

Greens Bayou Technical Meeting
February 8, 2007

Purpose:

The technical representatives from the Trustees and PRPs met in Austin to discuss the NRDA in an effort to reach consensus on the text of the MOA so that all parties would agree to sign.

Issues discussed:

1. Independent work

- The PRPs and Trustees agreed that Work as defined in the MOA refers to cooperative work. While Working together under the MOA, the parties will strive for cooperative efforts to resolve issues and make decisions which will be agreements. All parties recognized that where agreements have been made reached based on cooperative Work, no independent work should be undertaken to challenge those agreements. It was also recognized that should the parties not be able to reach an agreement through cooperative Work, the parties may terminate the MOA and undertake independent work. Thus, independent work is only to be done in cases where an agreement has not been reached, and agreements will not be challenged through independent work.
- It was recognized by the parties that some agreements have already been made through cooperative Work. Both the PRPs (via Judi Durda) and Trustees (via Jessica White) will identify existing agreements before the next technical meeting in order to memorialize these agreements.
- The LAT (Jessica White) will be responsible for documenting all agreements and providing them to all parties for approval to memorialize them for the record. The agreements will be recorded in a stand-alone document which all technical representatives will sign to signify their approval.
- The parties recognized that the current language in the MOA is sufficient to satisfy the concerns of all parties.

2. Documentation of expenses

- The Trustees identified that they are not all able to provide the same degree of documentation of their expenses related to Damage Assessment Costs. Thus, the Trustees were concerned about the items requested by the PRPs regarding cost documentation, which included items not typically reported by the Trustees.
- The PRPs identified that they were seeking documentation of Trustee costs in order to satisfy their management. Better documentation would provide a more justifiable expense.
- The parties agreed that the language in the MOA was acceptable. However, the Trustees agreed to provide as much documentation of their expenses as could reasonably be assembled (best efforts to provide documentation).

3. Other issues

- The parties agreed that the MOA (as revised by the Trustees on 2/1/2007) was acceptable to all.
- The PRPs agreed to begin efforts to have the MOA signed in order to move forward with the next technical meeting (which the Trustees have requested to postpone until the MOA is signed by the PRPs).

- The goal for the PRPs to sign the MOA is February 19-20.
- The Trustees agreed to begin their efforts to have the MOA signed as well.

Action Items:

- Circulate meeting notes and sign-in sheet to group (White)
- Circulate a clean copy of the MOA to group (O'Brien)
- Add Ken Rike to the designated representatives list for GBB (White)
- Get MOA signed (all)
- Identify agreements that have been made in a list (Durda and White)
- Circulate list of agreements to group before next technical meeting (White)

Next meeting:

- Tentative plan for next meeting is February 22-23
- There may be a conference call prior to a face-to-face meeting to expedite the discussion