

In the Matter Of:  
East Chicago Waterway Management

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**DISTRICT BOARD OF DIRECTORS' MEETING**

*March 16, 2023*

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**EAST CHICAGO WATERWAY MANAGEMENT  
DISTRICT BOARD OF DIRECTORS' MEETING**

**City of East Chicago, Engineering/Annex Building  
4444 Railroad Avenue  
East Chicago, Indiana**

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**March 16, 2023**

**5:00 p.m.**

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**Transcript of the East Chicago Waterway Management District Board of Directors' Meeting had in the above-entitled matter on the 16th day of March, 2023, commencing at 5:00 p.m., taken at City of East Chicago, Engineering/Annex Building, 4444 Railroad Avenue, East Chicago, Indiana, and via Zoom Video/Telephone conference, before Dawn M. Iseminger, RPR, and Notary Public, within and for the County of Porter, State of Indiana.**

District Board of Directors' Meeting  
03/16/2023

1           A P P E A R A N C E S

2       JOHN FEKETE, President

3       JAYLAN ROBINSON, Vice-President

4       HENRY RODRIGUEZ, Secretary

5       JOHN BAKOTA, Board Member

6       RAY LOPEZ - Treasurer (no present)

7       KEVIN DOYLE - Board member (not present)

8       FERNANDO TREVINO, FMT Consulting

9       ELLEN GREGORY, Ellen Gregory Law - via Zoom

10      Also Present:

11      VANESSA VARGAS, CliftonLarsonAllen - appearing via  
12      Zoom

13      JIM WESCOTT of Tetra Tech - appearing via Zoom

14      MIKE NGUYEN, Army Corps of Engineers - appearing  
15      via Zoom

16      TIM DULL, project manager for ACOM - appearing via  
17      Zoom

18      ROBERT SANTORE, BMO Harris Bank - appearing via  
19      Zoom

20           MR. FEKETE: I'd like to call to order the  
21      East Chicago Waterway Management District Board of  
22      Directors regular meeting. Today's date is  
23      March 16th, and the time is 5:02.

24           The first order of business is roll call.

25           John Bakota?

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1 MR. BAKOTA: Here.

2 MR. FEKETE: Henry Rodriguez?

3 MR. HENRY RODRIGUEZ: Here.

4 MR. FEKETE: Jaylan Robinson?

5 MR. ROBINSON: Here.

6 MR. FEKETE: Kevin Doyle?

7 (No response).

8 MR. FEKETE: Ray Lopez?

9 MR. LOPEZ: Here.

10 MR. FEKETE: John Fekete, here. We have a  
11 quorum.

12 THE executive director's report,  
13 Mr. Trevino.

14 MR. TREVINO: Fernando Trevino with FMT  
15 Consulting.

16 I'd like to start off by going over the  
17 contents of your board packet. You have  
18 today's agenda. You have the public meeting  
19 posting for today's meeting. You have the  
20 board minutes for the last month, which was  
21 February 16 board meeting date. You have the  
22 CliftonLarsonAllen financial report dated  
23 February 28, 2023, for the month of February.  
24 That report was emailed to the board earlier  
25 today and I've handed out hard copies as well.

District Board of Directors' Meeting  
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1           You have today's claim docket dated  
2 March 16, along with the copies of the purchase  
3 orders and check register. You have First  
4 Merchant Bank statements for the month of  
5 February 2023 for accounts ending in 608 and  
6 616, along with the copy of checks that cleared  
7 last month and the one user fee deposit  
8 recorded in February. And also a copy of the  
9 First Merchant CD report with a run date of  
10 March 13.

11           You have a copy of the BMO trust report  
12 and that's through February 28, 2023. You have  
13 a copy of the annual Gateway financial report.  
14 You have a copy of the Army Corps of Engineers  
15 report to the board dated March 16th. You have  
16 Attorney Ellen Gregory's report with a revision  
17 date of March 13th. You have AECOM's latest  
18 schedule regarding the Canal Street bridge  
19 project which will be updated soon. You have  
20 an email dated February 21, 2023, to the City  
21 of East Chicago from myself giving them a  
22 project update of the Canal Street bridge  
23 project. You have a copy of Tetra Tech's  
24 monthly progress report dated March 12, 2023,  
25 which was inadvertently not included when I

1 emailed the board packet so I included a hard  
2 copy today. And a couple documents in your  
3 packet related to the HARSCO's 2022 user fee  
4 collection efforts.

5 And that concludes the items in your board  
6 packet. To go over a few updates, the new  
7 COVID-19 policy that was approved at last  
8 month's board meeting has been posted on our  
9 website.

10 The February 16, 2023, meeting notes had a  
11 couple corrections. On Page 11, Line 14, and  
12 17, it's listed as A-C-O-M and the correct  
13 spelling A-E-C-O-M. And the very next page,  
14 Page 12, Line 8, it's Attorney Allegretti,  
15 A-l-l-e-g-r-e-t-t-i.

16 Regarding the action items on today's  
17 agenda, we only have two tradition action items  
18 which are the board minutes and the monthly  
19 claim docket. And we have a presentation from  
20 Atlantic Richfield and their contractor  
21 regarding the sheet pile wall design and  
22 construction presentation that will be given  
23 after we conclude the regularly scheduled  
24 agenda items.

25 Regarding finances, last month the board

1 approved a transfer from the trust account and  
2 a transfer from the non-trust account relating  
3 to the 2023 operating budget. Those transfers  
4 have been completed. Also A couple weeks ago I  
5 met with board member, Ray Lopez, and our  
6 accountant, Vanessa, regarding the annual  
7 Gateway filing. And that report is in your  
8 board packet.

9       Regarding user fees, we concluded our  
10 pursuit of the one unpaid 2022 user fee which  
11 was with HARSCO. HARSCO agreed to pay the  
12 outstanding balance including the court filing  
13 fees, and that agreement was documented in the  
14 settlement agreement. The copy of the  
15 settlement agreement and along with their  
16 payment confirmation resulted in a filing of a  
17 motion to dismiss the small claims court  
18 hearing. The motion to dismiss was ratified at  
19 our March 7 special board meeting, and relevant  
20 copies of the HARSCO user fee, unpaid user fee  
21 case is in your board packet.

22       With the conclusion of the HARSCO payment,  
23 that brings our 2022 user fee collection to  
24 100 percent. I'll start working on the 2023  
25 user fee invoices and packet, which I'm

1 planning to submit by the end of April.

2 Regarding the Lake George canal east and  
3 middle project, Atlantic Richfield and their  
4 contractors continue on their efforts to  
5 finalize the sheet pile wall issued for  
6 construction package. A draft of the hundred  
7 percent package was submitted to key project  
8 stakeholders at the end of February for review.

9 Atlantic Richfield and Jacobs' work on  
10 securing necessary permitting is also ongoing.  
11 And the district continues to work with  
12 Atlantic Richfield to help resolve easement  
13 conflicts that are affiliated with the  
14 construction of the sheet pile wall.

15 Atlantic Richfield has a series of  
16 presentations scheduled in the next few weeks,  
17 including today's presentation at this board  
18 meeting. They'll present a summary and status  
19 of the sheet pile wall project and schedule to  
20 the board. And the presentation is during our  
21 board meeting; therefore, attendance is open to  
22 the public.

23 Atlantic Richfield has advertised today's  
24 presentation in The Times. And per the  
25 district's cost share agreement with AR BP, the



1 board needs to consider giving Atlantic  
2 Richfield approval to proceed to construction  
3 after their presentation. So after their  
4 presentation is done, I think that the board  
5 should pursue an official action to recommend  
6 going to construction.

7 The sheet pile wall is forecasted to be  
8 completed by early 2024.

9 Regarding the Lake George canal east  
10 section project, phase 2 dredging is scheduled  
11 to recommence after the south tank farm sheet  
12 pile wall project is completed which I  
13 mentioned is scheduled to be done in 2024. The  
14 Corps will be managing the dredging project on  
15 EPA's behalf. And the Corps is coordinating  
16 additional canal sediment sampling that is  
17 scheduled to be done sometime this spring.

