

**Saginaw-Tittabawassee Rivers Contamination CAG  
Full CAG Meeting  
Memorial Park, Freeland MI  
Tuesday, March 17, 2015  
6:00 PM – 8:30 PM  
DRAFT**

**CAG Members Present**

Drummond Black  
Leonard Heinzman  
Jim Koski  
James Krogsrud  
Rachel Larimore  
William Marsrow  
Laura Ogar  
David Sommers  
Bryce Wakeman  
Bob Wiese

**CAG Members Absent**

Charles Curtiss  
Armando Falcon  
Michael Kelly  
Joel Tanner

**Ex-Officio Members Present**

Todd Konechne, Dow Chemical  
Al Taylor, MDEQ  
Mary Logan, EPA

**Support and Agency Staff Present**

Kip Cosan, Dow Chemical  
Janelle Pistro, Dow Chemical  
Diane Russell, US EPA  
Doug Sarno, facilitator

Doug Sarno called the meeting to order at 6:10 PM. Agenda items included:

- CAG Updates
- EPA Project updates
- Update on the AOC program
- Floodplain cleanup decision and planned 2015 activities

Copies of all meeting summaries and presentations are available at [www.saginawcag.com](http://www.saginawcag.com).

Materials and additional information on the Dow Chemical Site including all presentations from CAG meetings are also available at the EPA web site at <http://www.epa.gov/region5/cleanup/dowchemical/cag.htm>

## **1. CAG Updates**

Deb Huntly and Donna Mallone have both regrettably resigned from the CAG due to work commitments.

There is a new Leadership Team in place for 2015:

- David Sommers, President
- Drummond Black, Treasurer
- Bryce Wakeman, Secretary

Three potential new members of the CAG were in the audience and introduced themselves. Another application has been received and we will be actively recruiting. We are starting to see more interest in the CAG as there is more activity on the river.

The communication committee is interested in getting more information out, we want more people to know about the CAG and the project. Hopefully the change of meeting location will get more folks involved. We plan to distribute more press releases, some cards and flyers to folks to raise the awareness of the CAG and our meetings. We are also looking to update the CAG website to provide some basic information.

The EPA timeline is also being updated for 2014, and we can add future activities.

Comment: The picture on the CAG website is not reflective of what we are doing now, can we use a more current one?

EPA is happy to bring CAG material to events that it attends, and also would like to have meetings with the CAG to provide mutual support. The EPA is always open to CAG input on improving its materials.

In response to comments raised at the CAG retreat, EPA wanted to reiterate the importance of the CAG to EPA and its work. CAG input helps to steer EPA to what the community values and how that helps with the evaluation of choices. EPA offered to

attend the pre-meeting for new members to help outline the superfund process and how the CAG fits in.

## **2. CSTAG Advisory Group comments to EPA**

The Contaminated Sediments Technical Advisory Group (CSTAG) brings together national experts to review sediments projects around the country. CSTAG has met with this project over the past few years, and came to view the site in September 2015 to review the project and activities and to hear from stakeholders. In its report, the CSTAG identified 8 technical recommendations related to overall project management, future measurements of success looking at other parameters.

For instance, one of the recommendations was on how often to measure fish concentrations--every two years (catfish) to 4 years (walleye, smallmouth). Walleye is captured at the Dow Dam.

CAG Question: What else did they suggest on measurement? Use of stationary monitoring devices on fish. Looking for ways to take more samples to get a larger composite understanding of what is happening in the river.

Audience question: Why didn't CSTAG comment on public recommendations on the sediment traps? It is at the CSTAG's discretion what they decide to comment on.

CAG Question: What is the next step on these recommendations? EPA has a monitoring plan for the site already so that is ongoing, we are evaluating whether to amend that plan based on these recommendations, the goal would be to add if for future collection years. EPA will keep the CAG updated on this.

## **2. Saginaw River/Bay Area of Concern (AOC) Overview**

John Riley Michigan Office of Great Lakes provided the overview.

43 AOCs were identified in the early 1980s based on the Great Lakes Water Quality agreement originally signed in 1972. AOCs are the toxic hotspots in the Great Lakes system across all five lakes in the US and Canada. The Agreement was most recently updated in 2012. Michigan has 12 AOCs. This AOC is on the Saginaw River from the confluence of the Tittabawassee and the full Saginaw Bay. AOCs address only waterbodies and do not include the floodplains. 2010 was the first year that the program was seriously funded.

Participation in the AOC program is purely voluntary, and works on partnership basis to engage Federal, state, and local resources. Much of this AOC won't get better until the Superfund project makes its way down to the Bay. Success is defined as restoration to allow beneficial uses.

There are 12 Beneficial Use Impairments such as restrictions on fish and wildlife consumption, three of which have been removed from this AOC in recent years.

