



MPART Citizens Advisory Workgroup

March 10, 2020

Agenda

- Welcome and Webinar Instructions – 5 min
- Introductions and Roll Call – 5 min
- PFAS Rulemaking: Update – 15 min
- MPART Updates – 15 min
- Previous Homework – What Empowers Communities - 20
- Private Well Testing – 20 min
 - Individually Initiated
 - What is MPART's roll?
 - Financial assistance?
- Community Sharing Round Robbin – 10
- Future Meeting Dates – 5 min

Citizens Advisory Workgroup Members

| County | City/Township | Name | County | City/Township | Name |
|-----------------------|---------------|--------------------|-------------------|---------------------|---------------------|
| Allegan | Otsego | Gale Dugan | Livingston | Brighton | Robert Potocki |
| Allegan | Otsego | Pam McQueer | Livingston | Whitmore Lake | William Creal |
| Grand Traverse | Traverse City | David Lipscomb | Macomb | Shelby Township | David Winn |
| Ingham | East Lansing | Lea Dyga | Montcalm | Pierson | Daniel Buyze |
| Ingham | Williamston | Kate Gislason | Muskegon | Muskegon | Matthew Farrar |
| Iosco | Oscoda | Aaron Weed | Oakland | Milford | Christina Schroeder |
| Kent | Ada | A. J. Birkbeck | Oakland | Northville | Gary Pettyjohn |
| Kent | Belmont | Jennifer Carney | Oakland | Troy | Tony Spaniola |
| Kent | Belmont | Sandy Wynn-Stelt | Ottawa | Grand Haven | Jeffery Dutton |
| Kent | Comstock Park | Renae Mata | Saginaw | Carrollton Township | Shellene Thurston |
| Kent | Grand Rapids | Patti Baldwin | Washtenaw | Ann Arbor | Daniel Brown |
| Kent | Rockford | Kenneth Harvey | Wayne | Detroit | Theresa Landrum |
| Kent | Rockford | Lynn McIntosh | Wayne | Grosse Pointe Farms | Connie Boris |
| Livingston | Brighton | Elizabeth Hauptman | Wexford | Cadillac | William Barnett |

**As it appears on the Citizen's Advisory Workgroup webpage – new member, Daniel Burlingame will be added to the web soon.*



PFAS Rulemaking: Update

Ian Smith, Emerging Contaminants Unit Manager
Drinking Water and Environmental Health Division (DWEHD),
EGLE

SmithI@Michigan.gov

FOR IMMEDIATE RELEASE

March 26, 2019

Contact: BrownT56@michigan.gov

Gov. Whitmer Directs MDEQ To File a Request for Rulemaking to Establish PFAS Drinking Water Standards

LANSING, Mich. –Today Gov. Gretchen Whitmer released the following statement commenting on Michigan's intent to establish PFAS drinking water standards to further protect Michiganders:

“All Michiganders deserve to know that we are prioritizing their health and are working every day to protect the water that is coming out of their taps.

“As a result, Michigan will begin the process to establish PFAS drinking water standards that protect public health and the environment. Michigan has long advocated that the federal government establish national standards to protect the nation's water from PFAS contamination, but we can no longer wait for the Trump Administration to act.

“Today I'm directing the Michigan PFAS Action Response Team to form a science advisory workgroup to review both existing and proposed health-based drinking water standards from around the nation to inform the rulemaking process for appropriate Maximum Contaminant Levels (MCL) for Michigan by no later than July 1, 2019. Additionally, I'm directing the Department for Environmental Quality to immediately file a Request for Rulemaking to establish enforceable MCLs for PFAS in our drinking water supplies. The proposed regulations will be completed on an accelerated schedule with input from stakeholders by no later than October 1, 2019.

“These actions will move us a step closer towards finding real and permanent solutions to ensuring that all Michiganders know that they can trust their drinking water.”

Rulemaking: A Timeline

- **April 4, 2019:** Michigan PFAS Action Response Team (MPART) met and established Science Advisory Workgroup (SAWG)
- **June 27, 2019:** MPART SAWG provided health-based values (HBVs) for seven PFAS compounds
- **July – October 2019:** Stakeholder engagement sessions/draft rules finalized
- **November 14, 2019:** Environmental Rules Review Committee (ERRC) voted to allow rulemaking to proceed
- **December 2019 – January 2020:** Public hearings scheduled/public comment period
- **February 2019:** ERRC received updated rules package and voted to approve as-written

Public Comment Period (12/2019 – 1/2020)

Comments Received (Related to Rules)

- 3,334 total written comments
 - 3,315 via EGLE-PFAS-RuleMaking@michigan.gov
 - 8 written comments via US Postal Service
 - 11 written comments via public hearings
- 82 oral comments via public hearings in Grand Rapids, Ann Arbor, and Roscommon, MI.