18 Regarding the Lake George canal middle cap  
19 project, the Army Corps of Engineers is  
20 managing this remediation project also on EPA's  
21 behalf. The cap construction was on pause due  
22 to winter weather but has recently resumed.

23 Lake George canal west remediation  
24 project, that work is between BP and EPA and  
25 that project is ongoing.

1           Regarding the Grand Cal River junction  
2 reaches remedial design, Tetra Tech's remedial  
3 design work is ongoing. The project team  
4 continues to have periodic meetings to discuss  
5 items such as design completion, property  
6 access coordination, permit applications,  
7 coordination with the junction marsh, community  
8 engagement, and coordination with the former  
9 city dump site.

10           I believe Jim Wescott is in attendance and  
11 will provide additional information or answer  
12 any questions the board might have.

13           The project team continues to work on  
14 resolving any potential source control  
15 concerns. The resolution of the source control  
16 concerns will be concluded once EPA drafts and  
17 finalizes their source control memo basically  
18 stating that all potential known contamination  
19 sources are of no concern. And that action  
20 item is an EPA action item.

21           Once the source control memo is finalized,  
22 we will then resume our work on drafting and  
23 finalizing the project agreement.

24           Regarding the Great Lakes Legacy Act work  
25 in kind reporting, I've been working on the

1 2022 annual work in kind report which is due at  
2 the end of this month.

3       Regarding the Canal Street bridge project,  
4 we recently submitted requests for bids for  
5 construction on the dolphins as approved at our  
6 February board meeting. AECOM finalized the  
7 dolphin design specs and drawings and bid  
8 request packages were sent on February 21st. A  
9 pre-bid and site visit meeting was held on  
10 March 8. As a result of that pre-bid meeting,  
11 we are putting together an addendum to the bid  
12 document that will modify a couple provisions,  
13 including extending the due date. Currently,  
14 we're considering extending the date to April  
15 17th. We're hoping the changes noted in the  
16 addendum will result in additional contractor  
17 bid submittals. I have also been working with  
18 Attorney Gregory and Attorney Wieser and AECOM  
19 to make sure we're following the necessary  
20 state bidding rules. A copy of the latest  
21 schedule is in your board packet, which as I  
22 mentioned will be updated soon.

23       Regarding the Atlantic Richfield  
24 settlement agreement, to recap our efforts: In  
25 the last week or so the board might recall that

1 the district approved and signed a settlement  
2 agreement at a special board meeting on  
3 March 7, which was last week. It was presented  
4 to the district, and it was already approved  
5 and signed by Atlantic Richfield. The city in  
6 turn approved and signed the settlement  
7 agreement at their March 9 board of public  
8 works meeting where Attorney Wieser and I  
9 attended and presented the settlement  
10 agreement. So now we have a fully executed  
11 settlement agreement. And since then the  
12 district and Atlantic Richfield have been  
13 working on various action items related to  
14 finalizing the conveyance of the properties.

15 I would like to restate our thanks to  
16 Atlantic Richfield's negotiation team, the  
17 district's negotiation team. That included  
18 Attorney Ellen Gregory, Attorney Jim Wieser and  
19 myself, and thank the City and Mayor Copeland  
20 for their cooperation and trust and assign the  
21 district to take the lead in the negotiation  
22 efforts. I believe the settlement agreement is  
23 a win-win-win for all three parties.

24 Regarding the groundwater characterization  
25 of the non-CDF E.C.I. site parcels, per the

1 recently approved settlement agreement this  
2 obligation would become Atlantic Richfield  
3 obligation.

4 The Corps' report is in your packet. And  
5 I believe project manager, Mike Nguyen, will be  
6 presenting an update to the board. And  
7 Attorney Ellen Gregory will also give an update  
8 on legal matters and her report is in the board  
9 packet. And that concludes my report.

10 MR. FEKETE: Any questions for Mr. Trevino?

11 (No response.)

12 MR. FEKETE: Thank you very much. The next  
13 order of business is the approval consideration of  
14 the board meeting notes for our last regular  
15 meeting which was February 16, 2023. I will  
16 entertain a motion to approve.

17 MR. BAKOTA: Motion to approve.

18 MR. FEKETE: Do we have a second?

19 MR. HENRY RODRIGUEZ: Second.

20 MR. FEKETE: Since all board members are  
21 present here, I will entertain a voice vote. All  
22 in favor, signify by saying "aye."

23 (All signify aye).

24 MR. FEKETE: Any oppositions?

25 (No response.)

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1 MR. FEKETE: Any abstentions?

2 (No response.)

3 MR. FEKETE: The motion is approved. The  
4 next order of business is the accounting  
5 consulting report.

6 MS. VARGAS: Good evening everyone. Vanessa,  
7 with CLA.

8 In front of you, you have the financial  
9 statements on a cash basis dated February 28,  
10 2023.

11 If you turn to Page 2 we'll begin with the  
12 statement of cash receipts and cash  
13 disbursements for the two months ended  
14 February 28, 2023. You've received interest  
15 income of \$16,938.28. You have received user  
16 fees of \$37,567.67. As well as a trust  
17 transfer in the amount of \$149,191.38.  
18 Bringing your total receipts through  
19 February 28 to \$203,697.33. You have you've  
20 had disbursements totaling \$68,364.04 made up  
21 of the various line items above. This brings  
22 you to a total cash increase of \$135,333.29.  
23 You began the year with a cash balance of  
24 \$4,300,335.44. Your cash balance as of  
25 February 28, 2023, is \$4,435,668.73.

1           If you turn to Page 3 we will continue  
2 with the schedule of cash account activity for  
3 the two months ended February 28, 2023. Your  
4 operating account began the year with a cash  
5 balance of \$1,439,851.14. You've earned  
6 interest of \$58.60. You had cash disbursements  
7 of \$68,364.04. You've received a trust  
8 transfer of \$149,191.38. As well as a budget  
9 transfer in the amount of \$153,329.23. This  
10 brings your operating cash balance as of  
11 February 28th to \$1,674,066.31.

12           Your user fee account began the year with  
13 a cash balance of \$560,484.30. You've earned  
14 interest of \$1,111.14. Collected user fees of  
15 \$37,567.67. And had a budget transfer to the  
16 operating account in the amount of \$153,329.23.  
17 This brings your user fee account balance as of  
18 February 8th to \$445,833.88. Your CD balance  
19 began the year with \$2,300,000. You've  
20 received interest of \$15,768.54, which brings  
21 your CD balance as of February 28 to  
22 \$2,315,768.54.

23           If you turn to Page 5, we will continue  
24 with the schedule of 2023 available budget as  
25 of March 16, 2023. Your total 2023 budget

1 appropriation was \$1,709,850. Adding back in  
2 your accounts payable as of 12-31-2022 in the  
3 amount of \$32,521.75. Bringing your total  
4 appropriation budget for 2023 to \$1,742,371.75.  
5 Through February 28, 2023, you've had cash  
6 disbursements totaling \$68,364.04. In front of  
7 you, you have a claims docket dated March 16,  
8 2023, totaling \$50,299.48. This brings your  
9 unused budget for 2023 to \$1,623,708.23.

10 Are there any questions?

11 MR. TREVINO: I have a question.

12 MS. VARGAS: Yes.

13 MR. TREVINO: So the report has -- I was  
14 looking at the pages and you've got 2, 3 and then  
15 in jumps from 3 to 5. Are we missing a page or is  
16 it just misnumbering?

17 MS. VARGAS: No. That was a misnumbering on  
18 my fault. My apologies. That was because last  
19 month we had that additional page for the 2022  
20 budget for that payable.

21 MR. TREVINO: Yeah.

22 MS. VARGAS: So I will get that changed for  
23 next time.

24 MR. TREVINO: Okay. Thank you.

25 MR. FEKETE: Next order of business is the



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1 approval consideration for the accounts payable  
2 voucher presented today, March 16, 2023. I'll  
3 entertain a motion to approve.

