

CARD Minutes
April 5, 2022 Meeting
6:00 PM Zoom
<https://www.youtube.com/watch?v=RaVwJKbOpSc>

The meeting was called to order at 6:04 by Roger Rayle.

The minutes from March were approved by the Board.

Old Business/ Action Items

EGLE has asked for the confidentiality order to be lifted, sending two violation letters to Gelman. Gelman said they will not be filling these requests. AG Negele told Dan Hamel that the next steps would be to go to Circuit Court, but are unable to, due to the rules of Appeal process. Jack mentioned that he thought EGLE was asking for this “outside” of the court process? There is much disappointment in the AG for his handling of this. Ralph McKee said that the Confidentiality agreement was not in the appeal?

MS4 violation / work plan was submitted to EGLE in Sept 2021 and WCWRC asked EGLE to comment on it. It is now being revised as a work plan for a down gradient GSI issue. EGLE is still evaluating as a GSI issue now and currently?? Part 201 and Part 31 are being reviewed by all the teams at EGLE. Vince mentioned that Gelman has tried before to dump treated dioxane water into the drain/ sewer system as a conduit to the Huron River, and was denied. The City could challenge the outcome of this, per Dan. Ralph asked if there is NO MS4 violation, the State regulates the GSI at 280 ppb. EGLE would assist the permit holder (WCWRC) if the MS4 needed enforcement, so the public wants to know more about what the County attorney and Evan Pratt think of this violation? The public again feels that the AG is wrong in this instance and the public would like to see the AG analysis of this and have this information so the public does not have to do this work themselves. Please ask AG Negele or AG Nessel for this information from the State for the public. Rita Mitchell said that this is being discussed over and over again without the data and understanding, and wants this information from the AG's office. Jack asked about the last CJ and that it covers the MS4 in it, and what does it say?

Patti McCall said there were no requests for sampling this last month for the wet basement testing.

Patti said that the Sentinel Well program is making progress and an informational video will be distributed soon. She is getting bids out to drillers for a July start date. Vince asked for a map and she said it will be distributed with the video. There will be 2 wells proposed and will need to be approved by the City Council.

Superfund Site update- Vince says that there is a reliable source that says this is moving along well.

Appeal process from the Intervenor- We have tried to obtain the briefs and are unable to get these. Dan said none of these have been posted on the EGLE website. Ralph mentioned that these are public documents that we could go get at the court and pay for copying and getting them, yet EGLE needs to discuss this internally if the constituents are allowed to read these briefs. CARD will get together and send an email to the AG formally asking for these.

Kathy Knol and Scio Twp have identified the next 34 homes to test in late April. These are homeowner drinking water wells, north of I94, west of Maple and east of HC using the 522 Method. There will be a 4th round of testing in the summer and the Township has reached out to homes and get a representative sample from different parts and a broadened area. All this data will be shared with the County Health Dept and EGLE and used to ask for additional testing from EGLE. Jack asked if the Township is paying for this and she said yes, 100%, but that this won't go on indefinitely and that the County and EGLE will expand their testing, based on the data this supplies. Roger shared with the consultants and EGLE a simple spreadsheet to get the data submitted by them easily, then Roger can upload and do the modeling/ google earth's.

Kathy Knol said that nothing has happened (officially) with the KOC property. The developer and Planners have met and nothing official to report. This is not scheduled yet at any public bodies, such as the Planning Commission. The developer has wanted to come back to the commission and wants the water line from A2 extended to this property. Eric asked how deep the aquifer is in this location. A resident mentioned that hers (across the street) is 164 feet. Dioxane has been documented in wells very close to this site. A community well could "pull" water and move it in unknown directions. Roger mentioned that if they are going to have a community well there, there should be a Wellhead Protection program.

Ann Arbor Water Sourcing- EGLE sent a letter about Ann Arbor's decision to keep and upgrade our water source vs moving to GLWA. Beth gave a brief overview. CM Kathy Griswold said she has a meeting with the new City Administrator about the politics of water. Kathy Knol asked about who is initiating this, other than the EGLE office in Warren, Mi. There are cash flow problems within the GLWA. Patti McCall said that Brian Steglitz said to pass on that he has seen the letter from EGLE and is working on a response. The City has approved money for upgrades already. Vince mentioned that Rita Loch-Caruso and Dan Bicknell did a presentation about the reasons why we should not tie in to GLWA. A link was put in the chat.

