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DEPARTMENT OF ENVIRONMENTAL QUALITY
THE DOW CHEMICAL COMPANY

COMMUNITY ADVISORY COMMITTEE PROPOSAL

HORIZONS CENTER, SAGINAW

JUNE 28, 2005

6:30 - 8:30 P.M.

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2 MR. NELSON: I appreciate you all being here
3 tonight. My name is Chuck Nelson. I'm the
4 facilitator for tonight's session. My day job, I work
5 at Michigan State University in the Department of
6 Community, Agriculture, Recreation and Resource
7 Studies, and I'm pleased to be here to help move this
8 process along and facilitate this.

9 Hopefully, you all have received information
10 about the subject of tonight's meeting. What we're
11 going to be doing is we're going to be discussing with
12 the folks -- in the past community meetings, we talked
13 about strategies in moving forward in terms of a
14 Community Advisory Committee, and we're going to have
15 significant opportunity for folks, all of you in the
16 room, to have input on where we ought to go from here
17 in terms of Community Advisory Meeting or other
18 community type issues.

19 I want to encourage you all -- we have a
20 notetaker here tonight. Natalie is over here typing.
21 So when you speak up, please, speak nice and loudly.
22 We will have microphones for you to make sure folks
23 hear you. We'll work very diligently. We have 11
24 kind of questions to get through that I'll ask you --
25 questions to try to make sure everyone is heard that

1 wants to speak on a topic.
2 So keep your remarks short and to the point.
3 We'll work diligently to make sure everybody gets
4 heard. We do not want to take away anybody's
5 opportunity tonight. We appreciate you coming. We're
6 glad you're here. I want to introduce Jim Sygo, the
7 Director of Department of Environmental Quality, and
8 Jim's going to be doing the presentation tonight. So,
9 Jim, it's all yours.

10 MR. SYGO: Thanks, Chuck. Well, thanks for
11 coming out everybody. We certainly appreciate your
12 time tonight. As Chuck mentioned, what we hoped to do
13 tonight is discuss the ongoing community involvement
14 process that we're going to be looking at, and we're
15 going to get to the purpose of the meeting here
16 shortly, but this is the type of agenda we're looking
17 for tonight.

18 We've already had the welcome. The purpose of
19 the meeting we will get to in a second here, convening
20 meetings overview, and we'll be getting to the
21 proposed ongoing community involvement plan and
22 discussion, and other questions as those come up.

23 One of the purposes today was really to reconvene
24 the DEQ CAP in particular, and the notice went out to
25 the CAP. The particular interest here was to continue

1 to keep you involved with this and to give you an
2 opportunity to look at what we'll be presenting in the
3 town hall meetings so you can provide your input into
4 this. We certainly appreciate the time and effort
5 that you've given us over the last couple of years
6 now, and we thought it was only fair that we really
7 come back to the CAP to get a better feeling for what
8 you believe and what we're about to propose.

9 And as you know, as part of the CAP, we haven't
10 met in some time. The framework that we've developed
11 and was put into place in January was an agreement
12 between Dow, the State and the Federal government to
13 work toward a final comprehensive resolution for
14 historical dioxin releases in Midland and into the
15 Tittabawassee/Saginaw Rivers and ultimately to the
16 flood plains and into the Saginaw Bay.

17 The comments that we'll be getting tonight, what
18 we hope to do is use those comments to refine the
19 proposal that we'll be presenting tonight, and I think
20 many of you have already received this proposal as
21 part of the e-mails that you received inviting you to
22 this meeting, and what we'll try to do is use your
23 comments in looking at tweaking this for broader
24 community town hall meetings that we're currently
25 attempting to set up for August. I think the

1 tentative dates that we have for this are August 7th,
2 9th and the 17th, and those are still tentative.

3 The first thing we wanted to do is give you a
4 little bit of an overview of the convening meetings
5 that we had. We had a lot of comments about those
6 convening meetings. As you know, we held four meetings
7 in March and April. They were specifically by
8 invitation of certain people, but the public was
9 welcome to attend. There were a lot of comments
10 relative to that type of practice basically, but
11 beyond that now, we did learn a lot at those
12 particular meetings.

13 The purpose was really to receive input at that
14 particular time on how to structure and expand public
15 involvement in the process, and there's some things we
16 were able to take away from looking at those four
17 meetings back in March and April, and three of those
18 items are up here on the screen.

19 People were telling us that information needed to
20 be presented clearly and unambiguously. That was one
21 of the items that come out across all four meetings.
22 They wanted us to use a variety of means to convey
23 information to the community, and they also wanted --
24 people wanted to have meaningful input into the
25 decisions about how historical dioxin releases will be

1 addressed. Those were basically the three items that
2 we took out of the meetings.

3 In terms of information and how it should be
4 presented clearly and unambiguously, we were getting
5 conflicting views basically from groups within the
6 convening meetings or individuals in the convening
7 meetings in terms of the need for more information.

8 Some people felt they wanted more information. Some
9 people already felt they had too much information.

10 Other people felt that the information they were
11 presented wasn't very clear, and as a result, they
12 didn't understand it, and that's something that we
13 need to address as part of the process as we move
14 forward.

15 There was a desire by those individuals that
16 attended the convening meetings to make sure that they
17 trusted the source of the information and also that
18 the information was easily understood, a lot of times
19 being technical in nature. I know our staff as well
20 as myself have a tendency not to make it simple, and
21 because of some of the issues that we face, we don't
22 realize on a day-to-day basis how we're communicating
23 that information.

24 Another aspect that was relative to clearly and
25 unambiguously is the frustration over conflicting

1 information that DEQ would say and what Dow would say,
2 and that was one item that we heard loud and clear.
3 The disparity on technical information, unfortunately,
4 that's been something that we've had problems with
5 over the past two years. I'm sure we're going to
6 continue to have some problems, but I think we
7 recognize that we need to do a better job of clearly
8 stating those technical issues, and where there is
9 disagreement between Dow and the DEQ, we need to
10 identify what those disagreements are.

11 In fact, some people went as far to say that they
12 wanted joint publications from DEQ and Dow, and that
13 within that, we could describe where the agreement was
14 and where the differences of opinions were very
15 clearly and very simply, and while that's a good idea,
16 there may be a situation that may not allow us to do
17 that, but overall, I think that's something that we're
18 going to strive to do.

19 In terms of use of a variety of means to convey
20 information, the message we got from the convening
21 group was that not everybody uses e-mail and sometimes
22 that's a bit of a burden. We have to look at
23 different ways than just the DEQ internet and e-mails
24 to provide information. They tried to recommend that
25 we look at more direct mailings. If we have a more

1 formal mailing list, I think that's something that
2 we'd be able to do. They also conveyed that we ought
3 to use a different variety of ways to convey
4 information. We ought to take more advantage of such
5 things as the government cable channels and
6 information bulletins that could be provided. So
7 those are types of items that were brought up by the
8 group.

9 People should also have meaningful input into
10 decisions about how historical dioxin releases will be
11 addressed, and I think everybody in the convening
12 groups agreed with that. There was agreement broadly
13 in the community that they need to have a role in
14 developing those types of recommendations and
15 providing input into the recommendations that are
16 coming out relative to dioxin releases, and I think
17 they also agree that some type of stakeholder
18 committee would be a valuable tool for the community
19 input process and to assist in the decision making
20 process.

21 Now some of the points of broad agreement about
22 the stakeholder committee, the group across the
23 board -- again, the group was indicating that the
24 committee should be -- should provide input that truly
25 represents a variety of the interests of the

1 community. In addition, they were indicating that it
2 might be best if a neutral facilitator, such as Chuck
3 here, would run those meetings. They also believe
4 that there was a need that each meeting would have a
5 specific agenda and should provide an opportunity for
6 public comment, and that there should be clear rules
7 describing how the meeting would be conducted and how
8 the meeting would be run.

9 There are some differences that came out of the
10 convening meetings, as well as one might expect, and
11 we also took note of those because those will be more
12 difficult to try to assemble some sort of forward moving
13 process. One group thought the difference between the
14 groups -- one thought maybe one individual type of
15 stakeholder committee for the entire Midland, Saginaw,
16 Bay, Tri-City area would be best versus others felt
17 maybe three different types of committees would be
18 better, one for Bay City, one for Saginaw, and one
19 for the Tittabawassee and Midland areas. Some people
20 thought that this group or this stakeholders group
21 should have the authority to make decisions. Others
22 felt it should only be advisory. I think from that
23 standpoint there are requirements on the State's part
24 where some decisions have to be made by the State of
25 Michigan, but nonetheless, getting input on the

1 decisions we're making is still beneficial.
2 There's a standing group of individuals
3 representing a broad cross-section of community versus
4 it being open to anybody basically. So I think the
5 concept here was that people wanted to see that the
6 stakeholders group or whatever committee is being
7 established would be broad and be representative of
8 everybody within the Tri-City area basically so that
9 we had different types of input into the process. In
10 some cases, I know there was concern that anybody
11 should be allowed to participate in the process, even
12 if it might be groups that were outside and just had a
13 particular interest in dioxin in and of itself.

14 The other disparity in terms of differences of
15 opinion was as to whether or not these types of
16 meetings should be taped, videotaped, or whether they
17 shouldn't be videotaped so there wasn't an issue
18 associated with attributing something to somebody.

19 The other concern with that issue is most people are
20 more apt to give you their opinion if they're not
21 being taped and something is being attributed to them
22 as well. So that's a concern as well, we're getting
23 the type of information that we need to the people
24 that were participating.

25 Area residents should also have voices versus an

1 equal voice for anyone interested in dioxin. That's
2 another disparity that we found between the group, and
3 again, there are people outside the area that are
4 coming to some of the meetings that are having input
5 into the meetings and others feel that it really ought
6 to be people particularly from the area that have a
7 greater voice. Also, there was a difference of
8 opinion as to continue the DEQ CAP as it was versus
9 having a more broad representative type of community
10 sitting at some type of committee.

11 The proposed ongoing involvement that we're
12 looking at, both Dow and the DEQ are proposing to
13 relay information and gather input from the Tri-Cities
14 communities in a variety of ways based on convening
15 meetings and input from individuals, and the efforts
16 are intended to provide more information to the
17 community, inform the community, to improve our
18 decisions and to build trust in particular among all
19 the parties. That's been an issue that we've faced
20 for some period of time. Yes.

21 AUDIENCE MEMBER: Jim, is the process in
22 response to the differences of opinions, is it to go
23 beyond that? How did you get past the differences of
24 opinions?

25 MR. SYGO: We're going to get there. We're

1 not beyond that yet. We'll get there. This whole
2 process that we're talking about is the process that
3 we're proposing for activities that would be referred
4 to as ongoing community involvement process and the
5 corrective action program.