4 MR. HENRY RODRIGUEZ: Motion to approve.

5 MR. FEKETE: Do I have a second?

6 MR. BAKOTA: Second.

7 MR. FEKETE: Okay. We'll have a roll call  
8 vote.

9 John Bakota?

10 MR. BAKOTA: Yes.

11 MR. FEKETE: Henry Rodriguez?

12 MR. HENRY RODRIGUEZ: Yes.

13 MR. FEKETE: Jaylan Robinson?

14 MR. ROBINSON: Yes.

15 MR. FEKETE: Kevin Doyle?

16 (No response).

17 MR. FEKETE: Ray Lopez?

18 MR. LOPEZ: Yes.

19 MR. FEKETE: John Fekete, I vote yes. That  
20 motion is approved.

21 BMO trust report.

22 MR. TREVINO: Is Mr. Santore on?

23 MR. SANTORE: This is Bob Santore from BMO  
24 here on the phone. So Page 1 our money market and  
25 CD holdings. This page shows a combined balance

1 of your money market account of your certificate  
2 of deposit. The current value of both is  
3 \$4,020,658.67. For the decrease of \$119,051.87  
4 from our last meeting, and this is due to the  
5 distribution of \$149,191.38. You'll see that your  
6 interest earnings this month reflected your first  
7 interest credit for your CD. The interest on the  
8 CD earned was \$29,588.22. And interest earned on  
9 the money market for the month of February was  
10 \$551.29.

11 On Page 2 is the historical data for your  
12 distributions. You'll see that your first  
13 distribution of 2023 is reflected, and that  
14 amount again is \$149,191.38.

15 I believe that reflects all the movements  
16 in February. If there are any questions, I'd  
17 be happy to answer those.

18 MR. FEKETE: Any questions for Mr. Santore?

19 (No response.)

20 MR. FEKETE: Hearing none, we want to thank  
21 you very much, Bob.

22 MR. SANTORE: You're welcome.

23 MR. FEKETE: All right. The Canal Street  
24 bridge dolphin project. Fernando.

25 MR. TREVINO: Yes. Is Tim Dull on?

1 MR. DULL: Tim Dull. So I can give a update  
2 on the Canal Street bridge project. The plan is  
3 to install two dolphins in the Canal Street bridge  
4 area to aid in navigation. The update on this  
5 project, we've completed the bid -- AECOM  
6 completed the bid package and it was sent to six  
7 contractors on February 21st. As Fernando  
8 mentioned earlier, we had a bid walk on March 8,  
9 and as we a result of that bid walk we decided to  
10 prepare an addendum to clarify some issues in the  
11 bid package. That will be sent out soon. We hope  
12 to have a due date of April 17th for bids. And we  
13 hope to have bids open at your next board meeting  
14 on April 20th.

15 MR. FEKETE: Okay. Any questions?

16 (No response.)

17 MR. FEKETE: Hearing none, thank you very  
18 much.

19 MR. DULL: Thank you.

20 MR. FEKETE: Great Lakes Legacy Act, Grand  
21 Cal' junction.

22 MR. TREVINO: Jim?

23 MR. WESCOTT: Jim Wescott. Not much going on  
24 at least from our end. The EPA is working with  
25 the city and the state on the landfill to try to

1 get some of their preliminary requirements  
2 completed before they can move forward to get a  
3 project agreement and finalize the design.

4 We did get some comments from USACE  
5 through EPA that Fernando is aware of that will  
6 probably require us to do some additional work  
7 that we didn't do the original design. So I'll  
8 try to have that cost and scope of work to  
9 Fernando before the next board meeting for your  
10 review.

11 Other than that, we're primarily waiting  
12 on EPA.

13 MR. FEKETE: Okay. Any questions for  
14 Mr. Wescott?

15 (No response.)

16 MR. FEKETE: Thank you, Jim.

17 MR. WESCOTT: Thanks.

18 MR. FEKETE: Us Army Corps board report,  
19 Mr. Nguyen? Or Fernando?

20 MR. NGUYEN: This is Mike Nguyen. Can you  
21 hear me?

22 MR. FEKETE: Hello, Mike.

23 MR. NGUYEN: So for the CDF construction  
24 Clean Harbors treated and discharged roughly  
25 2 million gallons of water in 2022, and we're just

1 suspended for the season. We didn't exercise the  
2 option so what we're doing right now is we did a  
3 bridge contract and we're trying to get another  
4 water treatment contract awarded probably within  
5 the next few months and then water treatment will  
6 continue into the summer, so there wouldn't be any  
7 loss of service.

8 For the phase 2 dike raise, construction  
9 is ongoing and will continue through the  
10 winter.

11 For the PCA, we amended the PCA with the  
12 adding of the final LERRD's credits. We're  
13 working to close out the old cost share  
14 agreement for the PCA. And we're working  
15 trying to get the meeting with ArcelorMittal  
16 and Fernando and our resource management to try  
17 to finalize all the accounting.

18 And for the Parkway, we're continuing to  
19 inspect and clean the Parkway as needed once a  
20 month.

21 And that's all I have. Any questions?

22 MR. FEKETE: Any questions for Mr. Nguyen?

23 (No response.)

24 MR. FEKETE: Hearing none, we want to thank  
25 you very much.

1 And the next order of business is the  
2 Attorney Ellen Gregory report.

3 MS. GREGORY: Ellen Gregory with Ellen  
4 Gregory Law. As Mr. Trevino mentioned we have  
5 finally reached an agreement and have a fully  
6 executed document for the property transfer  
7 settlement agreement. Attorney Jim Wieser and  
8 Fernando and I are still working on other transfer  
9 issues that need to be done prior to closing. In  
10 addition, I will be working with Mr. Trevino to  
11 get the 2023 user fee assessments issued in the  
12 next couple of months. We usually do a review to  
13 make sure none of the parcels have been  
14 transferred to new owners since last year's  
15 assessments were sent out. I think we saw  
16 somewhere on a map that there was one parcel that  
17 has a new owner we weren't aware of. So we'll be  
18 doing that analysis with the help of Jim Wieser.

19 The Canal Street bridge, I have been  
20 assisting with determining what the state  
21 requirements are for procurement for the  
22 contractor that gets selected to do  
23 construction for the Canal Street bridge  
24 dolphin project. And then I'm also working on  
25 review the CliftonLarsenAllen engagement letter

1 for 2023. It changed their process. They now  
2 have three separate agreements, separate letter  
3 agreements; and we have scheduled to speak with  
4 Monica at CliftonLarsenAllen next Monday to go  
5 through those new agreements and make sure that  
6 we are all in line with the language in the  
7 agreements. And that's all I have.

8 MR. FEKETE: Any questions for Miss Gregory?

9 (No response.)

10 MR. FEKETE: Hearing none, I thank you very  
11 much.

12 Any other business to come before the  
13 board?

14 (No response.)

15 MR. FEKETE: Any public comments?

16 (No response.)

17 MR. FEKETE: Nothing.

18 Okay. Sheet pile wall barrier  
19 presentation, Atlantic Richfield and Jacobs  
20 Engineering.

21 MR. LARSON: Would the board prefer hard  
22 copies or the electronic copy?

23 MR. TREVINO: Both. Ellen, you have a copy  
24 of the presentation, correct?

25 COURT REPORTER: WHAT IS YOUR NAME?

1 MR. LARSON: Eric, E-r-i-c, Larson,  
2 L-a-r-s-o-n.

3 MR. FEKETE: Would you introduce yourself and  
4 then your team.

5 MR. LARSON: I'm Eric Larson. I'm the  
6 project manager for Atlantic Richfield, and today  
7 I've brought some members of our team. So I have  
8 Craig Kish with Jacobs. Craig is the project  
9 manager for Jacobs. Craig and I work closely  
10 together on this project.

11 To Craig's left, I have Brian Heck. Brian  
12 Heck is the vice president of Goettle. Goettle  
13 is the company that's going to be driving the  
14 sheet pile for us. And then I've got John  
15 Conety, John is going to be the site  
16 superintendent for our project. So they're  
17 available to answer questions as we go, and  
18 I'll actually be copresenting with Craig Kish  
19 this evening.

