

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

**Place:** Biggings Room, Civic Centre  
Sault Ste. Marie, Ontario

**Time:** Monday, January 14, 2002  
7:00 - 9:00 p.m.

**Binational Public Advisory Council Members Present**

John Bain - Ontario  
Marilyn Burton - Michigan  
James Dukes - Ontario  
Kara Flannigan - Ontario  
Joe Gallagher - Michigan  
Dr. Barb Keller - Michigan  
Don Marles - Ontario (BPAC Chair)  
Martin McPherson - Ontario  
Dr. Greg Zimmerman - Michigan

**Guests**

Rod Stewart - Ontario Ministry of the Environment

**Regrets**

John Campbell - Michigan  
Mike Ripley - Michigan

**1) Opening Remarks by the Chair**

Don Marles, as Chair, welcomed everyone and then announced regrets he had received. He said the primary purpose of the meeting was for the members to provide comments on the draft Stage 2 RAP report.

**2) Approval of Meeting Minutes**

It was moved by Marilyn Burton, seconded by Joe Gallagher, and carried, that the minutes of November 20, 2001, be approved as circulated with the noted correction of the spelling for Kara Flannigan's name (no "h").

**3) Business Arising from September 12 Minutes**

Kara Flannigan provided copies of the report by Mueller and Hussain, Lifetime Health Risk Assessment from Exposure of Recreational Users of St. Marys River Water to Polycyclic Aromatic Hydrocarbons (May 16, 1994) to those who had requested it.

Don Marles reported that he has not written a congratulatory letter concerning Household Hazardous Waste Depot program because no one was able to provide him with a date when an article describing the program appeared in the Sault Star. Don wanted to be able to cite the article in his letter to the City of Sault Ste. Marie.

**4) BPAC Office Update**

Dr. Zimmerman indicated that there was no BPAC Office news to report.

**5) OPAC Report**

John Bain reviewed his OPAC Annual Report for 2001. He asked that his comments as contained in his report be appended to BPAC's written response to the draft Stage 2 RAP and that an additional copy be appended to the meeting minutes. John welcomed additional comments from the BPAC members.

**6) New Business**

a) Conference on Drinking Water in Northern Ontario

Rod Stewart provided copies of a brochure for the proposed Conference on Drinking Water in Northern Ontario. Don Marles highlighted the intent and purpose of the conference. He said the conference, given the Walkerton issue, would certainly be well attended.

b) E-mail from John Marsden re funding of East End Sewage Treatment Plant

Don Marles reported that he had received an e-mail message from John Marsden indicating that funding will be provided for the upgrading of the Sault Ste. Marie (Ontario) East End Sewage Treatment Plant. Don reported that copies of the e-mail message had been sent to him as Chair of BPAC and to agency people. He noted that \$20 million would be provided from the Federal government and this would be matched by an additional \$20 million from the Province. Rod Stewart reported that the funding would be used for the sewage treatment plant upgrade as well as some sanitary sewer overflow projects.

c) IJC and its Public Meetings on Impacts of Flow Changes in the St. Marys River  
Marilyn Burton reported that the IJC would be holding public meetings to investigate complaints regarding hydro power companies' (Edison Sault Electric

Company and Great Lakes Power Limited) control of water flow for hydro peaking and storage (ponding) requirements and the impact that these practices would have on shipping and the aquatic environment. Peaking is the variation of hourly flows within the daily average flow while ponding is the variation of daily flows within the weekly average flow (i.e. higher weekday flows and lower weekend flows). Rod Stewart indicated that the already low flows in the St. Marys River have resulted in 3 ships running aground. Don Marles read from an e-mail that he had received describing the hearings (to be held January 28 - 3:00 PM at the Cisler Centre in Sault Ste. Marie, Michigan and 7:00 PM at the Holiday Inn in Sault Ste. Marie, Ontario). Don asked BPAC members to note the date and the locations. Newspaper announcements will provide further information to identify the locations in each community.

#### **7) BPAC Members' Comments on the Draft Stage 2 Remedial Action Plan**

Don Marles indicated that he had received comments from Mike Ripley, Dr. Barb Keller and John Bain regarding the draft Stage 2 RAP. He asked those present who had not provided their comments to do so quickly either by e-mail or hard copy. Marilyn Burton provided her written comments at the meeting.

