

**St. Marys River Binational Public Advisory Council
Minutes of Meeting**

Place: Lake Ontario Room, Cisler Center
Sault Ste. Marie, Michigan

Time: Tuesday, November 20, 2001
7:00 - 9:10 p.m.

Binational Public Advisory Council Member Present

Don Marles - Ontario
John Bain - Ontario
Marilyn Burton - Michigan
Kara Flannigan - Ontario
Joe Gallagher - Michigan
MaryAnn Harrington for John Campbell - Michigan
Dr. Barb Keller - Michigan
Mike Ripley - Michigan
Dr. Greg Zimmerman - Michigan

Guests

Brian Cameron - Ontario Ministry of Environment
Ralph Jessup - Environment Canada
Jennifer Manville - United States Environmental Protection Agency
John Marsden - Environment Canada
Art Ostaszewski - Michigan Department of Environmental
Rod Stewart - Ontario Ministry of the Environment

Regrets

Martin McPherson - Ontario
Walter Sarich - Ontario

1) Opening Remarks by the Chair

Don Marles, as Chair, welcomed everyone. He then announced regrets and officially welcomed two new member i.e Dr. Barb Keller and Joe Gallagher. Don also thanked the agency officials who had travelled long distances to attend the meeting.

Don asked BPAC members to introduce themselves to the visiting agency officials.

2) Approval of Meeting Minutes

It was moved by Dr. Greg Zimmerman, seconded by John Bain, and carried, that the minutes of September 12, 2001, be approved as circulated with the addition that Mike Ripley be included as one of the regrets. (Mike had tried to attend but had gone to a different location.)

3) Business Arising from September 12 Minutes

Don Marles reviewed each of the action items identified in the September 12 minutes. He indicated that he had forwarded John Bain's draft Stage 2 Review comments directly to Ralph Jessup for consideration. He requested again for each member of BPAC to provide Sarah Robert with an update of their biographies for inclusion in the BPAC website. With respect to Don writing a letter to the City of Sault Ste. Marie regarding the status of the East End Sewage Treatment Plant status and the Walker Engineering report, Don indicated that he had contacted the City's engineering department and has found out that the Walker Engineering report will now be submitted by the end of December. Since that is the case, Don indicated that the urgency of writing the letter is less but he would ensure that a representative from Walker's is invited to an upcoming BPAC session to describe their recommendations. With respect to inviting a representative from St. Marys Paper Company to an upcoming meeting, Don indicated that he has contacted St. Marys but arrangements for a future visit have not been finalized. Finally, Don indicated that he has not written a letter to the City of Sault Ste. Marie congratulating them on Household Hazardous Waste Depot initiative. Don would like to refer to a copy of the newspaper article that describes the initiative. He requested BPAC members to provide him with the article and then he will prepare the letter.

4) BPAC Office Update

Dr. Zimmerman reported on the Environmental Summit which was held at the Cisler Centre. He said Roger Eberhardt had given a presentation and the new BPAC Powerpoint presentation was used. Dr. Zimmerman said the Environmental Groups had set up displays in an adjacent area to the presentation area. Overall he felt the Environmental Summit was a successful and there was a respectable turnout of visitors and participants. Environmental groups were able to make contacts and exchange information. In addition, BPAC was able to collect names on a petition in support of upgrading the Sault Ste. Marie Ontario East End Sewage Treatment plant.

5) Agency Reports

i. Michigan Department of Environmental Quality (Art Ostaszewski)

Art Ostaszewski indicated that he would be replacing Roger Eberhardt as MDEQ's official representative to the St. Marys River BPAC since Roger has taken a position with the Office of the Great Lakes. Art has been involved with the RAP process since 1992 when he was the RAP Coordinator with the St. Clair River. Art graduated from LSSU in 1985 as an Aquatic Biologist. Art's responsibilities with DEQ are for the east side of the state of Michigan including the St. Marys River. He indicated that he is implementation oriented and is very interested in public involvement especially through the internet. Art also has responsibility for coordinating grant applications.

ii. USEPA (Jennifer Manville)

Jennifer Manville reported that she would not be making an USEPA report but was very interested in the Stage 2 RAP presentation.