EGLE Updates

Dan Hamel updated us on the Response Activities Order. Gelman is working with the City on ROW access for MW's within the PZ. They are having trouble acquiring access from property owners on some installation areas. They are reviewing the GSI work plan from Gelman. A wetlands permit is being requested for the GSI in the Marshy area adjacent to Third Sister Lake. Eric Lipson asked about the Montgomery Well and how these numbers have been in the well testing. Dan told Eric that the City samples this well and EGLE does not know. Roger said that this well was in the 2006 lawsuit between Gelman and the City and we think that this data restriction may be in the 2006 settlement. Either way, the samples the city does not share with the State. The big question is "why"? Why withhold data on the dioxane in our waters of the State.

There are no updates on the NPDES renewal permit at Honey Creek. There is nothing new with the NPDES into the First Sister Lake from the Parklake Extraction Well. Ralph McKee asked again, "when will EGLE push this one way or the other?" Is the answer still, "Gelman can do it at their own pace and there are no dates in the order?" Dan said that he will ask Brian Negele and the Gelman Team. Ralph asked that for the items that have no dates, is this just items that they do not have to do? Dan said they did not know. Ralph said again that this was the biggest issue in the CJ4 with the public and that this is excruciating to the public and this is

unacceptable. Jack said that the polluter knows that this topic was a big deal with the public. Vince said that they also could pipe this back to the treatment plant, but they don't want to do this, and EGLE cannot do anything that is not in the order. Once the appeal is complete, the stakeholders may go to the Judge again and ask for a modification of the order asking for a different way to pipe the affluent. Ralph mentioned the quarterly reviews we were supposed to have. Beth mentioned that in the NPDES permitting, there sounds like a third method of "an alternative method of discharge", in the wording. The Court Order may trump the actual wording EGLE uses in the NPDES. Roger showed us the movement of the very high concentrations that need to be cleaned up in this area of Parklake. If they are able to dump 280 ppb into Allen Creek, they may dump more dioxane into the lakes and streams around here too.

Dan mentioned a new platform on the website and they are in the process of changing this over. There will be a small delay. Roger asked for a request to meet with the Website Team before they are done with the new website. Roger mentioned that any good team will ask the users what they use, to make a good product. Dan will pass this along from CARD.

Gelman informed EGLE of a shut down of the system on April 30th for 2 days and they informed EGLE. Roger mentioned that we should know these by getting alert emails in the past when this happens ahead of time.

Chair Updates

Suppression of Data- This month marks 5 years ago that Gelman/Danaher did sampling on the Marshy Area and we still have not seen the data that was collected there. EGLE Rockworks showed us the samples in their latest charts, but we don't know how deep these samples were and other items. Some of the data is still being ignored, including **that from Gelman's former supply wells never included in the electronic database. Some of these wells had double** and triple digit ppb in the E aquifer, after Gelman told everyone that there was a clay layer to protect the E layer. It shows that different people dropped the ball and this is just the stuff that the stakeholders should know. Four of the five former Gelman supply wells were plugged without any final sampling. We still don't know how much dioxane is left in this aquifer.

Roger showed us some Tableau Public graphing and Google Earth mashups in the following [chair notes](#) from Roger. The rest of the items he covered at the meeting, especially all the ways we can use or utilize the data.

We would still like to revive the Technical meetings and establish a sub committee for the CARD website.

Non Agenda Items:

Eric Liipson asked if there was a city representative sitting on CARD, since Matt Naud. Patti McCall is now our point person/ liaison and will ask about the NW Supply well data. Roger will come up with a list of the data in wells with dioxane in the city and we will ask our CM's or Patti to get. Kathy Grisowold said she will take this request to the City Administrator and the new City Attorney.

Vince mentioned a request for the city to collaborate/consult with CARD on more items.

Jim Shultz asked if someone who lives within the plume area could have dioxane in their sewage if they had a backup in their home. Patti said she would have to sample the sewer.

The meeting was adjourned at 8:04

Minutes compiled by Beth Collins, CARD secretary