

Special Gelman Update, by Kathleen Knol, Trustee, April 2024

The U.S. Environmental Protection Agency (EPA) has proposed adding the Gelman 1,4-dioxane contamination site to the National Priorities List (NPL). The Gelman dioxane plume spans parts of Scio Township, Ann Arbor Township, and the City of Ann Arbor. Dioxane is classified as a likely carcinogen by all routes of contact. The first step in the process of being added to the NPL is to publish the proposal to add the site to the NPL in the Federal Register, which triggers a 60-day public comment period. This comment period began on March 7. The EPA may add the site to the NPL if the site continues to meet the listing requirements after the public comment period closes and the agency has responded to any substantive comments. The process of finalization for placement on the NPL can take up to one year. If there is potential future litigation, this would take place once the site is listed on the NPL.

The EPA National Priorities List includes sites of the nation's most serious uncontrolled or abandoned releases of contamination. The NPL serves as a basis for prioritizing EPA Superfund cleanup funding and enforcement actions. The Gelman site was one of three sites that were recently listed in the Federal Register. The Bipartisan Infrastructure Law has accelerated the EPA's work to clean up NPL sites with a \$3.5 billion investment in the Superfund remedial program, according to an EPA press release. This law reinstated the "polluter pays" chemical excise tax to help clean up these sites. With this funding, the EPA has been able to clear a backlog of unfunded Superfund sites and has provided as much cleanup funding in the past two years as it did in the previous five years.

The current remedial activities at the Gelman site are governed by the provisions of the 4th Amended Consent Judgment. The Michigan Department of Environment, Great Lakes and Energy (EGLE) provides enforcement and oversight to these remedial activities and well testing. Scio Township and Ann Arbor Township have previously conducted additional residential well testing. This testing documented that the dioxane contamination was more than one mile north of what was thought to be the northern boundary of the plume, thus creating questions of expansion of the pollution. Once the EPA's jurisdiction of the Gelman site is established by its addition to the NPL, the EPA will take over administration of ongoing cleanup and testing. It is important to note that taxpayers have paid for a significant amount of the ongoing drinking water well testing in Scio Township. Once jurisdiction is established by the EPA, the polluter will be responsible for these costs.

Groups such as the Coalition for Action on Remediation of Dioxane (CARD), Scio Residents for Safe Water (SRSW), and governmental units have been advocating for a more effective cleanup of the dioxane plume for many years. In 2021, Scio Township partnered with Washtenaw County, the City of Ann Arbor, and Ann Arbor Township to request the EPA investigate the site as a possible Superfund site. Congresswoman Debbie Dingell has been an advocate for federal oversight during this time period.

The EPA will respond to all substantive public comments during the 60-day comment period. Residents will be able to view all comments and EPA responses. The link to submit a public comment is [regulations.gov/docket/EPA-HQ-OLEM-2024-0067/document](https://www.regulations.gov/docket/EPA-HQ-OLEM-2024-0067/document). Questions regarding the public comment process can be directed to Erica Aultz (aultz.eric@epa.gov).

Once the site is placed on the NPL, a remedial investigation and feasibility study will be conducted. The goal of the remedial investigation is to delineate the nature and extent of the contamination. When the site is finalized for placement on the NPL, the EPA has a robust public involvement process and a site-

specific community involvement plan will be created. There is no national drinking water standard for allowable levels of dioxane and state regulations vary widely. The current Michigan dioxane standard is 7.2 ppb, which is the second weakest in the nation. The feasibility study will decide the standard to be applied to the Gelman site.

According to the EPA, Superfund cleanups provide economic benefits to communities. Research has documented that residential property values increase after a Superfund cleanup. Find out more at [epa.gov/superfund-redevelopment/redevelopment-economics-superfund-sites](https://www.epa.gov/superfund-redevelopment/redevelopment-economics-superfund-sites).

Use this link to contribute during the 60-day comment period <https://www.regulations.gov/docket/EPA-HQ-OLEM-2024-0067/document>. The comment period ends May 6, 2024.

For more information:

Scio Residents for Safe Water webpage [SRSW.org](https://www.srswwater.org).

Coalition for the Remediation of Dioxane website: [Washtenaw.org/1774](https://www.washtenaw.org/1774).