

DRAFT resolution on the 4th Consensus Judgement Negotiated for Groundwater Remediation of the Gelman 1,4-dioxane plume.

drafted by SCBrown Sept. 21, 2020

WHEREAS, The 1,4-dioxane groundwater plume continues advancing down Allen Creek drain and towards the Huron River upstream of the City's drinking water supply intake.

WHEREAS, The ineffectual *in situ* dilution and dispersion mitigation strategy is permitted to continue, rather than implementation of a more aggressive clean-up strategy.

WHEREAS, Older treatment infrastructure and methods are permitted to continue, while more advanced treatment technologies are marketed by the Polluter itself, Danaher.

WHEREAS, This strategy continues expanding the Prohibition Zone and converting private wells to the city water system.

WHEREAS, Treated water would be discharged into First Sister Lake -- one of two natural lakes in the city-- in the absence of effective studies of the impact on the health of the lake. The 200 gallons per minute volume of the Gelman wastewater discharge will likely harm the wetland. This volume equates to a 100-year rain event entering the lake every day.

WHEREAS, There are no hydrology studies nor contingency plans for flooding risks to the adjacent neighborhoods.

WHEREAS, The City of Ann Arbor would be required to submit an Order of Dismissal, terminating their rights to participate in the Consent Judgement, and agree not to support any requests to the EPA for Superfund designation for this site.

WHEREAS, The Terms and Conditions are not an acceptable outcome after four years of additional negotiations, while groundwater contamination discovered in 1987 continues to migrate down the Allen Creek Drain and toward Barton Pond upstream of the City's water intake.

RESOLVED, That Ann Arbor City Council, as an intervenor in the Fourth Amended Consent Judgement, reject these proposed amendments