Marilyn Burton indicated that she was concerned about the decision of the USEPA to undertake aerial monitoring of the Cannelton Site as opposed to an on-the-ground evaluation. Jennifer indicated she would speak to the Project Coordinator and report back on the decision for the next meeting

iii. Ontario Ministry of the Environment (Rod Stewart)

Rod Stewart reported on the following items:

a) Air monitor on Cisler Centre - Rod indicated that an air monitor was fully operational on the roof of the Cisler Centre. Preliminary data indicated very low particulate matter in the air. Semi-annual reports will be produced.

b) Algoma Steel - Rod reported that there had been a meeting with the company in the morning. Algoma Steel indicated that they would be spending \$7 million in paving and washing roads to help control the amount of particulate being generated at the site through dust as a result of on-site vehicular traffic.

c) Environmental Management Agreement with Algoma Steel - Rod indicated that all nine components of the Environmental Management Agreement were on target. The company has spent money in meeting the requirements. They are destroying PCBs and recycling mercury. All of this is being achieved in spite of the company's financial stress.

d) New District Manager: Brian Cameron - Rod introduced Brian Cameron as the new District Manager for the Ministry of Environment. Brian will be located in Sudbury. Brian indicated that the Ministry of Environment will stay committed to the St. Marys River RAP process.

6) Presentation of the Revised Stage II Report - John Marsden and Ralph Jessup

John Marsden introduced the process that would be followed in the review of the July 2001 Stage II RAP draft entitled "Stage 2: Remedial Strategies for Ecosystem Restoration". He said comments from BPAC would be welcomed until January 4, 2002. After that date, the report would undergo its final revision and the report would be circulated for agency approval. He also indicated that a 4 page public report would be produced which would be available for a larger public distribution.

Changes to the May 2000 version of the St. Marys Stage 2 were identified in a 7 page supplemental document. Ralph Jessup, as the main editor of the July 2001 Stage II RAP report, provided highlights of the more important changes that had been made from earlier drafts. The following items were identified:

i) New preface - this preface prepared by Jeannette Anderson references that a companion document will be prepared entitled the RAP Implementation Annex that will be specific and set out the roles, responsibilities, costs and timelines for implementing the Stage 2 RAP. He said the Stage II RAP should be considered as a work in progress. The proposed activities that have been defined are required for the eventual delisting of the Area of Concern designation.

ii) Executive Summary - extensive changes have been made including shortening executive summary through editing the text and tables particularly the tables which identify the impaired beneficial uses (section A) and recommendations to eliminate remaining beneficial use impairments (section E).

iii) Chapters 4, 5, 6, and 7 - for these chapters, Ralph Jessup explained that new action items having their own unique identification codes have been used. The action codes have both an alphabetical and a numerical component. The alphabetical code components include PS - Point Source, NPS - Non Point Source, FF - Flora and Fauna, RE- Reporting and Education, and MNG- Management Recommended. Each action code contains a numerical descriptor which is numbered according to where they appear in the report. Monitoring action recommendations for point sources, non-point sources, and flora and fauna are denoted by PSM, NPSM, FFM and each provided with a numerical descriptor. Where appropriate, proposed implementers have been identified but he cautioned that committed implementers will be identified by action items in the Implementation Annex. Ralph indicated that actions which were recorded only in the tables have now also been recorded in the text for easier cross-referencing. He said more detail has now been provided especially in connection with the more complex multi-component actions. Another area which has been addressed is the concern involving qualitative criteria as opposed to numerically defined criteria. Changes have been made so there will not be any room for argument.

iv) Industry Participation - is a new section (page 6) which defines how industry will be contributing. The section primarily discusses the three party Environmental Management Agreement (EMA) between Algoma Steel, Environment Canada and the Ontario Ministry of Environment. The complete text of the EMA is contained in Appendix 4 or

can be reviewed on Environment Canada's internet site at:
http://www.on.ec.gc.ca/laws/algoma/agreement_e.html.

v) Beach Closures - this issue did not appear as an impairment in the last draft but has been re-inserted in the July 2001 draft. The topic of Beach Closures was identified in the Stage I RAP report.

vi) Health Canada Study - Ralph Jessup described that technical reviewers requested that information from the report "Health Data and Statistics for the Population of Sault Ste. Marie and Region" be included in the Stage II RAP report. A number of health related disorders such as heart disease, emphysema and certain cancers of the digestive and respiratory systems were significantly higher by sex and age category for the study area as opposed to the Ontario population. These higher findings "may be linked to exposure to environmental contaminants". Information relating to this study is found on page 12.

vii) Interim Preliminary Public Health Assessment - this report is also cited. The Agency for Toxic Substances and Disease Registry (ATSDR) is required to conduct a health assessment for every site placed on the National Priorities List under the Superfund program. The former Cannelton Industries Inc. tannery site has been examined and a report prepared by the Michigan Department of Public Health under agreement with the ATSDR. See page 12.

