

McLouth Steel Superfund Site Community Advisory Group (CAG)

TECHNICAL MEETING SUMMARY

January 14, 2021 | Virtual Meeting No. 2

Meeting in Brief

The first 2021 meeting of the McLouth Steel Superfund CAG took place online as a Zoom webinar on January 14, 2021. The objectives of that meeting included:

- Updates on
 - McLouth Superfund Removal Work
 - Updates on the Northern portion of the Site
 - Updates on Zoning
- CAG work planning and member updates
- Public Comment

Please see **Appendix A** for a list of primary CAG members who were present.

Decisions Reached

- CAG and public questions or concern about clean-up 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.
- The next meeting will be in April 2021. [*Note: proposed date, April 8*]
- The recordings for previous CAG meetings have been posted on YouTube here: <https://bit.ly/3dPYdHX>

Action Items

Responsibility	Item
CAG Members	n/a
EPA/EGLE	<ul style="list-style-type: none">• EPA to post all meeting materials, including any (updated) slides presented and links to recorded meetings, on the CAG website: www.epa.gov/superfund/mclouth-steel• EPA and/or EGLE send Stacie Smith (CBI) available torch cutting process updates (e.g., data, timing information, etc.)
CBI	<ul style="list-style-type: none">• Produce January meeting summary

Proposed Topics for Future Discussion

- Overview of ATSDR Health Assessment for McLouth - Michigan Department of Health and Human Services
- Updates on Detroit River Sediment Testing from the Great Lakes National Program Office
- Quarterly: Updates on Remedial activities on the Superfund site and investigations and clean-up activities on the Northern Site

- Updates from MSC on redevelopment and reuse plans

Updates on the site:

Summary of Discussions

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

Update on the McLouth Superfund Removal Work

Per CAG request, Brian Kelly, EPA Region 5 On-Scene Coordinator, provided an update on the removal work happening at the McLouth superfund site. He noted that things seemed as if they were going fairly slowly because MSC is dealing with the hard issues of pumping out the basement and busting out the top floor (“the Penthouse) at the site, which is reinforced concrete, as well as having to clean out transformers. He noted that they had removed almost all the scrap metal, would be keeping the brick building along the shoreline, and had removed the different pumps.

He explained that there would likely be only a few more situational reports before work was completed under the settlement agreement. He further detailed that once the fieldwork was completed, there would then be a report due to EPA detailing all the work done, including all of the sampling, waste manifests. Mr. Kelly then noted he had spoken to EPA Remedial Project Manager, Nabil Fayoumi, about the remedial work and communicated that the community would be interested in this process and how it unfolds. Mr. Kelly clarified that EPA is meeting with ASTI to procure as many currently available documents as possible to be able to release a scope of work and start a contract for bidding before the report finishes. He then reported that Mr. Fayoumi had requested money to do the investigation and expected the earliest that remedial investigations would start would be fall of 2021 or spring of 2022.

Mr. Kelly also noted an ongoing exchange between EGLE, ASTI and McLouth regarding torch cutting procedures and dust control, which is a recurring issue of concern for the CAG, and clarified that EGLE would speak to this issue in greater detail next. Mr. Kelly stated that a public health assessment for the site would be commencing soon, which would be conducted via cooperative agreement between ATSDR, EPA, and the State of Michigan Department of Health and Human Services. He explained that the public health assessment would explore and identify data gaps to see if the site contained a pathway that could be affecting the community and may need to be addressed. Mr. Kelly also clarified that a human health assessment is a standard assessment done to guide the remedy. The CAG requested that they be presented with information about this process as it moves forward.

Diane Russell, EPA Region 5 Community Involvement Coordinator, also provided a brief reminder on the superfund process overall, and the investigation process for the site. She noted that timing depended on several factors, like allocation of funding and completion of administrative steps. Ms. Russell also reiterated that once the fieldwork contract was issued, fieldwork would likely begin in the fall of 2021 or spring of 2022, and that the investigation and reporting process would take approximately 5 years, with the proposed plan being released around 2025. She closed by emphasizing that while the superfund remedial process is slow, it is also thorough.

