

Minnesota 3M PFC Settlement
 Agenda for Government and 3M Working Group Meeting

Wednesday, May 20, 2020
 9:00 a.m.-12:00 p.m.

Webex link: [Join Webex meeting](#)

(If using Webex, we request that you connect to the audio using your phone rather than the computer, and use the “Call me” option. Please refer to the Webex instructions for more information.)

Conference line (if not using the Webex “Call me” option): 1-415-655-0002; Access code: 612 607 255#

Meeting Purpose:

- Achieve a common understanding of progress to date on Settlement activities
- Continue discussion and begin to resolve key considerations for determining good/better/best scenarios
- Clearly identify next steps.

1. Welcome a. Agenda b. Webex instructions c. Roll call	Kirk Koudelka – MPCA Jess Richards – DNR Heather Hosterman – Abt Associates Jeanne Goodman – Abt Associates	9:00 am
2. Updates and follow-up a. Liaison updates b. Email update follow-up c. Other questions	Kirk Koudelka – MPCA Jess Richards – DNR	
3. Key considerations for determining good/better/best scenarios	Kirk Koudelka – MPCA Jess Richards – DNR Mark Lorie – Abt Associates	
4. BREAK		10:20 am
5. Key considerations for determining good/better/best scenarios (Cont'd)	Kirk Koudelka – MPCA Jess Richards – DNR Mark Lorie – Abt Associates	
6. Public comments and questions	Mark Lorie – Abt Associates Milt Thomas – MPCA	11:30 am
7. Conceptual Drinking Water Supply Plan a. Overall process and timeline to complete b. Next steps (upcoming activities and tasks, future meetings, and agenda items to request)	Mark Lorie – Abt Associates Hannah Albertus-Benham – Wood Milt Thomas – MPCA	
8. ADJOURN		12:00 pm

Minnesota 3M PFC Settlement

Notes for Government and 3M Working Group Meeting

Wednesday, May 20, 2020

9:00 a.m.-12:00 p.m.

WebEx Meeting

Group members in attendance:

Chris Hartzell	Clint Gridley
Craig Dawson	Daniel Kylo
Jeff Dionisopoulos	Jennifer Levitt
Jess Richards	Jessica Stolle
Jim Kotsmith	Kathryn Sather
Kevin Chapdelaine	Kirk Koudelka
Kristina Handt	Lowell Johnson
Monica Stiglich	Ron Moore
Steven Colvin	

Presenters:

- Kirk Koudelka, Minnesota Pollution Control Agency (MPCA)
- Jess Richards, Minnesota Department of Natural Resources (DNR)
- Heather Hosterman, Abt Associates
- Mark Lorie, Abt Associates
- Milt Thomas, MPCA
- Hannah Albertus-Benham, Wood

Welcome

Heather Hosterman (Abt) and Kirk Koudelka (MPCA) welcomed the work group.

Updates and follow-up

Kirk Koudelka (MPCA) provided project updates:

- AECOM is completing a third-party review of the groundwater model. MPCA will share the results of the review with the work group. The review focuses on Appendices B and C, which are on SharePoint.
- The Mentimeter and Dotmocracy results from the public meetings are also on SharePoint.
- There will be a round of project funding, similar to the expedited projects, to leverage Settlement funds for the 2021-2022 construction season that are consistent with Priority 1 criteria. This will be a limited application round for those who have a relevant road construction projects in place. Work group members were asked if a 30 or 45-day application window would be acceptable. Work group members said 30-45 days would be sufficient. Monica Stiglich provided a recap of the Citizen-Business work group meeting. There was some confusion and a lot of discussion on the definition of Health Index (HI) value and the level of treatment in the good/better/best scenario. Despite the confusion, HI is a good way to standardize and quantify how the Settlement will protect people. Another uncertainty is the movement of the plume. The Citizen-Business work group brought up the need for more testing. Another large discussion point was cost sharing. There is still discussion

needed to clarify cost sharing, especially since members of the Citizen-Business group are not typically involved in such discussions.

Key considerations for determining good/better/best scenarios

Mark Lorie (Abt) presented the results of the Key Considerations Survey. The survey represents 22 responses (11 from the Government and 3M work group, 5 from Citizen-Business work group, and 6 from SG1). Work group members should fill out the survey if they have not already done so or have additional comments. The survey results will be used to inform the Co-Trustees as they develop the good/better/best scenario.

The work group discussed five key considerations:

- **HI threshold for treatment.** There is widespread support for HI threshold less than 1 and near unanimous agreement that this issue is very important to resolve. Survey respondents felt that the most appropriate HI threshold was ≥ 0.5 . There was some confusion about the definition of HI and how it is measured.

them and their ability to access Settlement funds because the mechanism to distribute funds has not yet been decided. What's the process to claim funds year after year? MPCA explained it may make sense to set up individual trusts for each community. There should be ways to allow for local control.

- **Setting aside funds to address future uncertainties.** Majority (15 of 22) agreed that Co-Trustees should set aside funding for future uncertainties. Some reasons supporting a set-aside include new science and research about PFAS and cost overruns. Reasons for not supporting a set-aside include Co-Trustees should prioritize meeting current needs and if funds remain after current treatment needs, then Co-Trustees can consider setting funds aside for the future.

