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**Subject:** C&EA Bi-Weekly Update - BP Wind/AE and RM - Sept. 3-13, 2019

## BP WIND & ALTERNAIVE ENERGY

**Influence AWEA to adopt industry-wide standards that improve operational safety by increasing participation on key committees and supporting BP Wind on panels at targeted conference.**

BP Wind will submit several proposals to present at the AWEA 2020 Operations & Maintenance and Safety Conference. Potential topics include operational strategy, workforce, data analytics, market outlook and repower.

## AWEA on Carbon

On September 10, AWEA leadership attended the Georgetown Climate Center's roundtable discussion with Bill Gates and other leaders in finance, industry, policy, and academia. The off-the-record event focused on how policymakers and the private sector can work together to address climate change and deploy clean energy. Members were able to raise the importance of transmission in enabling dramatic renewable deployment and carbon reduction.

**Build advocates to support BP wind farm sites with an expanded community presence and stronger stakeholder engagement.**

The BP Mehoopany wind farm team hosted a booth at the Wyoming County Fair, sponsoring Veterans Day, in an effort to expand its community presence and stakeholder engagement. BP Wind Energy's participation in various events during American Wind Energy Week was highlighted in the Sept 3<sup>rd</sup> "[This Week in BP News](#)."

**Engage communities to build support for potential future AE developments and promote growth of the business.**

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Lightsource BP and Penn State hosted a groundbreaking ceremony to highlight the beginning of construction on the solar project at Penn State. Governor Tom Wolf and Eric Barron, President, Penn State University, were featured speakers at the ceremony. Over 200 people attended the event, including Secretary Cindy Adams Dunn, PA Dept. of Conservation & Natural Resources. This landmark project will provide the University millions of dollars in energy savings over its 25-year contract with Lightsource BP, while maximizing the sustainability impacts of solar farming. The event was covered by 9 print media news resources, including [PVTech](#), [Renewables Now](#), [Solar Power World](#), [Daily Energy Insider](#), etc., and through various social media channels. Mark Borowski and Maria Viso represented C&EA. BP highlighted the event through various [social media](#) channels and in BP's internal newsletter, *In The Know (ITK)*.

Jason Ryan supported Kevin Smith, Lightsource BP's CEO, during an interview with [Bloomberg](#)

and Axios about the organization's development portfolio. Both media outlets covered how tariffs are impacting the solar industry.

### Other Significant Engagements/Matters of Interests

Paul Gannon collaborated with Al Vickers on climate standup materials and messages for BP WE staff and assisted in preparations and talking points for the AE Fireside Chat with Dev Sanyal and Al on September 23.

### Key Upcoming Events

Sept 19 BP WE Community Volunteer Project – Houston Food Bank  
Sept 23 AE Fireside Chat with Dev Sanyal and Al Vickers, Helios (Gannon)  
Sept. 27 LSBP Press event to announce solar project in Colorado (Viso)

### REMEDIATION MANAGEMENT

Complete community engagement and stakeholder outreach required as part of the Superfund consent decree process and develop allies to advance the ultimate delisting of Superfund sites in Butte and Anaconda, Montana.

#### Butte Priority Soils Operable Unit (BPSOU)

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- Nazminia and Frisch provided a tour of the Polishing Plant to members of the Restore Our Creek Coalition and Frtiz Daily. Of primary importance to this group was the not the technology used but the rather the amount of water available for discharge. The tour was greatly appreciated by those who attended.

#### Butte Mine Flooding Operable Unit (BMFOU)

- Nazminia and Frisch met with Gary Swant, a local birder and avian expert to learn about his involvement with the Warm Springs Ponds, the Berkeley Pit bird mitigation committee and future opportunities of partnership in the area of Warm Springs Pond.

#### Anaconda

- Nazminia and Frisch toured Warm Springs Pond and the Dutchman to gain a better perspective on work conducted in the area and to understand how the Wildlife Habitat Council's Certification scoring works.
- Nazminia coordinated an introductory phone call with C&EA, the AR Montana team and Ducks Unlimited Montana to explore how DU may play a role in advocacy opportunities with Warm Springs Pond as AR Montana moves to a final remedy for the site within the next five years.

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- Warm Springs Ponds received a Gold Tier recertification from Wildlife Habitat Council. Hattie Horn is working on an internal story to highlight the recertification of Warm Springs Ponds and Dutchmen.

Accelerate remediation and simplify regulatory approval processes at the Yerington mine site through the passage of the Bureau of Land Management (BLM) transfer bill.

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**Obtain stakeholder support and regulatory approval for early action on final remedies at the Jackpile Mine and Leviathan sites.**  
No C&EA update.

**Build public and stakeholder support for current and proposed remediation work for Otter Creek in Toledo, Ohio as outlined in a proposed agreement with USEPA's Great Lakes National Program Office**

There is still no timetable for an anticipated public meeting regarding remediation plans for Otter Creek in Toledo. BP is one of three potentially responsible parties that have agreed to participate in the cleanup of the creek. Concerns over the planned depth of a temporary pipe that will carry dredged materials away from the project area have now been resolved, but those concerns caused delays in project. Rybarczyk is providing C&EA support for RM.

