

McLouth Steel Superfund Site Community Advisory Group (CAG)

TECHNICAL MEETING SUMMARY

November 4, 2021 | Virtual Meeting No. 4

MEETING IN BRIEF

The November 4, 2021 meeting of the McLouth Steel Superfund CAG took place online in a Zoom webinar. The objectives of that meeting included:

- Providing brief Site Updates
- Reviewing CAG Operating Protocols
- Collecting input on the CAG Website
- Hearing Member Updates and Future Discussion Topics
- Public Comment

Please see **Appendix A** for a list of CAG members and agency representatives who were present. The recordings for this and previous CAG meetings have been posted on YouTube here: <https://youtu.be/UbiHNZCRy20>.

Appendix B contains a table with questions and answers from the Q&A function on Zoom.

ACTION ITEMS

Responsibility	Item
CAG Members	<ul style="list-style-type: none">• Provide feedback to improve the accuracy of the Draft November Meeting Summary• Disseminate Final November Meeting Summary to community members
EPA/EGLE	<ul style="list-style-type: none">• EPA and EGLE share updates on completion of removal work on the site
CBI	<ul style="list-style-type: none">• Produce and distribute the Draft November Meeting Summary, integrate CAG feedback to refine, and send final for CAG dissemination and EPA posting.• Coordinate with Leadership Board on next meeting date, next steps on internal CAG work, and agenda for technical meeting to review the final report, including whether to invite ASTI to present.

DECISIONS REACHED & PROPOSED TOPICS FOR FUTURE DISCUSSION

Decisions Reached

- CAG and public questions or concern about cleanup or investigation activities at the McLouth site should be sent to EPA, EGLE, and/or Stacie Smith, CAG facilitator, and information or responses will be sent to the CAG to disseminate to the public.
- Planning of the technical meeting to review the final report was referred to the Leadership Board.
- The next meeting will be held in early 2021. Date TBD.

Proposed Topics for Future Discussion

- Regular updates on the Public Health Assessment process, results, and recommendations
- Presentations from EPA (potentially MSC's contractor ASTI) on the final report of removal activities under the Settlement Agreement
- A presentation on the conclusion of Phase 1 and update on Phase 2 on the northern portion of the site
- Annual review of CAG operating protocols and selection of Leadership Board
- Discussion of CAG website

SUMMARY OF DISCUSSIONS

Consensus Building Institute (CBI) facilitator, Stacie Smith, welcomed participants, explained the features of using the Zoom Webinar interface for all participants, and reviewed the meeting agenda and ground rules. Slides used by the presenters can be found on the EPA McLouth Superfund website here: www.epa.gov/superfund/mclouth-steel.

Site Updates

Brian Kelly, EPA Region 5 On-Scene Coordinator, and Jacob Runge, EGLE Engineer, introduced themselves and provided brief updates on the McLouth Superfund Site. Mr. Kelly explained to the group that MSC did not meet their October deadline for completing clean-up work required under the settlement agreement, and that the final inspection has been rescheduled for November 18. Once that inspection occurs, MSC will then have 45 days to submit their final report, after which EPA will review and issue a notice of completion. Since this would likely coincide with the holiday period, EPA would issue a notice of completion in the new year. Mr. Runge shared that he is currently preparing a briefing packet for the Northern Portion of the site with conclusions from technical consultants.

Greg Gehrig, EPA Region 5 Remedial Project Manager and new remedial project manager for the site, also introduced himself, and shared that EPA is currently in the process of securing a viable contractor to manage the site investigation. He expects to commence investigations with the contractor on the site next year. Jim Wagner, CAG member, also shared that the City worked with MSC to secure the site and granted a certificate of occupancy to store gravel on the site for 6-9 months.

Rose Ellison, EPA Great Lakes National Program Project Manager, provided a brief update on Detroit River sediment cleanup and habitat restoration under the Great Lakes Legacy Act. Her team has been working on sediment sampling and ensuring that sediment is properly included in the remedial work on the site. She highlighted that EGLE carried out sampling on sediments in the Northern portion of the site, and will be going back to confirm findings. She also highlighted that there will be a virtual public meeting at the end of January and Friends of the Detroit River is assisting with organizing.