20 MR. TREVINO: Your superintendent is with  
21 who?

22 MR. LARSON: With Goettle. So in front of  
23 you is the brief Powerpoint. The purpose of  
24 today's presentation is to bring the board up to  
25 speed with some of the refinements that have taken



1 place within the design since I shared the  
2 90 percent with you last May and June. So we're  
3 at the point now where we're bringing the design  
4 to 100 percent, or what we call the I.F.C., Issue  
5 For Construction. We're going to walk through a  
6 few of the refinements, share with you the  
7 schedule for this coming scope of work that's  
8 going to take place this year, share with you what  
9 our plan is to reduce any impacts to the community  
10 and then share with you some of the partnering  
11 opportunities that we're looking forward to.

12 So what I wanted to do was just kind of  
13 draw your attention on this third page. I  
14 shared with you the guests that we have here  
15 today with Jacobs and Goettle; but as you can  
16 imagine, there's a whole host of people that  
17 are bringing this project to light. And some  
18 of those names are to the right. John is with  
19 us today. But I feel like we've assembled a  
20 really strong team; so I'm excited for the work  
21 to begin.

22 The next couple pages is really a map of  
23 the site. So I know all of you are really  
24 familiar with the parcels associated with the  
25 former refinery. Specifically today, the south

1 tank farm project that we have in front of us.

2 Before I begin, are there any questions?

3 MR. FEKETE: No. This is good.

4 MR. LARSON: What I'd like to do is turn it  
5 over to Craig Kish. As I said, Craig is the  
6 project manager for Jacobs. Craig is going to  
7 walk you through some of the key refinements: The  
8 schedule, the mitigations that we're taking as  
9 well as some of the partnering opportunities that  
10 we're looking forward to.

11 MR. KISH: Thank you for this opportunity.  
12 We've taken it from the 90 percent issues for bid  
13 to a hundred -- the draft hundred percent issue  
14 for construction. And so at the 90 percent level,  
15 the approach and the design was really very  
16 mature. And so our job was to go back and back  
17 check, and just do spot checks to make sure that  
18 all calculations, the assumptions made sense, that  
19 everything that lines up. And so in doing that,  
20 we really found that all we needed to do was make  
21 refinements. And then there were a few  
22 adjustments that we needed to make. One of which  
23 was for the pipeline relocations from Buckeye and  
24 NIPSCO. And so they're going to be -- their lines  
25 presently go through our footprint, so they're

1 going to be moving their lines so that they stay  
2 out of our footprint. But they're going to be  
3 very close to what will be our southeast corner.  
4 So that required a little bit of what I refer to  
5 as a "notch" in our footprint so that we could  
6 accommodate those pipeline relocations and allow  
7 access in the future. And by the way one of the  
8 reasons that we wanted to do this was if we built  
9 our wall and left their pipelines in place, well,  
10 we wouldn't have a continuous wall for the  
11 bulkhead. Especially at what would be the  
12 northeast corner. And so what you end up doing at  
13 that point is grouting. And grouting is very good  
14 but it's not as complete a seal as we get with the  
15 sheet pile wall, and so that's why we built that  
16 notch, was to allow them to stay out of our  
17 footprint and now we have a continuous wall all  
18 the way around.

19 But in doing that we had to do a bit of a  
20 redesign for that southeast corner to make sure  
21 that it was still structurally sound. And so  
22 we had our engineers develop a new design, a  
23 new approach for that corner. And we're  
24 talking about that notch is roughly 20 feet by  
25 20 feet So we basically took a square corner

1 and brought it in.

2 MR. LARSON: You can see that in the  
3 schematic that you have in front of you. That's  
4 the notch that Craig is referring to. So there's  
5 no impact to the integrity of the wall or what the  
6 design is meant to do. It's really just to make  
7 sure that we don't have conflict with the line  
8 from NIPSCO and the line from Buckeye that run  
9 through that footprint.

10 MR. FEKETE: So you're basically -- you're  
11 creating that notch, which means you're going to  
12 bring the sheet pile wall further east.

13 MR. LARSON: So it's this picture right here  
14 (indicating). So the difference is, is that wing  
15 wall that's on the side, that wing wall gets  
16 shortened up by 20 feet.

17 MR. FEKETE: Okay.

18 MR. LARSON: The wall goes all the way to the  
19 end, but the wing wall gets shortened up. And  
20 then it does kind of like a dog leg there so that  
21 it allows the --

22 MR. FEKETE: So that the pipeline comes  
23 across the road and then makes a turn and goes  
24 west and you're kind of working around it.

25 MR. LARSON: Yeah. Because the Buckeye and

1 the NIPSCO line come up through the property. The  
2 NIPSCO line, they want to use their existing tie  
3 in underneath Indianapolis Boulevard. For them to  
4 do that they, they needed to cut the line where  
5 they did. Buckeye came a little bit shorter and  
6 then they're going to horizontal drill underneath.  
7 But in order to make this coexist for all three  
8 systems, our wall, their two pipelines, we needed  
9 to notch that wing wall there.

10 MR. BAKOTA: So the pipeline runs through the  
11 waterway or through the property?

12 MR. LARSON: That Buckeye pipeline is going  
13 to run underneath the bridge, under Indianapolis  
14 Boulevard bridge, underneath the road. And then  
15 NIPSCO pipeline is going to use the existing  
16 connection that it has underneath Indianapolis  
17 Boulevard. So in order to make those connections,  
18 what we needed to do was notch the wall.

19 Otherwise, like Craig said, what would happen is  
20 we'd have to grout around those lines within the  
21 wall. Which didn't make sense. From our vantage  
22 point, it's a much more robust system just to  
23 notch the wall, so that's what we did. It's a  
24 small refinement but it's one worth noting.

25 MR. KISH: And then a couple of other changes

1 that we made. One is really more for the means  
2 and methods as opposed to the design. And what  
3 we're doing is we're -- and Brian can certainly  
4 speak to this as well from the construction side,  
5 but what we're doing is we're working from west to  
6 east, and what we're going to do is open up small  
7 sections at a time and work those sections and  
8 work progressively from west to east. And that  
9 will reduce how much water we have to dewater to  
10 keep our construction zone clean. And also that  
11 just makes the sequencing of the work a little bit  
12 cleaner, you know, a better jobsite with the  
13 smaller footprint being active at any time. What  
14 that really means also is as far as sequencing  
15 we're going to be running that bulkhead along the  
16 canal from west to east, and we're going to be  
17 doing that for probably two months, two and a half  
18 months before we start on doing the wing wall and  
19 deadman and working from west to east. And that's  
20 so that we always stay far enough ahead with the  
21 bulkhead that we can continue to progressively  
22 work our way and not -- the deadman and excavation  
23 will proceed more rapidly than the bulkhead. So  
24 we're doing that to kind of time it and get  
25 everything to a sequence and wrap up at the end,

1 and keep us from having two crews working too  
2 close to each other. So it solves a couple of  
3 problems.

4 MR. BAKOTA: I asked this question before.  
5 And there's a lot of riprap, concrete and metal  
6 parts parallel to the shoreline. But the wall  
7 will go north of that then? It will remain there?