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

- **Does this timeframe suggest that the process has been slowed down from the previous expectations of beginning in mid-2021?**
 - *EPA: We recognize this is an extremely long process. The planned timeline hasn't really changed; once the funding is secured, some time is needed to put out a bid for contractor services to conduct the investigation before actual work can begin. Nabil has asked for one million dollars (USD) per year to do investigation work. As a point of reference, the other Superfund site in Gibraltar requested a similar amount and they have usually received 50-60% of that annual amount. The hope is to be awarded funding by this this summer, and to start the Remedial Investigation (RI) & Feasibility Study (FS) in fall or spring.*
- **Who is responsible for overseeing the seeding/planting that is needed to keep the dust under control?**
 - *EPA: EGLE will oversee any particulate leaving the site after the settlement is reached.*
- **How many "skulls" (solidified metal filings that must be torch-cut) were found on the McLouth site?**
 - *EPA: They have found 6 total, and they are not all uniform in size. EGLE will speak to this in more detail.*
- **What is the update on the two remaining oxygen cylinders on the site?**
 - *EPA: As far as the two furnaces, MSC plans to come back in the spring and take those down. EGLE air quality division (AQD) will look at the new process they've developed to ensure AQD's comfort regarding how the stoves will be taken down.*
- **Will anyone be able to use the land while it is being cleaned up? If so, will we be notified as to what is being done by the companies/owner? Will this be relayed?**
 - *EPA: The settlement agreement has a provision on how redevelopment will occur. MSC is required to sample the area before they do any kind of redevelopment. EPA knows that this area is being considered for redevelopment, so we would be able to share "x area is being developed". It is uncertain if we will know in detail what is going on there, though MSC will be required to communicate their intended uses so it doesn't interfere with the remedy. Anything they give to us that is not private business-related is public information can be shared; EPA cannot and will not withhold this kind of information.*

Updates on the Northern Portion of the Site

Jacob Runge, EGLE Engineer, provided the CAG with updates on the northern portion of the McLouth Steel site. He detailed that the investigation and clean-up of the 76-acre northern portion of the site owned by RTRR was presently in its first phase, which aimed to be completed by April 12, 2021. Phase 1 included 12 groundwater monitoring wells, for which EGLE had also gone out and collected their own samples to act as an audit. He explained that these data would all be submitted in one large report, and that the upcoming Phase 2 would be determined by the site's current conditions and what was discovered in Phase 1. He further provided that once EGLE had a robust understanding of Phase 2, in terms of its operations, a letter would then be sent to the facility. This would trigger a back-and-forth reply timeline of 30 days for the facility to respond, and 60 days in turn for EGLE.

Mr. Runge also discussed EGLE's oversight of the work happening on the southern portion of the site. He reiterated that EGLE's role was joint oversight with EPA regarding things such as the structural demolition of the mill building (which was completed in October 2020). He clarified that this demolition had fulfilled the obligation to Wayne County in the purchase agreement, but not the settlement agreement, and that work on this site that had ceased until spring 2021 (i.e., general site cleanup, grating surfaces, etc.).

Mr. Runge also provided more detail on the "skulls" removal process. He told the CAG that the 6 skulls found on the property consisted of up to 120 tons of solidified metal filings that would need to be cut into legally shippable pieces. This was the torch cutting that resulted in the orange smoke that raised concerns from the CAG and public last fall. He explained that that this cutting was outside of both the purchase and settlement agreements, and under the jurisdiction of EGLE's Air Quality Division (AQD), who determined that a short-term metal cutting operation such as this did not exceed the 278(a) legal limit. Given this, he noted that the torch cutting was expected to recommence in spring 2021 and that EGLE would be notified with 7 days of lead time, at which point they would be able to notify the CAG. He emphasized that the CAG and members of the public should feel welcome to submit an air quality complaint if they had concerns, via the Michigan.gov website (<https://www.egle.state.mi.us/ERS/Survey/14>) or by calling it in directly (1-800-292-4706); these can be done at any time.

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

- **Currently, EPA and USACE are working on the sediment issues and they were interested in the shoreline. Given what you are doing and the issues EPA/USACE is dealing with regarding contaminated sediments in the river, how will you be working together? How will they be getting ready to do their design work, while also needing to determine if there is a need to do any hardening of the shoreline? Are you coordinating with what they are doing to get the projects in sync?**
 - *EGLE: Yes. Our enforcement section knows those projects are coming and I am tasked with supplying all the information to EPA, so we are not doing the same thing twice, but we are coordinating.*