CAG members offered the following comments and questions (*answers in italics*). [Note: some of these questions or comments were made during later parts of the agenda – they are documented here to promote clarity. Some answers have been expanded in order to ensure that all the member’s questions have been addressed.]

- **Given that site investigations are now expected to commence in 2022, for how long will the long-term cleanup process continue? This was initially due to begin in Spring 2022.**
 - *EPA: This process (characterization and remedial investigation) will take years. It is critical to undertake thorough investigation in order to determine the clean-up needs. We initially intended to use Great Lakes Architect and Engineering Services as contractor through an expedited contracting process, but that fell through. Now we are going through a more conventional Superfund contracting method. We hope to commence the characterization work in coordination with sediment dredging.*
- **Do we know the reason for N. Fayoumi’s (former remedial project manager) departure from the team working on the site?**
 - *EPA: He had over a dozen projects assigned to him and asked that this site be transferred to someone else in his workgroup.*
- **Could you clarify how the difference in clean-up standard (residential vs non-residential) will affect the environmental conditions and overall cleanup plan? Is the residential standard too costly and not feasible? Is there a difference between the clean-up needed in order to have residences on the 1st or 2nd story?**
 - *EPA: We do not know what the cost is at this moment, and that is not the driving factor in how we make our decisions about the clean-up. Our first step is to characterize the site, then to determine the clean-up remedy based on anticipated land use. Cost is not the driving factor, and we are unable to say how much alternatives will cost at this stage.*
- **Is there an update on torch cutting of skulls on the Northern portion?**
 - *EGLE: MSC cut for 15 days then ceased cutting because they reached an impasse. The skulls are too difficult to cut. As an example, it took 40 hours to make just one cut. Torching will cease for the rest of the year, and MSC is looking for alternative ways of disposing of the skulls. They cannot stay where they are. EGLE has requested a report on air monitoring, which will be an appendix to the final report.*
- **Is there an update on the Health Assessment?**
 - *CBI: This was not included in the agenda because it was meant to be primarily an internally-focused meeting.*
- **With regard to future use, the current owner of the property’s initial plans are in direct conflict with some of the downriver development plans. What can be done about this? We do not want to be surprised with some kind of development before all the information is in.**
 - *EPA: EPA and EGLE have no authority over redevelopment. Those decisions are made by the property owner and local authorities. If requested, EPA is*

happy to try to help facilitate discussion between the CAG and MSC regarding future uses. Neither EPA nor EGLE were parties to the purchase agreement between Wayne County and Crown/MS. That agreement specifies industrial development.

- **Is it the case that phase 1 is complete under the terms of the settlement, and if they wanted to, could Crown start using the land so long as it does not interfere with EPA's cleanup?**
 - *EPA: Redevelopment is not prohibited during the clean-up phase - MSC could have begun development 3 years ago. However, they are required to follow a process in coordination with EPA and City of Trenton to ensure that the required work is being completed. Phase 1 is not complete until EPA receives the final report and issues a notice of completion.*
 - *City of Trenton: The future development is based on agreements and proposals approved by the Planning Commission, Mayor, City Council, and other local entities. That is where concerns about future use ought to be addressed. There are legal agreements in place that must be enforced.*
- **What value does our input have?**
 - *CBI: Your input to EPA and EGLE is valuable as it relates to areas over which those agencies have oversight.*
 - *CAG member: We do not yet have data around the characterization of the site. The Remedial Investigation has not yet been done. When there are reports or data available, we can examine them and if we disagree then we can seek to change the agencies' minds based on the facts.*
- **Other Superfund and former Superfund sites have become mixed-use and residential developments. Crown has said they are open to mixed-use. Why would we not be aiming our cleanup to that kind of use?**
 - *EPA: The agencies have no authority to zone or define current or future land use. Those decisions are made by the local municipalities and the property owner. If those parties change the intended use, EPA will consider the new use in the final cleanup decision.*
- **What needs to be done as soon as possible is that the site needs to be characterized to allow for a meaningful discussion on redevelopment. The longer that takes, the more difficult the conversation will be.**
 - *EPA: Yes, understood.*
- **Are you confident that MSC will meet their new deadline?**
 - *EPA: I have made it clear to MSC that repeatedly shifting deadlines hurts their credibility. A question for the CAG is whether you would like a presentation from the technical consultants (ASTI) who prepare the report. If so I can request that. The consultants will have the first-hand knowledge of what is in the report, which could be informative. The settlement agreement specifies very clearly what is required in the report, and the report will tell us whether they complied with the agreement.*

