



QUARTERLY
UPDATE

GELMAN PLUME *and*
1,4-Dioxane

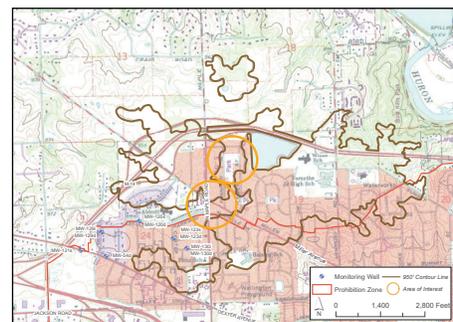
Settlement Update

From approximately the spring of 2017 until the fall of 2019, a proposed fourth amendment to and restatement of the Consent Judgement 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. The EPA selected Weston Solutions for the NPL assessment process who has begun the process of hazard ranking.
- 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 the hearing, and based on the legal briefs and technical reports that the parties 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”).
- 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 right.
- On July 26, 2021, the Court of Appeals granted Gelman’s application for leave to appeal, meaning that the Court of Appeals is going to consider the merits of Gelman’s challenge to the Response Activity Order. Oral arguments have not been scheduled yet. The Court of Appeals also granted a partial stay of the Response Activity Order. Although the court stayed the quarterly hearings that Judge Connors had scheduled, the court did not stay the requirement that Gelman immediately implement the response activities in the proposed 4th amended consent judgment, or the provision of the Response Activity Order stating that Intervenors retain their status in the case.
- Implementation of the 4th Consent Judgment is ongoing (see EGLE/CARD for updates).

Sentinel Well Installation and Wet Basement Testing for 1,4-Dioxane Update

Sentinel Well Installation - The City will be installing sentinel monitoring wells in the fall of 2022. The City is engaging in a bid process to obtain a drilling subcontractor this spring. Before the end of May, the City will be developing an informational video describing the location of the sentinel wells and schedule for their installation. The link to this video will be available at: www.qualitywatermatters.org



Wet Basement Sampling - 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. Everyone who has chosen to be in the program was contacted in May with a reminder on whom to contact. No basements were sampled in the first quarter of 2022. 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

EGLE / CARD

- CARD meetings were held on February 1 and March 1, 2022 virtually. Additional personnel from EGLE were present for the March 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.
- In accordance with the 4th Amended Consent Judgement, EGLE reported that Gelman is working on the following activities:
 - Groundwater to Surface Water Interface (GSI) evaluation in the western area has been completed by Gelman and reviewed by EGLE who requested changes. A revised workplan was submitted in late January. While EGLE is reviewing the revised workplan, they approved limited implementation of GSI sampling in the western area for those areas that needed to be completed in the winter.
 - The eastern area GSI workplan is under review. Re-sampling of surface water in West Park and Third Sister Lake was completed.
 - Drilling is ongoing in the western and eastern areas to complete well installations.
 - Test borings were installed to evaluate the Rose Area extraction well that will be piped to the existing infrastructure and treated at the Gelman facility.
 - One of the three onsite extraction wells was installed in the source area.
- Scio Township completed residential well sampling in fall of 2021. Low level detections of 1,4-dioxane in four residential wells north of M-14 were identified. All concentrations detected were at levels below EGLE's drinking water criteria (between 0.26 and 1 ppb). A community meeting was held on February 17, 2022 to update the citizens and answer questions.
- EGLE now has the ability to sample for 1,4-dioxane with a detection limit of 0.5-ppb, down from the previous limit of 1-ppb.
- The next scheduled meeting will be held on May 3, 2022 at 6PM via Zoom.

MS4 PERMIT

- Concentrations of 1,4-dioxane entering the Allen Creek Drain stormwater system have significantly 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 'corrective action required' notice sent by the Washtenaw County Water Resources Commission Office (WCWRC) to Gelman for increased concentrations of 1,4-dioxane in the Allen Creek Drain stormwater system, Gelman submitted a work plan on April 15, 2021 for sampling. EGLE and WCWRC reviewed the work plan, provided feedback to Gelman and requested an updated work plan. A revised workplan has been re-submitted to EGLE for review as a Groundwater to Surface Water Interface (GSI) issue rather than an MS4 issue. EGLE staff had the GSI Technical and Program Support staff re-evaluate the work plan in March. EGLE suggested a formal response is likely in April.

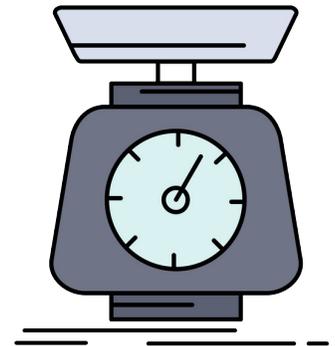
NPDES PERMIT

- 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.

Pall Groundwater Treatment Updates

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Total Volume of
Groundwater Treated
December - February 2022

77,202,720 gallons



Mass of
1,4 Dioxane Removed

December: 71.28 lbs

January: 86.35 lbs

February: 80.21 lbs

Total: 237.84 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.

Next Quarterly Report Due July 2022

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