

Part 201 Criteria Stakeholder Advisory Group Meeting No. 5

Wednesday, June 11 | 9 AM–10 AM

Conference Call

Dial: (877) 668-4490

Attendee code: 200 303 91

AGENDA

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|---|--------------------------|
| I. Welcome and Overview | Jack Bails, PSC |
| II. Status of TAG Meetings | Mark Coscarelli, PSC |
| III. Draft Vapor Intrusion White Paper | Julie Metty-Bennett, PSC |
| IV. Preparation for Next CSA Meeting | Jack Bails, PSC |

Part 201 Criteria Stakeholder Advisory Group Meeting 5 (Conference Call) – Summary

Wednesday, June 11 | 9:00 AM–10:00 AM
Public Sector Consultants, Lansing, Michigan

Criteria Stakeholder Advisory Group	Representing
Attendees	
Ravi K. Adibhatla, Consumers Energy	Energy
James Clift, Michigan Environmental Council	Environmental Group
Troy Cumings, Warner, Norcross & Judd LLP	Office of Regulatory Reform, Admin. Rules Committee
Karen Hathaway, Horizon Environmental	Environmental Consulting
Ian Ladomer, Marathon Petroleum Company	Petroleum
Matthew Naud, City of Ann Arbor	Local Government
Eric Pessell, Kent County Health Department*	Public Health
Edward Peterson, General Motors	Automotive
Rob Rouse, Dow Chemical Company	Chemical
James Trosko, Michigan State University	Academia
Brad Venman, NTH Consultants, Ltd.	Environmental Consulting
Kristin Mariuzza, Lundin Eagle Mine	Resource Extraction
Corinne Miller, Mich. Department of Community Health	Public Health
Invited Observers	
Sarah Schillio, aide to Rep. Jeff Irwin	Michigan Legislature

* Absent

MDEQ Staff
Sue Erickson, Asst. Division Chief, RRD
Matt Williams, Geologist, RRD
Paul Owens, District Supervisor, RRD
Jim Sygo, Deputy Director
Bob Wagner, Division Chief, RRD
Eric Wildfang, Toxicologist, RRD

PSC Staff
Jack Bails
Mark Coscarelli
Julie Metty Bennett
Shanna Draheim

AGENDA

I. Welcome and Overview

Bails opened the meeting at 9:07 AM, welcomed participants and took a role call to record attendance. He indicated that the primary purpose of the call was to discuss White Paper 3 focusing on vapor intrusion.

II. Status of TAG Meetings

Coscarelli provided a brief update on the TAG meetings. He indicated that TAG 1 (Chem/Phys Parameters) had its initial meeting on June 4 and that it was a productive discussion. The remaining TAG

1 meetings will occur on June 12, 19, and July 7 at PSC offices. TAG 2 (Exposure Assumptions) is scheduled for its first meeting on June 12, with remaining meetings scheduled for June 24, July 3, and July 17. (Since the conference call, TAG 3 (Vapor Intrusion) has scheduled its first meeting for July 9 at PSC offices.

III. *White Paper Discussion – Vapor Intrusion*

Metty Bennett presented a brief overview of the first draft of the VI white paper including questions for the TAG to consider. While CSA members noted there was some good information in the white paper, several members indicated that overall the paper needs to be more balanced. For example, a committee member indicated that the use of soil data had not been thoroughly discussed and that the white paper appeared to criticize the use of soils to determine vapor intrusion without much background information on the benefits and uses of soil data versus soil gas. Another member noted that soil gas sampling can sometimes be problematic too, and asked how criteria based on soil gas would be address when there is not a building on site. Metty Bennett indicated that a DEQ matrix exists that highlights different approaches, including pros and cons to the VI issue, and would be appended to or integrated into the white paper.

The committee also discussed the Johnson Ettinger Model (J&E) at length. Several committee members noted that the white paper is critical about the J&E generally, but doesn't sufficiently acknowledge that it is used differently (and successfully) in other states. The real issue is how the J&E is applied in Michigan, using conservative, generic input values from EPA's national empirical database that might not match Michigan conditions. A committee member asked about whether there were studies evaluating how well the J&E predicted results matched actual field sampling. Draheim indicated that studies do exist, both in and outside of Michigan. Wagner discussed the wide ranging geologic types in Michigan and the challenges related to Michigan's use JEM. Wagner indicated that, for example there are issues with using J&E in places like Petoskey or the Upper Peninsula given the geologic formations in those locations. Williams addressed the capabilities and weaknesses of J&E and indicated that the more precise one can input actual site data the more precise the model can perform.

A question was asked if J&E will become a tool for site screening and due diligence? A member also asked that a question be added related to VI during property transactions. Members discussed the relevance of Question 2 in the white paper—isn't a tiered approach already being used? It was also suggested that VI should be much more dependent on site specific criteria than generic criteria.

A member also asked whether or not the TAG should consider actual exposures and risk assumptions, or whether this might be a better issue for TAG 2.

Question 6 appeared confusing to some members and it was recommended that the question be re-phrased to ask whether there are other approaches or considerations that should be used to account for attenuation.

A member also asked how the approach was working in other states, and wondered if variable site conditions can be input in lieu of generic criteria, which would not be appropriate in the U.P.

Minor edits were offered to clarify other questions, and CSA members agreed to send written comments and suggested language changes to PSC. Changes will be made to the white paper based upon the CSA discussion and written comments, and a revised document will be sent to TAG 3 (Vapor Intrusion) as a final draft.

IV. *Preparation for Next CSA Meeting*

Bails indicated that the CSA would be receiving a document ahead of its next meeting that speaks to general statements, underlying assumptions, and guiding principles, which would be used to provide a

framework for the CSA's report to the DEQ Director, including recommendations. Bails indicated that this document has been developed based upon CSA discussions and survey responses.

The meeting adjourned at 10:05 a.m.