and reviewed.
- The primary data collected are filter-based, 24-hr, ambient Total Suspended Particulate (TSP) concentrations, measured at near-source and background locations. These data were supplemented by local meteorological data (e.g., wind speed and direction, rainfall), hourly TSP data at three locations, and elemental composition measurements of select sample filters and potential dust sources.
- On several of the sampling dates (notably September 21st and 27th, and October 6th), all nine sites displayed elevated dust levels. To examine a potential cause of these elevated concentrations, data from Vermont's ambient air monitoring network were obtained. The statewide nature of these episodes is probably due a combination of regional-scale transport of particulate matter to Vermont from out of state and regional-scale stagnant meteorological conditions that allow elevated concentrations to develop.
- Further findings will be presented at the January 2nd OT meeting.

c. Hydrogeology update

- David Adilman provided a brief update on recent developments as a result of hydrogeological work.
- He reviewed results from the October sampling event and discussed ways in which the new data enhanced their understanding of the site.
- He discussed the PIQ water balance and the hydrologic relationship between the PIQ and other water transported and stored on the site. He explained Geosyntec's current understanding of how the PIQ influences or is influenced by nearby groundwater

d. AEEA and TOHI analysis and health risk assessment

- Laura Green gave an update on AEEA toxicology and addressed the significance of the offsite detection at the Chrusciel Spring. She noted that Dr. Bress was likely to recommend a drinking water guideline of 20 ppb for AEEA. Green also mentioned that

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she was assisting in the development of a low-AEEA- or no-AEEA-containing flotation agent.

V. Discussion with John Sayles, Deputy Secretary of ANR

- Deputy Secretary Sayles thanked the Oversight Team for the important work they've been involved in and for letting him address the group.
- He acknowledged the importance of the work being done to the Agency's review of Omya's activities and to their consideration of Omya's application for Interim Certification.
- Mr. Sayles said that ANR is willing to participate in discussions resulting from Senator Ayer's proposal. The Agency must be mindful, however, of its responsibilities under statute.
- Ernie Brod asked if the agency differentiates between chemicals found "on-site" versus "off-site." Sayles answered that it does matter. Cathy Jamieson added that any contamination cannot exceed regulated levels at specific points of compliance.
- Sayles clarified the difference between fees and taxes associated with waste disposal. Mr. Sayles responded that fees are generally assessed to cover the cost of Agency oversight; taxes go into the solid waste management fund and grants are given to the regional solid waste districts with these funds.
- Annette Smith asked about whether permit fees intended cover the cost of reviewing applications such as Omya's Interim Certification application are paid regardless of whether the permit is awarded. Mr. Sayles responded that if a permit is not issued, the fee is not collected and added the point that a lot of things that the Agency does that aren't "fee for service."
- Mr. Sayles invited the Oversight Team to contact him or Cathy Jamieson if they have questions or concerns about Omya-related issues involving the Agency.

VI. Next Steps

- Dano Weisbord briefly reviewed a list of upcoming events with the Oversight Team. Dano asked the group to consider holding the December 17th date for an Oversight Team meeting in case it becomes necessary. CLFV agreed to evaluate the need for a meeting and let the Oversight Team know whether a December meeting will occur. The January 2nd meeting will be in the afternoon—exact time and location is to be determined.
- The consultants would like to present to the OT their results on January 2nd, and present to ANR on the morning of January 3rd in Waterbury. Details will be shared with the Oversight Team as soon as possible.