There is a public advisory council for each AOC that helps to identify the key issues.

USEPA is party to the agreement with Canada and provides funding to the states. The Michigan Office of the Great Lakes implements the AOC program in Michigan, drafts remedial action plans, and passes on Federal funding to Local Public Advisory Council. The Partnership for Saginaw Bay Watershed serves as the Local Public Advisory Council to advise on goals, advocate for interests of communities, identify projects, develop criteria, facilitate public involvement and engage with the Statewide PAC.

CAG Question: Do you measure any economic benefits? Not now, but we are looking into that. There have been studies that show that every dollar spent on this sort of work results in \$5-6 in return to the communities.

CAG Question: What happens when an individual BUI is removed, why do you remove them incrementally? Our goal is not to return to pristine conditions, and it is fairly subjective to consider how clean is clean enough. Our goal is to make this area comparable to other places in Michigan. We are looking to show progress to get support for additional projects, so it is important to acknowledge when progress is being made. Congress looks to EPA to demonstrate the progress that is being made.

### **3. EPA Updates**

#### **Segment 2.**

The proposed plan and decision for the Sediment Management Areas (SMAs) and Bank Management Areas (BMAs) in Segment 2 were completed in 2013. Work on these areas began in 2014 and will be completed this year. The work remaining for 2015 includes a few bank stabilizations.

#### **Segment 3.**

Will also identify SMA and BMA and there will be a proposed plan and public comment this year.

#### **Outreach**

In the most recent newsletter, EPA provides an update of the community involvement over the past five years.

The EPA community involvement conference “Making a Visible Difference in Your Community” will be held August 4-6 in Atlanta. This is an annual EPA event for community involvement coordinators and other EPA staff and consultants from throughout the country. Diane submitted a paper for a 90 minute case discussion on conducting a focused discussion based on the work done on the floodplain. She is looking for a CAG member who might be interested in travelling to Atlanta to help lead this discussion.

CAG Question: How can we focus more on cleanup progress in project communication, we now have a lot of miles of stream cleaned, banks repaired, etc.? (We seem to focus a lot on the negative issues such as the fish consumption ban.) EPA has tried to get some of that information out there. We do talk about what is being done about it. The timeline is a good tool. EPA could rethink how to pull out some of the nuggets related to accomplishments.

### **Tittabawassee River Floodplain Decision**

Mary Logan presented this information. EPA is looking at the full 8 year floodplain on the lower 21 miles of the Tittabawassee River. A total of 4,500 acres with approximately 700 property parcels, including 500 dwellings and 600 owners are included. The EPA final plan is very similar to the proposed plan. Two cleanup levels will be used: maintained residential at 250 ppt, and all other land use areas at 2,000 ppt. Most areas would be dug up but some areas could receive a clean cover.

The public comment period was open for 60 days, and EPA received comments from 11 individuals and six groups (including CAG, DEQ, Dow, Lone Tree Council, Consortium of environmental groups). This was in addition to the many meetings with homeowners along the waterfront that were conducted prior to the official comment period.

Changes made to the Final plan:

- Comments noted that there should be a process for making exceptions to the cleanup number in ecologically important areas that have little chance of use by the most sensitive human receptors.
- EPA will provide flexibility to conduct property-specific evaluations to create a property specific cleanup number where appropriate.

Work will be conducted upstream to downstream and begin alongside Segment 2 Work on each floodplain segment will take one to two years. In-channel and bank work will be done concurrently. Property-by-property evaluations will be conducted and owners will be involved in the planning process.

Dow has agreed to conduct the cleanup and has begun work on the following plans:

- General design and implementation work plan—how properties will be identified and general details on work
- Segment work plan—application of the general plan to the segment
- Property-specific design plans
- Post-Cleanup site control plans to monitoring and assess and maintenance moving forward
- Institutional control implementation and assurance plan
- Outreach/communication plan.

CAG Question: How will exceptional habitats be identified? EPA has not determined that process yet. For areas that need cleanup, we will look at sensitive habitats that will be impacted by the cleanup.

CAG Question: Is the responsive summary and action memo on the web site? Yes

***Public Comment:***

Question: Does this mean all new data for the evaluation? EPA will use the data that is currently available as a first pass to conduct an initial evaluation, but may require additional sampling to get amore detailed understanding of the property.

Question: How many of the groups and individuals questioned the validity of the numbers as protective? All of the environmental groups, so two out of six groups, and one of the 11 individuals commented.

CAG Comment: The CAG did not challenge the numbers but does want to spend more time fully understanding the numbers and what they mean and how they were calculated and to provide deeper understanding the overall process of risk assessment and risk management in general.

The meeting was adjourned at 8:30 p.m.