

**Minnesota 3M PFC Settlement
Government and 3M Working Group Meeting
October 17, 2018 Meeting Notes**

Welcome and Introductions

Members in attendance:

Ryan Burfiend		Lowell Johnson
Kevin Chapdelaine		Jim Kotsmith
Dan DeRudder		Dan Lund
Steve Ebner		Bill Palmquist
Bart Fischer		Monica Stiglich
Clint Gridley		Kirk Koudelka
Kristina Handt		Steve Colvin

Presenters:

Jennifer Peers, Connie Travers, and Terill Hollweg, Abt Associates

Introduction

The November meetings have been moved up a week because of Thanksgiving – the next Government and 3M Working Group meeting will be on Wednesday, November 14, at the same time and in the same location.

The Group was reminded that they can continue to provide comments to MPCA and DNR verbally during the meeting or via email between meetings.

Kirk Koudelka and Steve Colvin (alternate for Barb Naramore) welcomed the Group. Kirk discussed the liaisons and suggested that they would send a few bullet points after each meeting to summarize important issues – these will be included in the follow-up email from the Agencies to members. Monica Stiglich – the Citizen-Business Group Liaison mentioned that there was a discussion at yesterday’s meeting about how projects will be submitted. Yesterday at the Citizen-Business Group meeting, Ginny Yingling from Minnesota Department of Health (MDH) presented more information on aquifers and our understanding of where PFAS contamination has been observed. This presentation was not given to the Government and 3M Group because the members have more background knowledge of the problem.

The Government and 3M Group discussed a desire to see a timeline of steps and tasks needed towards the development of the conceptual water management plan mapped out clearly, perhaps in the form of a Gantt chart.

Steve noted that DNR has released a report on groundwater sustainability within a five-mile perimeter of White Bear Lake. This is available via the White Bear Press and the DNR website.

A proposal from a citizen for a new water line and well hook-ups was shared with the Group.

Consent Order/Settlement Interactions

Kirk presented an overview of the 2007 Consent Order and the 2018 Settlement Agreement with an explanation of the intent of the \$40 million to implement temporary drinking water projects and/or

activities set forth in Part VIII.B. of the 2007 Consent Order. MPCA and DNR are working on an illustration that depicts how short-term drinking water needs are addressed over time.

Update on Program Goals

The Program Goals document Version 2.0 has been finalized and will be posted on the website. It is a “living document” – if there is a need to revisit the document in the future, this can be done. Some final edits made to this version included adding some clarifying text from the 2018 Settlement Agreement; clarifying the text of several Priority 1 Long-Term Program Goals, Planning Goals, and Monitoring/Evaluation/Learning Goals; and adding a new Planning Goal (“Seek a portfolio of projects that benefits all affected communities”).

Discussion of Criteria

A revised draft Priority 1 Criteria document was presented. This document was revised based on input provided during and following the September Work Group meetings. Edits included adding some clarifying text from the 2018 Settlement Agreement; adding text to the Purpose section that discusses the need to address clean drinking water across all of the affected communities in the East Metropolitan Area; clarifying the screening criteria and evaluation criteria; and adding several new evaluation criteria. The Agencies plan to finalize this document before the November meeting. As with the Program Goals document, the criteria will be a living document and can be revisited if necessary.

The Group discussed the draft criteria, and how a portfolio of projects will be developed. There was a discussion about the criteria regarding consistency with regional and local planning – the intent of these criteria is that projects should be aware of and consider planning processes; not to allow other needs (e.g. recreational) to outweigh drinking water needs. There was a discussion about how open the process of rating or scoring projects against the criteria will be. A suggestion was made as to how to handle long-term uncertainty and/or operating costs via a trust set-aside. It was also noted that just because we are working towards a conceptual plan for the end of 2019, we need an ongoing process over different time frames. The Group discussed a desire to have a collective planning process, rather than competition for projects. It was noted that, for Priority 1, we need to address clean drinking water across communities – if there is only one viable alternative for a piece of the puzzle, that may be selected even if it does not do as well against the criteria as another project. Comments will be incorporated into a revised version for additional discussion at the October meeting.

MPCA and DNR would like to get feedback on the relative importance of the different criteria. A survey will be sent to the Group members to elicit input and the results will be reported at the next meeting in November.

Public Comments and Questions

Members of the public were given the opportunity to ask questions.

A recommendation was provided to add to the evaluation criteria consideration of unintended health risks of projects (e.g., release of lead from pipes associated with a change in the corrosivity of a different water source, addition of disinfection byproducts from treatment of drinking water). This will be incorporated into one of the existing criteria, as appropriate.

Potential Financial Support for Subgroup Work

At the September meeting, several communities expressed a need for capacity funding for communities to participate in the technical subgroups. MPCA and DNR circulated a draft concept to address this need in light of the desire to get the Drinking Water Subgroup up and working this fall. The intent would be to ensure that the communities are able to participate in the process and share their technical knowledge, as well as to help the process move forward efficiently. The Group generally agreed with the scope of the type of work that could be supported. However, members of the Group expressed concern that the use of Joint Powers Agreements, with costs invoiced and reimbursed, would take too long. MPCA and DNR will explore potential alternatives. It was noted that it is not possible for the State to cover retroactive costs so there is a desire to resolve this as soon as possible such that the Subgroup can begin its work. It is possible that communities will need to participate in the process for a short time before agreements are in place.

Discussion of Drinking Water Subgroup Initial Charge

A draft of the Drinking Water Subgroup Charter was provided. The Subgroup will meet at least once a month. Kirk summarized the current thinking on membership and there was a discussion about whether trade groups would have a conflict of interest. There was a suggestion to also include the Minnesota Rural Water Association.

A working draft of an initial charge, or list of initial tasks, for the Subgroup was presented. The Group agreed that review of previous cases of multi-community solutions for drinking water supply should be reviewed at the Work Group level, not by the Subgroup. A brief summary of the 2016 Washington County Drinking Water Supply Feasibility Assessment was presented along with a summary of what the Assessment did not cover. The report provides a lot of good information that will be useful to the Subgroup but does not include all of the PFAS-affected communities, did not look at some potential alternatives, and was intended to be a high-level evaluation, not a prescriptive solution. It was noted that the Assessment was conducted before the health-based values for PFAS were revised (which resulted in a broader area of wells exceeding the values).

Other Updates

Lakeland and Lakeland Shores have been informed about the Government and 3M Working Group meetings and invited to attend as a member of the public. If PFAS contamination is identified in the ongoing sampling of private wells, they will likely be invited to participate in the Group.

MPCA and DNR will send out notes and materials discussed at this meeting. Group members will be asked to provide additional written comments and respond to the criteria survey by October 31.

The next meeting will be on November 14.

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