8 MR. KISH: We'll be cleaning up part of the  
9 shoreline for construction, make sure that we can  
10 drive the sheets in the piles. But otherwise, you  
11 know, we're going to try to minimize the amount of  
12 boring that we do in the canal. The wall itself  
13 is going to be roughly 40 feet into the water.  
14 And so that's --

15 MR. BAKOTA: 40-foot into the water?

16 MR. KISH: Beyond the existing shore. It  
17 will be between 20 to 30.

18 MR. HECK: 30 to 40 feet north of the shore.

19 MR. LARSON: Because it's not a perfectly  
20 straight line. To your point, one of the things  
21 that we did last year was we did a survey along --  
22 we did a constructability review. And one of  
23 those things was let's do a driveline survey. So  
24 we went out there and probed on four-foot centers  
25 with big I-beams, dropped them down off of a barge

1 to see if we hit refusal. In other words, was  
2 there an obstruction that that beam just wouldn't  
3 go through? The other thing we did was we brought  
4 out a boat that had technologies like side scan  
5 sonar, sub-bottom profiler. All really fancy  
6 terms, but what it meant was we got a really clean  
7 picture of what that driveline looked like so we  
8 understood how many obstructions we may have to  
9 deal with. So we know we have maybe about 10  
10 obstructions we're going to have to work around.  
11 But the rest of the driveline looked ed pretty  
12 clean. So the team is prepared to deal with those  
13 obstructions. As we go, we know where they're at,  
14 kind of have an idea what they might be, and then  
15 how we want to address them. It makes for a much  
16 more efficient operation. I think that's what  
17 your question was, John.

18 MR. BAKOTA: Yeah. Do they backfill the wall  
19 once it's completed?

20 MR. LARSON: Yeah. So once we put that  
21 barrier wall system, once we drive the wall itself  
22 in order to have a stable wall you have to put  
23 that deadman wall behind it, and then you connect  
24 them with tie backs. So as we go, what Craig was  
25 saying was we have to excavate down to about four



1 feet, maybe a little more, four and a half feet,  
2 so that those tie backs that connect the deadman  
3 wall and the sheet pile wall can be affixed to one  
4 another. All of that material is going to be  
5 removed and we're going to bring in clean  
6 backfill, and backfill all of that. What Craig  
7 was saying is we're going to sequence the work so  
8 we minimize how much open excavation we have at  
9 any one time. So that if it rains, we don't have  
10 like a couple acres worth of water that we have to  
11 manage. By doing that in that way, we minimize  
12 how much water we'll have to manage, which is a  
13 really smart way to go about it.

14 MR. BAKOTA: Are the beams driven in with a  
15 pile driver? Pounding?

16 MR. KISH: Vibratory.

17 MR. HECK: It's a vibratory hammer suspended  
18 from a crane.

19 MR. FEKETE: You go down to clay?

20 MR. HECK: We're going like two feet in to  
21 the underlying clay. Which the sheet piles are 50  
22 feet long. And the kind pile that are every other  
23 pair of sheets are 55 feet long.

24 MR. FEKETE: Yeah, that's one of the vantages  
25 we have because of that huge clay layer down

1 there. I think it's 20 feet or something.

2 MR. KISH: And then the other -- did you have  
3 another question?

4 MR. BAKOTA: Yeah. As far as the material,  
5 is it American made?

6 MR. LARSON: All US Steel made. I know  
7 Mr. Trevino and I had a number of conversations,  
8 and I'll go off script for a second. I was  
9 sharing with you that my grandfather worked for  
10 Inland Steel for 40 years. There was no way we  
11 were driving anything other than American steel on  
12 this project. That was one of the first things  
13 that I said when I came in here, "we're not  
14 evaluating foreign steel." This is all going to  
15 be American-driven steel.

16 MR. BAKOTA: You have a lot of steelworkers  
17 on this board here.

18 MR. LARSON: I didn't want to have to answer  
19 to my grandfather when I got upstairs one day why  
20 we used U.A.E. or Chinese steel. We're proud to  
21 use American steel.

22 MR. KISH: The other refinement that we made  
23 was for the site entry because originally we were  
24 going to be coming in more to the center of the  
25 site and then going to the north and back a little

1 bit to the east. But we found that that really  
2 didn't make a lot of sense, and so we're  
3 developing an access road to go across all the  
4 infrastructure, the pipelines that are in that  
5 part of the site. And so you'll see on Page 7, we  
6 have a representation of what the site layout  
7 looks like now. And so this did a couple things  
8 for us. One, it put more the -- our trailer area,  
9 our stockpiles, our lay down areas are more  
10 central in site, but also part of this was to free  
11 up the area to the east where Buckeye and NIPSCO  
12 will be working. And so it just gave a little bit  
13 of physical separation in case their activities go  
14 a little bit long and we have other activities  
15 going, it just -- it's a safer operation going  
16 that way.

17 And so we're continuing to work on getting  
18 the access agreements, the encroachment  
19 agreements for that access road, but we've  
20 developed what Eric affectionately refers to as  
21 the Cadillac of roads because it's a very stout  
22 road to make sure that we protect that  
23 underlying infrastructure. The last thing we  
24 want to do is run heavy trucks across, and  
25 especially bringing in some of the heavier

1 loads, and jeopardizing those pipelines.

2 MR. BAKOTA: If you look at that spillway  
3 that runs parallel to Indianapolis Boulevard the  
4 entrance farther and beyond the fence line  
5 southeast, trucks in the past have run across that  
6 and broke all the concrete on the spillway. I  
7 mentioned that some time ago, why they didn't put  
8 an entrance farther back on the south side, and  
9 they drive across that spillway and damage it  
10 really.

11 MR. LARSON: It really is an impressive  
12 amount of agreements that we have to secure to do  
13 all of this work and this is where Mr. Trevino  
14 alluded to this, and I appreciated his support;  
15 there were a number of agreements -- NIPSCO,  
16 Buckeye, One Oak, you know, of course BP pipeline  
17 is in that mix, CSX, APU, and we're dealing with  
18 Marathon Ashland; there's a number of agreements  
19 that we needed to secure, and having the support  
20 of the Waterway Management District and some of  
21 the conversations that Director Trevino was able  
22 to have was instrumental in streamlining these  
23 conversations because, you know, this is -- the  
24 way I affectionately put it, you're coming to bat  
25 with two strikes against you. For a lot of these

1 firms this is just one more thing on their to-do  
2 list, and trying to get them to prioritize that to  
3 the top of their to-do list can be a challenge.  
4 So having Director Trevino's input with some of  
5 those conversations was helpful. So I appreciate  
6 that.

7 MR. KISH: Would it be better if I stood over  
8 there?

9 MR. TREVINO: I think that would help.

10 MR. KISH: So with the next page on the  
11 summary of the approach, as Eric mentioned when we  
12 got started, I'm with Jacobs and we're really the  
13 construction management company. Goettle is our  
14 teaming subcontractor; so they're the ones who are  
15 turning the wrench, they're the ones bringing the  
16 crane in to do the real work.

17 MR. LOPEZ: They're not smiling.

18 MR. LARSON: That's because I haven't paid  
19 them yet.

20 MR. KISH: And so with the work that we're  
21 doing we've mentioned some of the issues with  
22 getting all the easement encroachment agreements  
23 and all that goes along with that. But a lot of  
24 what guides what we're doing is also permits that  
25 we have to get. And so with those permits come a

1 number of conditions. And so we're actively  
2 working through all of those. We have all the  
3 permits that we need now, and we've got a team  
4 that is working to make sure that we translate  
5 what's on paper in a condition to the folks in the  
6 field to make sure that we do things right and  
7 that we comply with that. Also we have all of our  
8 work plans. I've lost count of how many specific  
9 work plans we have and preconstruction plans. But  
10 all those work plans are just what we do to make  
11 sure that we get this implemented correctly and  
12 also safely. You know, I told Eric and told the  
13 team so many times that I look at any project and  
14 say I never consider a project successful unless  
15 we have a hundred percent safety and we've met the  
16 quality, we meet the specs and the drawings, and  
17 we've done what we said we are going to do. We've  
18 got to do it without getting anybody hurt and with  
19 minimizing any kind of impact on the community.  
20 So that's our job.

21 I mentioned that we do take safety and  
22 security very seriously. And in a moment I'll  
23 talk a little bit about our journey risk  
24 management plan which is our way of making sure  
25 that we're bringing in a lot of trucks. And so we

1 want to do what we can to minimize the impact on  
2 the community and make sure that we do it in a  
3 safe way and that we are good neighbors. And so  
4 also with the environment in the canal, we're  
5 doing this job to protect the canal, to eliminate  
6 sheen getting in and allowing the Corps to be able  
7 to go in and dredge. And so that's our job while  
8 we're doing the construction, too, is to make sure  
9 that we protect that canal.

