

TASK ORDER 15

This Task Order pertains to an Agreement by and between the City of Grand Island, NE (CITY), ("OWNER"), and HDR Engineering, Inc. (HDR), ("ENGINEER"), per the January 5, 2018 Master Services Agreement, ("the Agreement"). Engineer shall perform services on the project described below as provided herein and in the Agreement. This Task Order shall not be binding until it has been properly signed by both parties. Upon execution, this Task Order shall supplement the Agreement as it pertains to the project described below.

TASK ORDER NUMBER: 15

PROJECT NAME: CCR Final Remedy Selection / NDEE Remedial Action Plan

PART 1.0 PROJECT DESCRIPTION:

The intent of this Scope of Services is to build upon the assessment of corrective measures and assist the City with selection of remedial action and reporting required by the Federal CCR Rule and the Nebraska Department of Environment and Energy (NDEE) Title 118, for the Platte Generating Station (PGS) Ash Landfill (CCR unit) at the PGS.

Statistically Significant Increases (SSIs) were detected for boron at MW-3 during verification sampling completed July 31, 2018. An Alternate Source Determination (ASD) evaluation was conducted for the published SSI (dated November 14, 2018) at which point an additional upgradient monitoring well (MW-10) and nine downgradient delineation wells (MW-11 through MW-19) were installed. The ASD evaluation, submitted in the 2018 annual report, confirmed the SSI for the PGS Ash Landfill based on the data available to date. As a result, the City initiated an assessment monitoring program, as required in the Federal CCR Rule, for the PGS Ash Landfill within the 90-day period specified in 40 CFR §257.95. In accordance with 40 CFR §257.95(b), the PGS Ash Landfill monitoring network was analyzed for Appendix IV constituents on January 23, 2019. A subsequent sampling event was completed on April 24, 2019 as part of the spring 2019 semiannual sampling event in accordance with 40 CFR §257.95(d).

As a result of entering the assessment monitoring program, groundwater protection standards (GWPS) were established for all detected Appendix IV constituents. During the spring 2019 semiannual sampling event, a statistically significant level (SSL) above the GWPS for cobalt was detected in monitoring well MW-3. The City had a characterization of nature and extent study completed which determined that the cobalt plume was localized and contained within the PGS property. The City conducted an ASD (dated October 31, 2019) which included statistical re-analysis of BTVs with the inclusion of upgradient monitoring well MW-10 and analysis of stormwater samples from within the landfill. Results of the ASD evaluation indicated the cobalt concentrations at MW-3 are partially due to spatial variation of naturally existing concentrations, a potential upgradient source, and/or natural cobalt bound to the soil matrix into the surrounding grassland area. Activities associated with corrective action measures and monitoring requirements of the Federal CCR Rule and NDEE Title 132 and Title 118 in response to the detected SSL at MW-3 is continuing under this task order.

The nature and extent characterization supported the assessment of corrective measures program, along with the results obtained from continued groundwater monitoring. A notification of initiation of assessment of corrective measures was completed November 12, 2019, with formal initiation as of October 14, 2019. An assessment of corrective measures report (ACM Report) was completed in January 2020 and posted to the City's CCR website on February 10, 2020. The PGS Nature & Extent Report was further revised February 2020 to address NDEE comments. The Nature and Extent Report submitted to NDEE assists the NDEE with determining the remedial action class (RAC) for the PGS site. The classification of RAC-1, RAC-2, or RAC-3 is intended to represent a pollution occurrence ranking and gives the NDEE a method to determine the importance of remedial action based on the use of the groundwater. For example, a RAC-3 classification represents the pollution occurrences to be of lowest importance, if the groundwater involved is not used or likely not to be used as drinking water, and generally the remedial action measures will be least extensive for this category. The NDEE will set a preliminary cleanup level for the PGS site based on the RAC ranking. PGS will be notified of the preliminary cleanup level and will have the right to agree or propose alternate levels based on technological and economic analyses. NDEE will consider alternative cleanup levels and will establish a final cleanup level or action. Following the NDEE's decision on the

remedial action necessary, including the proposed final cleanup level will be placed on public notice allowing at least 30 days for any person to submit written comments on the proposed action or request a hearing [NDEE Title 118, Appendix A]. Following the public notice (or public hearing), a workplan for performance of the final remedial action (i.e. Remedial Action Plan) will be prepared by HDR and reviewed by the City prior to submittal for the Department's approval.

