

CARD/EGLE Quarterly Meeting Minutes

December 7, 2021

<https://www.youtube.com/watch?v=rMsvwrgTiM8>

The meeting was called to order at 10:05 AM by Roger Rayle.

Roger asked all attendees if we should cancel the Jan meeting, reschedule it, or do it as scheduled without Roger. There were no objections to canceling the January 2022 meeting.

The November minutes were approved by the Board. Beth mentioned that we started making any changes in green highlights from the first review by the Board, until approval happens.

Old Business/Action Items

Brian Negele updated us that the removal of the confidentiality agreement cannot be touched while in appellate court (rule 7.208). EGLE has still sent out two letters dated 12-2, one under part 201.17 asking Gelman to send out all information related to produce data from 2016-17 study period and other data/ boring logs/ maps and xy information from sampling locations. Dan Hamel will post the letters on the website. Jack asked when we may be getting this data, and Dan said that the letters ask for it within 30 days, but Gelman may not comply and then EGLE has a compliance enforcement identified in part 201.17. Mike Moran asked Dan to let us know if they get a response before the Feb meeting.

Dan Hamel stated that they are still pursuing an updated MS4 work plan for the drain violation. Jack asked about what EGLE mentioned to the polluter? Dan stated they were looking for flow rates at certain locations in the drain. If sampling outside the pipe was needed, Gelman would do that additional work to confirm conditions outside the pipe once the locations are identified where groundwater is entering. Rita Mitchell asked about the timing and why this has been going on so long. Dan stated that the permit holder (WC and Evan Pratt) is the enforcer of any violation. Right now EGLE is doing it less of an enforcement and more of a "request" to the polluter. Vince suggested that we do more testing closer to the West Park area as to where this contamination is coming from. Dan said the current work plan has this sampling in it. We are still just waiting for the polluter to do this. The work plan is posted on the EGLE Gelman website.

Patti McCall updated us on the Ann Arbor wet basement program. They did a sample on S 7th, using Method 522 with no detections present. Jim Schultz asked about a friend who had a flooded basement, is there any chance of the city sewer system having dioxane in it? Patti did not know about dioxane in the sewer. Rita Loch-Caruso mentioned she was discussing with Dr Shane Morrison, toxicologist at EGLE, about some tables of data that were posted about V.I. and that we should be referring to the values D1, table 1 of volatilization of dioxane and water intrusion with 1,4 dioxane not in these tables. Volatilization from outside the structure to inside the structure or basement.

There was no update on Superfund site designation.

Intervenors have filed their briefs in the court update. Brian Negele said that oral arguments have not been scheduled yet. He thinks it may be up to 12 months from when the appeal is filed, but may go sooner since this is an important case. Roger mentioned again how Gelman delays, using the Court system. Eric Lipson asked about an appeal to the Supreme

Court that could be denied? Brian said that yes, Gelman was denied an appeal “by right” so they got the “by application” appeal.

Kathy Knol discussed the Method 522 sampling of 19 drinking water wells in Scio township. 3 were positive. These were confirmed with a second test. 2 others were a surprise at where these locations were ($\frac{2}{3}$ mile north of where the northern dioxane plume boundary was previously shown). They have now identified 15 new wells to test and have tested and sent to the lab. Scio Twp is conferring with the County and EGLE about a plan. Many residents are now calling the Township and requesting the new 522 testing. There is a proposed development in the Planning Commission now right near one of the positive wells and they are proposing a “community well” which will supply the water for 47 homes. This is a huge concern for CARD, the Township, EGLE and the County, as it could make movement of the dioxane plumes travel faster and in different directions and possibly contaminate 47 families all at once if the dioxane travels towards the well. There have been no new boundaries set and the agencies all need to get together and figure this out. Jim Schultz asked if there was anywhere locally to test the 522? Maybe in Pennsylvania, but Pace Lab in Florida has been a good lab and can handle a high volume of tests. Kathy Griswold asked if the new 15 wells are to the north to try to define the “new” boundary. It appears that the plume is growing in unexpected ways and this is very concerning. Some residents have reached out saying that this is “out of control” and we all should be concerned and our only hope is getting the EPA in here. Roger stated that the former srsw chair has been talking to neighbors and investigating who else will do the 522 testing. Maybe residents want to do their own sampling and pay for it themselves. He showed us the map of residential wells and how many there are. There is no access to city water in these areas. This should be a huge concern. If this is going to be held up in the courts, it's even worse. Vince mentioned that EPA's risk assessment is 0.35 ppb in their lifetime carcinogen exposure and we should be making sure our residents are not being exposed to this amount. From the EPA health advisory. Mike Moran mentioned that this is “out of control” and we should not give any other message. We are trying, through the EPA to gain control. Glenn Hendrix mentioned that these wells are not necessarily defining the plume because of the different aquifers. The plume may be larger than we even know. Kathy Knol mentioned that there are discussions underway, with no decisions yet. Pace does give a group discount for sampling. Scio may have a town hall meeting after the next round of data. Katie Jesaitis emphasized that Debbie Dingell would attend a Town Hall and has sent a letter to the EPA and she is trying to push the EPA to investigate these boundaries as soon as possible. They have not gotten a full response from EPA to these requests. Jack asked Katie to relay our appreciation to Congresswoman Dingell for her involvement. Josh Moser said that as citizens and scientists to not chase something and miss something else. He mentioned that 1,4 dioxane could be from a consumer product used. Beth asked if this is even possible, for a shampoo or detergent in wastewater/septic field to get into a drinking water well 150 feet deep. Vince mentioned filtering, but there is no filter for removing dioxane from residential wells.

