

**TOWNSHIP OF SCIO  
WASHTENAW COUNTY, MICHIGAN  
RESOLUTION #2024-01**

**RESOLUTION IN SUPPORT OF A RESIDENTIAL TESTING PROGRAM**

At a Regular Meeting of the Township Board of Scio Township, Washtenaw County, Michigan, held at the Scio Township Hall, 827 N Zeeb Road, in said Township on the 9<sup>th</sup> day of January, 2024 at 7:00 p.m.

Members Present: Hathaway, Flintoft, Palmer, Kerry, Knol, Reiser

Members Absent: Brazeau

The following preamble and resolution were offered by Trustee Reiser, and supported by Trustee Knol.

WHEREAS, the Coalition for Action in the Remediation of 1,4-dioxane (CARD} is encouraging the Department of Environment, Great Lakes, and Energy (EGLE} to have a testing program for residential properties that may be impacted by the Gelman plume; and

WHEREAS, Scio Township recognizes that some of its residents have been, or may be impacted by the plume; and

WHEREAS, on May 17, 2023, the State of Michigan on behalf of the Michigan Department of Environment, Great Lakes, and Energy (EGLE} and Gelman Sciences, Inc. (Gelman} entered into a Fourth Amended Consent Judgment (CJ4} "in recognition of, and with the intention of, furtherance of the public interest by (1} addressing environmental concerns raised in Plaintiffs' Complaint; (2} expediting Remedial Action at the Site; and (3} avoiding further litigation concerning matters covered by this Consent Judgment" CJ4, page 2;

WHEREAS, EGLE and Gelman "Among other things ... enter[ed] this Consent Judgment to reflect EGLE's revision of the generic state-wide residential and non- residential generic drinking water cleanup criteria for 1,4-dioxane in groundwater to 7.2 micrograms per liter" CJ4, page 2;

WHEREAS, achieving the above objectives requires a network of test wells, sufficient to determine the direction in which the 1,4-dioxane plume is expanding and the level of 1,4-dioxane in those test wells that are found to have been contaminated;

WHEREAS, the network of wells being tested by Gelman or the State of Michigan by EGLE has been demonstrated to be inadequate to determine the flow of the 1,4-dioxane plume to the north toward Barton Pond, where the City of Ann Arbor obtains 85% of the water that it processes for drinking by residents and businesses within the City of Ann Arbor and for residents and businesses within Scio Township and Ann Arbor Township;

WHEREAS, the flow of the plume in that direction was detected by the testing of residential wells in Scio and Ann Arbor Townships by those respective townships at those townships expense using the 1,4-dioxane analytical Method 522;

WHEREAS, testing of residential wells within Scio and Ann Arbor Townships by Gelman and EGLE using testing protocols other than Method 522 was not even able to detect the presence of 1,4-dioxane contamination in a substantial number of those polluted wells;

WHEREAS, in the Fourth Amended Consent Judgment EGLE and Gelman further agreed that "notwithstanding any other provision in this Consent Judgment: (1) EGLE reserves the right to institute proceedings in this action or in a new action seeking

to require [Gelman] to perform any additional response activity at the Site; and (2) EGLE reserves the right to institute proceedings in this action or in a new action seeking to reimburse EGLE for response costs incurred by the State of Michigan relating to the Site" CJ4, Section XVIII E, page 61;

WHEREAS, it would further public interest by (1) addressing environmental concerns raised in Plaintiffs' Complaint; and (2) expedite Remedial Action at the Site for EGLE to establish a program for the testing of residential wells in Scio and Ann Arbor Townships for 1,4-dioxane using EPA analytical Method 522 and seek reimbursement for the costs of that program from Gelman in the action pending in the Washtenaw County Circuit Court;

Now, therefore, IT IS RESOLVED that Scio Township is in support of the Coalition for Action in the Remediation of 1,4-dioxane (CARD) and hereby asks that EGLE request that Gelman pay for an EGLE program to test residential wells in Scio and Ann Arbor Townships at Gelman's cost and, if Gelman refuses to undertake the testing, that EGLE would implement the program and seek reimbursement from Gelman that includes the following elements:

- A. Payment to EGLE for establishing a Residential Drinking Water Well 1,4-dioxane Testing Program, including in Scio Township and Ann Arbor Township, paid for by Gelman for an individual homeowner to qualify for funds to test their drinking water well for 1,4-dioxane.
- B. Payment to EGLE for administering the Program.
- C. Payment for the analysis of the collected residential drinking water well samples by an independent analytical laboratory using the 1,4-dioxane analytical Method 522.

D. Payment to Washtenaw County Health Department for collecting the drinking water well samples in a quarterly year collection routine and sending the samples to the independent analytical lab for Method 522 analysis.

E. Payment to EGLE for review and approval of an application by any property owner to have their drinking water well sampled for 1,4-dioxane if the applicant has a drinking water well within ½ mile of an existing drinking water well or monitoring well with a detectable level of 1,4-dioxane. EGLE would approve the application if those two criteria were met.

**ROLL CALL VOTE:**

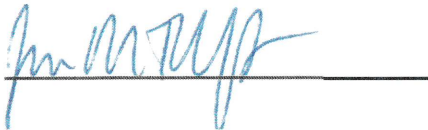
**YES:** Hathaway, Palmer, Flintoft, Kerry, Knol, Reiser

**NO:** None.

**ABSENT:** Brazeau.

**ABSTAIN:** None.

**RESOLUTION DECLARED ADOPTED.**

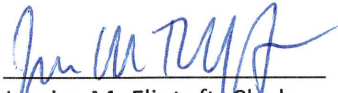


**Jessica M. Flintoft, Clerk  
Scio Township**

**DATED: January 9, 2024**

CERTIFICATE

I, Jessica Flintoft, hereby certify that the foregoing is a true and complete copy of a resolution adopted by the Township Board of Scio Township, County of Washtenaw, State of Michigan, at a Regular Meeting held on January 9, 2024 and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, and that the minutes of said meeting were kept and will be or have been made available as required by said Act.

  
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Jessica M. Flintoft, Clerk  
Scio Township

DATED: February 12, 2024