Under the Federal CCR Rule, following the ACM Report, the City is required to discuss the results of the corrective measures assessment at least 30 days prior to the selection of remedy, in a public meeting with interested and affected parties [§257.96(e)]. The public meeting will be scheduled to coincide with the NDEE public notice under Title 118 regulations. In accordance with §257.97(a), a final report describing the selected remedy is required to be prepared upon selection of remedy. The final selection of remedy report will be completed to comply with both §257.97(a) and the NDEE Title 118 requirement for a workplan for performance of the final remedial action.

The Scope of Services in this task order continue regulatory required activities including:

- NDEE meetings, public notice and hold a public meeting to discuss the results of the corrective measures assessment at least 30 days prior to selection of remedy (40 CFR §257.96(e)).
- Coordinate corrective measures and remedial action with NDEE requirements under Titles 132 and 118 (NDEE Title 132, Chapter 7, 006.01 and NDEE Title 118, Chapter 10).
- Select a remedy and prepare final report describing selected remedy (40 CFR §257.97) and monitoring program (40 CFR §257.98).

PART 2.0 SCOPE OF SERVICES TO BE PERFORMED BY ENGINEER ON THE PROJECT:

Services to be performed by HDR will include the following activities:

Task 15-100 – NDEE & Public Meetings

Objective: To facilitate meetings with the City, NDEE and public.

HDR Activities: With the ACM completed, updated nature and extent characterization submitted to NDEE (February 25, 2020), and further site investigations to be conducted (under separate task order), discussions should begin with the NDEE. We anticipate scheduling up to three (3) meetings with NDEE to review the data and evaluations completed to date, discuss viable corrective measures, and obtain input on recommended measures for development.

NDEE Title 118, Chapter 11, requires the NDEE to post a public notice of the NDEE's decision on the remedial action necessary, including the proposed final cleanup levels. During the 30 day public notice period, written comments or a request for a public hearing may be submitted. The Federal CCR Rule [§257.96(e)] requires the City to discuss the results of the ACM in a public meeting with interested and affected parties at least 30 days prior to the selection of remedy. The CCR public meeting will be scheduled to follow the 30 day NDEE public notice, so that in the event a public hearing is requested then the public meeting will satisfy both NDEE and Federal CCR Rule requirements. Notice of the public meeting is to be published with reasonable advanced notice pursuant to Neb. Rev. Stat. §84-1411 and City's requirements. Notice will also be mailed to all owners of property adjacent to the PGS and to the NDEE. HDR will assist the City in preparing notice for neighboring owners. Minutes of the public meeting is to be placed in the facility operating record and will be considered for selection of final remedy.

HDR will prepare a draft copy of the presentation and provide to the City for review at least one week prior to the scheduled public meeting. Comments provided by the City to HDR will be incorporated into the final copy of the presentation. HDR will present the information at the public meeting. HDR will take note of community concerns during the public meeting and compile a copy to accompany the recorded meeting minutes.

Task Deliverables:

- NDEE Meetings agenda and minutes (up to three)

- Draft copy of presentation
- Final copy of presentation
- Draft & final copy of community concerns

Planned Meetings:

- Up to Three (3) Meetings with NDEE and City, with up to three (3) HDR staff. Conducted via WebEx or similar technology
- One (1) Public Meeting per Federal CCR Rule §257.96(e) (and NDEE Title 118, if requested), with up to three (3) HDR staff.

Key Understandings:

1. All deliverables will be delivered electronically.
2. Meetings with NDEE and City will be virtual meetings via WebEx or similar technology.
3. Results from spring 2020 groundwater monitoring and site investigations (Task Orders 13 and 14, respectively) will be available during development of the presentation.
4. City will identify and provide location for public meeting. Public meeting will follow state and federal guidelines for COVID-19. City will record the meeting minutes. The scope of work includes an onsite public meeting in Grand Island, Nebraska; however, the meeting may be required to be held via WebEx or similar technology in order to follow guidelines for COVID-19.
5. City will publish public meeting notification in the required number of days under City procedures and mail notices to adjacent property owners.
6. Public meeting shall be held at least 30 days prior to City selecting final remedy.

