

2025-07-25_Gasco OU Check-In Meeting

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| Meeting Title: | Gasco OU Check-In Meeting |
| Date/Time: | July 25, 2025 / 9:00 - 10:00 am |
| Attendees: | AQ: Halah Voges, Matt Davis EE: Rob Ede DEQ: Wes Thomas |
| Location: | MS Teams Meeting |

Meeting Notes:

- FS Comment Discussions
 - AQ shares a working draft version of an agenda to discuss NW Natural's FS Comment Discussion Topics letter
 - DEQ notes that in addition to discussing the proposed agenda, we have questions about certain topics and would like some clarification about NW Natural's concerns.
 - AQ introduces the agenda. The agenda largely follows the topics listed in the FS Comment Discussion Topics letter
 - DEQ believes that approach could make it challenging to make sure the right people are participating in the meeting. For example, Topic #2 largely relates to the way the ISS barrier wall is considered when evaluating hot spots. DEQ believes the discussion should have two parts, one that would be more focused on regulations and agreements, and one that would be more technical in nature. DEQ believes that management and DOJ should participate in the first part of the conversation, but don't need to be present for the technical portion of the discussion.
 - EE/AQ indicate that they do not think that the attorneys will have a significant role in the meeting, but could be available to side-bar as needed.
 - DEQ questions that approach. Ideally DOJ (and legal representation in general) would only be present for discussion items that specifically have a legal element. That said, we do believe it will be important for DOJ and Pearl legal to participate in some of the discussions, particularly as they relate to the agreements that DEQ believes we made with NW Natural in our June 2023 meeting, since both DOJ and Pearl legal attended that meeting.
 - Topic 1 Agenda
 - DEQ states that Topic 1, which relates to the linkage between IRAM design final approval and receipt of an acceptable FS, is not open for discussion at the meeting. Topic 1 does not relate to an FS comment and the discussion is not required for NW Natural to submit a revised FS.
 - DEQ is drafting a response to the FS Comment Discussion Topics letter that will identify topics that are not open for discussion.
 - EE believes that the linkage between the two documents is a comment on the FS. EE states that discussing the disagreement is important to NW Natural.
 - DEQ clarifies that the linkage between the documents was established years ago, and the introduction of our letter just re-affirms it. Regardless, DEQ is free to provide conditions to our approvals on documents.
 - AQ asks for clarification about what is needed to have the IRAM approved.
 - DEQ states that two things are needed. The first is a Final IRAM design that satisfactorily resolves any comments we may make on preceding design deliverables, and the second is receipt of a Revised FS that addresses our comments. From a timeline perspective, receipt of the Revised FS will precede receipt of the Final IRAM design by a lot.
 - EE asks if DEQ would make the determination about the acceptability of the Revised FS after a complete review period, for example 6 months?
 - DEQ is not able to commit to any specific period of time, but it may not require a complete review period to determine that the Revised FS is acceptable.

