



November 3, 2021

Elizabeth Brown, Director  
Material Management Division  
Department of Environment, Great Lakes & Energy  
Constitution Hall  
525 West Allegan Street  
PO Box 30473  
Lansing, MI 48909-7973

Dear Ms. Brown,

I am reaching out to you in an attempt to develop a resolution regarding the clay remaining from the former Unit 3 impoundments at the former JB Sims generating station operated by the Grand Haven Board of Light & Power. Over the past 11 months, my staff, along with our environmental engineering consultants and legal counsel, have been working with EGLE staff to reach a conclusion that the Unit 3 impoundments have been properly cleaned and that the remaining clay poses no environmental risk. My understanding is that our engineering firm has demonstrated compliance using multiple lines of evidence which include final removal elevations, colorimetric, microscopy, and analytical testing. It is this last item that is causing some hang-ups. Based on a recent discussion with the EGLE Technical Assistance & Program Support (TAPS) Team, it appears that 18 out of 22 analytical constituents have been completely satisfied. However, there are 4 remaining analytical parameters left outstanding for further dialogue (arsenic, lithium, iron, and selenium). Out of those four, arsenic has two data points (out of 21 points tested) on site that are only 0.1 ppm higher than the state standard in the MI Lobe data. The other parameter is Lithium with all test points indicating levels lower on site than what is found in the clay from the Bass River Recreational Area which was the source of the clay used to build this liner in 1983 (when liners were not required). Eliminating those two items leave only iron and selenium. The selenium numbers are consistent both at the bottom of the impoundment and above what they call the wetted boundary. Unless the clay acted as a sponge only for selenium, it seems highly improbable the levels detected are from the former impoundment uses.

We are willing to chase these issues down and spend future efforts and dollars in analytical testing and paperwork, or we can propose a resolution. In our Coordination Meeting with you and your staff on August 24, 2021, you recommended that we should propose solutions to EGLE since it is not EGLE's responsibility to tell us what to do. Therefore, in that spirit, I have asked our consultants for their recommendation, and they have informed me that they believe we should dewater the stormwater that has collected within the former impoundment boundary, provide a grading plan with imported clean soil, add topsoil and seed and grade the surface to drain future rainwater to the river and not collect it in this area. That seems like a prudent and logical solution. I have asked Golder to formally prepare this recommendation for EGLE's review. I would like to talk this over with you so that you may provide direction to your staff, and I may provide direction to my staff that we can both preliminarily agree with this general concept.

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Would you and Mr. Keatley be available to discuss this sometime early next week? We believe there is a collaborative path forward to reach a conclusion so we can all focus our efforts on the more important environmental matters of this site.

Sincerely,  
GRAND HAVEN BOARD OF LIGHT & POWER

A handwritten signature in black ink, appearing to read "David Walters". The signature is fluid and cursive, with a large, sweeping loop at the end.

David Walters  
General Manager