No update on Ann Arbor drinking water alternatives.

EGLE Updates

Dan Hamel gave a progress report on the implementation of Court order. Gelman has started MW installation in the western (West Delhi and Park Rd) and eastern area (near

Lakeview and Wagner). These wells were vertically profiled and they are required to discuss this with EGLE. All were non detect. They are evaluating the Rose extraction well and doing test borings now, to see where and what type of screen will be used. This will go through the existing pipeline to the Treatment Gelman facility and discharge into Honey Creek.

Borings are also being done at HC and Dexter Rd. They also are required to do GSI evaluations and they have submitted a western area work plan. EGLE did not approve it at this time and added some requirements to Gelman. They are waiting for a response. Roger asked if they are giving this data on these wells, why are they not giving the public and EGLE the data from the other boring and drill logs on TW24. Dan said it is because Gelman has chosen not to release it because it was gathered before the court order was implemented??

Kathy Knol asked about the Dexter and HC well and the KOC site and if there will be data from this well to help decision makers at the Planning Commission in Scio Twp? Dan is not sure. Dan stated that bedrock was about 250-300 feet and will vertically profile all the way to bedrock.

Josh Moser mentioned about the data of TW24 that it is in the request EGLE is trying to get and that this is important and they will work on getting it. Roger stated again why he feels that this is a huge gap and we don't know how much dioxane is there at the core site. Mike Moran talked about the confidentiality agreement being irrelevant to this issue.

November surface water sampling was completed and should be posted by the end of the week. Allen Creek Chapin was 16ppb (down from previous time 18), West park was 49ppb and it is 33ppb now. 8th st manhole in Allen Creek is 2.5ppb and storm grate is 13ppb (all below Oct 2020). EGLE did detect in the West Park pond dioxane for the first time (less than 1ppb). Third Sister Lake was 57ppb (gone up from 3-4ppb). They just did a resample of these two higher locations. Third Sister Lake is one of the areas in the GSI work plan. Rita Loch-Caruso mentioned again that this is coming to the surface and the pipes vs surface water becomes confusing and what we really need once again is shallow MW's in the eastern and western areas. Beth asked about the IRM where EPA may come in when things are a problem and curious if the EPA is looking at all of these things? Josh Moser said that the Interim Response Actions and usually that is after it's on the NPL.

LB4 was offline last time because its screen failed. They used LB1 but it cannot extract the total amount so they are pumping less. They were able to repair LB4 and it's back up and running and they are in compliance again.

No summary report on TW24, so it will remain on the Agenda. Josh Moser has some other ideas to enforce getting this information. Dan and Josh are concerned about this lack of data.

Roger is still requesting the Rockworks data and modeling. Dan will ask the team and get an answer.

Chair Updates

Roger mentioned recent delays in getting EGLE sampling data and inconsistencies in Gelman's latest data reporting. He asked for more continuity and standards for data handling to better follow what's happening over the life of the Gelman dioxane site.

Roger is still waiting for TW24 well log.

Roger has not received the KML file that EGLE used to correct Rockworks well locations.

The Rockworks map showed 495 N Wagner is off location by about ½ mile. Dan will look into it.

Roger wants CARD to have a complete archive of all of Dan Bicknell's reports since he got back involved with the Gelman in 2013 to make sure he gets full credit for them and that they remain available to CARD stakeholders in the future. All reports should be saved, especially the ones that show all the problems with this site.

Roger noted flaws in the 4th CJ that the judge left in his order but that he said would be addressed in subsequent quarterly court hearings... which have not happened because of Gelman's appeals. Items such as the polluter stopping pumping at 280 ppb is a major flaw. The lack of 522 sampling is another issue.

2022 Goals for CARD are to help EGLE correct errors in EGLE's Rockworks database and unify it with its existing Gelman database.

Roger wants to review local units' infrastructures for keeping track of the Gelman problem and sharing information with other stakeholders, especially the legal entities. He started doing this in 2020 but the pandemic put it on hold. Reviving the CARD Technical Group may be the best way to do this.

We will have the website subgroup meet again after January.

Kathy Griswold discussed having an event by Zoom for community members. A Town Hall?

Minutes compiled by Beth Collins, CARD secretary