- *NOTE: There was some desire from CAG members for a presentation from ASTI, but the matter was referred to the Leadership Board.*

Review of CAG Operating Protocols

Stacie Smith led CAG members in a review of CAG Operating Protocols and other internal matters. Potential amendments were made in redline to the existing Operating Protocols, particularly around clarifying the role and purview of EPA and EGLE with respect to the CAG, protocols around members who are absent for long periods, timing and scheduling of meetings, and decorum with the agenda. Members considered codifying the date when the Leadership Board is to be elected and operating protocols are to be reviewed as the first meeting of the calendar year. While there was some interest in more frequent meetings, the quarterly timeframe was left as is with the understanding that the CAG could choose to meet more frequently should the need arise.

Members also considered updates to the membership, especially for seats where representatives have not been actively attending, such as Gross Ile, Riverview, and former McLouth Steel employee representatives. Stacie will reach out to individuals who have not shown up to meetings in a while to see if they are still interested in remaining on the CAG, and/or to identify others who might represent those interests.

CAG members offered the following comments and questions (*answers in italics*).

- **With regards to the CAG's mission of promoting transparency and disclosure, we have not always received complete and timely answers. We have pushed for transparency and it has been slow in coming. There has been some discussion as to what the future use is going to be; we should get together and push for the cleanup that is in the best interest of southeast Michigan. EPA will control the degree of cleanup (within the context of their regulations). The CAG can be a catalyst for driving that discussion.**
 - *EPA: EPA and EGLE have tried to be responsive to requests for information. We do not always have the information but we make an effort to seek and provide it to the CAG where possible.*

CAG WORK PLANNING, MEMBER UPDATES, & PUBLIC COMMENT

Public Comment

Members of the public were invited to ask questions using the Q&A feature in Zoom Webinar. Those questions were answered in writing or out loud during the meeting, or in writing afterwards, and can be found in Appendix B. In addition, members of the public were invited to make oral comments, which are summarized here.

- **There are important topics being raised here, and I appreciate the time taken to raise them. If there are going to be topics that demand more time, can we have more meetings? People should have access to those who will be interfacing with politicians on these matters. It helps to keep them on task.**

WRAP UP & NEXT STEPS

Ms. Smith thanked the CAG, presenters, and members of the public for their participation, questions, and comments. She reminded the CAG that the next meeting will take place early in the new year and noted that the DRAFT meeting summary would be sent out soon. Several items of business remain outstanding and will be addressed in the new year.

The meeting was adjourned.

Appendix A. CAG Stakeholder Representatives in Attendance

Primary and Alternate CAG representatives present at the **November 4, 2021** meeting are listed below.

Affiliation	Representative
City of Trenton	Jim Wagner
Grosse Ile Township	Kevin Langley, alternate
Riverview Brownfields Authority	Brian Webb
Trenton Visionaries	Wendy Pate
Gross Ile Nature and Land Conservancy	Doug Thiel and Paul Gloor, alternate
Grosse Ile Civic Association	Greg Karmazin and Bill Heil, alternate
DownRiver Waterfront Conservancy	Paul Frost
Abutters	Robert V Johnson
At-large Community Representative	Emily Hornbeck
At-large Community Representative	Ryan Stewart
At-large Community Representative	Judith Maiga
Liaison for Rep. Debbie Dingell's Office (Trenton)	Bryan McMurrin

Agencies represented

Andrea Keatley, MDHHS
Brian Kelly, US EPA Region 5
Greg Gehrig, US EPA Region 5
Kirstin Safakas, US EPA Region 5
Rose Ellison, US EPA Great Lakes National Program
Jacob Runge, EGLE

Appendix B. Zoom Q&A

Below are the questions submitted in the Zoom Q&A. Most answers are from EPA, and answers from other parties are otherwise indicated. Answers marked with an asterisk (*) were provided by EPA after the meeting.

