

**Saginaw-Tittabawassee Rivers Contamination CAG
Summary of Full CAG Meeting
Memorial Park, 150 Park St., Freeland, MI
Monday, July 21, 2014
6:30 PM – 7:45 PM**

CAG Members Present

Drummond Black
Charles Curtiss
Armando Falcon
Leonard Heinzman
Jim Koski
James Krogsrud
Rachel Larimore
Judith Lincoln
Donna Mallonee
Laura Ogar
David Sommers
Joel Tanner
Bryce Wakeman
Bob Wiese

CAG Members Absent

Jeffrey Bulls
Deborah Huntley
Michael Kelly
Frank Kuszak
Brian Thomas

Ex-Officio Members Present

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

Support and Agency Staff Present

Cheryl Howe, MDEQ
Janelle Pistro, Dow Chemical
Diane Russell, US EPA
Doug Sarno, facilitator

Doug Sarno called the meeting to order at 6:30 PM. Agenda items included:

- CAG Updates
- Institute New Members
- Segment 2 Phase I Cleanup Plans
- Floodplain Outreach

Copies of all meeting summaries and presentations are available at 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

The CAG has received four new applications for membership: Bryce Wakeman, William Marsow, Celeste Wright, Stanley Gorzinski. Jim Koski was voted into membership in May. The membership committee formally presented Bryce, Celeste and William for discussion. Only Bryce was present.

Bryce Wakeman heard about the CAG on MLive, reviewed the website, read through the materials, went on the tour and talked with Dave Sommers. He is interested in public health and environmental issues and very interested in serving on the CAG.

Celeste Wright has been heavily involved in criminal justice issues. William Marsow, City of Saginaw, is involved in environmental issues, fishing and hunting.

Bryce was voted into membership. William and Celeste will be presented for membership in September when they can attend.

Doug will send out a request for updated bios for all current members.

The CAG currently has 19 members, with the following terms.

Terms Ending June 2015

Jeff Bulls
Charles Curtiss
Leonard Heinzman
Michael Kelly
Rachel Larimore
Laura Ogar
Joel Tanner

Terms Ending June 2016

Armando Falcon

James Krogsrud
Frank Kuszak
Judith Lincoln
Donna Mallone
David Sommers
Brian Thomas (on leave)

Terms Ending June 2017

Drummond Black
Deborah Huntley
Jim Koski
Bryce Wakeman
Bob Weise

2. Plans for Tittabawassee River Floodplain Cleanup

Mary Logan, USEPA, provided the presentation.

EPA is looking to remediate lands in the 8 year floodplain of Tittabawassee River, consisting of approximately 4500 acres. While this is where the vast majority of contamination is present, the contamination is not in a uniform distribution. Dioxins and furans are the primary contaminants of concern. Approximately half of this land is forest, 18% agriculture, 11% unforested upland, 14% wetland. Maps showing the total land use distribution are available on the website.

This is an important green corridor, with about 76% land in a natural condition. These ecologically important areas promote habitats and wildlife diversity, help to dissipate energy from floods, and stabilize erosion. More than half the floodplain is undeveloped and not maintained, 16% is in the Shiawassee National Wildlife Refuge.

Land use and land types help EPA to understand the types of exposure that can be expected and where and what types of cleanups are most appropriate.

The floodplain assessment looked at 10,000 samples from 1800 locations, more than 220 chemicals were assessed in addition to dioxins, but dioxins are the main focus. Evaluations reviewed the range of surface concentrations, and depth of contamination.

The 2013 outreach efforts to to property owners and other stakeholders have been detailed in previous meetings. Results showed primary interest in increasing/preserving the natural uses of the floodplain and to prioritize cleanup in areas most important to the community. Generally, respondents wanted less reliance on monitoring and maintenance in more contaminated areas, to protect community and workers, and that cost should not be a factor.

The overarching goal for the remedy will be to protect people as they access these areas. The remedy to be proposed in August will propose site-specific cleanup numbers to be specific to the floodplain exposure. There will be two site-specific cleanup goals, one for maintained residential areas, and one for all other uses.

The two cleanup options that will be considered are removal and disposal with backfill as needed, and a soil cover which will require monitoring and maintenance.