6 Well, I think some of you have heard me say it at
7 more than one meeting in the past, the effects that we
8 have relative to dioxin releases within the
9 Tittabawassee and Saginaw River system is something --
10 it's going to be a long-term effort to resolve and
11 there's going to be a number of difficult challenges
12 that are caused by these elevated levels of dioxins
13 and furans in the environment. It's not going to
14 happen tomorrow. So whatever type of structure that
15 we're going to be setting up, we need to anticipate
16 that it's going to be in place for a number of years,
17 and we're committed, Dow is committed as well, to
18 addressing the challenges that we're going to have in
19 working our way through this entire process.

20 That process includes what's going on right now
21 in reducing potential exposure that's happening at
22 residences and other priority one areas right now, and
23 the intent is to protect public health as a result of
24 that. Also, we wanted to do this in a manner that's
25 going to benefit both the environment and the economy,

1 and we want to actively and effectively involve the
2 Tri-Cities communities and those interested in the
3 future of the region.

4 So what we're proposing -- Sally, let me go
5 through this and we'll take questions. What we're
6 proposing is that we'd establish what would be called
7 the Community Advisory Committee, or CAC. That would
8 be proposed as to act as the focal point for community
9 involvement. It would be based on and expand upon the
10 DEQ CAP as we've used it, and that concept of getting
11 people together to try and understand information and
12 to provide direction. That CAC would advise both DEQ
13 and Dow on the specific aspects of the corrective
14 action process to resolve the dioxin issue, including
15 and in particular the community involvement process.

16 The CAC itself, the Community Advisory Committee,
17 what we're proposing, is this group would be composed
18 of 16 to 20 members, and this is things we're going to
19 want to get some feedback from you all on. It would
20 be committed to a number of meetings per year. We
21 don't know how many yet, but they'd have to commit to
22 attending a number of meetings per year. We're
23 anticipating that we'd start out with a selection
24 process that would allow the first selection to serve
25 for a two-year period, and that we would change the

1 membership over that duration after two years to
2 provide for additional continuity and to get fresh
3 ideas and energy and input into the CAC itself.

4 The CAC meetings would be run by a professional
5 facilitator for a neutral and balanced process. The
6 meetings would be open to the public with the specific
7 agenda that [would] be identified and it would include a
8 segment for public comment. The meetings would have
9 transcripts that would be produced, as they are being
10 produced tonight, and it would be by a professional
11 recorder and that information would be available on
12 our website as well as to be mailed out.

13 Other parts of the ongoing public involvement
14 process or community involvement process would include
15 several other types of features. One would be
16 technical information meetings, periodic town hall
17 meetings where more than just the CAC or people that
18 are interested are there. We want to reach out to
19 other residents within the community itself. Issues
20 where we might have a community dialogue on major
21 milestones. That might include -- well, we'll get
22 into that. It might include specific types of
23 documents, information sheets, and group meetings that
24 we would also conduct as part of this continuing
25 public involvement process.

1 Under the technical information meetings, what we
2 anticipate here is to have periodic technical
3 information meetings to present in depth information
4 to the community that want to take part of this
5 process on various aspects of not only corrective
6 action but also on other issues that might surround
7 the corrective action that's going on, and these would
8 really be conducted to receive some type of feedback.

9 Things that we might use this for are different
10 work plans. We might use this for the bioavailability
11 study. We might use this for probabilistic risk
12 assessment. Other things we might use it for is this
13 third bullet point. We're anticipating on having
14 Dr. Birnbaum from EPA come in on July 12th. She's
15 agreed to do so. We've scheduled this for the City
16 of Midland at the Dow Library, but that would be
17 another type of process that we would call a technical
18 information meeting. I think we also have a meeting
19 scheduled for August 14th for the SITE group, which
20 was the group that was involved with the Superfund Innovative Technology
21 Evaluations to look at different assay techniques for
22 evaluating dioxins. These types of meetings would be
23 open to anybody who wanted to attend. We'd send that
24 out to our mailing list as well. Again, they'd be run
25 by a professional facilitator, and again, the meeting

1 would have transcripts that are produced by a
2 professional recorder and made available to the
3 public.

4 The periodic town hall meetings, again, it's
5 something that we had looked at to inform and gather
6 information from the community-at-large. If there's
7 big issues, we want a broader group to have some input
8 on or to provide information to. It would be
9 sponsored either by the CAC or DEQ and Dow in order to
10 get specific information on steps within the
11 corrective action process. Again, these would be open
12 to anyone. Anyone could attend. It would be run by a
13 professional facilitator. The meeting transcripts
14 would be produced and made available.

15 The issue relative to significant milestones,
16 this might be similar to having a public hearing on
17 particular actions. A couple of things that came to
18 mind to us are whatever final agreement that we come
19 up with in terms of follow-up to the framework, some
20 sort of enforceable agreement or any type of final
21 remedial action plan that would be developed by Dow.
22 Typically, we would hold public hearings on things
23 like that. We might need to do more than just a
24 public hearing. What we're looking at there is maybe
25 meetings prior to the public hearing or in concert

1 with the public hearings, and you can get the best
2 information available in reviewing documents of that
3 type of importance. One of the issues we face here is
4 once -- if the CAC moves forward, we would probably
5 turn to the CAC to see what they thought about that as
6 well and how we would handle these types of meetings
7 of significant milestones.

8 Information sheets -- periodically, we would be
9 developing those in concert with Dow. We've done a
10 few of those already. I think a few of them were on
11 the table out front. We would provide detailed
12 discussions of topics of interests that are of
13 interest to the community. We're in the process of
14 developing a few others now that have been a bit
15 challenging but we hope to have those out soon. These
16 types of documents would be formatted to the extent
17 possible to try to identify areas of agreements that
18 we have and where perhaps there are disagreements
19 between Dow and the DEQ to try to prevent that type of
20 confusion that goes on in terms of he said, she said.
21 Examples again that are out in front I think are the
22 Dow off-site corrective action process or proposed
23 ongoing community involvement process, and there will
24 be other newsletters and brochures that will be coming
25 out.

1 Group meetings are something that we've been
2 doing all along but we wanted to put this in. There
3 may be organizations or civic groups that have an
4 interest in something of this nature. I know AI [Taylor] has
5 done a few of these. I've done a few of them. That
6 would allow us to have some discussion with smaller
7 audiences. It would allow us to initiate -- it could
8 be initiated through invitation either to the DEQ or
9 Dow or directly by DEQ or Dow. DEQ and Dow would
10 propose to try to participate jointly when we can make
11 those arrangements where that could be done. The
12 group meeting formats would include -- would be
13 dependent on the nature of the audience and who's
14 sponsoring the group discussion basically.

15 In conclusion, both DEQ and Dow believe that the
16 proposed ongoing community involvement process would
17 provide effective ways to provide information to the
18 community, receive community input to consider during
19 the decision making process, and we both look forward
20 to receiving comments from the community on how this
21 effort might be improved, and that's where we'd like
22 to take this next in seeking those comments on the DEQ
23 CAC. We want your input on the types of proposals
24 that we put forward today. The comments on the
25 proposals of the CAC and the selection process would

1 also be sought during the town hall meetings.

2 What we're hoping tonight is to get some
3 feedback, and in the session very shortly that Chuck
4 will facilitate, we can tweak this type of proposal as
5 appropriate. And again, remember that the goal is
6 that the selection process is fair and acceptable by
7 the community.

8 These are some of the questions we want to try to
9 go through with you today, and Chuck's going to be
10 taking us through these again, but in terms of dealing
11 with the CAC, is there support for the concept of a
12 stakeholder's advisory group such as the CAC? Are
13 there ways that the proposed CAC can be improved to
14 better act as a focal point for community involvement?
15 What guidelines would you give the CAC selection
16 committee to ensure that a workable committee size of
17 16 to 20 individuals adequately represents stakeholder
18 interests in this region? How can the CAC best be
19 structured to broadly represent the community? And
20 how should initial members be chosen so that the
21 process is viewed as fair and the membership as a
22 whole is accepted by the community, again the
23 Tri-Cities community?

24 These are some other questions about the other
25 tools as well in terms of the technical information

1 meeting concept. Is there a way to improve that to
2 ensure the community is well informed about technical
3 matters related to the corrective action process are
4 provided adequately? How can the town hall concept be
5 improved to inform and gather information from the
6 community at large? What ideas do you have for
7 improving the concept of community dialogues on major
8 milestones? How could information sheets be improved
9 to provide information to the community at large
10 again? And how can the DEQ and Dow best approach and
11 participate in other types of group meetings?

12 Beyond these six ways that we've just identified
13 and listed, there may be other ways there, and if you
14 have other ideas, we're interested in hearing those,
15 but this is what we've come up with as a plan as a
16 result of the convening meetings that were held that I
17 know some of you have attended as well, and if there
18 are other things that you can think of that would be
19 beneficial for us to consider in putting this proposal
20 forward to the town hall meetings that we're having,
21 we'd be interested in hearing that tonight, and
22 finally, we get to some questions. Let me take one
23 from Sally real quick. She had one back there.

24 AUDIENCE MEMBER: The name is Shirley but
25 close. I was just wondering, we're talking about

1 longevity here with this dioxin issue which has
2 already been going on for way too many years. My
3 question still is, is anybody still willing to look at
4 the source, the real reason as far as human health is
5 concerned? Are you going to take into consideration
6 the U of M study, for instance, when it's finally
7 published at the end of 2006 and say, okay, well now
8 we're going to find it has an impact on some critters
9 but not necessarily on the human critter. Okay, so
10 would it maybe shorten up or change the way Dow has to
11 remediate or clean up their mess?

12 MR. SYGO: It's not going to shorten it up.
13 Certainly, we've indicated, as is indicated in the
14 framework, that to the extent that the study is
15 relevant that that information would be considered
16 within the corrective action process, and until we
17 really see what comes out of that, I think it's
18 premature to say anything more about how we can use
19 it. So I think even Dr. Garabrant would agree with
20 that. We are in communication with him. We meet with
21 him a couple of times a year, and he does provide an
22 update to us, as well as at the meetings he's been
23 having up in Freeland.

24 MR. NELSON: What I'd like to do is we have
25 about an hour and a half. It should give us plenty of

1 time to work through these questions. Kind of the
2 heart of the matter comes up pretty quick at the first
3 question. So do we have folks who have input? Is
4 there support for the concept of a stakeholder
5 advisory committee such as the CAC?

6 AUDIENCE MEMBER: I'm confused because we
7 used to be called the community advisory panel. I
8 didn't understand why the U of M people caused me some
9 confusion when I was getting e-mails. I know there
10 was another confusion about name. There was another
11 one from another community and they took our name. So
12 now they're changing it to CAC, and I think it's kind
13 of confusing, and I don't know if it's designed to
14 cause confusion or was just a by product.