10 And I already mentioned the site  
11 infrastructure. We have pipelines through there,  
12 and so as we're doing our site set up right now,  
13 we're bringing in equipment, we've got steel  
14 plates down that we've worked with the pipeline  
15 companies to make sure that we're protecting that  
16 infrastructure while we're getting set up because  
17 we're not going to -- I will mention the schedule  
18 in a moment but we're not going to be starting to  
19 drive steel until late April probably. But in the  
20 meantime we still have almost two months worth of  
21 work on the site just to get things set up so that  
22 we can do our work efficiently and safely.

23 And also I should mention, Eric already  
24 talk about CSX, the railroad we have the  
25 railroad on the west side, we have Indianapolis

1 on the other side, and we're doing a vibratory  
2 approach as opposed to an impact hammer, but  
3 we're doing vibratory monitoring to make sure  
4 that we protect those infrastructure as well  
5 for the rail and for the road. We don't want  
6 to be damaging anything else while we're doing  
7 our work.

8 So with the means and methods, one of the  
9 things I wanted to point out, another change in  
10 the approach is that we decided to use marine  
11 transport for the steel. Brian mentioned that,  
12 you know, the sheet pile for the bulkhead is  
13 50 feet. The king piles are 55 feet. And so that  
14 would, I think we estimated 173 loads of that  
15 coming in. Those are heavy long loads that would  
16 be going across the roads here. And we decided to  
17 barge that in. So we'll only have three barges  
18 that will come in and deliver that steel, and try  
19 to keep some truck traffic off your roads. We'll  
20 still have other deliveries. One of them is that  
21 since we're doing so much excavation, we've got  
22 40,000, 45,000 cubic yards of soil that needs to  
23 come in; and so that translates into 3,000 --

24 MR. HECK: 3- to 4,000.

25 MR. KISH: 3- to 4,000 loads. And that will



1 be starting in July when we actually will be  
2 bringing those loads in. So I've got a slide in  
3 here that shows some of the routes, but that's  
4 something that we're -- we've been very clear with  
5 Goettle and they've been very clear with their  
6 lower tier subcontractors for transportation that  
7 we have these routes, and they're there for a  
8 reason. And when we were on the site this  
9 morning, you know, we found a truck, we saw a  
10 truck coming up that wasn't on our route; and I  
11 was going to tell you, Brian, I think both Eric  
12 and I were pleased because Cole, our on-site  
13 project manager, immediately ran out to the truck  
14 driver and told him that's not a route. Don't do  
15 that. So we take that seriously. And we have  
16 those routes established to stay away from the  
17 high school, the preschool, and just take a route  
18 that makes sense. I always tell drivers when I'm  
19 on site that it really doesn't take that much more  
20 time to do it right. And that's what I tell the  
21 construction crews, too, with safety; it doesn't  
22 take that much more time to do things safely.

23 I mentioned in the vibratory hammer,  
24 that's more quiet than an impact hammer, so and  
25 we'll also be limiting our hours of operation

1 to minimize the impact.

2 MR. HECK: There is a possibility we'll have  
3 to do some impact driving if we have trouble  
4 getting through that clay layer at the bottom we  
5 may have to put an impact hammer on for the last  
6 few feet or if we hit an obstruction.

7 MR. FEKETE: You would be doing this in  
8 non-school times? Because that's going to make a  
9 lot of noise.

10 MR. HECK: It would be during normal work  
11 hours.

12 MR. FEKETE: I'm saying that, you know, as  
13 you start moving along your project, just keep in  
14 mind you do have a school nearby.

15 MR. HECK: Right.

16 MR. FEKETE: Very good. I just have a couple  
17 of thoughts. One, if you can be bringing barges  
18 in. So you're going to have to coordinate with  
19 the Army Corps of Engineers and their dredging  
20 contractor. That's easily done but I know you're  
21 going to work on that. And just kind of a final  
22 thought, a number of years ago when we were  
23 talking about doing projects in the canal and  
24 stuff like that, somebody -- it could have been  
25 the dredging contractor -- actually had a drone

1 with a camera and flew down the canal. That was  
2 so impressive just showing everybody what they  
3 were going to be doing. I mean, they had the  
4 drone flying near the bridges and everything else.  
5 All I'm saying is that you presented a good plan  
6 to us. You have a good plan with the people that  
7 you've talked to in the community, but I think  
8 what would really be helpful is if you had some  
9 kind of a video -- short, nothing elaborate -- of  
10 saying this is what we're doing, this is where we  
11 are on the project, this is where we are on the  
12 process. And when it's all over you can show them  
13 visually with a video that here is what we've  
14 done. Just keep that in mind because if you're  
15 trying to promote the good neighbor concept, it's  
16 nice to do all of the things up front but it's  
17 also nice to have some sort of a legacy piece that  
18 can stay with the community for a period of time  
19 afterwards.

20 MR. LARSON: Before and after. Yeah.

21 MR. KISH: Yeah, that's a great idea. In  
22 fact, on jobs what I've done in the past is a time  
23 lapse camera that is mounted and it just takes a  
24 picture like every two hours and it shows the  
25 progress.

1 MR. BAKOTA: That would be good.

2 MR. FEKETE: We're not talking a major  
3 production, but something you could show in school  
4 that's five minutes or whatever. Just something  
5 that -- you can take even still pictures and put  
6 them together with a little narrative, a script of  
7 some kind. But it's always helpful. Because  
8 having worked with some of the teachers on  
9 environmental programs, and some of the teachers  
10 here in East Chicago have been very active in  
11 promoting environmental awareness to their  
12 students. And here is a good way of saying that  
13 here is a project that was done and it was done  
14 with good planning and it was actually  
15 accomplished following the plan and here is where  
16 we are, and it was all done with an environmental  
17 concept in mind, environmental improvement in  
18 mind. Just a thought.

19 MR. LARSON: Sure. That's a good thought. I  
20 know you're on the schedule in front of you.  
21 Craig, do you want to speak to the schedule?

22 MR. KISH: Yeah, we did mobilize to the site  
23 on the 27th. We continue to do site setup. We're  
24 anticipating by mid April we'll be starting to  
25 pull the relic sea wall that will be at the west

1 end in the canal and clear the alignment. And  
2 then late April to early May is when we'll start  
3 driving steel. And then we'll continue down with  
4 the bulkhead working from west to east starting  
5 about in July. Then we'll also follow up with  
6 another crew that will come in and start putting  
7 in the wing wall and the deadman starting from the  
8 west doing that excavation. Also at the same time  
9 we're installing water management systems both for  
10 storm water and for the groundwater control. And  
11 those activities are going to marry up at the east  
12 end. We're thinking our schedule is to complete  
13 by Thanksgiving with that activity. But then when  
14 I say that, I also qualify it by saying we never  
15 know what we're up against as far as weather,  
16 mechanical breakdowns. We all know how that  
17 works.

18 MR. LOPEZ: It's always something, yeah.

19 MR. KISH: So that's our target. That's our  
20 goal. As I mentioned, the one thing that we  
21 stress to everybody on the jobsite is that safety  
22 is paramount. That while our schedule is  
23 important, the safety of our people is more  
24 important and the safety of the community.

25 So that's our goal, is to complete by

1 Thanksgiving; but the qualification there is  
2 that we just don't -- we don't sacrifice safety  
3 for schedule. And then we'll finish up end of  
4 the year, and then start into site restoration  
5 in January to March time frame, and that will  
6 get us complete so the Corps of Engineers will  
7 be able to do their dredging. And then, you  
8 know, the wall itself will be structurally  
9 complete so that they could do their dredging  
10 as early as when we're done, at the end of the  
11 year, the time from January to March is really  
12 pretty at the site, and do the final grade and  
13 site restoration.