Question	Answer
What is CAG?	Community Advisory Group
Why did the CAG meeting summary from July 2021 meeting omit the statement Nabil Fayoumi clearly stated about the fact that ground water, surface water, soil and subsurface soil has not been characterized yet and will be investigated over the next few years. But the summary redefines the written record to state that monitoring wells are in place to state: "The monitoring wells will characterize the water, soil, surface water, and sediment currently on the site. The 5-year review process is in place to see if the remedy is still appropriate in case the situation changes in the future. If there remains residual contamination, we may need to look at it. It is difficult to address things like vapor intrusion because they have not been assessed yet." Does this mean remedial investigation is not going to happen or that a current remedy has already been decided but not announced to the public yet?	The remedial investigation and feasibility study has not yet started. Greg will talk more about it.
Will having an elected official council member and an appointed municipal as Co-Chairs of the CAG negate eligibility to have the CAG obtain TAG grant funds for objective independent technical advice? I have asked this before and have yet to receive a clear answer.	I don't see Diane here tonight, but she should be able to answer this. I'll email her now and get you a response. *No. If the community is interested in applying for a TAG grant, it can do so collectively under the auspices of a community group. More information about TAG grants can be found here and here .
Did I understand correctly that the site testing doesn't start until next year? Why? When next year?	The exact date is not known. EPA has to procure a contractor and scope the work. It made sense to do the assessment after the initial phase of cleanup was completed.
Why are the long list of outstanding questions recorded in past meeting summaries still unanswered?	An outstanding questions document was just uploaded to McLouth's EPA webpage yesterday: https://semspub.epa.gov/work/05/969960.pdf .
What is the timeline for the final property clean-up?	<i>Live answered (see answer on page 3)</i>

<p>Is the final decision to be a container yard or is this something we will get to vote on still?</p>	<p>EPA is in charge of the remedial investigation and cleanup of the property, not choosing its end use (i.e. container yard).</p>
<p>2021 Crown took over Detroit Port this gives it authority to create an intermodal on the old McLouth property. Trenton will not realize any tax revenue. What can this committee do about it?</p>	<p>EPA has no knowledge of the Detroit Port or a connection with EPA's Superfund cleanup. This question concerns taxes, which is beyond the scope of EPA's authority. The person may want to contact local taxing officials.</p>
<p>Could the term "characterization of the land" be defined?</p>	<p>This is part of the remedial process. A detailed explanation of the remedial process can be found at https://www.epa.gov/superfund/superfund-remedial-investigationfeasibility-study-site-characterization</p>
<p>When will environmental data collected from this site by the EPA be available to the public? Where will that information be located?</p>	<p>The sampling should start next year. Not sure when the results will be available, but they will be posted at www.epa.gov/superfund/mclouth-steel.</p>
<p>Can allowing aggregate on site now - without EPA investigating the subsurface and ground water allow opportunity for contaminants underground to migrate offsite through the ground water just like we saw regarding the green ooze in Madison Heights after EPA (in 2016) allowed only removing chemicals from a site and filling pits - resulted in allowing contaminants include hexavalent chromium, cyanide, trichloroethylene, and other metals to mix with ground water and then travel to leak onto I-696 3 years later in 2019?</p>	<p>The gravel will be stored on the concrete pads and will not cause any issues.</p>
<p>Question for new remedial project manager - Will it reduce funding priorities to remediate if the private developer begins a business that new adds contaminates to the site while we wait for EPA investigations and assessments to finish?</p>	<p>*Environmental laws have changed since McLouth started operating in the 1950s. If MSC, added new contaminants, they would be responsible for cleaning them up.</p>
<p>Have any soil corings been taken yet on the site? Are there any known VOCs at this point?</p>	<p>There were a number of soil, groundwater, and surface water samples. There is very little in the way of VOCs https://semspub.epa.gov/work/05/935038.pdf.</p>
<p>Is the community (area residents impacted) going to be DENIED giving input and clear answers in writing about remedial options and remedial plans as part of the CERCLA laws - if the current developer begins industrial business and</p>	<p>*Remedial alternatives will be clearly outlined in the Remedial Investigation/Feasibility study.</p>

