

MINUTES
CARD/DEQ Quarterly Meeting
Tuesday, May 1, 2018 – 10:00 a.m. to 12:00 p.m.
Washtenaw County Western Service Center, Room 2010

Present: Mitch Adelman, Anne Bannister, Dawn Bizzell, Vince Caruso, Jennifer Conn, Dan Hamel, Jeff Hayner, Bryce Kelley, Kathy Knol, Rita Loch-Caruso, Kathleen McDonald, Shana Milkie, Michael Moran, Brian Negele, Sara Nedrich, Max Pettibone, Ali Ramlawi, Roger Rayle, Kristen Schweighofer, Kevin Thompson, Gerald Tiernan

Meeting called to order by Michael Moran at 10:01 a.m.

1. The agenda was amended and approved.
2. We did introductions.
3. Minutes from the 4/3/18 meeting were approved.
4. DEQ Updates with Dan Hamel and other DEQ personnel:
 - a. Dan did split sampling with Gelman in December 2017 and April 2018. He has the DEQ results and is waiting for the Gelman results.
 - b. The question of sampling method arose again. DEQ uses the 8260 SIM method which has a detection limit of 1 ppb. CARD has been requesting for years that DEQ and Gelman use the 522 method, which has a detection limit of 0.07 ppb. Rita Loch-Caruso noted that the more sensitive 522 method better serves as a warning, especially now that the standard is 7.2 ppb. Mitch Adelman pointed out that the consent judgment still uses 85 ppb as a standard, so DEQ does not see a need to require the more sensitive method. Mitch further noted that DEQ's position on the lower criterion is that it will seek to get Gelman to voluntarily amend the remedy to 7.2 ppb. If Gelman does not voluntarily agree to the change, then DEQ will go to court. At the time that the intervenors joined the lawsuit, DEQ believed it was close to getting Gelman's agreement to the new lower standard. The addition of the intervenors has delayed negotiations, however.
 - c. The community should understand that the confidentiality agreement is itself confidential, which limits what stakeholders can say about the negotiations. [Update from 6/5/18 CARD meeting: It was subsequently determined by the AG that the confidentiality agreement was not itself confidential. Brian Negele sent a copy of it to Mike Moran. Mike shared copies of the agreement at the 6/5/18 meeting.]
 - d. Jeff Hayner expressed concern about the W. Delhi area, where there are a lot of private wells. How would those residents obtain water if their wells test above the new standard? Dan Hamel is working with Jennifer Conn to watch those and other private wells. If DEQ and Washtenaw County observe an upward trend, they will get bottled water to residents quickly and will start making further plans. For example, the Elizabeth Rd. area has been hovering at 1-2 ppb for years. Dan and Jennifer are closely watching for any changes.
 - e. DEQ will conduct another round of split sampling next quarter. Dan welcomes input on which wells to test. In addition, Larry Lemke and a CMU graduate student will do some split

sampling in the fall. Other proposed activities include surface water sampling in summer and fall; another look at the Allen Creek drain; and posting quarterly reports to the website.

f. Rita Loch-Caruso asked if there were any indication of a southern spread in the Liberty and Wagner area. Dan replied that the plume has been identified and the area has compliance monitoring wells.

g. Jeff Hayner asked how trends can be identified at the current rate of testing. Gerald Tiernan replied that the first step is to increase the frequency, e.g. from yearly to semi-annually.

h. Roger noted that when the criterion was 3 ppb, the state provided water at 2 ppb detections. CARD members were interested in finding out the current circumstances under which the county and state would provide bottled water. However, DEQ asserted that the confidentiality agreement prevents them from discussing specific triggers.

i. DEQ continues to update and expand its Gelman website. Roger Rayle has provided some comments, and Dan requested that any other interested people comment as well. DEQ hopes to have the new site ready by the end of year. Gerald Tiernan stated that DEQ's eventual goal is for the website to serve as a complete Administrative Record.

j. CARD members asked about the shallow water and soil testing results from work Gelman did in spring 2017. The state has requested the information and will share with CARD when it is received. Scio Township also requested the data as part of the permitting process.

k. CARD asked about permanent shallow wells to track near-surface dioxane. DEQ agrees that additional monitoring wells are needed but does not see an immediate risk because the volatilization pathway standard is 1900 ppb.

l. DEQ announced a new groundwater to surface water interface (GSI) criterion. As of March 15, 2018, the standard decreased from 2800 ppb to 280 ppb. DEQ sent out the information on its list server. Mitch Adelman noted that the consent judgment does not cover groundwater to surface water discharge.

m. Gelman has requested a permit to make upgrades to the Porter/Wagner pump station. The planning for this will go through the zoning process.

5. Jennifer Conn discussed residential well sampling conducted at the end of April, 2018. 103 wells were approved for testing, and the county collected samples from 82. The others were unable to be tested because the sites were vacant or for other reasons, and 6 of these will be tested in the fall. The only detections were on the south side of Elizabeth, with one property at 2 ppb and one at 1 ppb. Jennifer sends her reports to Dan Hamel, who incorporates the information into DEQ's database.

6. Updates from CARD chair Roger Rayle:

a. Roger is concerned about what will happen to wells on former Gelman properties now owned by others. For example, the proposed senior housing development would lose two monitoring wells.

b. The University of Michigan Saginaw Forest data doesn't exist anywhere else, so it is important to include that data with DEQ's.

7. Vince Caruso suggested that CARD make a resolution that the cleanup should come out of the court and be under the jurisdiction of the DEQ. This possibility will be discussed in future CARD meetings.

8. On May 17, 2018, Michael Berkoff will visit with the Municipalities and Agencies stakeholder group. This will be the first meeting since December. Bryce Kelley and Evan Pratt are preparing the agenda. Michael will address where the EPA is today. He also would like the municipalities and agencies to comment on DEQ's quarterly reports. Roger Rayles serves as a liaison between this group and CARD.

9. Videoing CARD meetings: discussion tabled until the June meeting.

10. City Councilwoman Anne Bannister stated that she would like the Gelman dioxane issue to be a standing agenda item for the city's Environmental Council meetings. She asks for citizen input on this.

11. Approximately 100 people stopped by the CARD table at the Leslie Science Center Earth Day festival.

Meeting was adjourned at 12:10 p.m.

Next regular CARD meeting:

- Tuesday, July 10, 2018, 5:30 p.m.

Next Quarterly CARD/DEQ Meeting:

- Tuesday, August 7, 2018, 10:00 a.m.

Minutes prepared by CARD secretary Shana Milkie, with input from CARD officers and executive director.