John Bain reviewed his comments. He said the document was a vastly improved version of earlier drafts that had been prepared. Included in his comments were changes or updates that dealt with the Friends of the St. Marys River, SOLEC 2000 and the Biodiversity Index pertaining to the St. Marys River. He indicated that there should be a reference to the population decline in the area, The Canadian Heritage River System status of the St. Marys River, a need for a southern boundary definition for Bellevue Park, an indication that the Traders Metal site is now occupied by the Sault Ste. Marie casino and a statement that the date for the document should now be referenced as 2002.

Kara Flannigan indicated that she will be providing a copy of her comments by both e-mail and hard copy. Some of her comments would include references to the following items. She said that volatile naphthalene contained in masses of wood and oil in the Bellevue Marine Park area as cited by Murphy (page 44), was a major concern for the Algoma Public Health Unit particularly since these materials could be life threatening for those susceptible to hypersensitive/allergic reactions through dermal exposure. She requested that Murphy's report should be referenced and not just the technical review comments as cited in the RAP references. In the Reporting and Education section on page 66, Kara indicated that the Yellow Fish Road Drain Marking program, referenced as an on-going education program, no longer exists since it was subject to a government cutback. On page 16, Kara indicated that E. coli should be cited as the standard for beach closures and not fecal coliform bacterial densities as is indicated in the description. Kara indicated that E.coli is the health standard used on both the American and Canadian sides.

Dr. Barb Keller indicated that she had e-mailed her comments to Don Marles. Concerns raised included Table 5.1 (page 43) that summarizes contaminated sites and the number of contaminants exceeding Provincial Sediment Quality Guideline (PSQG) lowest (LEL) and severe effect levels (SEL) at each location. Dr. Keller said that the author has not identified all of the contaminated sites that exist and for those that were identified, there is no indication of the restorative strategies that will be applied. Dr. Keller also was concerned about the lack of specific quantifiable “controls” and their interpretation as delisting criteria in Table 3.1. This vagueness is also identified as Management Action MNG-1. Dr. Keller argued that the criteria need to be capable of being defended in US courts as well as Canadian courts. There needs to be specific direction including roles, responsibilities, costs and time lines.

Joe Gallagher felt that the Stage 2 RAP document should be the basis for celebration and promotion. He said that there is a need for a promotional brochure to get information out to the public locally. We need to celebrate what has been accomplished. Many of the action items identified in the report have already been accomplished. Both John Bain and Don Marles agreed with Joe that a news release is warranted. Don Marles thought that John Marsden might be receptive to having this done. The St. Marys River report might be the last Stage 2 RAP report produced for an Area of Concern. Joe agreed to provide an e-mail version of his comments to Don Marles. Joe also indicated that he has been appointed to Sault Ste. Marie (Michigan) City Planning Commission and may be able to assist from that connection.

Marilyn Burton reported that she too felt that the draft Stage 2 RAP was a vast improvement over others BPAC had an opportunity of reviewing. She thought BPAC should not be in a rush to delist. There is a need to plan, implement and monitor. She was concerned with issues concerning air monitoring and the fact that air monitoring has just started on the US side. Marilyn was concerned that the Cannelton Site remediation program did not extend to the St. Marys River. She felt that aerial monitoring of the site was not valid. Marilyn was also concerned that no non-point sources of pollution had been identified and especially for their impact on the lower reaches of the river. She indicated that there is a need for further health studies given the high incidence of cancer rates amongst the local population. She believed that there was a need to study the implications of the East End Sewage Treat plant and the sewage that is introduced downstream. Health advisories are not enough. Marilyn said that updating of studies are required so comparisons can be made and trend over time assessment can be determined. She was also concerned with Table 3.1 (page 43) and how the ranking had been determined. Marilyn said the RAP should also address the potential implications of contaminants travelling through the St. Marys River on ships. She indicated that leachates should be removed rather than being flushed into the river. Another concern was that some of the tumours on fish in Munuscong Bay had not been identified. Overall, Marilyn thought the report was good but there was much more work required.