- EE asks if an FS that does not recommend an alternative that DEQ believes is necessary but includes a remedy DEQ can select would result in disapproval to proceed with the IRAM
 - DEQ believes there are too many variables that would need to be considered and we are not able to commit to an answer. We would likely need to do a more detailed review of the FS in that case. If we thought we would not be in a position to approve implementation of the IRAM, we would communicate with NW Natural proactively.
- Topic 2 Agenda
 - DEQ revisits previous comments about splitting the conversation into two parts, one focused more on agreements and regulatory issues, and one focused more on technical matters.
 - DEQ believes Topic 2 represents a central issue and we should give ourselves enough time to complete the discussion. DEQ wants to prioritize discussion of disagreements.
 - AQ/EE suggest 60 to 90 minutes.
 - DEQ will need to sequence meeting attendees accordingly.
- Topic 3 Agenda
 - DEQ seeks clarity about the nature of the disagreement so that we can plan for the meeting. Based on DEQ's interpretation of the FS Comment Discussion Topics letter, we believe the first part represents a technical disagreement.
 - AQ/EE believes the disagreement may be both regulatory and technical in nature. AQ states that cleanup Statutes and Rules require hot spot treatment to the feasible extent, and that the feasible extent is determined using the DEQ balancing factors.
 - DEQ agrees, and believes our comments were written consistent with Statute and Rule. Our interpretation of the disagreement is that our comments require specific analysis or evaluations to support the determination of feasibility using the balancing factors, and that NW Natural does not like DEQ's direction about methodology.
 - EE confirms that NW Natural's disagreement relates to being confined by the evaluation methodology described in DEQ's comment.
 - DEQ believes that is an important clarification. Disagreement about DEQ's interpretation with Statute or Rule is very different from disagreement over technical evaluation methodology. DEQ notes that while our comments request specific evaluations, our comments do not restrict NW Natural's ability to present additional evaluations using alternative methodology.
 - DEQ requests clarification about the second part of NW Natural's disagreement.
 - AQ/EE clarify that the second part is not a disagreement, but a request to discuss how to address DEQ's comments on the FS.
 - DEQ states that if the topic is not actually a disagreement, we would like that acknowledged.
- Topic 4 Agenda
 - DEQ agrees that Topic 4 should be discussed, and recommends setting aside at least 45 minutes.
- Topic 5 Agenda
 - DEQ believes that the need for the FS to assemble alternatives on a GSA-specific and site-wide issue is a settled matter. Our Interim FS comments require it, and we have already discussed in in great detail.
 - AQ clarifies that they are not disagreeing to evaluate alternatives on a GSA-specific and site-wide basis, but would like DEQ to clarify how to evaluate alternatives that way.
 - DEQ notes that the need to evaluate alternatives on a GSA-specific and site-wide basis was established several years ago, and we would have hoped that the NW Natural would have a plan for satisfying that requirement after so much time. AQ can discuss their approach during the meeting, but DEQ is not sure how much additional feedback we can provide.

- Topic 6 Agenda
 - DEQ requests clarification about the discussion topic. Siltronic provided correspondence to NW Natural and DEQ about their plans to demolish Fab 1. We believe Siltronic's letter establishes that demolition of Fab 1 in the near future is reasonably likely and provides enough basis for FS planning. DEQ believes that incorporating Fab 1 demolition in the FS is a relatively simple matter and does not believe further discussion of this topic is necessary.
 - EE believes there is too much uncertainty around the timing or certainty of the building demo for the FS. At other sites, DEQ has not required an FS to evaluate alternatives to be implemented in the future should a building be demolished.
 - DEQ believes the distinction in this case is that the correspondence from Siltronic makes us believe that Fab 1 demolition is reasonably likely in the near future, and not a purely hypothetical future scenario.
 - EE thinks it would be good for Pearl legal to hear DEQ's perspective during the meeting.
 - DEQ requests clarification about EE's statement and questions if the discussion topic is a legal matter. If the topic is a legal matter, NW Natural should clarify with DEQ so that DOJ can be prepared to discuss the topic on behalf of DEQ.

- Topic 8 Agenda
 - DEQ is not opposed to discussing the Topic 8 items, but they are non-descript in the FS Comment Discussion Topics letter, and we need more information about the nature of the feedback NW Natural is requesting from DEQ.
 - EE understands, and clarifies that the goal of the meeting will be to introduce the topics so that DEQ understands the potential issues, and then NW Natural and DEQ can follow up, as needed.

- EE/AQ indicate that the NW Natural team may not be available to attend the meeting until late August, but NW Natural would like to try to schedule the meeting as soon as possible.
 - DEQ acknowledges the timeframe, although we are concerned about the schedule, particularly if NW Natural's position is that FS revisions cannot begin until the disagreements are resolved.
 - EE clarifies that NW Natural has begun FS revisions.
 - DEQ notes that the schedule (Topic 7) is not one we are open to discussing at this time.
 - EE acknowledges that we cannot discuss schedule modifications at this point.

- AQ will refine the draft agenda and then provide it to DEQ for additional input about timing and staffing.

- Groundwater No Longer Contained-In Determination
 - DEQ received the request and will begin reviewing the request with Haz Waste staff. DEQ will follow up as needed.

- IRAM PDI Work Plan Comments
 - EE/AQ are also working towards setting up a meeting to discuss some of DEQ's comments or questions related to the IRAM PDI work plans.
 - DEQ/EE/AQ agree that it will be valuable to include GEI in those discussions.