



QUARTERLY  
UPDATE

GELMAN PLUME *and*  
1,4-Dioxane

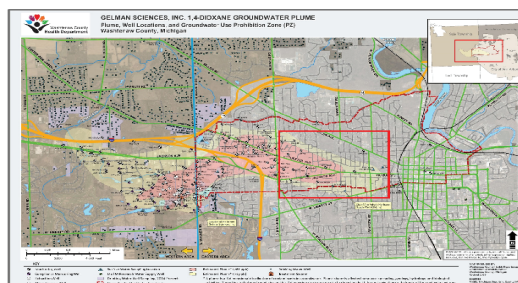
**Settlement Update**

- From approximately the spring of 2017 until the fall of 2020, a proposed fourth amendment to and restatement of the Consent Judgment was under negotiation between Gelman, EGLE, the City of Ann Arbor, Washtenaw County and its Health Department, Scio Township and the Huron River Watershed Council (the intervenors).
- On April 12, 2021, the director of EGLE sent a letter requesting that EPA reinstate assessment of the Gelman site for the National Priorities Listing (NPL) process.
- EPA updates regarding the Gelman site can now be found on the EPA’s website at <https://www.epa.gov/mi/gelman-sciences> and the ‘frequently asked questions’ for the Gelman site is: <https://www.epa.gov/mi/gelman-science-frequently-asked-questions-0>
- On May 3, 2021 Judge Connors held an evidentiary hearing regarding the Gelman plume cleanup. As a result of that hearing, and based on the legal briefs and technical reports that the parties had filed in advance of the hearing, the judge ordered Gelman to implement the requirements in the proposed fourth amended consent judgment that had been made public after the negotiations concluded in the fall of 2020 (“Response Activity Order”). The judge also scheduled quarterly hearings to review the progress of the response activities and consider modifications or additions to those response activities. The first such hearing is scheduled for September 1. The judge also ordered that the intervenors retain their status as intervenors.
- Gelman filed a motion to partially stay the Response Activity Order pending appeal, which Judge Connors denied. Gelman then filed both a claim of appeal and an application for leave to appeal the Response Activity Order. On June 29, 2021, Court of Appeals Judge Christopher Murray dismissed the claim of appeal, deciding that the Response Activity Order does not constitute a final order and that Gelman has no direct appeal right. As a result of that ruling, Gelman must convince the Court of Appeals to grant its application for leave to appeal, which remains pending. Gelman also filed a motion to partially stay the Response Activity Order pending appeal with the Court of Appeals, which also remains pending.

**Wet Basement Testing for 1,4-Dioxane Update**

In September 2020, the City provided details of the wet basement testing for 1,4-dioxane in a presentation that served as the project kickoff. There were no basements sampled in the second quarter of 2021 and everyone who has chosen to be in the program was contacted in May with a reminder on whom to contact. Additional details on the program can be found on the City of Ann Arbor’s website:

<https://www.a2gov.org/departments/water-treatment/Pages/1,4-Dioxane-Wet-Basement-Testing-.aspx>



# Agency Updates

## MS4 PERMIT

- Concentrations of 1,4-dioxane entering the Allen Creek Drain stormwater system have increased since 2017 surrounding West Park area. One location in particular has increased from 4.4 ppb in 2017 to 49 ppb in sampling completed during the fall of 2020.
- The Allen Creek Drain stormwater system is part of Washtenaw County's Municipal Separate Storm Sewer System (MS4).
- Based on the increased concentrations of 1,4-dioxane into the Allen Creek Drain stormwater system, the WCWRC sent Gelman a 'corrective action required' notice to resolve this illicit discharge into the Allen Creek Drain.
- A meeting was coordinated between EGLE, WCWRC and Gelman representatives. Additional sampling in the Allen Creek Drain and in the shallow groundwater adjacent to the Drain was requested of Gelman.
- Gelman submitted a workplan to sample Allen Creek Drain to EGLE and WCWRC on April 15, 2021. The workplan is currently under review.

## EGLE<sup>1</sup> / CARD

- Monthly CARD meetings were held on April 6 and May 4, 2021 and a quarterly CARD meeting was held on June 1, 2021. All meetings were held virtually through Zoom. Additional personnel from EGLE were present for the quarterly meeting.
- EGLE has completed their review of the monitoring well trend analysis. They will finalize their review after direction of response activities as defined by the court.
- Replacement of compliance wells in the ScioView development are needed but EGLE is waiting on determination of the Response Activity Order to act.
- The next scheduled meeting is a CARD monthly meeting and will be held on July 6, 2021 at 6PM via zoom.

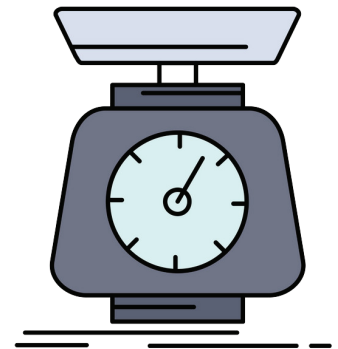
<sup>1</sup> Michigan Department of Environment, Great Lakes, and Energy

<sup>2</sup> National Pollutant Discharge Elimination System

# Pall Groundwater Treatment Updates

Total Volume of Groundwater Treated  
March - May 2021

**62,496,948 gallons**



Mass of  
1,4 Dioxane Removed

March: 63.91 lbs

April: 64.58 lbs

May: 67.74 lbs

**Total: 196.23 lbs**

*The mass calculations were determined from the NPDES monthly discharge reports using the maximum daily influent concentration and maximum daily effluent concentrations.*

*The volume was calculated from the average monthly flows in the monthly discharge report.*

## NPDES<sup>2</sup> PERMIT

- EGLE is currently reviewing the NPDES permit application that was submitted on April 4, 2019.
- EGLE has 180 days after determining completeness of application to issue or deny. There has been no significant update on this.
- Public notice period is for 30 days and a public hearing can be requested.
- If a public hearing occurs it will add time to the schedule.
- At the 11/5/2019 CARD meeting a representative for State of Michigan's Permitting section addressed that the state is experiencing a severe backlog reviewing NPDES permits. Responsible parties are obligated to comply despite permit expiring in October 2019.

## Next Quarterly Report Due October 2021

- Basement Sampling Update
- CARD Updates
- NPDES Permitting Progress
- Settlement Update
- MS4 Permit / Allen Creek Drain Sampling