14 MR. FEKETE: Will the wall be strong enough  
15 for somebody to tie off a barge or something to  
16 it?

17 MR. LARSON: It's not meant to be a dockable  
18 wall. The Corps has the dockable wall on the  
19 other side.

20 MR. FEKETE: I know they do; but, you know,  
21 and basically I can't envision somebody other than  
22 the Corps coming up that far but I just know that  
23 closer to the lake it's kind of a free-for-all for  
24 anybody coming in. Okay. Well, that's good.

25 MR. HENRY RODRIGUEZ: When you're going to be

1 driving you say you're going with the vibratory  
2 installation, but if you need to at the very end,  
3 the impact, the hammer, if you do depending on how  
4 deep you have to go using that, if you have to use  
5 that, how long do you think it will take to drive  
6 down four or five feet?

7 MR. KISH: Brian? It's going to depend how  
8 tight that clay is. But that's a matter of --

9 MR. HECK: 10 or 15 minutes, we would hope.  
10 But it could --

11 MR. HENRY RODRIGUEZ: John mentioned about  
12 the school. They get out of class on summer  
13 vacation here in month and a half, two months  
14 they'll be out of school for three months; so  
15 during that time you don't have to worry about  
16 disturbing the school at that time. So hammer  
17 away, if you need to.

18 MR. KISH: And so I've already touched on  
19 some of the issues as far as trying to mitigate  
20 some of the community impacts. And when I say one  
21 of our main goals is just with the traffic,  
22 because we all drive, we all know how frustrating  
23 it is to be interrupted, to have the trucks that  
24 are making turns and interrupting. But also as  
25 far as the roads when we do this kind of

1 construction, we do everything we can to minimize  
2 dirt on the road. So while we're doing this,  
3 right now we're bringing in rock for our trailers  
4 and site roads and all; and so we have a street  
5 sweeper who comes out to try and clean that up.  
6 The other thing is that we also do vehicle  
7 inspections, and so we want to make sure when  
8 trucks leave that they're not carrying anything  
9 that might fall off while they're on the way.  
10 Some of the things we have an exit path with  
11 four-inch shot rock, and with the dual tires, you  
12 can pick up.

13 MR. BAKOTA: You can.

14 MR. KISH: Exactly. We do check for it and  
15 inspect to make sure, because we don't want one of  
16 those flying off when they're on the highway. And  
17 the other is that if a rock gets wedged between  
18 the dual tires, just as that tire flexes over  
19 time, it can actually puncture the tire, and if  
20 the truck is on the highway, that creates another  
21 problem. So that's one of those things that again  
22 that's where we communicate down to our people on  
23 the site. One of our models is if you see  
24 something, say something. And that goes for  
25 things like our trucks to make sure that they



1 don't carry anything out.

2 So that leads to the dust and odor issue.  
3 We'll be doing dust control on the site to make  
4 sure that we don't get any dust. But also when  
5 we're doing some of this excavation we're going  
6 to be exposing potentially some areas that has  
7 residual contamination.

8 MR. FEKETE: Like a tanker truck with spray?

9 MR. KISH: Oh, for the dust control? Yeah.  
10 Typically in this environment we just run water  
11 trucks to keep the dust down. And for the odor  
12 control we have sprays of a type of a tackifier, a  
13 gelatin that can seal the areas where we're not  
14 working. So we have different ways of trying to  
15 mitigate that. We have perimeter air monitoring  
16 at the site, and so we'll be actively monitoring  
17 to look for that. But also just, you know, from  
18 our workers on the site to make sure that we're  
19 good neighbors. And we'll do what we can to  
20 mitigate that. So we have a work plan  
21 specifically for odor control and for dust  
22 control.

23 And noise we've already talked about with  
24 the vibratory hammer, trying to mitigate that.  
25 Canal protections, we'll have, you know, there

1 are already booms in place. We'll also have a  
2 turbidity curtain going in next week, and that  
3 will always be in place any time we're doing  
4 any kind of work along the bank. That goes  
5 back to the issue of when we're clearing the  
6 alignment, that we just want to make sure that  
7 that sediment doesn't get out into the main  
8 channel of the canal.

9 And then certainly with just generally  
10 with our B.M.P.s for water, for storm water,  
11 we've already got -- almost all of our B.M.P.s  
12 are in place right now, and we'll continue to  
13 maintain those throughout the project. And we  
14 do sampling as we have storm events to make  
15 sure that we're adequately controlling.

16 On the next line you'll see -- this is  
17 what I was referring to as far as the routes we  
18 have, the designated routes, to make sure that  
19 we avoid areas like residential areas and just  
20 the schools and other areas.

21 Then I wanted to lastly touch on  
22 partnering with the community and talk to you  
23 about our efforts. We're using union workers  
24 for the project. In fact, this is considered a  
25 hazardous waste site, so that's something that

1 we have a lot of the union workers who are  
2 trained in HAZWOPER so they can safely work at  
3 the site. And that's part of what -- we have a  
4 health and safety person full time out on the  
5 site. Our friends at Goettle have a full time  
6 health and safety person as well, and so all of  
7 them are experienced with working particularly  
8 in petroleum contaminated soils. Then also we  
9 are doing what we can when we need supplies  
10 that we use local vendors and certainly there  
11 are things that we started to talk about a  
12 little earlier when you made the comment about  
13 the schools and showing the video is that we  
14 want to reach out to the schools. We look at  
15 that as an opportunity for them to come and  
16 learn about what we're doing. And so I want to  
17 engage and find out if there are STEM programs,  
18 if we can come and do discussions. But also  
19 possibly get the schools to come out and  
20 understand what goes into this kind of a  
21 project.

22 MR. BAKOTA: That would be neat for them to  
23 see that.

24 MR. FEKETE: Yeah.

25 MR. KISH: Then Eric has arranged for some

1 fire department water training that will be --  
2 that's next week.

3 MR. LARSON: Yeah, next week we're going to  
4 supply the East Chicago fire department with water  
5 rescue rope, and we're going to bring in an  
6 instructor. So that not only will we provide the  
7 rope but we'll provide the proper instruction, and  
8 we hope to do a drill later on in the spring with  
9 the fire department and in conjunction with the  
10 Whiting refinery fire department as well. This is  
11 a piece of equipment that they currently don't  
12 have, so it's nice to be able to help supplement  
13 that. In fact, we sat down with Captain Russell,  
14 so we were working closely with Chief Escobedo and  
15 Captain Russell for these past several months. So  
16 looking forward to that training next week.

17 MR. TREVINO: East Chicago?

18 MR. LARSON: Correct. East Chicago fire  
19 department.

20 MR. BAKOTA: Are there any ladders for the  
21 waterway? A lot of decking you'll see a ladder  
22 for rescue, a steel ladder going up?

23 MR. LARSON: Currently there's no ladder.  
24 There's no wall, so there's no ladders. You're  
25 talking post construction?

1 MR. BAKOTA: Yeah.

2 MR. LARSON: We haven't really thought about  
3 that. I know there's ladders on the other side  
4 because most -- it's not meant to be a dockable  
5 wall. That's why the ladders are on the Army  
6 Corps of Engineers Corps side.

7 MR. BAKOTA: I didn't know if that's an  
8 engineering standard for walls or not.

9 MR. LARSON: No.

10 MR. BAKOTA: You see it in Chicago with a  
11 rescue ladder.

12 MR. LARSON: Sure. Not a requirement but  
13 that's why they have them on the Army Corps side  
14 because you do have vessels docked over there.

15 MR. FEKETE: Well, it's a good thought.

16 MR. TREVINO: That is.

17 MR. FEKETE: But, you know, post  
18 construction --

19 MR. LARSON: Sure.

20 MR. FEKETE: -- something to consider.

21 MR. BAKOTA: How will the trucks enter the  
22 site? I'm still confused about that. What  
23 entrance will they use?

24 MR. KISH: They will come off of the  
25 intersection with McCain and Indianapolis.

1 MR. BAKOTA: There's an entrance there now.  
2 But these trucks go across the spillway, which is  
3 the sanitary district, and they destroy that  
4 concrete there.