15 MR. NELSON: Anybody want to respond on
16 that?

17 AUDIENCE MEMBER: I'll respond. If you're
18 referring to CAP, C-A-P, it is simply community
19 advisory panel, and many different corporations and
20 community activities use the word CAP. It's having
21 their name before that explains it. It simply means
22 community advisory panel.

23 MR. NELSON: Does that answer your question?

24 AUDIENCE MEMBER: That doesn't explain the
25 politics behind it.

1 MR. SYGO: Again, I don't think it's
2 anything dealing specific with trying to confuse
3 anyone. The term CAC is commonly used with Superfund
4 groups where you have a community action committee as
5 well. I think the group on the Pine River in
6 St. Louis is referred to as the St. Louis CAC. All we
7 were looking for was an acronym that was different
8 from the CAP so that we didn't confuse it with the DEQ
9 CAP. We're looking for something that's beyond that,
10 and we came up with the community advisory committee.

11 MR. NELSON: Next.

12 AUDIENCE MEMBER: I'm a resident of
13 Tittabawassee Township, and to help the facilitator
14 facilitate this meeting, I'm going to -- it would be
15 helpful if we'd share with everyone who we are and
16 what department you're representing and state that for
17 some clarification. But to help this young woman, the
18 CAP actually was designated as Department of
19 Environmental Quality CAP, and that's what the
20 distinction finally was assigned.

21 MR. NELSON: Sir.

22 AUDIENCE MEMBER: Yes. I believe the
23 question, is there support for the concept, the answer
24 is, yes, for me. I thought that was the question.

25 MR. NELSON: On the question, other folks.

1 AUDIENCE MEMBER: My concern is who ends up
2 being a member of the CAC if it ends up being
3 something where it is Dow astroturf people or it's
4 actually community members that are actually involved
5 in what's happening in their front yards, backyards?
6 So is there support for the concept of a stakeholder
7 advisory group, yeah, but it can't be heavily loaded
8 with pro Dow people. It can't be something rammed
9 down somebody's throat from the offices in Midland.

10 MR. SYGO: That's something that I think is
11 item C, what kind of guidelines. When we talked about
12 a CAC selection committee, that's exactly getting at
13 how is a membership of the 16 to 20, whatever number
14 it is, how are they actually selected.

15 AUDIENCE MEMBER: Since you brought it up,
16 then I think at least half of the prospective members
17 of the CAC should be composed of the previous or
18 existing CAP and that either they should be elected or
19 appointed as a group from the CAP so that there's at
20 least some level of continuity between the CAP and the
21 CAC, and I think that would definitely help give a
22 much higher level of believability to the CAC.

23 AUDIENCE MEMBER: And then I wanted to add
24 the CAP, C-A-P, was started before I ever heard of it,
25 and it seemed to be very, very much slanted in the

1 direction of environmental extremism. Some of the
2 people that were in the original CAP were not
3 residents. They happened to live somewhere in the
4 city and they belonged to this little group that likes
5 to make trouble in my opinion. So I think that what
6 happened last year was that many of us, people who
7 actually live on the Tittabawassee River flood plain,
8 decided we wanted to get our 2 cents worth in, and I
9 think at this point in time it sounds like those who
10 were already involved don't want us to be included
11 because none of us that are interested in being the
12 Dow persons are really the Dow persons for one thing.
13 We're just residents that say we're not sick. We
14 don't know why we're going through all this crap.

15 MR. NELSON: If I could encourage you to
16 stick with the question.

17 AUDIENCE MEMBER: I thought I was responding
18 to the first question.

19 MR. NELSON: I apologize. I was running
20 microphones around. I will not do that anymore.
21 We'll try to work through the questions. On question
22 A, is there support for the concept of a stakeholder
23 advisory group?

24 AUDIENCE MEMBER: No. I think as it's
25 proposed right now it's too cumbersome. It's too

1 intimidating to the public. I think right now this
2 process is too cumbersome. I don't think it's
3 conducive to public involvement. I think it could
4 intimidate the public, and before I would support the
5 CAC as it is right now, I would rather see you scrap
6 the DEQ CAC as it's proposed and go to a once a month
7 town hall meeting for everybody and anybody who wants
8 to come, and have Dow Chemical and DEQ people who can
9 provide answers from their respective groups up there
10 and field questions and share information. I think
11 it's cost effective. I think it gives people an
12 agenda out for the next 12 months, and I think it's a
13 lot less cumbersome than this process.

14 MR. NELSON: Next person.

15 AUDIENCE MEMBER: I think it would be
16 helpful for everybody here if you had a list of the
17 CAP members and announced who they were and what their
18 affiliations were just to give the person the
19 impression that it was pretty diversified and
20 represented a lot of different aspects of the
21 community and not a small group of interested parties.

22 MR. NELSON: You have a comment related to
23 the stakeholder advisory committee, is there support
24 for that?

25 AUDIENCE MEMBER: I remain open-minded, but

1 when I read that the CAP wasn't representative enough,
2 I'd like to know what was missing that's being
3 supplemented?

4 AUDIENCE MEMBER: I just want to say that I
5 do support the concept of a 16 to 20 member CAC, and I
6 think it needs to have organization and not just be a
7 place to come and talk on your soap box, which became
8 sort of the modus operandi in the CAP. We had talked
9 in our meetings earlier that when you have specific
10 information to share in the meetings, you don't want
11 people who are just expounding their opinions. It
12 doesn't do anybody much good.

13 MR. NELSON: Other comments on whether we
14 should have a stakeholder advisory group such as CAC.
15 Sir.

16 AUDIENCE MEMBER: I think it's important
17 that we do have a committee such as this. I would
18 wish that the preponderance of the committee be those
19 who do live in the flood plain because I think we're
20 the most seriously affected by it.

21 MR. NELSON: Sir, back there.

22 AUDIENCE MEMBER: I thought I should speak
23 up. I found myself agreeing with Michelle. In the
24 documents I was sent, they talked about DEQ and Dow
25 looking for a process to improve communication, to

1 improve trust on a long-term vehicle process. Well, I
2 think if you retain the CAP, or carryover, I think
3 that works against trust. There's many of us in this
4 room that don't believe the previous CAP operated
5 representing the majority interests. So I would agree
6 with scrapping the previous CAP. People can evaluate
7 that for whatever, for good or bad, and start with a
8 new process. I think you need to separate the words
9 community and advise. I think they mean two very,
10 very different things. I haven't met anybody --
11 people who agree or oppose my position, that don't
12 agree that there needs to be more communication, and
13 Jim Sygo talked about a number of points on that. I
14 think where people start parting ways is what does
15 this word advise mean. I'm certainly not going to
16 have other people speak on my behalf. I know this
17 gentleman wouldn't represent my interests. I know
18 Michelle doesn't, but even people that I agree with, I
19 don't need them speaking on my behalf. I do think
20 property owners speak differently than somebody who
21 doesn't own property. Shirley's property has had
22 action on it. So when you get into advise, that means
23 a lot of different things to a lot of people, and I
24 would recommend this become a communication group
25 only. The town hall concept that Michelle was talking

1 about, there's lots of ways to do it. That's one good
2 way, but I think you need to minimize or eliminate
3 advise, because advise gets into represent. My
4 recommendation is it's all key stakeholder people who
5 own property, who have a dog in the fight, who have a
6 vested interest, and a whole bunch of the scientists.
7 That would be my idea, but I know a whole bunch of
8 other people who wouldn't.

9 MR. NELSON: Other comments from people who
10 haven't spoken?

11 AUDIENCE MEMBER: I think we spend too much
12 time communicating on how to communicate. I think
13 we've got examples of community information
14 committees. We've had them in Bay City previously, and
15 if there was an issue that came up, then there was
16 publication of the meeting that was going to occur on
17 the specific issue. Frequently, it was the Middle
18 Grounds and those interested that attended. There's
19 no reason why this couldn't be organized along the
20 same lines. When there's information to present, and
21 perhaps because of the implication, because of the
22 size of this issue, and because the stakeholders are
23 truly the entire valley, not simply those who reside
24 on the Tittabawassee or the Tittabawassee flood plain,
25 I think that a well publicized and I think even

1 regular informational meeting would best fit this
2 model, would best be responsive to the needs of the
3 community. If you want to attend this meeting, you
4 attend it.

5 MR. NELSON: Other comments from folks who
6 haven't spoken? Anybody who hasn't spoken?

7 AUDIENCE MEMBER: You have to have a
8 starting point, and seeing that everyone has a problem
9 with trust about the CAP, even though a lot of good
10 things came out of that and it was a wide variety of
11 people, not just certain Dow people and DEQ people, it
12 was a community group and it was the watershed, it
13 wasn't just the flood plain, you have to have a
14 starting point. So as long as this doesn't drag out
15 for 15 years, that's my thought on that. That it
16 might be a stall tactic, but who knows, but you have
17 to have a starting point. So yes to A.

18 MR. NELSON: Other folks who have not spoken
19 on A?

20 AUDIENCE MEMBER: I'm very supportive of
21 this. I do believe a lot can be accomplished provided
22 that we do have a public forum at the end of each
23 meeting that gives the public their chance to give
24 input. It gives the group that sits on this panel a
25 chance to hash out some of the things that they've

1 been talking about within the community and then throw
2 their ideas around. So really it gives a chance for
3 everybody to speak out.

4 MR. NELSON: Others who have not spoken? If
5 there are no others who have not spoken, anybody else
6 have anything additional?

7 AUDIENCE MEMBER: What's the life span of
8 this process anyway? I hope this thing isn't going to
9 stretch out like Iraq, if you know what I mean. It
10 seems like you're clouding known facts out there. You
11 said something about a stall tactic and this simply
12 appears to be one. Thank you.

13 MR. NELSON: Other folks? Sir, go ahead.

14 AUDIENCE MEMBER: I guess I do support the
15 concept. At this point, it looks like it's probably a
16 process of evolution, that we're going to move into a
17 new realm of communication here, because you have to
18 admit over the last year that there are a lot more
19 people that have been involved in the whole dioxin
20 issue. It's a decisive issue, and CAC put together
21 with the property stakeholders at this time in this
22 point in the game I think will be important.

23 MR. NELSON: Okay. Now can we go on to B,
24 better ways to do it than what's proposed? I think
25 that's where some of you have been going already. Can

1 we move on there now? Let's go on to B then. Are
2 there ways that it can be improved to better act as a
3 focal point for community involvement than the way
4 it's being presented at this point?