Task 15-200 – CCR Remedy Selection Report/NDEE Remedial Action Plan

Objective: To prepare the final report for the selected remedy in a corrective action plan and establish a corrective action groundwater monitoring program.

HDR Activities: The ACM Report identified partial source controls and Long-Term Monitored Natural Attenuation (LT-MNA) for recommended methods of corrective action for the facility's cobalt exceedance in the shallow aquifer near MW-3. Additional site investigations are being performed (in separate task order) to further investigate upgradient cobalt concentrations and will be considered for the final remedy and cleanup levels. Following the public comment period and public meeting (see Task 15-100), a final remedy will be selected. Comments received from the public during the comment period and public meeting will be considered during selection of the final remedy. Upon selection of a remedy, a final report is required to be prepared describing the selected remedy and how it meets the standards specified in 40 CFR 257.97(b). The final selection of remedy report will satisfy requirements for both Federal CCR Rule and NDEE Title 118. This task will include the following:

1. The final selection of remedy report will describe the method of corrective action(s) and implementation schedule for completing remedial activities. In determining the schedule, factors listed in 40 CFR 257.97(d) should be considered. The final selection report will include a corrective action groundwater monitoring program which will, at a minimum, meet the requirements of an assessment monitoring program, document the effectiveness of corrective action remedy, and demonstrate compliance with groundwater protection standard. It is anticipated that three to four of the investigative/delineation wells will be included for corrective action sampling.
2. Communicate with the City during development of the final selection of remedy report. After submittal of the draft report to the City, HDR will schedule and conduct a review meeting and incorporate comments and revisions into the final report.
3. Complete certification that the remedy selected meets the requirements of 40 CFR 257.97. Submit final report to the City and NDEE.
4. Prepare draft notification letter of availability of final Remedy Selection Report for City's use in notifying the NDEE.

5. Depending upon timing of public meeting, selection of remedy and final report, a semiannual progress report may be needed to describe the progress in selecting and designing the remedy. HDR will prepare a memorandum of the semiannual update by the December 6, 2020 deadline.

Anticipated Meetings:

- Two (2) conference calls held with the City and HDR during development of selected remedy report.
- One (1) review meeting to go over comments on draft Remedy Section Report/NDEE Remedial Action Plan.

Task Deliverables:

- Draft Selection of Remedy Report for the City to review, submitted electronically.
- Final Selection of Remedy Report (one (1) electronic copy to the City and one (1) paper copy to NDEE).
- Notification letter(s) to be placed on City's letterhead (for placement in the facility's operating record and publicly accessible internet site).
- If necessary, Semiannual Update for Selection of Remedy due December 6, 2020 (per 40 CFR 257.97(a)).

Key Understandings and Assumptions:

1. Based on the results of the ACM conducted under 40 CFR 257.96 and NDEE Title 118, the City is required, as soon as feasible, to select a remedy that meets the standards listed in 40 CFR 257.97(b) and NDEE Title 118. The public meeting is required to be held at least 30 days prior to the selection of the remedy (see Task 15-100).
2. The NDEE will set a preliminary cleanup level for the PGS site based on the RAC ranking. The final selection of remedy report will be completed to comply with both §257.97(a) and the NDEE Title 118 requirement for a workplan for performance of the final remedial action. If NDEE adopts the Federal CCR Rule before completion of this scope resulting in a change in the scope due to the adoption of the rule, an amendment to scope and fee will be submitted to the City.
3. Remedy is assumed to be selected soon after the minimum timeframe after the public meeting and will be agreeable to NDEE. This task order includes completing one (1) semiannual progress report describing the progress in selecting and designing the remedy.
4. City will place completed final selection of remedy report in the facility operating record and post to the publically available CCR website.
5. It is not anticipated that any additional monitoring wells will be required, and therefore, this scope of work does not include additional monitoring wells as part of the expanded point-of compliance wells. If NDEE requests the installation of wells, an additional scope and fee will be provided to the City.
6. No groundwater sampling or site investigations are included in this task order.
7. No groundwater modeling is included in this task order.
8. The draft notification letter required by the Federal CCR Rule will be provided in electronic format to the City. The City will place the notification on the City's letterhead prior to placement in operating record and posting to their publicly accessible internet site.
9. Discussions with NDEE (see Task 15-100) will be incorporated into the draft Selection of Remedy Report. No further changes are anticipated by NDEE on the final report. If NDEE comments and requires revisions to the final selection of remedy, responding to their comments can be completed under Additional Services.
10. NDEE decision on remedial action necessary, including proposed final cleanup level, will be placed on public notice by NDEE pursuant to Title 118. Any person may submit written comments on the proposed action or may request a hearing. It is anticipated that the NDEE public hearing, if requested, could coincide with the Federal CCR Rule public meeting. The selection of remedy report will include the monitoring program for documenting performance of the selected remedy and is anticipated to satisfy the NDEE required workplan.

