

CARD MINUTES- draft
Tuesday April 6, 2021
6:00-8:00 pm via Zoom

The meeting was called to order by Roger Rayle at 6:07 PM.

The minutes from the March meeting were approved by the Board.

Old Business

Dan Hamel said there is nothing new with the AG releasing any information or data from the 4th CJ. It falls under the confidentiality agreement.

Dan said he has completed his end of the Trend Analysis but others are reviewing. He said they are waiting for the May hearings to see what Judge Connors says on a response activity for Gelman.

Compliance wells that were abandoned will be replaced when there is a final court decision and/ or new CJ. Vince Caruso asked why we should be waiting??? We need compliance wells in that area. Dan will take this question back to his supervisors and ask them, but he wants them in the best place, especially since other wells may be placed in this area. These have been abandoned since 2019.

EGLE/ Wash Co Water Commissioner had a meeting with Gelman about the MS4 violation. There will be a Work Plan submitted on 4-15. EGLE will still evaluate their Work Plan. The initial sampling will be in the pipe where cameras have shown groundwater coming into the drainpipe. Vince discussed setting a hard deadline for them to do a clean up. This is their job because their toxic contaminant moved into the drainpipe. This will be independent of the Court process.

Mack School was visited by Dan And Jenni Conn from the County Public Health and they could not find any seeps or wet locations. They confirmed the elevation of the school. The plume is not beneath the school and at higher elevations. Jenni talked to the school inquiring about wet basements, and there were none. There are no plans to do any sampling, but if anyone finds any areas, please notify Dan or Jenni. Vince made a comment that the well 87s in Maple Village was at 400-1500ppb and was abandoned to build a gym. Mack School is at that same elevation as the plume higher numbers, which is heading towards Mack and West Park. He thinks Gelman should be sampling anywhere near the plume where children are involved. Jeff Hayner's children went to Mack Open and will drive by and look for himself. Jane Klingston wanted to meet Jenni and or Dan and show them where the wet areas are at Mack. She also mentioned Lakewood Elem. Beth and Jenni Conn mentioned that the elevation of Lakewood is really high to the plume and not even in the plume map. She asked EGLE about the toxicologist and children, if they had done this yet? Dan said he did not and will work on getting this soon.

Gelman has been doing work and maintenance on MW's in Saginaw Forest and other locations. He has asked for a list, so that when residents question what is going on with crews, he will know. Roger asked if this is why Gelman is clearing trees right next to the Unnamed Tributary/ Honey Creek. Dan was unsure, unless it was related to the discharge area and that was to clear debris.

CM Kathy Griswold asked Dan if in the beginning of the updates he mentioned that EGLE doesn't want to go to court. Dan said he did not say that, but may have said that the court will decide some things and EGLE cannot just modify some things, while they are dealing with the Courts.

Patti McCall said there are no new data in the sampling of basements for the City of Ann Arbor. There is one sample so far that was non detect. Vince mentioned that they should be testing downstream.

The HC/HR sampling was asked to Brian Steglitz and he said that he heard it was an "access" issue, which we have heard at CARD before and dispute this. However, he did ask why we need this sample when they are testing for bromate at the affluent and also at the water plant intake? Roger said that the agreement with Gelman and the City of A2 was to sample at the mouth of the creek. Dan Hamel said that the access on the RR property was what was a concern. Roger showed where the mouth of the river is and the location that should be used. Roger said that with people on wells on HC, he would want to know how much dioxane is in HC. Vince said that this gives us a heads up for how much bromate there is. Jack Eaton mentioned that the 2006 agreement with the City has the exact location tested.

Kathy Griswold was going to make this a priority to ask the City Attorney.

