

CARD Minutes
October 4, 2022 at 6:00 PM via Zoom
[20221004 CARD Monthly Meeting via Zoom](#)

The meeting was called to order at 6:06

The September Minutes were approved by the Board

Old Business/ Action Items

Dan Hamel stated that they are not seeking any changes to release data in the confidentiality agreement, even though the appeal is complete.

MS4 and GSI Allen Creek drain update. EGLE met with Gelman and WRD last month. EGLE has decided that there are two parts and two programs and both will be pursued. How do they mesh together and how can they be implemented?

Now that the Michigan Court of Appeals has voided the Judge connors 6/1/2021 court order that included the proposed 4th Consent Judgment, we've reverted back to the 3rd CJ and its less protective Groundwater Surface Water Interface (GSI) and drinking water criteria:

3rd CJ: GSI 2800 ppb, drinking water 85 ppb

4th CJ GSI 280 ppb, drinking water 7.2 ppb.

Vince Caruso asked when they are doing more Allen Creek drain sampling. Dan stated they will be testing in November (all surface waters) and Vince wanted to be notified of a date.

Patti McCall said that the City Council approved the drilling contractor for the Sentinel Wells and they will probably be out in the field in November. Gelman is doing a well very near the Sequoia parkway well, so the city will not have to put in a well there, but is proceeding with the other well.

Joel Waddel said there is no EPA update from the Dingell office, but Mrs Dingell is meeting with the EPA's region 5 administrator and continuing to push this urgency. She is very appreciative of Scio's testing and is pushing this sense of urgency. CM Griswold mentioned that when she meets with EPA, is she discussing other sites also? Joel stated yes, this is true but Congresswoman Dingell has been recommending EPA since 2016.

Jack Eaton gave us an update on the Gelman appeal that on Sept 15 the Court of Appeals agreed with everything Gelman had to say. Judge Connors ruling from 2021 was vacated and EGLE and the polluter are to go work out an agreement and instructed the Intervenors that they have no status unless they go to a trial court with a complaint. So, any new CJ will be between the AG's office and Gelman and we are in the 3rd CJ now with higher numbers. CM Griswold said that she is very impressed with the new City Attorney and brings a fresh perspective and working with Nathan Dupes, the Council continues to have great concern and is exploring options. Roger mentioned that the Gelman/ Pall/ Danaher data has been kept secret from the public for 5-6 years for the first time since the site was discovered. Why is this data still being kept from the public? This confidentiality agreement should be discontinued.....another reason why the EPA should come in asap. CM Griswold said to Roger to compile which data we want, and she will request the data through the city. Jack clarified that each intervenor has a right to file complaint/ suit, but that the polluter will do everything possible to drag this out.

Kathy Knol said that Scio has conducted the 4th round of well testing using the 522 method (63 total with 10 positive readings). This concludes all the Scio testing. Keith Gadway is conferring with Larry Lemke and believes that there is a finger projection of the plume extending out. Roger has the data and will be discussing this further.

KOC property- Kathy Knol stated that the developers are pursuing the proposal and have requested more conferences with the Planning manager and commission and township supervisor. There are still many concerns brought up. They are proposing extending a water main to the development. Vince asked if the City of Ann Arbor had been consulted and Kaathy said that she checked on the City contract with Scio and water, and its unlimited water options. Right now there are over 3000 Scio residences and homes on Ann Arbor's water.

EGLE Updates

Dan Hamel discussed what gelman is doing under the response activity order. Gelman is still completing some tasks even though the Order is not in effect anymore. They are not proposing to complete some of the wells, but are completing the Rose extraction well. They have halted pursuing the Parklake extraction well and NPDES permit for First Sister Lake. Dan said they have "stepped back" on this for now. They do have a gsi work plan for the western area and are starting activities this winter. The Honey Creek NPDES renewal is still being reviewed.

Dan said that in the month since the 2021 Court order was vacated, EGLE has not had a chance to discuss all this with the polluter. They will be meeting together and CARD will be updated. He discussed the wells that will drill to bedrock and vertically profile and have data on all these readings. Rita Loch-Caruso asked about the shallow monitoring wells in the west side of Ann Arbor and clarified that this has only been done twice in history in this area.

The on-site work is still being installed. They are not required to do the second phytoremediation site in the marshy area. They have not confirmed if they are going to do the burn Pit vapor remediation or the other extraction well where there are high contamination. They still have to pursue gsi regulations for the marshy area and burn pit and when Dan discusses western area gsi, these are what he refers to (however now it is 2800 ppb).

Roger asked Dan, how will he know if the phyto remediation is working, without the initial sampling and data allowed to be seen? Dan said that it's still a newer remediation method and they do not have a final sampling plan.

Gelman uses method 1624 with a detection of 1 ppb.

Roger asked when we will get the new well logs from new MW's. Dan has asked them and it will come with all the data. Dan will post them at that time, hopefully before the end of the year.

Dan said that MW 148 is the well on the northern PZ which has a positive reading and is being evaluated. Jack asked about other MW's that are at the 180 foot depth, like Roger had brought up last month. 244 homeowner wells will be sampled north of here in 2023.

There are no new updates on the NPDES permits.

Chair Updates

Roger looked up other wells that had positive readings around MW 148 and they do all seem to be in the same aquifer, so we would expect these other wells to help us figure out

where the dioxane is coming from. Again....this is using homeowner wells as monitoring wells, which is not the best for public health.

With the Court of Appeals decision, we should really be focusing on the EPA and getting them to designate this site as a Superfund.

Roger showed us some new Google Earth mashups and plume data.

The set of Gelman's 1,4 dioxane plumes is more than 4 miles long and 2 ½ miles wide, extending significantly since the Scio positive wells results.

Roger would like Dan to find out the amount of \$ EGLE and Washtenaw County spend on homeowner well sampling each year. Beth will add it to the agenda for next month.

In person vs zoom meetings discussed. Maybe a hybrid meeting will be done every quarter? Kathy Knol will look into the Scio Twp meeting room for availability.

Roger discussed volunteers for the Green Fair.

James D'Amour brought forward a Resolution to support the State legislature Polluter Pay bills. [CARD Resolution in Support of State Polluter Pay Legislation](#) Beth will circulate the resolution and then send emails to those who are eligible for voting.

[10/04/2022 Chair notes](#)

The meeting was adjourned at 8:03 PM.

Minutes compiled by Beth Collins, CARD secretary