

GRAND HAVEN BOARD OF LIGHT AND POWER  
JOINT BOARD/CITY COUNCIL WORK SESSION MINUTES  
JULY 15, 2021

A joint work session of the Grand Haven Board of Light and Power and Grand Haven City Council was held on Thursday, July 15, 2021, at 5:00 p.m. at the Board's office located at 1700 Eaton Drive in Grand Haven, Michigan and electronically via live Zoom Meeting.

The meeting was called to order at 5:02 p.m. by Mayor Monetza.

Present were Directors Crum, Naser, Witherell, and Smant; and Council Members Monetza, Fritz, Cummins, Dora and Scott.

Also present were David Walters, General Manager; Renee Molyneux, Administrative Services Manager and Secretary to the Board; Erik Booth, Operations & Power Supply Manager; Rob Shelley, Distribution & Engineering Manager; Lynn Diffell, Accounting & Finance Manager; Pat McGinnis, City Manager; Ron Bultje, Dickinson Wright PLLC; and Arthur Siegal, Jaffe Raitt Heuer & Weiss.

Councilman Fritz, supported by Councilman Scott, moved to add item 2.a Call to Audience and approve the amended Agenda.

In a roll call vote of the Board and Council, those in favor: Directors Crum, Naser, Witherell, Smant, and Mayor Monetza, Councilmen Fritz, Cummins, Dora and Scott; those absent: Director Kieft; those opposed: none. The motion was unanimously approved.

Call to Audience – Andy Cawthon, 50 Howard and BLP customer stated he feels public comment would be more valuable following the discussion.

No formal action taken.

Arthur Siegal reviewed a letter written to summarize for the Board and City Council the ongoing environmental challenges and dialogues with EGLE and EPA for the Unit 3 impoundments, alternate source demonstration, closure options for Unit 1 and 2 impoundment, groundwater monitoring, past ash and waste disposal at the Island and questions regarding future development.

The former Unit 3 impoundments were to be brought to closure by December 31, 2020. EGLE is still not satisfied that the clay liner can remain. The BLP has since located where the clay originated, then sampled and analyzed the clay and submitted these results to EGLE. With that sampling, we are down to 3 compounds that are still an issue. Our environmental consultants determined these compounds are naturally occurring compounds. We are awaiting EGLE's response to the analysis.

The cost to remove and properly dispose of the Unit 3 clay liner is estimated at \$750,000.

The groundwater below the Unit 3 impoundment appears to be impacted from another source. This is not surprising considering there is fill ash and potentially trash below the liner.

The roadway around the impoundments has some impact and the BLP has committed to clean and remediate those areas.

The Unit 1 & 2 impoundment was not an engineered impoundment. One of the biggest issues we were dealing with was determining the footprint of this impoundment with EGLE. A revised footprint was agreed to by EGLE and EPA in January 2021 and we can now move forward with monitoring based on the approved delineation. A monitoring plan was submitted to

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EGLE; however, they were not satisfied and are requesting modifications along with a better definition of water flow direction on the site. GHBLP then submitted a revised plan to EGLE, which was approved in June 2021. The plan will be implemented after we receive an approved wetland permit to install the wells.

Closure process – EPA has jurisdiction over the Unit 1 & 2 impoundment and closure will be required by October 2023. There are two options for closure: 1) removal or 2) close in place, cap, and stabilize. Our concern with full removal is that there is ash both inside and around the impoundment. Of even greater concern – excavation may cause a release of contaminants into the river. This concern was presented to both EPA and EGLE; however, EGLE was not overly concerned. BLP then voluntarily conducted additional groundwater testing. We are continuing our evaluation of capping and stabilizing in place.

The cost estimate for capping and stabilizing with some ash removal is estimated at \$21 million.

The cost estimate for full removal, over 350,000 tons of material (both ash and trash) is \$48 million.

EGLE is asking for more wells. Staff & Golder Associates has done a lot of work for groundwater monitoring over the last four years, before we were required to monitor. The number of wells has now more than doubled. A piezometer plan was approved mid-June, the Wetland Permit Application was submitted, and we are awaiting approval. We should have data in 2 to 2.5 months following the permit approval.

Closure of the impoundment will require water removal and management. Until recently, the GHBLP has been testing for coal ash residuals. BLP wanted to ensure we do not discharge contaminated water to the river; therefore, under our own initiative, we tested the groundwater for non-CCR contaminants. PFAS, which is very hard to break down, was found through this process and is measured in parts per trillion. Michigan has been fairly aggressive in addressing these compounds as PFAS has been shown to cause various health effects and birth defects. This information was presented at the last Board meeting. We received the confirming test results today and we expect to post these results on our website on Friday, July 16. We also conducted additional sampling around perimeter. The north end of the site showed levels above standards. The river tests showed levels that are below the standards; therefore, there are no concerns along the river's edge.

The data was reported to EGLE, and they referred it to their MPART task force. EGLE contacted the City to schedule a townhall meeting to further discuss these findings.

A copy of this letter was also sent to Aaron Keatley, Chief Deputy Director of EGLE. His view was, considering our dialogue with EGLE, is that it would be advisable to get everyone in the same room to discuss and reach a resolution together. All data/correspondence is being shared publicly as soon as it is verified.

Installing utility lines during construction is not considered exacerbation of the contaminants. Excavating Unit 1 and 2 impoundments could be considered exacerbation.

Building over an area is viewed as capping the site and is allowed by the State.

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It would be best to have these issues resolved collectively, if possible, before construction of the facility begins; however, these areas could be worked around if necessary.

At 6:49 PM, Councilman Fritz, supported by Councilman Scott, moved to adjourn the open session and enter into closed session for the purpose of considering material exempt under state or federal law, specifically correspondence subject to attorney-client privilege pertaining to the environmental conditions on Harbor Island pursuant to Section 8(h) of the Open Meetings Act. In a roll call vote of the Council, those in favor: Monetza, Fritz, Cummins, Dora and Scott; those absent: none; those opposed: none. The motion was unanimously approved.

Director Witherell, supported by Chairperson Smant, moved to adjourn the open session and enter into closed session for the purpose of considering material exempt under state or federal law, specifically correspondence subject to attorney-client privilege pertaining to the environmental conditions on Harbor Island pursuant to Section 8(h) of the Open Meetings Act. In a roll call vote of the Board, those in favor: Directors Crum, Naser, Witherell and Smant; those absent: Director Kieft; those opposed: none. The motion was unanimously approved.

At 8:05 PM, Director Smant, supported by Director Naser, moved to adjourn the closed session and return to open session. In a roll call vote of the Board and Council, those in favor: Councilmen Monetza, Fritz, Cummins, Dora and Scott, and Directors Crum, Naser, Witherell and Smant; those absent: Director Kieft; those opposed: none. The motion was unanimously approved.

No formal action was taken during this joint work session.

At 8:06 p.m., by motion of Director Witherell, supported by Councilman Fritz, the July 15, 2021 joint work session was adjourned.

Respectfully submitted,

Renee Molyneux  
Secretary to the Board

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