

MEMORANDUM TO FILE

TO: KMCC File

FROM: Brian Rakvica

DATE: February 26, 2004

CC: Todd Croft, Jennifer Carr, Jeff Johnson
Jon Palm, Tamara Pelham, Alan Tinney

RE: KM Conference Call

1. Remedial System Update
 - a. Continuous operation continues. Flow is approximately 400 gpm at 106 ppm influent concentration. Discharge is still ND (40 ppb). Compliance samples are expected at the end of the month.
 - b. Currently, the flow does not include liquid from the pond. The pond liquid will push the influent concentration up to approximately 250 ppm. The pond also contains a significant amount of chlorate 7 grams/L.
 - c. KM intends to throttle back in the seep area for those wells under 10 ppm to get their flow below 1,000 gpm. This likely will be timed to coincide with the change from a temporary permit to a revised NPDES permit in early March 2004. The temporary permit expires March 5, 2004.
2. Discussed issues with CC DAQM.
 - a. No air permit secured yet. Continue use of acetic acid in totes. Feed rate is probably maxed out until air permit can be secured and ethanol tank/feed system can be used. Permit is expected "soon".
3. Discussed Permitting.
 - a. Discussed the revised schedule for attainment of 18 ppb discharge. Noted that the "process capability" limitation will remain in the permit. If it is found that 18 ppb can not be attained by process or analytics then the permit will need to be modified again.
 - b. Noted that the public comment received is not much different than the USEPA comment. Tamara will be issuing a ROD to respond to the comments.
 - c. BWPC committed that analytical limitations will not be cause for a violation of the permit.
 - d. Noted that the IX portion of the permit will remain active.
 - e. Discussed interim discharge limitations.
4. Discussed Information Requests and Tours.
 - a. An AGWT meeting may be held in March in Las Vegas. KM asked if Todd was attending. NDEP to look into. Note that this is currently scheduled for May 3, 2004.
5. Discussed Other Issues.

- a. A well has been installed east of ART-7. This will be called PC-122. Noted that the concentration is 6 ppm (expected) and the drawdown is approximately 5'. Approximately 10' of saturated alluvium is present in this well.
 - b. Discussed sampling of produce. Asked KM to provide information on US FDA effort to sample agricultural crops.
6. Next Meeting: 3/2/04 at 1:00 PM – Susan to provide call in information.