**Win public support for current remediation plans at the ECI (Energy Cooperative, Inc.) and USS Lead (United States Smelting and Lead) Superfund sites in Northwest Indiana.**

Wortham and Rybarczyk joined RM's Chris Greco, Eric Hritsuk, and others in a discussion with Whiting Refinery Manager Don Porter regarding East Chicago Mayor Anthony Copeland's concerns about remediation work at the former ECI Refinery property. Porter emphasized that the refinery has upcoming projects in East Chicago, and he does not want the remediation project to jeopardize the refinery's standing with the city. BP is seeking to schedule a meeting with Mayor Copeland and the director of the East Chicago Waterway Management District to try to resolve differences in prospective end uses for the property along the Indiana Harbor Ship Canal and how remediation efforts can support those uses.

## **Other Significant Engagements/Matters of Interests**

**Dubuque Terminal water sampling:** Private well sampling is underway for owners of private water wells near BP's Dubuque Terminal in Iowa. BP sent letters to the property owners informing them of the sampling, and Rybarczyk received a call from a local business with questions about the process. Last year, BP conducted two rounds of sampling in the first few weeks after a release of diesel fuel from one of the terminal's storage tanks. Those two previous rounds of sampling showed no indication of impact from petroleum products. Iowa Dept. of Natural Resources (IDNR) approved the sampling plan and will review the results.

**Mercer Island, Wash., remediation:**

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The community is planning a multi-use development on property that has impacts from a former ARCO retail site, although we believe there may be other potentially responsible parties that could bear some liability for remediation-related incremental costs the development project may encounter. Discussions are ongoing.

**New Franklin, Ohio, public information session:**

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The RI could result in dozens of homes being removed from Ohio EPA's Study Area, which would have implications on various property value programs BP has made available to homeowners there. The neighborhood was built on the site of several historical pipeline releases that occurred from the late '40s to the early '60s.

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## **Other Significant Engagements/Matters of Interests**

### **RM News of Note:**

- **Fish Kill on the Clark Fork:** A fish kill in the Clark Fork River between Warm Springs Pond and Galen – is considered one of the most significant in the past two or three decades. Sources are blaming the kill on mining waste which washed into the river during recent heavy rain storms which hit the area. Though Atlantic Richfield is not responsible, C&EA does expect inquiries to occur into our response of this kill. [Read more here.](#)

- **Patriot Rail Sale:** First State Investments agreed to buy Patriot Rail & Ports, an operator of short-line railroads in 14 states, including Montana. Patriot is being considered by the EPA as a PRP (potentially responsible party) for superfund liabilities near Butte. [Bloomberg's Article can be found here.](#)
- **Arsaco v Atlantic Richfield – Trail Lawyer Spotlight:** Law.com ran a spotlight on Gregory Evans and McGuire Woods in their, “Winning Litigators” special report. The two lawyers report their biggest trail win between 2018 and 2019 was Asarco v. Atlantic Richfield. [Check out the article here.](#)
- **BMFOU CD Negotiation Extension:** AR and the EPA have agreed to a one – month extension of the Butte Hill consent decree process.
  - [Montana Standard's David McCumber's Article can be found here.](#)
  - [MTPR's Nora Saks on the extension.](#)
- **Waterfowl Mitigation on the Berkeley Pit:** Gary Swant will provide a presentation at Bitterroot's Audubon September 16<sup>th</sup> meeting on the innovative and successful work currently underway at the Berkeley Pit in monitoring waterfowl activity and reducing avian deaths in the pit. [The PSA can be found here.](#)
- **Home vegetable and fruit metal levels:** Susan Dunlap reports that the EPA's tests from last year in Anaconda “exceeded” the metal threshold to consume produce from the area though the EPA indicates it is still safe to consume homegrown produce. [Read about it here.](#)
- **Decades Late:** Susan Dunlap wrote a lengthy piece on Anaconda lead levels and the time it has taken to remediate. Her article focused on health implications and impact to children (in the form of special needs education) as a result of lead exposure. [Her article can be found here.](#)
- **Taking a bite out of an Anaconda Yard:** Susan's long awaited article on Anaconda yard clean up was finally published. For the first time, she did not reference ARCO/BP, the “former oil giant” and suggested “Atlantic Richfield welcomed reporters from The Montana Standard”. [Take a deeper look.](#)

#### **Key Upcoming Engagements:**

- **September 17:**
  - Montana Tech Foundation meeting (Butte)
  - EPA Proposed ROD Remedy Public Meeting (Anaconda)
- **September 18:**
  - Meeting with Old Works Golf Course Advisory Board to discuss proposed amendments (Anaconda)
  - RM Climate/Cyber Security Stand Up
- **September 19:**
  - Christian/ Appellate team Opportunity walk through (Anaconda)
  - Butte Chamber of Commerce Annual Dinner (Hanson, Bryson, Frisch, Nazminia to attend) (Butte)
- **September 24:**
  - ADLC County Commissioner Meeting re: Public Comment on proposed Old Works Golf Course amendments (Anaconda)



- CTEC (Butte)

- **September 24-26**

- Environmental Council of the States (ECOS) Fall Meeting, Seattle (Cross)

- **October 17-18**

- DGA Nevada State Summit (Viso)

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