5 AUDIENCE MEMBER: Let me say first to A, it
6 was also a yes, under restrictive conditions, and that
7 goes to B, is that we allow a total inclusiveness of
8 all interested parties, because the restriction of 16
9 to 20 members as proposed in C is going to limit the
10 participation of the entire watershed area.
11 Therefore, I would be more broadened in the proposed
12 CAC that it be more inclusive of those that would want
13 to join this committee.

14 MR. NELSON: Do you have ways to suggest
15 that that would be done?

16 AUDIENCE MEMBER: Besides a lottery system?
17 You know, it's going to be extremely difficult, but I
18 think because it's a selection process, I'm worried,
19 and have been properly conditioned that we're all
20 going to be suspect. I was an original member of
21 the CAP and I could fall into the suspect category as
22 well.

23 AUDIENCE MEMBER: I would suggest to open up
24 the membership, those that want to participate should
25 be there and allowed to participate, and that would

1 give you a very large committee. It could give you a
2 managed committee as well. It depends on the process
3 of how you manage your committee. You understand
4 that, of course, John.

5 MR. NELSON: Thank you. Ma'am, you're next.

6 AUDIENCE MEMBER: I'm new back to the area.
7 I'm from Midland originally, but I've been gone for
8 four years. So it's interesting to see where the
9 issues have gone for the last four years. One
10 question that seems obvious to me, and maybe it
11 hasn't -- what would the roles and responsibilities of
12 the committee members be, and might that help to
13 define who they should be? Then that leads me to ask,
14 are those roles and responsibilities vastly different
15 from what just about everyone in this room would be
16 interested in? Is there a need to define certain
17 members or not?

18 MR. NELSON: I think that's a question that
19 I think these guys need to provide some response to.

20 MR. SYGO: Well, again, in terms of the
21 responsibilities, I think the responsibility is to
22 participate in the process of looking at information
23 that the department has been providing, you know, that
24 they can provide as we bring information to them. I
25 don't think that we're looking at the CAC to provide

1 advice on the day-to-day activities of the department
2 or Dow Chemical. I think what we're looking for is to
3 provide input into the various processes to let us
4 know if we're doing -- if we're not doing enough
5 public participation or if we're doing -- we're
6 concentrating too much in an area. Our feeling is
7 that this would be a group that represents the entire
8 Tri-Cities area community basically and that they're
9 representative of that, and they would be providing
10 feedback relative to the processes we're going through
11 to give us some indication of whether we're doing
12 something right, we're doing something wrong, what we
13 can do to improve something. Then the CAC would also
14 have the input from all the people who want to come to
15 publicly comment to the CAC as well. So again they're
16 very much a sounding board, but in addition to a
17 sounding board, they're really trying to provide some
18 advice on the direction we should be taking.

19 MR. NELSON: Does that answer your
20 questions?

21 AUDIENCE MEMBER: My question was heading
22 towards, what were the boundary conditions, not just
23 the role or responsibilities that individual members
24 would have, but it gets to, you know, do people think
25 that the CAC is going to have input to technical

1 decision making that either DEQ or Dow will need to
2 make that are their responsibilities? I'm seeing this
3 as more of a communication and a process, not -- and a
4 group that will voice their happiness with those
5 decisions and a sounding board, as Jim said, which DEQ
6 and Dow will hear from the community, and not have
7 ultimate decision making in terms of what will or will
8 not happen.

9 MR. SYGO: I think you're right on target
10 with that. I think on the specific item of technical
11 items that we would take forward, I think that would
12 come out of the technical information meetings that we
13 would have, and we would conduct those very similar to
14 how we were conducting the DEQ CAP where we would
15 bring materials forward. We'd provide a presentation
16 on them, and we would get input on this. In terms of
17 the CAC, I think we're looking more at the overall
18 process and the overall public involvement, public
19 communication process as well.

20 MR. NELSON: Remember, we want to be
21 commenting on how can the CAC act as a better focal
22 point for community involvement.

23 AUDIENCE MEMBER: The more I think of it, I
24 think Michelle's idea of having more town meetings was good,
25 because the way I looked at the CAP or the CAC before

1 was that, you know, DEQ is meeting a lot of times
2 behind closed doors with Dow, and the community
3 members did not have the same opportunity to meet with
4 the DEQ and convey what we were concerned about. So I
5 don't see how this structure of having -- I don't know
6 how this -- I wasn't invited to the meetings in the
7 spring when all these questions were come up with.
8 Now I think there's more behind closed doors meetings
9 and Dow making secret studies. I think there's even
10 more need to have some kind of process where we can
11 communicate with the DEQ without Dow being involved,
12 and I don't see how this committee will solve that.

13 MR. NELSON: Sir.

14 AUDIENCE MEMBER: I think it's time to go
15 back to the question I raised in question one, before
16 we get too involved in question B, so we have
17 something to compare, and that is, could you define to
18 our audience who was actually a member of the original
19 DEQ CAP and also what types of methods were used to
20 communicate those meetings to the community. There
21 seems to be this misconception that they were secret
22 and no one knew about them, and I think that needs to
23 be clarified. We can't tear it apart until we
24 understand what we had and why are we going to create
25 something new and no one understands what we had.

1 MR. SYGO: I take it we don't have a list
2 with us? No. I would agree that the previous DEQ CAP
3 included as I believe elected officials. It included
4 the health departments. It included some of the river
5 residents, as you well know. It included Dow. It
6 included the DEQ. It included Michigan Department of
7 Community Health. Michigan Department of Agriculture
8 was involved with it periodically, and generally, the
9 way that that was formed, the way we developed it
10 initially was, if you wanted to come to the
11 meetings -- we met with elected officials. We met
12 with people that run the mailing lists that had an
13 interest. We sent out letters to the flood plain
14 residents, and we said, if you want to come to this
15 meeting, you're welcome to come. We didn't turn
16 anyone away, and what we tried to do is tried to have
17 an open meeting and a discussion relative to items
18 that were going on as part of the corrective action
19 process. Again, the City Manager was there from
20 Midland. The Mayor was there from Midland.
21 Typically, the Mayor attended, but you know, it was
22 fairly broad. I know Freeland attended as well or a
23 Tittabawassee Township representative attended, but it
24 was a broad scenario. It's just that you can't make
25 everyone attend these meetings, and if they attended,

1 they attended. If they didn't, they didn't, and the
2 communication process was predominantly through e-mail
3 I believe because that was the quickest way to get
4 information to and from people. There were several
5 media that publicized most of the meetings and got
6 notice, and what we agreed to earlier on in the DEQ
7 CAP, it wouldn't provide any attribution to any
8 comments that were made at the CAP, and at the start
9 of that, we also agreed that there would be no taping
10 of the CAP. If you went outside of that meeting and
11 you said something and you didn't care if you were
12 quoted, then potentially you were quoted.

13 MR. NELSON: Does that answer your question,
14 sir?

15 AUDIENCE MEMBER: Yes.

16 MR. NELSON: Ma'am.

17 AUDIENCE MEMBER: First of all, I'm for the
18 whole business, okay, but it has to work out a certain
19 way. My question is, are the people that are included
20 in the CAC supposed to be sort of then like a filter
21 for those people who don't like to go to all the
22 meetings, the people who want to -- most of the people
23 I know that live in the Freeland area don't want to
24 bother with this. They want it to go away, but they
25 don't think there's anything to worry about. They

1 just want to go out in their backyard and play. So is
2 this committee just supposed to be a representative of
3 the people who don't want to come to the meeting, so
4 that you can go back and forth and tell them, well,
5 this is what Dow and DEQ are doing right now, in case
6 you didn't open that e-mail or that letter? Am I
7 asking this --

8 MR. SYGO: I don't know if I have a yes or
9 no answer for you, but again, the intent would be to
10 try to add a cross-section on this CAC that are
11 representative of the community. So if you have a
12 particular view, that view is somewhere on the CAC.
13 If Michelle has a particular view, that view is
14 somewhere on the CAC, so you have a broad
15 cross-section. It's the concept of having diversity
16 on that CAC that will provide you with a more full and
17 enhanced process of moving this process forward.

18 AUDIENCE MEMBER: And we're supposed to --
19 we're not to tell you what to do, God forbid, I
20 wouldn't know how to tell you what to do, but just
21 sort of tell you how the people feel about what is
22 already being done, is that correct?

23 MR. SYGO: I would say, yes, to that, and I
24 would also say to provide recommendations of how to do
25 it different, right.

1 AUDIENCE MEMBER: Okay. Thank you.

2 MR. NELSON: Other comments on how we can
3 better act as a focal point for community involvement
4 than CAC? Sir.

5 AUDIENCE MEMBER: I understand why people
6 want to include the entire watershed, but that's
7 several counties. I mean, we want to get at the root
8 of the problem, that's dioxin in the Tittabawassee
9 flood plain, and I don't think the watershed is
10 involved in that work. So you ought to take care of
11 the Tittabawassee flood plain contamination. Then the
12 watershed will take care of itself, but I agree that
13 we should have a committee.

14 MR. NELSON: Yes, ma'am.

15 AUDIENCE MEMBER: I have a comment on that
16 gentleman's statement just now. He said that we
17 should address just the Tittabawassee River and the
18 dioxin issue. I happen to live on the Saginaw River,
19 and we're involved in the dredge spoil issues, and the
20 dredge spoils will be within a half a mile from my
21 home, and excuse me, sir, but I think that dioxin
22 issue needs to be addressed in the entire watershed of
23 Saginaw County, because if it isn't taken care of
24 throughout the entire watershed, you can start at the
25 Tittabawassee River but it ends up in the Saginaw

1 River, which is going in my backyard, and when there's
2 a flood, it's going to go through the entire Saginaw
3 County, and we all need to get together and sit down
4 and do a long-range plan, not this short-term plan to
5 dump it into somebody's backyard and farm field and
6 let it spread again over the years of our
7 grandchildren and our kids to be able to live in
8 Saginaw County. It's not answering the whole problem.
9 The problem needs to be addressed with the companies
10 that are dumping the stuff, and you start with the
11 Tittabawassee River and you continue with the Saginaw
12 River, not just the lower Saginaw River and not just
13 the upper Saginaw River, the whole thing, because it's
14 all going to go into our Great Lakes some day and
15 we're not going to have any water.

16 MR. NELSON: Jim, can I confirm the CAC that
17 is proposed includes the whole area?

18 AUDIENCE MEMBER: I hope it does. Again,
19 you can put any advisory panel together that you want,
20 but what I've seen in all of these meetings that I've
21 come to, you guys aren't listening to us. You don't
22 care what we say, because what we say, you just turn
23 right around and do what you darn well please what you
24 wanted to do. We begged and begged to have the dredge
25 spoil site in Zilwaukee Township changed. You haven't

1 done a thing. When there's a flood, it's going to
2 come over the whole Saginaw County, and nobody
3 understands that, and when you talk about cleaning up
4 Tittabawassee River, they're talking about taking your
5 stuff from the Tittabawassee River and putting it in
6 the dump site where they're going to dredge the
7 Saginaw River stuff. Is that right to take it from
8 one site and put it over into another site? We're all
9 flood plain watershed. We all need to work together.
10 So we can't split each other apart. We need to work
11 all together. The whole Saginaw County needs to get
12 together and make sure that we're all taken care of.
13 It's not going to help to keep the Tittabawassee
14 separated from the Saginaw.