Martin McPherson thought the Stage 2 RAP should identify specific actions to do in the future and these should be presented on a web-site. He said that Health Canada has investigated 17 Areas of Concern but that the reports on these investigations are not understandable for most of the public. Mike Gilbertson has produced a report for the Windsor AOC that deals with the issues in a more publicly understandable way. Martin believes that the Gilbertson model should be produced for other AOCs and especially the St. Marys River. Copies of the Gilbertson article were provided to Don Marles for distribution to other BPAC members.

Mike Ripley's comments were read by Don Marles.

Al Wright indicated that the Friends of the St. Marys River would be providing comments on the Stage 2 RAP directly. These comments would help update references to the designation of the St. Marys River as part of the Canadian Heritage Rivers program. The comments would also indicate that as a not-for-profit legal entity the Friends might be able to help direct government funding for remediation efforts just as the BPAC Office had done with US and State funds. John Bain added that the Friends may be able to solicit funds for actions like habitat improvement or studies like watershed plans. The Friends might also be able to play a role in educational support.

Don Marles said that non-point sources of pollution are not adequately addressed in the report. There are watersheds where the problem is particularly severe and needs attention. Agricultural runoff including animal waste and soil erosion is a major problem for watersheds like the Bar River. A watershed plan is required. He also indicated that issues pertaining to the First Nation communities are not well documented. He indicated that there are waste management sites on the reserves that may not meet adequate standards and as a result are sources of pollution. He argued that First Nations should be part of the process.

Don said that all of the comments that he receives will be incorporated into a BPAC response that he will prepare. Individual's names will not be used. Don will circulate a draft of the BPAC response for members' final review and comment.

Don said BPAC will continue to be proactive in the longer term to ensure that action is taken on the implementation of the Stage 2 RAP.

#### 8) Next Meeting

Don Marles will talk to the Sault Ste. Marie (Ontario) City Engineers on the Walker Engineers East End Sewage Treatment Plant Feasibility Study in order to request a presentation. Once a date has been established Don will notify BPAC members of the time and place for the meeting. Don also will try to contact Marc

Dube with the St. Marys Paper Company to see if a representative might also be available for a presentation on changes proposed at their site.

Don indicated that the next meeting (late February or early March) will be the date for electing a new chair of BPAC. According to policy, this should be a representative from the US side. If members wish to amend the constitution in this regard, a proposed amendment should be circulated to the BPAC members one month before the meeting.

With no further business to discuss, Marilyn Burton moved that the meeting be adjourned and Don Marles adjourned the meeting.

## Appendices

Don Marles' submission re St. Marys River draft Stage 2 RAP also including John Bain's OPAC Annual Report 2001

BPAC Resource Office  
College of Natural and Health Sciences  
Room 351 Crawford Hall  
650 Easterday Ave.  
Sault Ste. Marie, Michigan 49783

January 23, 2002

John Marsden  
Lake Superior Coordinator  
Restoration Programs Division  
Environmental Conservation Branch  
Environment Canada  
4905 Dufferin Street  
Downsview, Ontario M3H 5T4

Dear Mr. Marsden:

Below are BPAC's comments regarding the revised Stage II Report. They comprise both of specific and general comments compiled from a number of BPAC members. Also included are the OPAC Annual Report and a recent newspaper article.

***Comments on the Revised Stage II Report: Remedial Strategies for Ecosystem Restoration, July 2001***

This is a vastly improved report.

Page 6.

A bullet point should be included here to highlight the revitalization of the FSMR (Friends of the St. Marys River). It should be noted that FSMR is a local Canadian non-profit corporation, which could assist in the implementation of the RAP especially for remedial works, education & reporting.

Page 8 or 51.

Should include a reference to SOLEC 2000. The Ste. Mary's River was given the highest Biodiversity rating in the Great Lakes. This emphasizes the need to protect this unique environment and address the "upstream" problems of the river.

Page 10.

The City has experienced a gradual population decline in the last decade.

Page 11.

The river has received CHRS status, Management Strategy has been developed & its goals have been adopted by FSMR. See OPAC 2001 report. FSMR will be commenting on this reference.

Page 16

Canadian standards for beach closures are based on E. coli levels instead of "fecal coliform bacteria"

Page 43.

Explain the ranking.

Page 43.

Bellevue Park area. Description defines "north boundary", what is "south boundary"?

Page 44

Reference is made to skin irritations resulting from exposure to floating masses of lifted contaminated sediments in Bellevue Marine Park. There is no report referenced and efforts to contact Murphy have been unanswered. The health effects of such dermal contact with lifted sediments are not known and warrant further investigations and study. If a report exists, please forward a copy to the Health Unit.

