

**UTILITIES COMMISSION MEETING
AUGUST 17, 2009**

Mayor Bailey called the meeting to order at 7:30 p.m. In attendance were Council members Harrison C. Bristoll, Jr., Mauritz Stetson, Gibson Anthony and Mabel Mumford-Pautz, Robert Sipes, Utilities Manager, W.S. Ingersoll, Town Manager and Zoning Administrator, Jennifer Mulligan, Stenographer, and guests.

Mayor Bailey asked if there were any additions or corrections to the Mayor and Council meeting of July 20, 2009. **Mr. Bristoll moved to approve the minutes as presented, was seconded by Mrs. Mumford-Pautz and carried unanimously.**

Mayor Bailey stated that cash on hand and in banks was \$711,619.03.

Mr. Sipes stated that he reviewed documentation at MDE regarding a possible chemical spill at Genovique, formerly Vesichol. Mr. Sipes stated that he did find where there were high levels of phosphorous discharged at outfall number 002, which would have been one of the impoundment sites.

Mr. Sipes stated that in 2009 the levels ranged from 5.3 to 11.4 parts per million. He said that these were high levels of phosphorous for discharge from a municipal or chemical plant. He said that what he did not know right now was the total volume that was discharged as the records that he was given to review did not provide those numbers.

Mr. Sipes stated that it would take a large flow, which Genovique did not have, to see an impact on Chestertown.

Mr. Sipes stated that there was an issue with a BEHP, a by-product from the work performed at Genovique. He said that this was found in levels from .007 to .036 parts per million (which did exceed what was permitted). Mr. Sipes stated that this was found in the groundwater (monitoring wells) adjacent to the containment pond.

Mr. Sipes stated that the above mentioned chemicals were what was addressed in the Consent Order and what was being monitored.

Mr. Sipes stated that there was an email dated June 09 which addressed cadmium, another contaminant, was .0051 parts per million and the allowed MCL. He said that Genovique was put on an accelerated monitoring for this for a 1-year timeframe, which was discontinued in August 09. He said that he would look into why the 1-year timeframe was suspended after a 2-month period.

Mr. Sipes stated that a letter for the action plan for Genovique dated June 3, 2009, along with testing to provide the extent of the contamination, was called "unacceptable" by MDE. He said that this was still in the process of negotiation by MDE and he did not expect a final report for some time.

Mr. Sipes stated that he saw nothing in the records to indicate that there was an unsafe condition for contact with the water for the residents of Chestertown and said that there was no imminent threat to drinking water. He said that if a threat was determined at Genovique site, the flow of water underground to Chestertown would take approximately five 5 to 7-years, so they would be aware of it before it got anywhere near Chestertown.

Mayor Bailey stated that she received a response letter from MDE answering why such heavy testing was required for the new wastewater plant. She said that the letter indicated that after 12-months they could meet with staff to discuss a possible reduction in testing. Mr. Sipes stated that the new discharge permit began on September 1st so he thought the 12-month time period would begin at that time.

Mr. Sipes stated that if anyone had specific issues with Genovique to contact him and he would look for it the next time that he returned to review the documents.

There being no further business, Mrs. **Mumford-Pautz moved to pay the bills as presented, was seconded by Mr. Bristoll and carried unanimously.**

Mrs. Mumford-Pautz moved to adjourn the meeting at 7:45 p.m., was seconded by Mr. Stetson and carried unanimously.

Submitted by


Jennifer Mulligan
Stenographer

Approved by:

Margo G. Bailey
Mayor