Land management will be used to help keep properties in place through institutional controls.

Implementation work will start in Segment 2, and move downriver as with the sediment work. Each segment will take one to two years to complete. In channel work will continue concurrently.

Segment 2, planning and work starting in 2015

Segment 3 planning to start in 2015 work to start in 2016

Segment 4 planning to start in 2016, work to start in 2017 or 2018

Property by property evaluations will be conducted to determine whether and what type of cleanup will be needed. EPA and Dow will work with property owners directly. Each property should only take a few weeks to complete, and people can stay in their houses. Most plants and trees will need to be removed and properties will be replanted. EPA will work with property owners to save larger trees as possible. Cleanups will be voluntary and there will be no expense to the property owner, but EPA will try to persuade owners to get the cleanup done. EPA will provide letters once work is complete.

EPA will try to incorporate green and sustainable remediation practices into the floodplain cleanup.

EPA is working to submit a proposed cleanup plan. The planned comment period will be August 15 through October 14. A Formal public meeting will be held on September 24.

EPA planning some more outreach meetings as well. EPA will also develop a fact sheet, FAQ, a short description of how the cleanup goals were developed and a longer technical document on how cleanup numbers were developed as well as the formal detail proposed plan.

Final remedy selection will be completed in Autumn 2014 with implementation to start in 2015.

CAG question: What if a homeowner simply wanted to convert their property to non-maintained status, is that possible? Yes that could be done. Would likely require an easement to that effect.

CAG question: What about folks who would want to add a maintained use in the future? Then we would have to go back and reevaluate based on that standard. EPA is required to put a plan in place to make sure land use is consistent with cleanup level, so there would be ongoing monitoring and easements.

CAG question: Will letters to homeowners have enough information to make sure that homeowners understand what they need to do in the future, homeowners will require the information they need on what they can and cant do over time? This will all be laid out in the conservation easement or the appropriate legal tool used.

CAG question: Will people be paid for any conservation easements? EPA is coming up with an institutional controls plan. Each property will have an individual agreement and plan as needed.

CAG question: If the CAG is going to weigh in, how will we weigh in on individual properties as each is site specific? The proposed plan will be very specific, but each property will be determined and implemented individually with the property owner.

CAG question: Is there more than the one public meeting? Yes, EPA will probably hold four meetings with property owners prior to the September 24 meeting. There will be a Newsletter announcement and a Fact Sheet distributed. Property owners will get a post card invitation to one of four meetings to be held.

CAG question: Everything that is not residential is being lumped in with commercial, wont they result in some risk? We are considering the most conservative assessment in looking at these land uses so it will be protective for the highest level of use. Some commercial uses such as day care center would not be included or allowed in this non-residential standard.

CAG question: How many people did you talk to in the outreach? Approximately 100.

CAG question: If we are focusing on land use, wouldn't it make sense to focus on harm to the public? We are, but how you use the land helps us to assess how people might be exposed. We are not in the business of taking away use but cleaning up to how land is used.

CAG question: What about camping and other activities that might take place on undeveloped property? That has been factored into the risk assessment.

CAG question: Can we get an extension on the comment period? No, a 30 day extension was already built into the 60 days.

CAG Process to Develop Recommendations

The CAG will establish a recommendations committee as usual. The technical committee will consist of Armando , Charles, Judi, and Rachel.

The committee will review the proposed plan when release to help identify any specific information they would like EPA to highlight at the September 15 CAG meeting. They will also discuss whether outside technical assistance might be needed. EPA was asked to provide a presentation on institutional controls.

All members are encouraged to fully read the proposed plan to prepare for the full CAG discussion on September 15.

The CAG will devote its meeting on the September 15 to developing draft recommendations. The committee will organize those recommendations into a formal document for email review and comment, and then prepare final comments to EPA.

CAG Members are also encouraged to attend the September 24 public meeting.

Public question: What is the residential cleanup level? EPA is not going to announce that tonight, it will be announced in August with the proposed plan.

Public question: Any update on sediment traps? Hope to have that discussion soon.

The meeting was adjourned at 7:45 p.m.