

CARD MINUTES
July 6, 2021 meeting
Via Zoom 6:00 PM

The meeting was called to order at 6:09 pm by Roger Rayle.

The June minutes were approved by the Board.

Roger discussed the need for an Executive Director position, since Jennifer Conn resigned. Beth Collins was nominated and the Board approved her appointment tonight, with Mike Moran having voted for Beth by proxy.

Old Business:

_____ Dan Hamel stated that there is nothing new with trying to get information being released to the public from EGLE (it is under the confidentiality of the court).

Dan stated that the Trend Analysis is ongoing and is part of CJ4.

Compliance wells in Scioview that were abandoned still need replacing, nothing new.

Gelman will be sampling the Allen Creek drain next as part of the MS4 violation and work plan. There are no identified wet areas at Mack School to sample, so EGLE and Wash Co will be happy to sample if seeps are found. Vince asked again about testing at Mack and why he thinks the plume will soon be near Mack. There was discussion about 2016 soil borings and topography near the West side and that the maps do not show dioxane, by Patti McCall and Dan Bicknell. Dan Bicknell mentioned his problems with the work plan and the deficiencies. He told us about Gelman stating that they are saying that in 5 years the dioxane will not be in the drain. It will in fact be decades and he discussed the violations about Part 201 vs MS4 for the Allen Creek. You can be in compliance with Part 201, while being non compliant w/ MS4. Dan had a nice presentation about the illegal discharge and why Gelman is required to stop this with an enforceable plan. EGLE and the WCWRC should be enforcing this and they are not and it will not be attained in a 5 yr period.

https://drive.google.com/file/d/1wAvM_8_edAyF28jkvJn1Wjy6utoAhC6/view?usp=sharing

Roger pointed out that MW-82s is about 50 ft shallower than TW-23 the shallowest purge well. Unlikely to capture all the dioxane headed east. There needs to be more pumping and treating. Dan Bicknell said that Gelman has never been required to have a fundamental plan for treatment, the State letting Gelman hobble along to their existing system, not stopping the movement of the contaminant.

Ralph asked for Dan Hamel and EGLE to respond to this presentation and why the State and WCWRC keep saying it's illegal? Dan B stated that Dan H is in the RRD and the Water Resources people are in a different dept. Ralph inquired why the correct people don't come to the CARD meetings? Dan H says that GEA's presentation was correct, but he defends EGLE on the pumping plan within the contamination and regulating it with a "court order" and they can only enforce the court order. Dan B mentioned that the new court order hamstrung us with what we can require Gelman to do, but because of the MS4 violation, this is outside the consent order. But EGLE and WCWRC are not requiring.

James D'Amour asked what the next step will be and Dan B answered is to see what the next sampling data says.

Dan Hamel mentioned that Gelman is still updating (rehabilitation work) of the extraction wells on Maple and Wagner.

Patti McCal said there is no update on the wet basement testing in the City of Ann Arbor. CARD is still requesting a vapor testing plan for wet basements.

Court update- Kathy Knol started with an update on Gelman's right to appeal recently. The Court dismissed the two appeals for lack of jurisdiction. This was good for the intervenors. There is still much ahead and the intervenor's responses to the "stay motion" and "leave to appeal" are being filed and we are awaiting the decisions. Ralph McKee stated that the last time we discussed this there were many concerns about the entry of the CJ4 and he discussed with the City Council and County and he discussed with Bill Stapleton and there a couple fundamental differences. Bill said that the intervenors' counsel all felt strongly that the Judge ordered the entire CJ4. While all the activist attorney's thought a totally different thing, that CJ should be without the poison pills. The Parklake well and NPDES. He says he will ask the Judge to delete the Parklake well. We'll ask the judge to "change things" at these quarterly meetings. Ralph is skeptical that this will happen. We will keep this on the Agenda. Intervenor Counsel is different from Intervenor's (clients/elected officials). He talked to CM Briggs and she had heard "nothing" of the order prior to the attorneys acting.

Dan Bicknell updated us on the Superfund. He has talked to EPA and they are retaining an environmental consultant for the site, they will sample about 24 samples and the good news is that the consultant is Tetra Tech. Patti mentioned that yes, this Tetra Tech consultant is in Madison Heights and Patti will be on the team.