vii) Health Canada report on dermal exposure to PAHs for swimmers in the St. Marys River - Ralph Jessup identified the significance of this report as well. The reference is cited in Appendix 1: St. Marys River Area of Concern Michigan Progress Report November, 1999 page 88, in connection with Beach Closures on Table 1: Beneficial Use Impairments from the Stage 1 Remedial Action Plan. John Marsden requested a copy of the report from Kara Flannigan

Action item: Kara Flannigan to provide copy of the Health Canada dermal exposure study to John Marsden.

viii) Bellevue Marine Park and contaminated sediments - Ralph Jessup indicated that Tom Murphy, one of the technical reviewers, identified a potential health risk involving the production of gases in deeper sediments which may lift masses of wood fibre and oil to the surface. These masses, up to 500L in volume and containing volatile naphthalene, may be life threatening for individuals who are hypersensitive with allergic reactions from minor exposures to these types of sediments. Health authorities are warned to take precautionary studies to evaluate the potential risk to those involved in recreational activities in the vicinity of Bellevue Marine Park. Kara Flannigan was very concerned that this issue had not been previously identified to the local Health Unit. Action item NPSM-7, cited on page 50, describes the need for the evaluation and appropriate implementation steps.

ix) Sewer Overflows - these had been identified as non-point sources but are now identified as point sources of contamination. Action item PSM-7 recommends the need to a monitoring system for stormwater. See page 41.

x) IJC Site Assessment and need to enhance the flow of information on government and industry successes and developments - Action items RE-1 and RE-2 address this need. Action item RE-2 addresses the need for specific outreach programs directed to Native American/First Nation peoples. The IJC indicated in its site assessment report that First Nation peoples are the most impacted group within the AOC.

xi) Chapter 5 - has been renamed "Restoration and Protection Strategies for Sediment and other Non-Point sources of Pollution". Ralph Jessup indicated that the chapter title is specific to sediments because of their importance in the AOC.

xii) Chapters 4 and 5 - in these two chapters both monitoring and restoration activities are now included. In earlier versions they had been separated.

At the end of Ralph Jessup's presentation, comments were requested by Don Marles. John Bain thanked Ralph Jessup for the changes. All of the changes were critical improvements and greatly assists in the rationale and logic of the report. John indicated that he would provide an update on the status of the Canadian Heritage River designation and requested additional copies of the draft July 2001 report for review by the Friends of the St. Marys River. Dr. Greg Zimmerman said the July 2001 draft is a major improvement over the last draft. Kara Flannigan indicated that she was very impressed by the organization of the report. She also said that she is very anxious to obtain the findings of Tom Murphy relating to the Bellevue Marine offshore sediments. This information is very critical for safeguarding human health. Mike Ripley requested copies of the technical review reports. John Marsden indicated that he felt nothing would be gained by providing the technical reviews since these had been incorporated into the present draft. Now was the time for the public review of the draft document. Mike requested Ralph Jessup to record whether funds indicated in the report were American or Canadian figures. Marilyn Burton said she was happy to see that sediment was addressed in more detail. It is very important. Marilyn requested that the St. Marys River BPAC goals be placed in the appendix. (Don Marles provided a copy of the goals to Ralph Jessup. **Update:** Following the meeting, Ralph Jessup responded to Don Marles and indicated that the BPAC Goals had been inserted in the Stage II RAP report as Section 3.1 on pages 23-25.) She also thought that the impact of the sewage from the East End Sewage Treatment Plant on Sugar Island residents needs to be addressed in the report. Marilyn was also concerned about health issues arising from landfills including migrating leachate within the watershed. She said there should be further research on the contaminants from point source locations and their impacts on downstream communities and wetlands. Marilyn again expressed her concerns with the USEPA decision to conduct aerial monitoring of the Cannelton Superfund Site. She thought the monitoring should be undertaken on-site and annually. Don Marles commented that the Stage II draft RAP report is more comprehensive and is a more easy-to-read document than previous versions. It is a vast improvement over earlier drafts.

When queried about how they would prefer to receive comments from BPAC, both John Marsden and Ralph Jessup indicated that a collective submission would be ideal but failing that then individual submissions would work as well. Because of the holiday season and other commitments John Marsden agreed that BPAC could submit its comments by the end of January as opposed to earlier in the month.

7) New Business

No new business items were identified for presentation and discussion.

8) Next Meeting Date

Monday January 14, 2002 was scheduled as the next meeting date. The meeting will take place in Canada. The primary objective for the meeting will be to compile comments on the July 2001 version of the Stage II RAP report.

Action item: Rod Stewart to make arrangements for the meeting room

With no further business to discuss, Don Marles adjourned the meeting.