15 MR. NELSON: That's not what the plan is.

16 AUDIENCE MEMBER: I hope not.

17 MR. NELSON: Jim, do you want to respond?

18 MR. SYGO: The dredge material disposal
19 facility is another issue, and I don't disagree. I
20 think what he was getting to is that when you talk
21 about the Saginaw watershed, that includes the Cass
22 River. It includes the Shiawassee and the Flint.
23 Those aren't really on the table from the standpoint
24 of dealing with the dioxin and furan issues. We've
25 done some sampling there. They're not contributors to

1 the Saginaw system, and Chuck is right, the intent of
2 the CAC is to represent the Tri-Cities area in
3 particular.

4 AUDIENCE MEMBER: That includes the Saginaw
5 River?

6 MR. SYGO: That's right, as well as the Bay
7 area, too.

8 AUDIENCE MEMBER: That's right.

9 MR. NELSON: Just finishing up then on B.

10 AUDIENCE MEMBER: Just a comment, the way I
11 picture the CAC is being that you have a core group, a
12 group of people that is diverse enough but will help
13 provide continuity so that you have people that
14 actually have a desire, a need to show up at all the
15 meetings and to actually be involved, and I think that
16 those members of the CAC then should be basically put
17 in the position of also being liaisons and being
18 neighborhood points of contact. So if somebody has an
19 issue, they can go and they can say, hey, Robert,
20 Sally, Bill, whoever, what happened, what's going on,
21 can I get a copy of the minutes, what are they talking
22 about at the next meeting, how is the project going.
23 I think the minute that you throw up barriers and you
24 try to keep certain groups out or you try to limit the
25 scope of the other people that are in it, you almost

1 get to the point where you're having back room meetings
2 again, and any kind of good will that you may have
3 started, that's going to go straight down the toilet,
4 and it's going to become a complete waste of time and
5 a political joke, and nobody is going to buy into it
6 at all. You need people to buy into it. That's
7 something you guys can look at.

8 MR. NELSON: Let's see if we can move on to
9 C. So let's talk for just a minute, that if the CAC
10 goes forward, what guidelines would you give a
11 selection committee to ensure that it adequately
12 represented stakeholders? I think that's where your
13 comments were going, to make sure it was
14 representative of a broad spectrum of folks. Do you
15 have some guidelines of how we might do that if this
16 goes forward as planned?

17 AUDIENCE MEMBER: Well, the 16 to 20
18 individuals, to me, I know we want a smaller advisory
19 stakeholder group, but for Tri-Cities, that's quite
20 small, if you think about it. Tri-City, Bay City,
21 Midland and Saginaw, 20 is a quite small group I feel.

22 MR. NELSON: Any guidelines on how we might
23 ensure that there are folks that adequately represent
24 stakeholder interests?

25 AUDIENCE MEMBER: There are only 10 homes in

1 the City of Saginaw which are on the waterway, and of
2 that, there are 7 who live there, you know, regularly,
3 and I certainly think that we should have at least one
4 representative for that group.

5 MR. NELSON: Ma'am.

6 AUDIENCE MEMBER: I just want to ask a point
7 of clarification. I think there's a certain number --
8 16 to 20 is the suggested number, but from the sounds
9 of the roles and responsibilities of those 16 to 20,
10 if you didn't make the cut, you could still
11 participate in the open session of each meeting
12 anyway, right?

13 MR. NELSON: Right. Every meeting has a
14 public input session also. So at every meeting, there
15 is a chance to provide input.

16 AUDIENCE MEMBER: So it doesn't sound to me
17 like there would be a big difference of being a member
18 and not being a member as far as your potential level
19 of participation.

20 MR. NELSON: Other comments on how we
21 might -- sir.

22 AUDIENCE MEMBER: Yes, to reinforce the
23 point, I think you need to be more inclusive of those
24 that are interested in participating, whether that
25 number is 20 or 30 or 40 individuals, and the point of

1 being on this committee versus participating as a
2 public member is the fact that we do get prior
3 information that we can review and study and make
4 recommendations to the committee; where if you come
5 just as a public member, you do not get that
6 information, as I understand it, unless upon request
7 to do so. Is that right, Jim? Because, for example,
8 we had 100 and some people in one of the town hall
9 meetings. Now there are a number of CAP members that
10 were there, and we had prior information that we could
11 review and study, but for the majority of those that
12 were just participating in the [meeting as a] public member, as you
13 have asked, no, they were not given that information.

14 MR. SYGO: If I'm understanding you
15 correctly, we did have available, you know, for the
16 CAP, in particular the DEQ CAP, we had a mailing list
17 available. Generally, we communicated through e-mail,
18 but I think on occasion we probably had some people
19 who didn't have e-mails that would come, and we would
20 send letters out as well. If you were on a mailing
21 list to receive information that was going to the CAP,
22 you would get that. One of the comments we received
23 is that not everybody has a computer or they don't use
24 them. We have opportunities to try to, you know, put
25 information on our website so it would be available,

1 but then it's also going to get distributed to other
2 locations so that people would have it readily
3 accessible to them as well. We didn't do any direct
4 mailings prior to CAP meetings, just e-mail. That's
5 something we could do in the future.

6 MR. NELSON: And one of the goals is to put
7 things on the website so everybody, whether you're a
8 member of the public or a member of the CAC, you see
9 the same stuff.

10 MR. SYGO: And also maintain a mailing list.
11 Hard copies would go out. That's also one of the
12 recommendations people wanted to see more, hard copy
13 mailed to them.

14 AUDIENCE MEMBER: I'm trying to understand,
15 now we're going to have a selection committee. Now
16 are we going to have two committees, a selection
17 committee to select the CAC members? What's the
18 process we're going to go through to select the
19 selection committee? The way I understand it, we've got
20 a couple of committees to select here.

21 MR. SYGO: Well, our discussion on the
22 selection committee, and again we're looking for input
23 on this, is that you would want somebody who's trusted
24 in the community by all the residents basically to sit
25 on a committee of that nature, and we'd be looking to

1 have -- you know, we were thinking probably between
2 three and five people that would be on a selection
3 committee to screen people that are interested in
4 being on the CAC basically based on information that
5 would be provided to that selection committee. If you've
6 got a better idea, we're here to listen to it. The
7 thing is, how do you get -- how can you get a
8 representative group that represents the Tri-Cities
9 area, Tri-Cities community in doing this process
10 basically, and you're right, it's difficult.

11 MR. NELSON: Go ahead.

12 AUDIENCE MEMBER: Meetings like this make
13 strange bed fellows. I agree with you. Again, I
14 guess I'll go back to what I said. I think this is a
15 terribly cumbersome process, and we are not at that
16 point where people can trust each other. I mean, I
17 think that's a lofty goal, whether we ever get there
18 or not. I would go back and say again, scrap the DEQ CAP,
19 scrap this CAC, and do a once a month town hall
20 meeting, get the information out there so the public
21 is informed. They can participate fully and wholly as
22 an informed citizenry and ask questions and submit
23 ideas to Dow, to DEQ, and you guys can interpret and
24 give us data back and keep that thing going. I think
25 this process is way too cumbersome.

1 (Clapping from the audience)

2 AUDIENCE MEMBER: My comment was going to
3 be, if it's a DEQ and Dow item, why doesn't Dow pick
4 half and DEQ pick half and get on with it.

5 (Groans from the audience)

6 MR. NELSON: Any other comments on
7 selection? Yes, ma'am.

8 AUDIENCE MEMBER: I think anything that is
9 simple and straight forward will be trusted. So I'm
10 tending to go along with what's been said in regard
11 towards a township thing, small things that could be
12 facilitated, communication, having paper copies of
13 agendas, and minutes available at Township halls, and
14 Saginaw Township uses a phone system for their Police
15 Department where you call in once a week on certain
16 things to find out what's going on. Perhaps something
17 like that could be set up for people who cannot afford
18 to do the internet or avail themselves of going to get
19 mailings.

20 MR. NELSON: Yes, sir.

21 AUDIENCE MEMBER: I return to the point of
22 emphasizing that this is all about communication and
23 not advice. I know advisory was well intended to get
24 input from the community for DEQ and Dow to use, but I
25 still think it confuses things. The word

1 representation comes up, and I know I'm not going to
2 speak on behalf of Michelle and she's not going to
3 speak on behalf of me. I think DEQ and Dow would do
4 well if they just called this a community outreach
5 effort and looked at all the ways they could
6 communicate to those people who stay at home either
7 because they have to or by choice. Can they see this
8 on TV? Could this be televised? If you send an
9 e-mail to Jim Sygo, and I know this for a fact, he
10 will respond. Is any e-mail less valid than a point
11 brought up in one of these meetings? So I think it's
12 one of the several communication tools, and I think we
13 need to get rid of the word advisory.

14 MR. NELSON: Sir, you're next.

15 AUDIENCE MEMBER: What's the possibility
16 that everybody sends in a name that wants to be on the
17 committee. You then publish the names and contact
18 those people. They all meet in one place at one time,
19 and you all get to vote on each other. Everybody gets
20 up and answers a couple of questions limited to two or
21 three per person why they wanted to volunteer to be on
22 the CAC, and then you simply vote it down until you
23 get to your 20 people, 30, whatever number it is.

24 MR. NELSON: Other comments. Ma'am, go
25 ahead.

1 AUDIENCE MEMBER: I was on the CAP from the
2 beginning, and I agree with a lot of things that have
3 been said here tonight. Sometimes the meetings were
4 overwhelmed with Dow advisors, and other times it was
5 overwhelmed with, I think they've been called,
6 environmentalists, and so sometimes it was a runaway
7 meeting in both directions, and for the people who
8 were just simply wanting to get advice and were
9 open-minded and wanted to be able to get their
10 information, sometimes it was overwhelming no matter
11 which way you went. So I think it is important that
12 whether it be an open meeting or whether it be a CAC
13 meeting, there should be information flowing both
14 directions but not being used as a forum by either
15 group. I think that's one of the important rules that
16 needs to be brought about again. We had that rule but
17 it got overrun. In many kinds of CAC's or CAP's,
18 either one, whether it be Superfunds or whatever,
19 typically, they like to have listed out in a group
20 like this, together with a facilitator, we think there
21 should be at least one governmental person and we
22 think there should be one health person and one
23 scientist and one from this or that environmental
24 group, so that it is, in fact, equal on both sides,
25 but what size? We're actually bringing in every

1 element of the community, not just the yeah's and the
2 no's, but the people who really represent the
3 communities. So just a suggestion, you might try to
4 start out with everybody picking out who should be
5 there, how many governmental people, how many health
6 department people, how many people from the U.S. Army Corps
7 of Engineers, how many people from the environmental
8 groups. Maybe that's the way to go, and I don't think
9 we're going to get any of those questions answered
10 until we figure out who is going to be on the CAC,
11 because nobody trusts anybody as it's going at this
12 point.