Kathy Knol and Sue Shink and Kathy Griswold all discussed the letter to the EPA. Kathy Knol said that right now Commissioner Shink is compiling a letter to go to the Gov with signatures from all the local units of government restating that they want the EPA to be requested. Scio had an independent consultant do a study for them, but they are holding off on any release of this study at this time. Rep Rahbi, Rep Lasinski, Rep Petersen, Rep Brabac, and Sen Irwin also sent a letter to the Gov requesting the EPA concurrence letter be sent. Roger would like copies of these letters for CARD archives.

Beth Collins mentioned the Rally in Lansing, a grassroots effort for the Gov to send the concurrence letter, on Tuesday the 13th of April on the Capital lawn. Beth is making signs. Kathy G, Kathy K and Jack Eaton will have masks that say EPA NOW.

EGLE Updates

Dan said the NPDES is still in internal review. What happens in the court will drive what happens with EGLE and permitting.

There is no new revised CJ that EGLE has proposed. They know that they could have the non- confrontational items go through, like the 7.2 ppb criteria, the gsi criteria. There was much discussion about recent discussions with EGLE and Gelman, without the intervenors. Joshua Moser stated that they have always discussed clean up items with the polluter. Beth mentioned that is what Judge Connors will be doing at the hearings in May, a new clean up plan. CM Griswold mentioned that they have been trying to negotiate CJ's for many years and 4 years on this CJ and we should not expect an amended CJ and should concentrate on the hearings. Hoping we are reaching the tipping point on the litigation and the EPA. Kathy K stated that she heard and we all heard at the County and Debbie Dingell meeting on the 18th that there was an amended CJ being proposed in that meeting. She reminded us that after the May hearings, there could be a delay before a ruling, many weeks or months. Jack Eaton said that even then, Gelman will appeal, and in the past EGLE has not been doing any new things or

enforcements during appeals. The polluter will drag their feet and delay and delay more, so the State process will be slow.

Kathy G mentioned that everyone is working very well together and we are almost at a point where we can get some good things done and good communication to get the plume cleaned up. She thanked Congresswoman Debbie Dingell and all of the State Reps and Leaders, and all of the EPA in Chicago and DC, and Roger Rayle and all of CARD. All the local reps getting this done. Linda Berauer thanked Kathy Griswold for being the champion on this at the Ann Arbor level.

Roger thanked Joshua and EGLE for trying really hard to get the 7.2 ppb criteria.

Jenni discussed the 2021 well sampling will start next week from 121 different locations. In April, May, June and Sept. Roger asked if she could share the locations. It is the very same footprint as last year's wells.

Chair Updates

Roger showed up the Tableau public and graph data. It showed where the maximum dioxane levels were and where they moved. Roger mentioned that the County website who has hosted CARD all these years, they still show the rejected CJ. County wants CARD to have it's own website, so we will have to work on that. Roger showed us more Google visualizations of layers to dynamically load different layers. He showed us where the 4th CJ was going to treat the "hot spots" to 500 ppb and possibly halt, how close it was to the Evergreen location. Ralph asked if this problem is something that the intervenors and EGLE should be asking for extraction wells in these hot spot locations at the upcoming hearings? Roger said that the Judge has probably never seen any of this data. He showed us the trends he sees from Tableau Public. Roger has information on some newer hot spots he wants to show us, but we ran out of time. With channels in our complex aquifer. Narrow pathways examined more closely.

Roger has pointed out that we are not sure if the Google earth locations are correct. Over the years many have been corrected, so there are probably more that need to be corrected. When you scan in close, some show the well in the middle of the house or in the middle of the parking lot. Does it make a difference? Maybe. Roger would like to see each MW and what is the x/y and what is the elevation.

Roger showed us where there are 2 Wellhead Protection areas, defined by the state to keep contamination from getting into the groundwater. Stoney Creek school who is on a well for water is one of them, and he wants these looked into and act now. The hit on Breezewood should have sent up red flags in this Wellhead Protection area, to someone at the State level. Is Roger the first to bring this up?

The meeting was adjourned at 8:15 pm

Minutes compiled by Beth Collins, CARD secretary