Page 46.

Trader's Metal Site has been redeveloped for the casino.

Page 48.

Sept 2002?

Page 66

Clean North's Yellow Fish Road program marked 3,400 storm drains in Sault Ste. Marie, Ontario during the summer of 1994 and 1995. This was the highest number achieved in Canada. It is unfortunately not an on-going program due to government cutbacks.

Please correct Kara Flannigan email to kmf@canada.com

Under 2.1 Characteristics of the Area of Concern, 3rd paragraph on Page 8, we suggest that the last sentence be changed to read, "Utilization of the fishery will be better understood when the Fish Harvest Survey Report is completed by the St. Marys River Fishery Task Group (see section 6.4).".

Under 3.2 Delisting Criteria, Management Action MNG-1, we suggest adding the following sentence at the end of that paragraph "This should be a collective process involving the BPAC and all interested stakeholders."

Under 4.3 Restoration and Protection Actions Needed, Action PS-3, second sentence, we suggest this should read, "This would result in a decreased impact on the river and could prevent localized algal blooms, sediment contamination and public beach closings on Sugar Island."

Regarding the Cannelton Industries site: the report is incomplete regarding the chain of events and the current condition at the site. The work plan that the EPA approved allowed the

company to leave all waste present in Tannery Bay, including organics, chromium, mercury and actual animal by-products of the leather tanning process in the river rather than dredge. This is the reason that they are being required to conduct biological monitoring at the site. If the caged clam studies reveal that there is biological uptake of whatever is remaining in the sediments, then, we are assuming, there may be more remediation needed. This should be stated either on page 46 (4th paragraph) and page 50 under NPSM-3. Also relating to this site in the Summary of Recommendations...  
NPSM-3

Biological Monitoring at the Cannelton Industries Site to Ensure Protection of the Ecological Food Chain only appears under one section. This monitoring recommendation

should be listed under the following Beneficial Use Impairments in the recommendations table: Restrictions on Fish and Wildlife Consumption, Degradation of Benthos, and Restrictions on Dredging Activities.

EPA delegation to the State of Michigan of air monitoring has produced no information to Sault Ste. Marie, MI to date (January 14, 2002). The startup has been extremely slow yet EPA could have been monitoring air pollution over the years on Federal properties such as the Sault Locks. The wind blows from the NW and carries particulate across the St. Mary's River to the Michigan shores. The state of MI did not respond to requests several years ago to establish air-monitoring stations.

The remediation of the Cannelton site did not extend to the sedimentation in the St. Marys River identified in Stage II as Chromium, cadmium, lead, arsenic and mercury. The sediment is sand covered, but the effects of low water levels, which are persistent, are

unknown. Aerial surveys are not adequate. Monitoring should be done on site on a yearly basis as water levels fluctuate.

Virtually no non-point pollution sources are identified, and Watershed data is missing from the document. Chippewa County contains 11979 acres of coastal wetland, yet there is no information on the lower river below all point sources discharges.

In addition, there have been no in depth studies on the dumps, tributaries, aquifers, septic tanks or farm run off. In Michigan, dumps bring truckloads full of leachate to sewage treatment plant. The Contents of leachate and its effects on the water is unknown. Can treatment for sewage render contaminates, chemicals, toxins, pollutants, etc from leachates, harmless?

No human health studies have been done, yet humans who live near areas landfills seem to have high cancer rates and those who worked at the Tannery had high rates of bladder cancers.

Are floating river sediments a risk to public health? What are the health experiences of those people taking in water below the East End Sewage treatment Plant? The number of private water intakes (American and Canadian) are unknown, but it is known that intakes do exist and warnings are issued periodically by Chippewa County Health department when there are sewage overflows from the East End Sewage Treatment Plant in Sault Ste. Marie Ontario. Sugar Island Michigan residents are at risk due to the high fecal coliform counts and beach debris.

Not enough studies were conducted down river to develop additional material on other possible problems in the St. Marys including down river sedimentation drop out. The river should be thoroughly mapped for sediment and sediment analyzed.