Work group members emphasized the need for flexibility between communities saying it should be the responsibility of each community to decide if they would prefer to have the extra cost of a lower HI value.

- **Addressing sustainability and resilience.** Sustainability was not as high of a priority as HI. There was a diversity of responses in how important to rank sustainability and a near even split about when to incorporate sustainability and whether Settlement implementation should include incentives for sustainability.

One work group member felt that equity was not being addressed enough in sustainability.

- **Cost-sharing.** A majority of responses indicated it is important or very important to consider cost-sharing as part of the Settlement.

There was a concern about per capita water demand as a way of portioning costs. One work group member pointed out that while resident populations are an important piece of cost, the number of customers and visitors should also be considered.

Work group members discussed that funding on current HI values could create problems.

One member expressed the importance of anticipating how things will change in the future, even if there is not a current need for treatment. They also suggested offering treatment to all private homeowners for a period of time (like the system that is used for flood proofing). One concern was that all private well owners would be asked to be hooked up regardless of the current need for treatment, which could exhaust Settlement funds.

Work group members agreed that the Settlement should not pay for new infrastructure in new development.

Public comments and questions

Members of the public were given the opportunity to ask questions. There were no comments or questions from the public.

Conceptual Drinking Water Supply Plan

Mark Lorie (Abt) presented on current steps, including:

- Co-Trustees, with support from Abt and Wood, are incorporating comments, changes to scenarios, and updating water supply demands.

Abt also presented on next steps. Co-Trustees, with support from Abt and Wood, will:

- June – July: Consider next scenario iterations, update evaluations as needed (Chapter 7 and Appendix G), and finalize draft evaluations (Chapter 7 and Appendix G)
- August: Draft good/better/best scenario and Chapter 8

- September – October: Meet with each community’s leadership to discussion good/better/best recommendation and final decision. During this time, the Co-Trustees will share draft Chapter 7 and 8 with the work group and open a public comment period.

One work group member asked how governing bodies should review draft plans. MPCA explained it would probably be longer than a traditional 30-day comment period in the fall. The goal is to get folks a version of the plan before the comment period opens.

Another member asked if there would be any re-testing wells. Newport found private wells that were not on anyone else’s maps. Wood explained that MDH is still doing sampling on additional wells based on areas known to have high PFAS concentrations including West Lakeland, Lakeland, South Afton, and other spots. There is also a municipal testing regiment that will continue as scheduled. Testing is a little slow at the moment due to COVID-19 and resources are going to other areas of MDH.

The work group meeting in June is cancelled. The status of the July and August work group meetings will be decided at least two weeks before their scheduled dates. Work group members should fill out the key considerations survey if they have not had a chance to do so or if they have additional comments. The survey will be open until Thursday, May 21.

Liaison Report – 22 May 2020

Citizen – Business and Government – 3M Work Group WebEx Meetings

Item #2 Updates

Appendices B and C have been posted in the Water Settlement Share Point.

Survey and comment information from the public meetings held in February were provided in the transmittal email for these meetings.

A question was raised whether expedited projects could again be submitted. The MPCA response was that a submittal window of 30 to 45 days would be open only to LGUs, likely beginning in the next two weeks. A request was made for the Work Groups to review these applications, as was done for the previous expedited projects.

A question was raised about the status of interest earned on the Settlement monies; interest earned goes back into the fund and is only used for Settlement purposes.

Item #3 Discussion of Key Considerations for Good/Better/Best Scenarios

Information collected in the survey available to the Work Groups and Sub Group 1 was the basis for discussion (5 responses from Citizen-Business, 11 from Government-3M, and 8 from SG1). The presentation for the discussion provided details and prompts for further input and discussion.

The discussion in both meetings focused on the use of the Health Index (HI) to determine which wells/water systems would receive treatment (beyond those with a Health advisory, $HI \geq 1.0$). It was noted that once Settlement dollars are gone, systems with $HI < 1.0$ would not be covered by the Consent Order. This prompted the (repeated) discussion of capital investment as a precautionary measure for water treatment for both $HI < 1.0$ and for future additional analytes and/or health values at even lower levels than are currently stated by the Health Department. Wood personnel pointed out the water treatment media for $HI < 1.0$ would have a different change-out than is in the current cost estimates (i.e., more frequent, higher cost). Also noted by Wood in the Sub Group 1 meeting, the current granulated activated carbon (GAC) and/or ion exchange (IX) media have not necessarily been proven effective for the additional analytes and/or lower HI values.

The other discussion area focused on cost sharing. As noted above, for treatment of systems with $HI < 1.0$, cost sharing (especially for private systems) would need to be managed by the LGUs.

After the Government-3M discussion, the following were listed as a brief summary:

1. Capital investment to cover lowest levels of PFAs feasible
2. Operating and Maintenance (O&M) as long as possible for public systems, “longer” for private POETs (point of entry treatment)
3. Contingency for “new science on PFAs”

Respectfully submitted,

Monica Stiglich and Kevin Chapdelaine, Work Group Liaisons

26 May 2020