13 MR. NELSON: I want to be sure I got a sense
14 of where you want to go. It sounds like there's a
15 couple of divergent directions here. I want to get
16 the sense of the room. The two primary suggestions
17 we've heard, one was proposed up here, CAC; two is
18 have a monthly public meeting with a set agenda and
19 all those things, but strictly open to the public, no,
20 quote, "membership". Is that what you're saying? Am
21 I accurate here?

22 AUDIENCE MEMBER: Yes.

23 MR. NELSON: Is there a sense of how many
24 favor one versus the other? Who would favor more
25 public monthly meetings?

1 (Hands raised)

2 AUDIENCE MEMBER: Every two months.

3 MR. NELSON: I don't want to get into -- I'm

4 trying to get to the basic way you want to operate.

5 I'm making sure everybody has heard the same things,

6 because I don't want to kind of beat a dead horse with

7 a lot of specific questions. We've done C, D, E three

8 or four times, three or four ways. We do have some

9 other things that we do need to cover. We have about

10 40 minutes, and I don't want to miss out on any of

11 those.

12 AUDIENCE MEMBER: Before we leave this,

13 obviously, I'm in favor of the more inclusive group,

14 the group that's informational, but I think a very

15 important question to answer is, who's going to be on

16 the other side of the table? I think whatever

17 mechanism we develop, the public should be welcome

18 from every demographic. The public should be there.

19 What is a more important component to these monthly

20 meetings will be who is presenting the information and

21 who is available and open to discuss this information?

22 I mean, clearly, one of the things that was conveyed

23 during the focus groups was the regulated party

24 frequently was not able to or chose not to respond to

25 the public's questions. So a larger question is, who

1 is going to be on the other side of the table
2 responding to the information that's out there?
3 MR. SYGO: The intent would be that both Dow
4 and the DEQ would be there, but it would be a
5 facilitated meeting, having a neutral facilitator, but
6 the other item you bring up, and most of you know that
7 there's a pending litigation on this, there may be
8 times that Dow is unable to respond because of the
9 litigation, and you know, those are difficulties that
10 we're having between us right now because of that
11 litigation. So you just need to be cognitive of that
12 until that's resolved.

13 MR. NELSON: Ma'am, you had a comment.

14 AUDIENCE MEMBER: I'm just a little bit
15 disappointed in Mr. Sygo apparently not thinking
16 that's a related issue. It's very much a related
17 issue, but my suggestion is, why don't we expedite
18 this? Let's start tonight. Let's get some volunteers
19 that want to be on the committee tonight. Why wait
20 another month or another day? Let's start tonight.
21 Let people volunteer.

22 MR. NELSON: I think one of the things
23 that's happening tonight, we're trying to find out if
24 this is the way to go, and what we heard from a number
25 of folks tonight is this is not the way they want to

1 go, and so I'm a little concerned. That's a little
2 premature. You have a comment, sir.

3 AUDIENCE MEMBER: Well, I was a member of
4 the DEQ CAP, and I guess there were times where Dow
5 was asked specific questions about things, and we were
6 ensured that we were going to get answers, and there
7 were times where we got nothing. They would either
8 not show up or there would be somebody else there or
9 they had some other agenda they were pushing, and
10 there was no continuity on the Dow side of the table,
11 oh, yeah, yeah, pat you on the head, we'll get you
12 answers next time, and you wonder if it was the next
13 meeting or the next Haley's Comet came around or, you
14 know, whatever. There was this issue of lack of
15 continuity from the people, and I think you're saying
16 to improve the concept committee, I think there has to
17 be some onus on the participants -- and Dow and DEQ
18 are now doing this together, that there has to be an
19 onus on this, when they say something, they better
20 damn well be able to follow up on it and not just
21 tread water and blow smoke.

22 MR. NELSON: I think that you heard Jim's
23 explanation that indeed there are some challenges that
24 they're working on that. I want to make sure, before
25 we get too much further, there are other things that

1 we need to go through here, and again, I don't want to
2 beat the CAC horse too much harder, because I think
3 there's a lot to digest from what you folks said
4 tonight. One of the things coming up, are the
5 technical information meetings (TIMs), on July 12th,
6 July 14th. What could we do with these kinds of
7 meetings to ensure that the community is well informed
8 about them?

9 AUDIENCE MEMBER: We've got four databases.
10 You've got the database that came with the original
11 CAP. You've got three focus group databases that you
12 presumably have either mailing addresses for or e-mail
13 addresses, and so there are four databases of
14 concerned people that you've identified to date, plus
15 you've got a regulated community that does not seem to
16 be adverse to paying for full page ads. Those four
17 mechanisms probably would get you a lot of folks out
18 for these meetings.

19 MR. NELSON: We're trying to ensure that
20 indeed that we improve these meetings. What could be
21 done to improve technical informational meetings in
22 your mind?

23 AUDIENCE MEMBER: We're not talking about
24 bringing people to the table?

25 MR. NELSON: No. It's both tracking them to

1 the meeting but also how can the meeting be useful for
2 committee members? We were very cognitive of some of
3 the comments that were heard early on at the last set
4 of meetings, we heard information but we don't
5 understand it. So on the technical information
6 meetings, do you have suggestions on how these
7 meetings --

8 AUDIENCE MEMBER: Sure. I think you need
9 administrative decision makers, but you need the
10 technical staff to be able to respond to questions
11 that the community has. You've got to bring the
12 State's toxicologist in. You've got to have people on
13 the ground floor that have dealt with this issue for
14 years and years in the field office. You've got to
15 bring community health in that are free to respond to
16 people's questions. Open up the regulatory community,
17 its staff, that potentially could address these issues
18 for the public, make them available.

19 MR. NELSON: All right. Sir.

20 AUDIENCE MEMBER: No matter how you present
21 technical issues, there's going to be people that
22 don't understand. I've been to meetings where you
23 almost needed an interpreter to interpret what the
24 person is saying so that you can kind of get your
25 brain running easier, and I guess having people there

1 that can speak about it in more general terms, in
2 laymen's terms, would be very helpful.

3 MR. NELSON: Okay. So other comments on how
4 we can improve technical information meetings?

5 AUDIENCE MEMBER: I believe that -- since it
6 kind of looked like from back here that many of us
7 like the idea of having the town hall type meetings,
8 that it would be very important, and I include myself,
9 to have a couple of people from DEQ, a couple of
10 people from Dow Chemical, and the technical types from
11 both places, because what we really -- there are
12 differing opinions about what kind of science is used,
13 but the other thing is that with representatives from
14 both the technical area where Dow is able to answer,
15 they would have somebody that could answer, because
16 I'm sure that many times that the regulator and the
17 regulated may be agreeing. The other way that they
18 can improve the meeting is that -- I only went to one
19 CAP meeting. It was the last one that they had last
20 year.

21 MR. NELSON: These are different than CAP
22 meetings.

23 AUDIENCE MEMBER: But every time I asked a
24 question, I was told -- I was shut down, and I was
25 told, we'll tell you later, we'll tell you later, why

1 weren't you at the earlier meetings, which made me
2 angry, and I've gotten over that, but to answer the
3 people's questions and not just say, where were you
4 before. You're here now. That's what counts. We
5 won't answer your question now. Thank you.

6 MR. NELSON: How else can we improve TIMs?

7 AUDIENCE MEMBER: I believe some place in
8 the framework there was a reference to Dow funding a
9 technical expert for the public, and I don't know that
10 this is necessarily the forum right now, but I know
11 the folks on the Pine River have had a technical
12 expert available to them to interpret, and I think
13 there's a role for that in this, and I would like to
14 see that pursued at some point down the road.

15 MR. NELSON: Sir.

16 AUDIENCE MEMBER: I think if someone would
17 explain to the masses how dioxin traveled, how it
18 migrates from the source down the river, and how it
19 gets into the flood plain, the solubility of dioxin in
20 water or lack of, solubility in oils, are there oils on
21 the land there are helping migrate this contaminant,
22 how does it travel. I mean, I'm not sure how it
23 travels. I read somewhere where it will dissolve in
24 oil, but as far as I know, oil is not one of the
25 components of the Tittabawassee River or the Saginaw

1 River. So how -- just how it travels.

2 MR. NELSON: Behind you.

3 AUDIENCE MEMBER: My only comment, again for
4 the TIM meetings, I think we could get a lot more from
5 them if we could have a facilitator keep everyone on
6 agenda and keep the emotion out of things and both
7 sides have the availability to communicate technically
8 rather than emotionally.

9 MR. NELSON: Sir, you first.

10 AUDIENCE MEMBER: Two points. One for the
11 TIM meetings, that the people who are on the other
12 side of the table would pretty much be aware ahead of
13 time when there's going to be points of contention
14 between Dow and DEQ, and the rest of us views that
15 they address those issues every time that they come up,
16 even those that we disagree on. I found in the prior
17 meetings that you left and you never really quite
18 understood who was saying what and what was right or
19 did they agree or didn't they. I mean, these could
20 be -- if you can't agree, then just agree to disagree
21 and let us know.

22 MR. NELSON: Let you know.

23 AUDIENCE MEMBER: And two, just a suggestion
24 for not only the town hall concept but for the TIM, but
25 for those people that will be coming that have never

1 been to a meeting before. If there was something
2 prepared, a 15-minute presentation, on the history and
3 what it's all done that we could put up on the
4 projector and start the meeting 10, 15 minutes after
5 that, so people get a chance to get some background on
6 it and not tie up the meeting.

7 MR. NELSON: Sir.

8 AUDIENCE MEMBER: I have something, my
9 concern is, as these meetings progress, I think it's
10 important that these meetings be well structured.
11 That the information is clear, concise and accurate.
12 That there is people on this panel that represent DEQ,
13 Dow health officials, and they come across and give us
14 some concrete answers, something you can walk away
15 from the meeting and have a clear concept of what's
16 going on that is measurable. That from meeting to
17 meeting know where we are, where we're going to go,
18 not just flounder month after month just spinning our
19 wheels. We're past the talk. We need some concrete
20 involvement. We need some quantitative action. We
21 want to see and hear from DEQ and Dow, especially from
22 Dow. We never hear from them at these meetings, and
23 DEQ has been giving us all the answers. I think
24 they're taking a lot of heat for Dow that should be
25 theirs and speaking on their own behalf, too.