EGLE Updates

Dan Hamel said that there is nothing new with the NPDES permit. He will be asking them to attend to discuss this and the MS4 violation in the Allen Creek Drain.

Gelman has initiated the extraction well replacement on Maple. He does not have a date on this.

Dan Hamel told us about Jennifer Conn and the County's latest testing of homeowner wells, new samples for 2021 and no new wells have been detected for new dioxane. A well on the north side of Elizabeth Rd increased. Kathy Knol asked Dan to please elaborate on the increase in the Elizabeth well. He will check and send out to the CARDcore group.

Chair Updates-

Roger Rayle discussed that under the confidentiality agreement, we still got the data from Rockworks consultant and found a whole bunch of differences in their data and EGLE/Gelman's database and how it is entered. But there is data missing in the Rockworks export and Roger had asked Dan some questions about it. Does Dan (or EGLE) have any updates to the questions that were raised? Which data should we believe? The EGLE data or the Rockworks consultant (for EGLE) data?? In the comments, Lund stated that the "team" did this or that. Who is on the "team", Roger asked? Dan Hamel says he was. How was the data transferred from the EGLE database to the EGLE modeling team? Also EGLE Haps Team. Roger requested that if he could get the work plan from this consultant. Dan will check. Roger

discussed the static water levels were only through a certain date in 2020, and there are still a lot of readings that are not contained in the modeling. Lund stated that after 2001, all wells were drilled to bedrock, but Roger found a number of wells that were not drilled to bedrock. And is there sampling every 10 feet on these new borings? Are there still high concentrations in the aquifers that are skipped? Has anyone at EGLE ever talked about doing this? Like TW-14 vs TW-17? Dan didn't know, and Roger has asked this before and it seems to be common sense to have as much data on where the dioxane is. Roger pointed out the Rockworks doesn't mention any of the dioxane found at any of the layers during the borings. He showed us the data updating he does every month to get the data loaded. It also shows where the hits are at a high ppb and other features. Roger is really disappointed that the intervenors and the State did not require better data handling from Gelman. This confidentiality agreement should not be in effect anymore in regards to data. The public has a right to know "what's coming". Without the data, we are just guessing. It's distressing that EGLE is going along with this. That the lawyers for the intervenors are going along with this. Hopefully the EPA will be here soon and stop this. In fact, at the Sept 1st hearing, CARD is requesting that the Judge release the data to the public and how the data is transferred.

CARD needs to get their own website, since as Roger stated Washtenaw County doesn't seem inclined to host a comprehensive CARD website. Roger's vision is to merge the SRSW and CARD websites. He is looking for people to weigh in on what they like about the existing CARD and SRSW site and move those over to the new, combined information. Vince discussed the ease of doing it with ACWG.

We discussed meeting in person in the future or continuing with Zoom. Kathy Knol and Roger went to a training class on how to run a hybrid option for meetings at the Township. We decided that CARD wants to continue on Zoom only for now and see how things go into the fall. We do have the room reserved for all CARD future meetings at the Township hall. It's going to be a hard thing to manage doing a hybrid model and they may need to hire someone, or we would have to have someone else helping Roger if we do. More discussion to come.

Other Business:

Dan Bicknell said that GEA will continue to consult for the bodies and non profits who request his data and scientific studies.

Rob Pattison appreciated Dan's letter about the attorneys disagreeing with the scientists who were advising on the cleanup. He wondered about a program at the U School of public health and data on cancer and any other issues. And with 40 yrs of Gelman obstruction of the clean up.

Rita Loch- Caruso has done some studying of the health effects, but there have been zero studies she knows of on the public with dioxane and the records are not there. She is working on a review article and is getting data.....the County has zero record of the closures of homeowner wells. This is shocking that we don't have the addresses of these homes where people were drinking the dioxane water.....so, how do we study it. Beth discussed Westover Hills cancer clusters of leukemia after in the wells. A well on Ferry St had 2900 ppb when it was sealed.

The meeting was adjourned at 8:12.

Minutes compiled by Beth Collins, CARD secretary