- **Do you have to file a complaint online, or can you just call the number (1-800-292-4706)?**
 - *EGLE: You can call that number anytime*
- **In removing the stoves, they have opened up a lot of the area. Are they going to hydroseed for temporary cover to contain dust?**
 - *EGLE: I am not sure of the details, but along with the torch cutting, they have made it clear to AQD that if fugitive dust is a problem again, they would mandate a program that would include the property is seeded with grass and wetting, even if it is generated by wind rather than human activity. We know that fugitive dust continues to be a problem the CAG is concerned about.*
- **In concert with the work, they've done to take down the dirt piles, there is one piece that is fenced in that still contains the dirt/debris piles. Have there been any discussions about what the disposal will be? My concern is that whatever was in those piles of dirt and debris was moved and will be the same as in the Wilkinson property.**
 - *EGLE: That piece is still technically owned by the Wilkinson's, so the enforcement section has been trying to figure out the most appropriate way to address the site.*
- **Could you provide further clarity on the dust suppression plan? In Phase II, who is developing the plan and when will we see something regarding it? My concern would be that a lot of the buildings are missing and now there is a straight landscape. If there is not a proactive plan for dust and we have a dry spring, we will have fugitive dust.**
 - *EGLE: Both facilities are required to come up with a dust suppression plan and there is a dust control plan currently for the northern portion, which EGLE has the authority to amend if it is deemed insufficient. I will touch base with AQD and the facility and will follow regarding when there will be information outside the current dust control plan.*
- **You mentioned that for torch cutting there would be data collected, will this be made available to the public?**
 - *EGLE: I will consult with management, but I will send it out if there is no private business information included. If something is sent to both EGLE and EPA, we will share it with the CAG; it is considered public information.*
- **Will there be reporting on the physical/chemical composition of the material being brought in to fill the pits, sumps and foundations on-site? How do we know we are not introducing additional chemical hazards to the site?**
 - *EPA: The fill material is road construction asphalt millings. Essentially former roads.*

Updates on Zoning

Leah DuMouchel, Principal at Beckett & Raeder, provided the CAG with an update about Trenton's waterfront zoning. In her presentation, she provided brief background on the history of the sites zoning use, the known citizen priorities for the site, and recounted some zoning challenges. Ms. DuMouchel then explained to the CAG that the approved proposal was for the site to be zoned as a Waterfront Revitalization District, an update from the previous proposal of

an Industrial Waterfront District. She then reviewed the upcoming process for *Trenton Waterfront Zoning NORTH* in particular to highlight the optimal points for CAG engagement, which included during the site plan review process, and a recommendation for focusing on design and impacts. She also noted there would be a 15-point impact assessment to provide more detailed information about the site, as well as opportunities for CAG engagement for zoning south of the site, which was in an earlier phase of the same process and fairly open to follow a community-led vision. Ms. DuMouchel concluded her presentation by summarizing that the major changes the CAG should note were the adjustment to the site zoning as a waterfront revitalization district, and the impact assessment that would provide more robust data to analyze and incorporate into the proposed plan.

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

- **Compared to heavy industry, this zoning is an improvement. From an aesthetic point of view, the zoning faces the road front to riverfront, how can we incorporate all the things that generate revenue and tax bases, but also keep a little bit more of a greenway along the river?**
 - *B&R: There will be a separate process for clarifying riverfront aesthetics. This process is creaking along slowly, the Trenton Planning Commission would be where it starts.*
- **Could you please clarify what you meant by different approach to redevelopment? Who is RRC and what does that mean?**
 - *B&R: [RRC is Redevelopment Ready Communities](#). It is an approach that is novel and takes a bit of a paradigm shift. The standard approach is to make the rules and wait for the private sector to have an idea and then negotiate. The RRC philosophy is empowering communities to take charge of their own redevelopment. What do developers say are the barrier/problem to us getting what we want? We will do a study and then seeks to answer these questions that are brought to us, or if the community has a vision for a site and the developer doesn't know anything. So, this is a method of packaging what our vision for a site is but grounding the vision by answering the questions the community is going to have when they come to the other side of the table. There is a lot of coming together and doing our own work, but it can pay off.*
- **Have these zoning changes been codified?**
 - *B&R: Yes, they have, last meeting was 12/14 and they took affect seven days after this.*

CAG Work Planning, Member Updates, & Public Comment

CBI Facilitator, Stacie Smith, reiterated the CAG would be having quarterly meetings in 2021 to match the slow but steady progress planned, with the hope that this frequency would meet the informational/input needs of the CAG. She also conveyed that the Leadership Board recommended, and EPA found funding to ensure this schedule of meetings would be possible.

Ms. Smith then opened up the floor to hear topics of interest for the year. These suggested topics can be viewed in the table below.

Quarter	Topics of Interest
Q2	Sediment work update - Great Lakes National Program Office
	Completion of spring removal work (45-day period for report finalization)
	Remedial Investigation contract updates
	Human Health Assessment 101 from the Health Department/ASTDR
	Torch Cutting for monitoring reports and dust suppression plans
Q3	Presentation/report out on final removal report and activities work
Recurring Items	Updates from EGLE on the Northern portion of the site
	Superfund process/progress recap and reminders (e.g. requirements, upcoming events/reports, what's next)

The facilitator opened the floor for members to share any questions, concerns, or updates.