1 MR. NELSON: Ma'am, did you have a comment?

2 AUDIENCE MEMBER: I can't attend meetings
3 too often, but to me, we've been going to meetings for
4 probably three years now, and what I've learned about
5 government, the State is supposed to be for all the
6 people and businesses, and corporations are for
7 stockholders, and I don't understand why we've got to
8 keep have meetings and more meetings and more
9 meetings. The DEQ has already sent us great big
10 packages informing us what dioxin is, what precautions
11 we have to take in our yards, the fact that we can no
12 longer enjoy our backyards. There's State laws, and
13 the DEQ is supposed to be there to enforce them. Why
14 can't this thing just start to progress? Meetings to
15 have more meetings, unless these meetings are just to
16 keep the public informed of what's going on, I don't
17 see any point in it. I want my backyard cleaned up.

18 MR. NELSON: On that technical information,
19 that's exactly to keep you informed from people who
20 are the experts nationally and internationally. So
21 that's the purpose of these TIMs. That's why I'm
22 trying to make sure we do these in the manner that
23 suits your needs and you have the best information.

24 AUDIENCE MEMBER: I'm the only one in my
25 2-mile area on my road that basically comes to

1 meetings, and most of the time I have to work when
2 those meetings are, and other than going around
3 telling the rest of the neighbors that want to know
4 what's going on, they say, well, when are they going
5 to do something. They're working these hours.
6 There's handicapped. There's all kinds of reasons
7 people don't attend.

8 MR. NELSON: Ma'am, go ahead.

9 AUDIENCE MEMBER: That exactly was my point,
10 you know. DEQ and Dow are trying to resolve this
11 issue, but we never hear from three years ago to this
12 point what's happened so they can see that they have
13 been doing something, something, you know, instead of
14 just talk, talk, talk. If you can say 15 minutes
15 before the meeting, like he said, that we started here
16 and it's progressed to here and now we're going to go
17 on to here, that's what we need to know.

18 MR. NELSON: Go ahead, sir.

19 AUDIENCE MEMBER: I think what would improve
20 both meetings, both types, would be to record the
21 meeting, like you're doing tonight, so people who
22 couldn't come to the meeting could read a transcript
23 of what's transpired and also help people who think if
24 they're hearing something conflicting later on they
25 can go back and check to see what was said at one time

1 to make sure nothing is changed.

2 AUDIENCE MEMBER: I agree with the lady over
3 there that stated that she doesn't understand this
4 connection between DEQ and Dow. I personally think
5 DEQ needs to be more responsible to the citizens of
6 this area, and you know, what you've done in the past
7 with your closed door meetings is just ridiculous.
8 That's why we can't trust you. You need to be more
9 responsible to the people of the State of Michigan,
10 and that's all I have to say. I agree with --

11 MR. NELSON: Let's go on to C, what --
12 excuse me, B, how could the town hall concept be
13 improved? It sounds like there's a lot of support for
14 town hall meetings. Basically, you talked about once
15 a month, open to public, set agenda, have a
16 facilitator. Are there other comments that you would
17 have about how town hall meetings should operate?

18 AUDIENCE MEMBER: I think one of the other
19 things that has to happen in the town hall meetings,
20 the public is given information in a timely manner.
21 We've gone now well over a year without any real
22 informational meetings. There's been a lot of data
23 collected by both DEQ that needs to be reported out to
24 the public. Again, I think if these town hall
25 meetings are going to work the citizens have to be

1 informed. We have to have the information so that we
2 can make intelligent input.

3 AUDIENCE MEMBER: In a timely manner.

4 AUDIENCE MEMBER: The two town hall meetings
5 that I found most dysfunctional was one at the end of
6 the Engler administration where the State experts were
7 not even allowed to speak at the meeting. It was only
8 like one or two people from the State that were
9 allowed to speak, and that was extremely dysfunctional
10 and not helpful at all, and the other time it was not
11 really a DEQ meeting, the head of DEQ was there, at the
12 big dog and pony show put on by the City Council of
13 Midland where the only person from the State allowed
14 to speak was the head of DEQ and all the advisors from
15 the State in the audience were not allowed to say
16 anything. I think that was very dysfunctional. Also,
17 I went to the educational meeting last week about the
18 [Fox] River in Wisconsin that was polluted with the PCBs.
19 I asked if they did a lot of studies before you
20 cleaned up the river, and they said, no, because PCB
21 is, you know, toxic and, you know, it was in the fish
22 and we cleaned it up. I don't understand why we have
23 these studies. Dioxin is toxic. Why do we have to
24 spend years and years studying whether it's toxic or
25 not when we know it's toxic. We should start cleaning

1 it up just like they did in Wisconsin.

2 MR. NELSON: Other discussions on how we
3 might improve town hall meetings?

4 AUDIENCE MEMBER: Let's take A and B and
5 combine them, because I would like to question the
6 corrective action process. There is no corrective
7 action process, and so how can we -- the only
8 technical informational meetings I've ever attended is
9 only about the carcinogen dioxin, not about a
10 corrective action process, and therefore, when we have
11 town hall concepts to improve and inform and to gather
12 information, what's the subject. Maybe it's not clear
13 any longer. I mean, the reality is, we have been
14 involved for a number of years. I personally have
15 been involved since 1984, as Jim knows, off and on,
16 some contaminations that have occurred and some more
17 carcinogenic than others, but my concern is that I
18 think -- and I'm not at all against Dow or the DEQ. I
19 think we have to take care of the fact that we speak
20 about them and us, who's them if it's not us, and
21 finally, I would like to also share with you that I do
22 believe that it's going to take all of us to resolve
23 this.

24 MR. NELSON: All right. Again, what we can
25 do to improve town hall meetings. Sir.

1 AUDIENCE MEMBER: Looking at the slides that
2 were presented earlier on periodic town hall meetings,
3 the items say they'll be run by a professional
4 facilitator, I think everyone would agree that might
5 help, and meeting transcripts provided by professional
6 recorder and available to the public. Can other
7 meeting techniques, such as action items and issue
8 bins, be part of those sessions, so that all these
9 concerns about questions that get lost and never
10 answered be committed to in the meeting process as
11 well, that way there will still be a record here of
12 the question and where is it being followed up on an
13 action items list, and can that be part of the
14 process?

15 MR. NELSON: Sure. She's writing it down.

16 AUDIENCE MEMBER: Are there any plans to do
17 any other website regarding either posting the
18 transcripts or having keyword searchable, having any
19 kind of feedback forms or anything like that to be
20 more interactive?

21 MR. SYGO: I think the answer to that is we
22 can do whatever you want us to do with the website and
23 the improvements we can get. I think we've been
24 placing materials on the website as we're getting
25 them. The bigger question in my mind is for people

1 that don't have access to the website because they
2 don't use a computer or something. Those would be
3 something where we'd have to have, you know, people
4 interested in this material so that we could get it
5 mailed out. We could probably have those types of
6 transcripts posted at the Township Halls and that
7 would be available. There's a number of items we
8 could probably do to make sure that gets circulated
9 better.

10 AUDIENCE MEMBER: And even maybe going to
11 the level of having like kiosks at the public
12 libraries. People can stop in and read it or put it
13 on CD's or something.

14 MR. NELSON: I want to make sure that we get
15 through the other things on information sheets. I
16 think we've heard quite a bit about how Dow and DEQ
17 can best approach and participate in group meetings.
18 Information sheets are single issue, focused on
19 something, kind of like a timeline, where we've been,
20 you know, what to date kind of thing, something like
21 that. If you have other suggestions on those kinds of
22 things, short, simple, sweet like you're talking
23 about, that would really be helpful to us. So are
24 there other suggestions?

25 AUDIENCE MEMBER: Just one suggestion, that

1 there would be a commitment by the State to produce an
2 information sheet anytime that Dow Chemical produces
3 one or anytime that Dow Chemical attends a Farm Bureau
4 meeting and gives misinformation. That there would be
5 one to one follow up so both sides are fairly
6 represented. It has to be done and it's not been.

7 MR. NELSON: Okay.

8 MR. SYGO: I think as I said going forward
9 where we could speak jointly we would try to do that.
10 As we put information bulletins out, we would try to
11 develop those jointly, so that within the same
12 bulletin you'll see the divergent opinions, so you're
13 not having Dow putting a press release out and later
14 on you're not seeing the response of what the issues
15 are relative to the Department of Environmental
16 Quality. Again, I don't know that that's going to
17 work, but the intent would be to try to make sure that
18 you have in one place those divergent opinions between
19 Dow and DEQ.

20 AUDIENCE MEMBER: That's not what's
21 happening.

22 MR. SYGO: I said go forward. I said that's
23 not happening now. I said as a go forward basis we
24 would try to do that.

25 MR. NELSON: Other things on information

1 sheets.

2 AUDIENCE MEMBER: I first have to say that
3 not being a litigant I received the information sheets
4 from Dow Chemical. One thing I can say about them,
5 they were written clearly and concisely. So I believe that if
6 Dow and DEQ do the same thing, only together, in a
7 simple concise manner as the Dow ones are being done,
8 not a bunch of legalese, and mail them to the people,
9 everybody is going to read it. The other thing is I
10 see a couple of news reports that do a darn good job,
11 and the newspaper is not quite as biased as the TV
12 people.

13 AUDIENCE MEMBER: On those information
14 sheets, the only issue I have a problem with, that I
15 think is confusing to the public, is that -- and I
16 want to make sure it doesn't happen, is that people
17 are confused. If Dow says one thing and DEQ says
18 another, I'm not so sure that the State of Michigan
19 isn't abdicating their responsibility to protect
20 public health, and I think it causes a lot of
21 confusion, and I don't think it's a good idea.

22 AUDIENCE MEMBER: I think the information
23 sheets, if you will, point/counterpoint the divergent
24 views, actually clarifies more than confuses. There's
25 been differences of opinion in the major scientific

1 communities on a number of points of dioxin, certainly
2 about what to do from a public policy standpoint, and
3 I think more often than not in the past nothing has
4 been said because DEQ and Dow don't agree on a number
5 of points, and I would agree with the way Jim
6 described it, that in the future going forward it
7 would be clearly stated this is DEQ's interpretation
8 or opinion, this is Dow's. They're different. As a
9 resident, I would appreciate that and can form my own
10 judgments from there.

