

RESOLUTION OF CONCURRENCE IN SUPPORT OF A NOTICE OF VIOLATION TO GELMAN SCIENCES, INC. FOR VIOLATION OF THE PROHIBITION AGAINST 1,4-DIOXANE INFILTRATION INTO THE ALLEN CREEK DRAIN

Whereas, 1,4-Dioxane released by Gelman Sciences, Inc. (Gelman), has been identified by sampling in the Allen Creek stormwater drain that traverses West Park in August 2019 and in subsequent repeated samples;

Whereas, analysis of the repeated samples shows rising levels of 1,4-dioxane;

Whereas, the presence of 1,4-dioxane violates the Federal delegated Municipal Separate Storm Sewer System (MS4) Permit;

Whereas, Washtenaw County Water Resources Commissioner Evan Pratt, as the holder of the MS4 Permit for the Allen Creek Drain, is the designated regulatory authority to require that Gelman halt the infiltration of its 1,4-dioxane into the Allen Creek Drain above background levels;

Whereas, Ann Arbor City Council unanimously passed Resolution 21-0056, Enactment # R-21-023, at its regular meeting on January 19, 2021, stating support for issuance of a Notice of Violation to Gelman;

RESOLVED, That Ann Arbor Environmental Commission joins the Ann Arbor City Council and supports Washtenaw County Water Resources Commissioner Evan Pratt issuing a Notice of Violation to Gelman to stop the prohibited infiltration of its 1,4-dioxane into the Allen Creek Drain.

RESOLVED, That the Environmental Commission send this resolution to the City of Ann Arbor, Washtenaw County, Washtenaw County delegation to the Michigan Legislature, the Director of the Michigan Department of Environment, Great Lakes, and Energy, and the Region Administrator - United States Environmental Protection Agency - Region V.