CAG members offered the following comments and questions regarding the McLouth Site (presenter answers are in italics and follow up conversation from CAG members is in regular text)

- **Please clarify how redevelopment of the site is possible at this time when a remedy has not occurred.**
 - Owners have a contractual agreement with the county to develop the site in a certain amount of time and have to do so in 3-5 years. The contractual agreement has a time frame for them to begin that process on the site and develop it with the county. This date deadline is before 2024 (sooner rather than later). The site will be marketed while they continue to complete their contractual agreements with EPA and EGLE.
 - *CBI: When MSC presented to us in the spring, they noted that they were able to begin developing the site after they complete removal activities, but they have to maintain access to EPA to do the investigation for the remedial portions of the study, and will need to allow remediation activities to occur.*
- Several CAG members expressed confusion and concern regarding development on the site while there is an active superfund process. Some CAG members provided clarifying comments and also noted the topic had come up before. A future presentation on the superfund process was suggested as a way to clarify this overall and provide context for the rationale behind the protocol and decisions.

Public Comment

- **Is there a statutory requirement for superfund sites to post warning signs that identify the superfund site to the public? I contacted EPA about this a few times and I have been told that it is required. It was required as soon as funds were provided, as soon as EPA superfund is funding anything. Is the supervisory position that EPA has been**

taking for the CAG count towards this? There is zero signage that gives any public notice.

- EPA: *We will look into this question and come back to you.* [Note: EPA has developed a response to this question, attached as Appendix B and sent to CAG members along with this summary.]

Wrap Up & Next Steps

Ms. Smith reminded the CAG that the next meeting would be April 8, 2021, with the recurrence of the second Thursday of each month remaining as the meeting cadence. She also shared that the Leadership Board would continue to meet and plan the CAG's meeting, noting that input from the CAG was always welcome. Ms. Smith also reiterated that CBI would continue to send out any relevant communications received about the sites directly to the CAG and that questions, again, could be funneled through CBI to ask MSC, EGLE, EPA, or others. She concluded by thanking the CAG for its participation and noted that the next DRAFT summary would be sent out to CAG members soon.

The meeting adjourned.

Appendix A. CAG Stakeholder Representatives in Attendance

Primary and Alternate CAG representatives present at the **January 14, 2021** meeting are listed below.

Representative	Affiliation
Brian Webb	Riverview Brownfields Authority
Bryan McMurrin	Liaison for Rep Debbie Dingell's Office (Trenton)
Doug Thiel	Gross Ile Nature and Land Conservancy
Edie Traster	At-large Community Representative
Emily Hornbeck	At-large Community Representative
Bill Heil, alt	Gross Ile Civic Association
Jim Wagner	City of Trenton
Larry Ladomer	At-large Community Representative
Paul Frost	DownRiver Waterfront Conservancy
Robert Burns Mary Bohling, alt	Friends of the Detroit River
Robert Howey	City of Trenton Brownfields
Robert V Johnson	Abutters
Wendy Pate	Trenton Visionaries

Appendix B: EPA Response to Question posed in Public Comment Period

The McLouth Steel EPA team hereby responds to the inquiry to clarify the legal requirements for posting signage at Superfund sites like the McLouth Steel Site in Trenton, Michigan.

EPA does have certain legal requirements for signage which can be found in the Code of Federal Regulations at 40 CFR 35.6105(a)(2)(ii). This regulation specifically describes the content of state-lead remedial cooperative agreements and provides direction to include and budget for signage in such agreements. While written over 30 years ago to address state-lead agreements, EPA still follows these requirements for federal-lead cleanups. The regulation notes that EPA workers should be aware of the “need to post signs at every Superfund site.” It notes that signs promote continued interaction with the community and assure interested parties can access information or report unusual or criminal activity. In addition, signs alert the public that the site contains hazardous substances to prevent them from inadvertently coming into contact with these substances.

Consistent with this directive, EPA will take steps to ensure that signs are posted at the McLouth Steel Site. The regulation requires that the sign be posted, “before remedial action begins,” which EPA doesn’t expect to start for several years. However, EPA is discussing with the property owner to voluntarily place signage sooner and we will update the community if that occurs. In the meantime, the entire McLouth Steel site is surrounded by fencing to deter trespass and the property owner provides security. If you know of any instances of trespassing, please report those to EGLE or EPA to follow up with the property owner.