11. Implementation of the selected remedy is not included in this Task Order.

PART 3.0 OWNER'S RESPONSIBILITIES:

1. City will complete public notice and provide public meeting location.
2. City will provide prompt review and comments of the presentation and the report.
3. City will place the report and documents in the facility operating record, including public meeting minutes, semiannual progress update and final selection of remedy report.
4. City will post the semiannual progress update and final selection of remedy on their CCR website within 30 days of placing each document in the facility operating record.
5. City will place draft notification(s) on City letterhead, finalize, and sign and submit notification(s) to NDEE that the semiannual progress update and final selection of remedy report were placed in operating record and posted to the CCR website.

PART 4.0 PERIODS OF SERVICE:

Services associated with this project will commence upon Notice to Proceed from the City of Grand Island. The proposed schedule outlined below is based on anticipated approval of this proposal by July 31, 2020.

CCR Corrective Action & Monitoring Plan	Start Date	End Date
Contract Period	July 2020	December 2020
Task 15-100 – Meetings		
Three (3) Conference Calls w/ City and NDEE	August 2020	October 2020
Draft Presentation for City Review	October 2020	October 2020
NDEE to public notice remedial action clean-up levels	TBD (anticipated October 2020)	TBD (anticipated October 2020)
Notice of Public Meeting*	By City minimum 14 days prior to meeting (30 days if coincide with NDEE Title 118 public hearing, if requested)	
Public Meeting*	November 2020	November 2020
Task 15-200 – Selection of Remedy Report		
Development of draft text for selection of remedy report based on NDEE calls & site investigations data	August 2020	October 2020
Draft Selection of Remedy Report to City**	November 2020	November 2020
Final Selection of Remedy Report to City and NDEE**	December 2020	December 2020
Semiannual Progress Report to City for Operating Record	No later than December 6, 2020	
City to place Semiannual Progress Report on CCR website and notification to NDEE	No later than January 5, 2021	
City to place Selection of Remedy Report in Operating Record**	December 2020	December 2020
City to place final Selection of Remedy Report on CCR website and notification to NDEE	No later than 30 days after placement in Operating Record	

* Actual timing of public meeting to be determined based upon local health directives.

** Draft and final reports assumed to be completed in year 2020. Selection of remedy at least 30 days after public meeting.

PART 5.0 PAYMENTS TO ENGINEER:

Compensation for these Services shall be on a per diem basis with an agreed maximum amount of Thirty-Five Thousand Six Hundred dollars (\$35,600). The following table contains a breakdown of the estimated fee by task for this project.

Task Description		Estimated Total Fee
Task 15-100	NDEE and Public Meetings	\$15,000
Task 15-200	Corrective Action & Monitoring Plan	\$20,600
TOTALS		\$35,600

Per Diem shall mean an hourly rate equal to Direct Labor Cost times a multiplier of 3.2 to be paid as total compensation for each hour an employee works on the project, plus Reimbursable Expense.

Direct Labor Cost shall mean salaries and wages, (basic and overtime) paid to all personnel engaged directly on the Project.

Reimbursable Expense shall mean the actual expenses incurred directly or indirectly in connection with the Project for transportation travel, meals, equipment rental and field supplies, subconsultants, subcontractors, technology charge, telephone, telex, shipping and express, and other incurred expenses.

HDR will add ten percent (10%) to invoices received by HDR from subconsultants and subcontractors to cover supervision, administrative, and insurance expenses. No subconsultants are anticipated on this Task Order 15.

This Task Order is executed this 11th day of August, 2020.

CITY OF GRAND ISLAND, NE

HDR ENGINEERING, INC.

"OWNER"

"ENGINEER"

BY:

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BY:

Matthew B. Tondl

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