11 MR. NELSON: Okay. Other folks who haven't
12 commented on this issue that need to.

13 AUDIENCE MEMBER: But again, I think I
14 understand what you're saying, but I want to go back
15 to the point that the State of Michigan has a
16 responsibility under the law. You have a regulator
17 and you have a polluter here, and I think that a line
18 has to be drawn, and I think those brochures with
19 divergent opinions from the polluter and regulator on
20 it, they're not healthy, and I'm not paying my tax
21 dollars for DEQ or Dow to have a forum to send flyers
22 out. Dow has the ability to hold the forum if they
23 want to, but I don't want the State abdicating their
24 responsibility to protect public health and to protect
25 the resources, and I think their crossing a real fine

1 line here.

2 MR. NELSON: Let's cover one more area here.

3 I want to be sure that we talk a little bit about
4 community dialogues on major milestones. Sir.

5 AUDIENCE MEMBER: I think I need to speak as

6 a minority member of the community, and that's a point

7 that we haven't really discussed is who's the

8 uniquest of us and are those voices being heard.

9 You can look through this entire process and it's all

10 about majority, majority, majority, most influence,

11 most influence, and it can go either way depending on

12 the meeting, as someone pointed out. So I'm concerned

13 about the reality that there is a minority voice that

14 is not being heard, and I'm not talking about racial.

15 I'm talking about administratively speaking. I'm

16 talking about position speaking, and I'm not sure that

17 they're going to be included in this process.

18 AUDIENCE MEMBER: Zilwaukee Township.

19 AUDIENCE MEMBER: Sure. There's one.

20 That's a concern. Jim, how do we do that?

21 MR. NELSON: I think in terms of how the

22 process is set up here, everybody within that area has

23 a voice.

24 AUDIENCE MEMBER: Between 16 and 20 people,

25 it's not possible to be inclusive.

1 MR. NELSON: Anything on major milestones,
2 community dialogues, about those things, such as when
3 a plan is announced, a public information meeting
4 about a draft plan, things like that?

5 AUDIENCE MEMBER: Since we have DEQ people
6 here, why not have it be in the newspaper and just
7 spell it out, where it's going to be, what's going to
8 happen. Approach it to the media as this is a public
9 announcement and then say, you know, per your FCC and
10 whatever regulations you're supposed to allow that
11 kind of stuff to happen in America and have a
12 15-minute, 5-minute thing on the news, major
13 milestone, there's a meeting at Horizons Center,
14 announce it, you know.

15 MR. NELSON: Let me go to the last question
16 now because I think that's kind of the heart many of
17 you discussed tonight. How can DEQ and Dow best
18 approach and participate in group meetings? These are
19 meetings -- you mentioned, for instance, you said Farm
20 Bureau, but any group that invites, how can that be
21 best approached, the Chamber of Commerce says, whoever
22 says, the Parks Board says, I'd like you to come and
23 present at our meeting. How can that best be
24 approached by Dow and DEQ? What can they do in that
25 realm? What's the best way to handle it?

1 AUDIENCE MEMBER: I think you need to have
2 Dow and DEQ at the meeting at the same time. Say the
3 Percolator Club in Saginaw there, only Dow was there,
4 and Dow just snowballed at that meeting, and they
5 never -- the people in this community never heard from
6 the DEQ about this contamination. They both need to
7 be there.

8 MR. NELSON: Okay. Sir, go ahead.

9 AUDIENCE MEMBER: I think you need to have
10 both administrative and technical people there. I
11 think you should have a decision maker there and vice
12 versa, but I think you should have people there who
13 can answer questions as they come up.

14 MR. NELSON: Folks there from both
15 organizations.

16 AUDIENCE MEMBER: Certainly, absolutely.

17 MR. NELSON: All right.

18 AUDIENCE MEMBER: I heard a rumor that there
19 was a meeting of physicians in Saginaw where a Dow
20 spokesman spoke. There was nobody allowed to speak
21 from the DEQ side or from any other side, and
22 basically, the spokesman just blew smoke and mirrors
23 and said that, oh, there's not really a problem and
24 there's nothing to be worried about, and that was a
25 rumor that I heard. I don't know if it's true or not,

1 but it's that kind of stuff that's just crazy.

2 MR. NELSON: So hearing all of you, you're
3 saying have both sides there and have people who are
4 both decision maker and technical experts, is that
5 correct?

6 AUDIENCE MEMBER: Make sure that if one
7 group gets an invitation that that group that is being
8 invited notifies the other.

9 MR. NELSON: Share the invitation.

10 AUDIENCE MEMBER: No secret squirrel
11 garbage.

12 AUDIENCE MEMBER: It's a private meeting.

13 MR. NELSON: We're at five minutes left
14 here. Any final comments from folks that I could
15 entertain?

16 AUDIENCE MEMBER: I know I received a
17 newsletter from Dow Chemical living in Tittabawassee
18 Township. I'm not sure where the funds come, if DEQ
19 did a newsletter to inform the residents, we started
20 at this point, we've done these things and have made
21 the polluter do these things, we're to this point, but
22 maybe a newsletter of some sort.

23 AUDIENCE MEMBER: And just one more quick
24 question. Jim, this is to you, how long do you see
25 this whole process taking before we are finally into a

1 groove on what the public participation process is
2 going to look like? We've been at it for three years.
3 I think it needs to be honed, and I think we need to
4 have that definitive date from the State when we can
5 go forward.

6 MR. SYGO: Well, my hope would be -- you
7 know, we're trying to get this vetted out through
8 August, and so we're getting into this fall, we ought
9 to have whatever that public information process is.
10 That would be my expectation.

11 MR. NELSON: Sir.

12 AUDIENCE MEMBER: It's more of a
13 recommendation I guess, but there's a whole another
14 level of communication going on within the community
15 as we speak, and it's the environmental cleaning of
16 selected individual's homes, and we're hearing lots of
17 information from people who have had these people in
18 their homes, and I'm just curious, is the DEQ involved
19 in the cleaning of these people or who was, because
20 Dow is sending a message loud and clear to these
21 people, to the residents of these homes, that there is
22 no problem, that they're crazy, this is stupid, we're
23 making all this money. That's the message that every
24 one of these teams that goes to one of these houses is
25 sending, and that's a whole another level of

1 communication that you don't seem to have any control
2 over and I guess sending a biased message.

3 AUDIENCE MEMBER: Excuse me, but I have to
4 answer this question. I didn't [let them] come in and clean my
5 house because I don't know where to begin. I hate
6 housekeeping, but I did against my better judgment, I
7 said, okay, what are all my friends in Tittabawassee
8 River Voice going to think if I let them come in and
9 do things, and we had a wonderful young lady -- introduce
10 her. She's sitting over here.

11 AUDIENCE MEMBER: This is not fact. It's
12 nothing.

13 AUDIENCE MEMBER: The man wanted to know.

14 AUDIENCE MEMBER: We wanted to hear -- we
15 don't want to hear from her anymore. We want to stick
16 to facts.

17 AUDIENCE MEMBER: I sat quiet for too damn
18 long.

19 MR. NELSON: I wanted to give everyone a
20 chance to speak.

21 AUDIENCE MEMBER: She's had five chances.

22 AUDIENCE MEMBER: Let's stay on subject.

23 MR. NELSON: One of the ground rules is we
24 show respect for everybody. Jim, can you wrap this up
25 here?

1 MR. SYGO: Okay. Very quickly, we do audits
2 at the homes when they're requested. So we do have --
3 both Al [Taylor] and Cheryl [Howe] have attended some of the home
4 meetings, and Trisha [Peters] has attended some of the home
5 meetings when AKT Peerless is there. AKT Peerless is
6 Dow's contractor going into the homes. We did meet
7 with AKT Peerless, and some of the residents that came
8 to a pre-meeting here, we had discussions with them.
9 I attended one of those meetings. Al and Cheryl
10 attended those meetings. Talking to Cheryl, she had
11 just heard today through Michelle about your complaint
12 of what AKT Peerless is saying, and we will follow up
13 on that, but this is the first that we've heard of
14 what they're saying. In the discussions we had very
15 early on, as the operations were getting started, we
16 did have concerns, and we did sit down with them, and
17 we felt that they adjusted accordingly and they were
18 appropriately doing that. So there are a number of
19 homes that have already been evaluated. Some of them
20 have already been evaluated, exposures have been
21 controlled. There's more to go. I think they've
22 had -- if I looked at -- I had some information on
23 that. I forgot to bring the sheet, but I think there
24 were 14 people between Midland and the Tittabawassee
25 River system that had declined any support at this

1 time, but there were others that haven't responded to
2 the meeting requests yet either. So there's a ways to
3 go on that and it's just gotten underway.

4 AUDIENCE MEMBER: I'm from AKT Peerless.
5 I'd like to know what I'm alleged to have said. Have
6 I met with you in your home?

7 AUDIENCE MEMBER: We'll talk after the
8 meeting.

9 AUDIENCE MEMBER: Have I met with you in
10 your home?

11 AUDIENCE MEMBER: Somebody sitting within
12 three chairs of me you have.

13 MR. SYGO: Well, like I said, that's
14 something we'll follow up with Dow and AKT Peerless.
15 So I'd like to echo Chuck's comments and thank you all
16 for coming out to the meeting tonight. I think we
17 gained a lot of information. I think we still have
18 some work that we need to do. I guess I do have one
19 follow up question regarding the technical information
20 meetings versus the town hall meetings. If we were
21 going to do town hall meetings on a monthly or every
22 other month basis, do we still need the format for the
23 technical information meetings, or is there maybe sort
24 of a sub-meeting that maybe some groups might want to
25 be involved with? It's just a question. I don't know

1 for sure, but you might want to give that some
2 thought, and if you have an opinion on that, send me a
3 note at sygoj@michigan.gov.

4 AUDIENCE MEMBER: Do a vote on it with the
5 audience right here and ask them, do we want the
6 technical people or not. We've got a crowd that's
7 willing to participate. Don't put it off.

8 MR. SYGO: Well, again, we're trying to get
9 a sounding board here so that we can take something
10 further to what I'm anticipating to be a larger town
11 hall meeting.

12 MR. NELSON: Not a lot of different classes
13 of meeting.

14 MR. SYGO: You think one meeting is all we
15 need, technical or not, and just call it a town hall
16 meeting?

17 (Hands raised)

18 MR. SYGO: Well, again, thank you for
19 coming. Please drive home safely.

20 (Ended at 8:32 p.m.)

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1 STATE OF MICHIGAN)
2)
3 COUNTY OF SAGINAW)

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6 I certify that this transcript, consisting of 81
7 pages, is a complete, true, and correct transcript of
8 the proceedings taken on June 28, 2005.

9

10 I also certify that I am not a relative or
11 employee of or an attorney for a party; or a relative
12 or employee of an attorney for a party; or financially
13 interested in the action.

14

15 July 5, 2005

16

Natalie A. Gilbert, CSR-4607, RPR

17

Notary Public, Saginaw County, MI

18

My Commission Expires: 8-10-06

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