Overall Engagement (Approximate)

- 307 in attendance at public hearings
- 130 unique IP addresses viewed public hearings via livestreaming

Comment Categories (Overall)

I. Comments in Favor (2,584/75.6%)

Language directly indicated overall support for the rulemaking effort. Comments in favor may include suggestions for improvement.

II. Neutral Comments (816/23.9%)

Language did not directly indicate positive or negative leaning. Neutral comments may include suggestions for improvement.

III. Comments in Opposition (16/0.5%)

Language directly indicated opposition to the rulemaking effort AND/OR proposed a different path for developing a PFAS standard. Comments in opposition may include suggestions for improvement.

Comment Categories of Concern

26 *Categories of Concern* were identified by DWEHD staff reviewing comments, across those categorized as *in favor*, *neutral*, and *in opposition*.

- Seven *Categories of Concern* were common (those raised in > 2% of comments).
- The complete list of 26 categories is included in Appendix A of the Agency Report.

MPART was asked to review the SAWG findings re: per- and poly-fluoroalkyl substances (PFAS) Health Based Values (HBVs).

EGLE-DWEHD was asked to review comments related to the Regulatory Impact Statement (RIS).

Changes to the Rule Language

EGLE-DWEHD and public commenters both identified items within the rule language for which a change was necessary. These are as follows:

- The Chemical Abstracts Service (CAS) Registry Number for PFBS should read 375-73-5.
- The CAS Registry Number for PFHxS should read 355-46-4.

These were corrected in the rule language. Otherwise, the rules remained as written. MCLs are based on the HBVs proposed by the MPART SAWG.

Rulemaking: Upcoming Steps

- EGLE submits rule package to Michigan Office of Administrative Hearings and Rules (MOAHR)
- MOAHR and the Legislative Service Bureau review the rule package (up to 21 days)
- MOAHR submits the rule package to the Joint Committee on Administrative Rules (JCAR) for their review (15 session days)



MPART Update

MPART Updates

- February 11 Meeting Summary – Finalized
 - Thank you to Christina Schroder for drafting
- 82 Sites
 - White Lake Landfill, Muskegon Co
 - Hoff Industries, Kent Co
 - Watson Township Dump, Allegan Co
 - AuSable Township Smith Street Area
 - Became part of the Oscoda Area Site
- Other Community Updates

Previous Homework

- What empowers impacted communities?
 - Information
 - Timeliness
 - Content
 - Delivery
 - Input
 - On Investigation / Remediation
 - On Going Communication's

Homework Comments

- Impacted communities always can provide history and context to help understand the data that the department has in a situation. There is always a wealth of information, although it may be qualitative. It can be like detective work to figure out the applicable information and where it is.
- The state needs to disperse information to help with the rumor mill and negative perceptions that will exist. Impacted communities feel victimized, and this leads to many bad perceptions. Maybe the state should ask police and social workers how they deal with the victimization issues they encounter.
- The state needs to use these problems to discuss how this situation happened, which is likely due to a lack of proper testing of these chemicals before widespread use (prevention efforts). And discuss how prevention efforts and regulations should be stronger. We need a real effort here to strengthen preventing the next problem!
- Impacted communities need to work through issues on their own schedules, and sometimes this schedule does not align with the State/Federal timelines but needs to be respected. For example, there may be times when a community does not want to blame the polluter/cause of the problem because they are a major employer with strong loyalties in the community. But, after the employer leaves the community, this may change dramatically, with the sentiment shifting to blaming the polluting company and demanding that the State/Federal parties go after them for just compensation.

Homework Comments

Timeliness

- As site is placed in investigation / confirmed

Content

- Advisory or health risks, i.e. drinking water, fish & wildlife – etc., effected areas, movement of plume
- Potential sources and responsible parties
- Testing i.e. how, when & where
- End goals: i.e. containment, clean up; home filters, public water, human studies etc., & timelines for all.
- Future updates to focus on end goal achievement, roadblocks, etc.
- Education and direction to MPART site

Delivery

- Township newsletters & web sites
- Bi yearly updates provided to effected addresses contained with tax statements – always direct to MPART site
- Monthly updates on goals / next steps on MPART site
- News media for important new developments, as applicable, example ; new sites, Wolverine settlement, firefighting foam collection, etc.
- Town hall meeting, based on Township / City board recommendation

Private Well Testing

- Outside of MPART investigation areas
- Initiated by concerned residents
- How can MPART help?
 - Education
 - Data
 - Financial assistance?



Community Sharing Round-Robin



UPDATES



ANNOUNCEMENTS



QUESTIONS

Future Meetings

- April 14, 2020
- May 12, 2020



MICHIGAN PFAS ACTION RESPONSE TEAM (MPART)

www.Michigan.gov/PfasResponse

EGLE

MICHIGAN DEPARTMENT OF
ENVIRONMENT, GREAT LAKES, AND ENERGY



MPART