5 MR. TREVINO: I think they're going to be  
6 going in on the south side. Right, Eric?

7 MR. LARSON: Yeah. So to that point, we've  
8 done two things; we've laid steel padding over  
9 that swaled area so that we won't have that issue.  
10 But then if you refer back to the previous couple  
11 slides, you got to go back a couple more slides --  
12 I can't remember exactly the page, but it shows  
13 you that entranceway that we're looking to  
14 construct through the Buckeye easement that's on  
15 the southern part of the parcel. So all those  
16 trucks won't be going over that spillway. It will  
17 be coming actually through the southern end of the  
18 south tank farm. So this is where that S curve is  
19 right now. What we're going to do is construct  
20 that access way and it's a Cadillac access way  
21 that we're going to construct because we want to  
22 protect the underground infrastructure, all those  
23 pipelines. But that's the way that truck traffic  
24 will be exiting and entering the site. So we're  
25 waiting on one last access agreement. It's with

1 marathon. Once we secure that, essentially --  
2 well, we're close with one of them. We'll get  
3 there. But the plan is to get these access  
4 agreements completed so that the team can  
5 construct that road. But that road has been  
6 vetted. The specification has been vetted by all  
7 the integrity engineers with all of those  
8 different companies. So we're really pleased  
9 about that. And then again then the attorneys get  
10 involved with the access agreement. So we're  
11 working through those right now. But it will be a  
12 well constructed road once we're done. And that's  
13 what the trucks will take to exit and enter the  
14 site.

15 MR. FEKETE: Okay. Very good.

16 MR. LARSON: The last picture, I mean, you  
17 can probably guess who that is. That picture I  
18 think my grandparents took that picture probably  
19 when I was about 3. That's East Chicago fire  
20 department ladder truck.

21 MR. FEKETE: Is that you?

22 MR. LARSON: That's me. I took that out of a  
23 scrapbook. I was telling Director Trevino there  
24 may be a time where I could pull that one out and  
25 I thought, "That'll be fun." Before, you'll

1 remember, we took that picture of the fawn.

2 MR. BAKOTA: Yeah.

3 MR. LARSON: This picture was taken in East  
4 Chicago, probably by my grandparents.

5 MR. HENRY RODRIGUEZ: Nice hat.

6 MR. LARSON: That guy look familiar to  
7 anybody?

8 MR. BAKOTA: Yeah.

9 MR. LARSON: I was born in '67. So that's  
10 probably '69, '70. But I made many trips to the  
11 fire stations in the city. Primarily station 6  
12 because that was closest to my grandparents'  
13 house. But that brings back fond memories.

14 MR. BAKOTA: Neat.

15 MR. FEKETE: Okay.

16 MR. LARSON: Was this helpful?

17 MR. HENRY RODRIGUEZ: Yeah.

18 MR. FEKETE: Extremely.

19 MR. LARSON: I may have over presented a  
20 little bit but hopefully through that  
21 presentation, it answered the questions that you  
22 have --

23 MR. BAKOTA: Yeah. Thank you.

24 MR. LARSON: -- about the project.

25 MR. LOPEZ: I think you guys did beautiful.



1 Fernando and our attorney, they're always keeping  
2 us informed of everything, whether it's up or  
3 down. And we know more of what's going on all the  
4 time. It changes all the time, but you guys are  
5 good. You've been consistent. You got your  
6 people here. Most guys come in, they're here,  
7 yeah, yeah, yeah, they leave. We're well versed  
8 on this and we made a few suggestions. I hope you  
9 guys accept them. Come on and give them a hand.

10 (Applause).

11 MR. TREVINO: John, any other comments from  
12 the people on Zoom, or anyone else in the public  
13 have any questions or comments?

14 MR. FEKETE: Any comments from anybody that's  
15 been watching us on video?

16 MR. TREVINO: Anybody on Zoom that has any  
17 questions or comments?

18 (No response.)

19 MR. TREVINO: I do want to thank Atlantic  
20 Richfield and BP for being open to the  
21 presentations that we asked them to do. We're a  
22 government entity so it's important to us to be  
23 transparent and get the community engaged as much  
24 as possible. And Atlantic Richfield and BP and  
25 their team has been very open to that, so I wanted

1 to thank them for being a good neighbor and  
2 extending that concept of being open to the  
3 public. So if there aren't any questions or  
4 comments, I would recommend that the board  
5 entertain a motion to approve the project to go to  
6 construction, because that's part of a provision  
7 that's in our agreement with AR BP.

8 MR. LOPEZ: I make the motion.

9 MR. FEKETE: We have a motion. Do we have a  
10 second?

11 MR. BAKOTA: Second.

12 MR. FEKETE: Roll call vote.

13 John Bakota.

14 MR. BAKOTA: Yes.

15 MR. FEKETE: Henry Rodriguez?

16 MR. HENRY RODRIGUEZ: Yes.

17 MR. FEKETE: Jaylan Robinson.

18 MR. ROBINSON: Yes.

19 MR. FEKETE: Kevin Doyle?

20 (No response).

21 MR. FEKETE: Ray Lopez?

22 MR. LOPEZ: Yes.

23 MR. FEKETE: John Fekete, I vote yes. That  
24 motion is approved.

25 MR. LOPEZ: Thank you, guys.

1           MR. LARSON: Thank you.

2           MS. GREGORY: It looks like Michael Spinnar  
3 had a question in the chat. It says, "Will there  
4 be a website where residents can get frequent  
5 construction updates?"

6           MR. LARSON: We don't have a website  
7 currently constructed. I don't know if there's  
8 something that we can do to partner with the  
9 Waterway Management District and use your website.

10          MR. TREVINO: That's a good question. It's  
11 kind of a segue to one of the questions I had, is  
12 can we share your presentation and the facts sheet  
13 and post it on our website?

14          MR. LARSON: Yes.

15          MR. TREVINO: And Michael Spinnar has a good  
16 question. Maybe we could talk a little bit more  
17 about what a good avenue and a good feature is to  
18 have an update.

19          MR. LARSON: Sure.

20          MR. FEKETE: And take advantage of the  
21 website that we have.

22          MR. BAKOTA: Yeah.

23          MR. LARSON: I know that you've been very  
24 gracious on posting our fact sheets and  
25 presentations. Maybe that's a nice continuation

1 of that participation.

2 MR. FEKETE: Yeah. You know, like a running  
3 dialogue spaced out however you think is  
4 appropriate as you go from one phase to the other.  
5 That sort of thing, that would be great.

6 MR. LARSON: Okay.

7 MR. FEKETE: Any other comments?

8 (No response.)

9 MR. FEKETE: The gentlemen that's sitting  
10 over here, did you have any comments?

11 UNIDENTIFIED SPEAKER: Not yet.

12 MR. FEKETE: Hearing no comments, having no  
13 other business, our next board meeting will be  
14 April 20, 2023. I'll entertain a motion to  
15 adjourn the meeting.

16 MR. BAKOTA: Motion to adjourn.

17 MR. FEKETE: Do we have a second?

18 MR. ROBINSON: Second.

19 MR. FEKETE: All in favor, signify by saying  
20 "aye."

21 (All signify aye).

22 MR. FEKETE: This meeting is concluded.

23 - MEETING ADJOURNED -

24

25

C E R T I F I C A T E

I, Dawn M. Iseminger, Registered Professional Reporter (RPR), and Notary Public within and for the County of Porter, State of Indiana, do hereby certify that I appeared on the aforementioned date, time, and location, for the East Chicago Waterway Management District Board of Directors' Meeting.

I further certify that I then and there reported in machine shorthand the proceedings of said Special Meeting, and that the testimony was then reduced to typewriting from my original shorthand notes, and the foregoing transcript is a true and accurate record of the proceedings.

I further certify that I am not related by blood or marriage to any of the parties, nor am I an employee of any of the parties or of their attorneys or agents, nor am I interested in any way, financially or otherwise, in the outcome of said litigation.

Dated this 19th day of April, 2023.



Dawn M. Iseminger, RPR  
My Commission expires: 9/22/2025