activity that begins to newly pollute the site while we wait for investigations to begin and finish?	
Does the EPA consider phytoremediation as a viable strategy? Also, does the EPA allow/ fund remediation which is integrated into future development?	Phytoremediation is one method of many that EPA may use to remediate a site. More information is available here: https://semspub.epa.gov/work/HQ/189975.pdf
The real-time air monitoring - what are they sampling for? Where is the air monitoring sampling being performed? How many areas are perimeter samples are being taken?	Reports on air monitoring have been uploaded to EPA's webpage as they become available. Here is a report from April and May: https://semspub.epa.gov/work/05/966060.pdf . More documents are available under "Site Documents & Data".
Can the EPA reps please clarify in front of the audience if they are involved to aid the developer and working to protect the purchase agreement between the county and the private developer OR is EPA involved to aid the environment, the community environmental impact and the CERCLA policy to consider the public's interest and community input in decision making?	EPA's mission is to protect human health and the environment, and EPA's role is to investigate and clean up the property.
Phase 1 is the removal of structures and other ground level contaminants, correct?	"Phase 1" is used as short hand for the work required by the County Purchase Agreement and the EPA settlement work. The work to be performed in Phase 1 is included here: https://semspub.epa.gov/work/05/941447.pdf
Brian Kelly: Are you working to protect the purchase agreement between Wayne County and Crown/MSC and the outcome they want? Or are you working to clean up and protect our local environment as it pertains to current historic contamination on site and its impact on surrounding residents and surrounding local environment ?	EPA's role is to investigate and clean up the property. If the purchase agreement is changed, it would change how EPA views future use.
Jim Wagner - the purchase agreement to create an industrial development is not law. it may be legally binding as a contract but the purchase agreement is not law. What exactly are the legal document you keep referencing?	The documents referenced are linked here and here .
Brian (Kelly) so you are working to protect the purchase agreement then?	Neither EPA nor EGLE have any say over the County's purchase agreement. If that agreement is changed, we will work with the new agreement.

<p>Why aren't questions asked in this format TRANSPARENT for all attendees to see during the zoom meeting?</p>	<p>CBI: We are trying to keep deliberations during the meeting to CAG members. The public can use the Q&A function, and will get a chance to comment during the comment period at the end of the meeting.</p>
<p>Stacie, he is not trying to change the zoning tonight - he is clearly asking why this CAG process is continues to be presented as an "after the actions take place" process not an inclusive community input process that the EPA describes as CAG meetings.</p>	<p>The majority of EPA actions for this site (remedial investigation, feasibility study, remedial design, remediation, delisting, etc.) have not yet taken place. *This CAG will have input on all of these actions as they occur.</p>
<p>Might I suggest that a committee be formed whose responsibility it would be to periodically review this document, solicit input, formulate precisely worded modifications, submit the proposed changes to the members prior to the meeting for their review, and then present the changes to the CAG for their approval thus better utilizing precious meeting time.</p>	<p>Stacie, please include this recommendation in your meeting summary.</p>
<p>When will the report about the actual contaminants be published? Will this be published in a public place which would be available to the public? Will there be a public forum or announcement once the contaminants are discovered? The public must be informed! There are those who wish to "hide" the extent and number of the contaminants and the extent of penetration into the soil.</p>	<p>Nobody is hiding anything. The remedial investigation and feasibility study will be published on EPA's website www.epa.gov/superfund/mclouth-steel and there will be a public comment period before any decision by EPA is made.</p>
<p>If there is more interest and, therefore, more people, then more time should be allotted. I would think that the quarterly meetings should be a minimum. If more people want to ask questions or get specific information, have specific-topic meeting so that the public can get the information they need!</p>	<p>EPA is paying for facilitation for these quarterly meetings, but that does not stop the CAG from convening more often, such as for a special-topic meeting. CAGs are community led.</p>
<p>At an earlier meeting (drain commission, I think it was) there was some discussion about health assessments in Gibraltar related to this site. Is that started? Ongoing?</p>	<p>The health consultation for the Gibraltar site can be found here.</p>
<p>Will this webinar be linked somewhere?</p>	<p>*Yes, all the Zoom CAG meetings have been recorded and are available on YouTube at this link. Links to each of the recordings are also posted in the meeting summaries, which are all available on EPA's website: www.epa.gov/superfund/mclouth-steel. Look under</p>

	"Stay Updated, Get Involved" and scroll down to Community Advisory Group.
Does the EPA do any random testing to confirm what ASTI is doing or has done?	*Several times, prior to COVID, EPA had an EPA contractor spend a week on the site spot checking cleanup work. EPA personnel also made frequent visits to oversee the work.