

**Lower Menominee River Area of Concern  
Citizens Advisory Committee Meeting Minutes**  
November 21, 2013, 7:00 – 9:00 p.m. CDT  
Theatre Conference room (T-139) Theatre/Fine Arts Building

**Participating**

Larry Wilson (Tyco), Sharon Baker (MDEQ), Cheryl Bougie & Ben Uvaas (WDNR), Nancy Douglas (Menominee Business Development Corp.), Mark Erickson (CAC Michigan Co-Chair), Keith West (UW-Marquette & Wisconsin CAC Co-Chair), Trygve Rhude (Audubon)

**2013 RAP Update** Ben Uvaas, WDNR

Electronic draft ready for review and available online at:

<http://dnr.wi.gov/topic/greatlakes/documents/MenomineeDraft2013RAPUpdate.pdf>

- Comments are requested by 12-2-13, but will be accepted afterward
- Submittal to USEPA will postponed until January 2014 while content is being finalized

Uvaas presented to the BUI tracking matrix to the group. This table lists each BUI and includes all projects that agencies know must be completed prior to BUI removal. Additional action could be required, for instance if a required sediment investigation discovers contamination, it may need to be remediated. Questions and answers from the meeting are recorded below organized by BUI.

- Restrictions on dredging and degradation of benthos
  - Q** If sediment at the Ansul arsenic site reaches the 50ppm arsenic concentration, do we still need additional dredging?
    - A** Maybe, sediment needs to reach the 20ppm arsenic target. This may require additional dredging, although a monitored natural recovery alternative exists. Tyco is negotiating with the WDNR and USEPA to reach an agreement to move forward with a betterment project that would remove additional contaminated sediment.
  - Q** Do we need a dredge management plan if remediation at the Ansul arsenic site reaches the 20ppm target?
    - A** Yes, a dredge management plan would include any dredging restrictions that need to remain in place after the BUI is removed. These restrictions could include protected areas for utility crossings or residual contamination that was not able to be removed. The WDNR and MDEQ do not feel that this plan is a hurdle to BUI removal
  - Q** Why are more sediment investigations needed?
    - A** Both BUIs are tied to source control including the remediation of contaminated sediments found at the Lloyd Flanders paint sludge site, Ansul arsenic site, WPS coal tar site, and Menekaunee Harbor. These BUIs could also be impacted by Lower Scott Flowage (LSF) and Rio Vista Slough (RVS). Further investigations will complete our due diligence and determine if there are any additional issues. GLNPO's contractor has collected sediment

samples from the LSF, and MDEQ has requested their sediment program to samples RVS in 2014.

- Restrictions on fish consumption

**Q** What else is required to complete the fish consumption advisory assessment

**A** Sharon Baker to ask Joe Bohr (MDEQ) which fish still needed for the Menominee, and Ben Uvaas to ask WDNR for additional fish collections in 2014.

- Loss of fish and wildlife habitat and degradation of fish and wildlife populations  
Nick Utrup (USFWS) is working with Ben Uvaas and Sharon Baker to update content related to the sturgeon passage project. Clarifications regarding phases of the project, timeframe, costs, and funding sources will be made to the Fish and Wildlife Plan and RAP Update.

**Q** What will the project cost, including all phases?

**A** Sharon and Ben were not able to provide a clear answer during the meeting, but noted that current funding has come from several sources, including federal and private contributions. They will send fish passage language updates to CAC when complete.

### **Discuss CAC letter of support for RAP**

- CAC members agreed to provide the letters of support for the RAP and Fish and Wildlife Plan. Ben Uvaas to incorporate Mark Erickson's and Keith West's signatures electronically to the draft letters provided.

### **Monthly TYCO Update** Larry Wilson, Tyco

The group commented that dredging this year was a "non-event", with very few complaints and little noticeable change in trucking traffic. Larry Wilson is proud of the completed work and appreciative of the community's friendly response. He then discussed recent progress and the current direction of the cleanup effort with the group.

- Only two dredge management units, out of 150, are incomplete. Dredging could be completed tomorrow, with treatment and disposal wrapping up in early December.
- Over 230,000 cubic yards were dredged in 2013, compared to about 27,000 last year.
- Over 6.5 million gallons of wastewater has been treated and discharged back to the river.
- Tyco is hoping to start a preservation fund for the mostly intact rudder recovered from the *Grand Haven*. Approximately, \$30,000 is needed to treat the rudder in a glycol bath to prevent the onset of decay. Keith West may have helpful contacts and will assist.
- Tyco, WDNR, and USEPA are continuing to discuss a Great Lakes Legacy Act betterment project at the site. There needs to be a clear distinction between Tyco's RCRA project and the betterment project for legal purposes.
  - Essentially, the betterment project would remediate the remaining arsenic impacted sediment in the project area. Allowing for habitat restoration activity in the South Channel, and accelerating removal of BUIs when compared to monitored natural recovery.
  - Funding would be provided by Tyco, USEPA, and WDNR through a cost share agreement.
  - USFWS is currently beginning habitat design work for the South Channel.
  - If an agreement is not completed, Tyco will demobilize equipment next year.

- Tyco is offering a final tour of the site in 2013 to interested members of the CAC. They will meet tomorrow at noon at the 8<sup>th</sup> Street guard shack.

### **Agency Updates, Public Comment, Other News**

- The Menominee AOC Video has been published. Overall, it presents a positive message, though all aspects of the AOC are not discussed. In particular, the group felt the Ansul arsenic remediation needed to be mentioned by name.
  - Ben Uvaas will apply for funding to produce another outreach video on the Ansul site. He will first approach USEPA and Jim Cox with Tyco to discuss their interest.
  - MDEQ would like to be more involved with the production of future videos.
- Nancy Douglas has heard that construction will begin on the Green Island development project in 2014. The CAC has not seen a strong environmental opposition to the project.
- Freshwater Future, an advocacy group, has asked the City of Menominee to support physical separation of the Great Lakes basin and the Mississippi watershed. The Mayor has asked Mark Erickson to check on why they should support this. Sharon-send Jon Allan's (MDEQ-OG's Director) number to Mark.
- MDEQ's contractor is finishing up work for the year on the Island Rookery Habitat Restoration project. While the contractor logged more than twice the anticipated hours, all contract-specified work will likely not be completed in time.
- There will be no December meeting, Happy Holidays! Next Meeting January 16<sup>th</sup>, Ben Uvaas will ask when the group prefers to meet.

### **CONTACT INFORMATION**

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### **ONLINE RESOURCES**

EPA – <http://www.epa.gov/grtlakes/aoc/menominee/index.html>

MDEQ – [http://www.michigan.gov/deq/0,1607,7-135-3313\\_3677\\_15430\\_57388---,00.html](http://www.michigan.gov/deq/0,1607,7-135-3313_3677_15430_57388---,00.html)

UW-Extension – <http://fyi.uwex.edu/aocs/>

WDNR – <http://dnr.wi.gov/topic/greatlakes/menominee.html>