Native species of fish have been adversely affected by the removal of gravel spawning beds in the River. In addition, there is too much offal from over abundant geese and cormorants are fast becoming a destroyer of the fish populations, which are already at risk due to the exotics imported to the St. Marys River in ballast.

Spills on the St. Marys River are still a concern and the community is not aware of what hazardous cargos are carried via the river. One Coast Guard Officer told one that if there was ever a spill of some of the cargos, the River bottom would be "scoured."

Addressing the leachate problem – if the leachate is hazardous it should be treated as any other hazardous waste – contaminants removed and neutralized – not flushed into the St. Mary's river to be ingested by humans or by fish. Is this a State of Michigan directive?

Also a reminder, the source of the tumors of fish in Munoscong Bay has not yet been identified.

Recent documentation of an illegal dumpsite created in Hiawatha National Forest Michigan to dispose of waste from the former RACO Missile site has been revealed to US Senators Carl Levin and Debbie Stabinaw of Michigan.

It appears to me that this report focuses predominantly on the historical studies and monitoring activities that have been completed at some of the sites and the proposed monitoring activities that will continue into the future at these sites. Yet the tables list sites requiring cleanup that are not even mentioned in the *Restoration and Protection Strategies* sections. For example, Table 5.1 summarizes the St. Marys areas requiring clean up and restoration but the strategies for restoration and protection do not even mention some of them (i.e., the 18 sites in SSM, MI and the 8 sites a Lake Nicolet, MI, just to name two).

Also, there are no strategies for what will be done if the future monitoring and activities find that there is a continuing problem with sediments in these areas. Some of the NPS actions say that there are “requirements to monitor and control” (NPS-1 e) but there is no mention of what “control” entails.

Another big question I have is what is the remediation strategy? It should be spelled out in this report better. For example, are we just going to let future sediments cover and cap the contaminated sediments? If so, we should say this in the *Restoration and Protection Strategies* section. How do we know if the site is remediated? We have delisting criteria but no mention in the document of how we measure whether or not we have met the delisting criteria (unless I missed it when I was reading the report).

As a newcomer to the committee, I may have missed previous discussions of these questions that I have posed, so if that’s the case then please disregard my comments. But, when I reviewed RAP’s for the U.S. DOE back in the early 90’s we spelled out everything pretty much step by step because this had to be defensible in our courts. This may not be a requirement for the St. Marys River RAP.

There are a number of garbage dumpsites on Garden River Reserve that has not been documented. One site was near an Oxbow of the Garden River and was leaching into the Garden River. It is my understanding that the contents were removed and placed at some other location at costs to taxpayers. The reserve and government officials have refused to identify the contents of the dump were they were deposited and costs involved. Also the status of the other sites has not been disclosed.

Recently, 2001 the Municipality of Echo Bay had a water advisory. This is since the building of a new water intake facility, which takes its water from Lake George. A former Ontario Minister of the Environment and Municipals Representatives were advised at a BPAC meeting that the water intake should not be placed in Lake George, as it is a sink for industrial contaminants.

During the comment period of Stage I, comments from the public of Sugar Island indicated that porous sandstone from the excavation of the Great Lakes Power Plant,

Sault Ste. Marie Ontario was dumped into Lake George. It should be noted that this porous sandstone was removed from point source discharges of Algoma Steel and St. Marys Paper.

No comprehensive studies were undertaken as to non point source run off from agricultural land in the AOC. Some farmers' barnyards back onto streams and manure piles are near the streams.

In addition no comprehensive studies have been made of stream erosion and stream bank stabilization in the AOC.

The contact source for BPAC should be the BPAC Office or the existing Chair at the time of contact, as the position of the chair changes from year to year.

### **OPAC Annual Report– 2001 Submitted by Mr. John Bain**

#### **St. Marys River AOC 2002 01 12**

It appears that the Stage II document will be finalized this year. Several drafts were reviewed in 2001. It has now been 9 years since the Stage I was published and nearly 6 years since the lead for the St. Mary's River RAP changed from the Sarnia Ministry of the Environment to the Lake Superior Programs Office in Thunder Bay, Ontario. The Lake Superior Programs Office was dismantled in 2000 and Environment Canada is taking the lead on working to complete the document.

One of the obstacles to completing the Stage II document has been the lack of current data regarding sediment contamination in the St. Marys River. A study started in 1999 involving the analysis of sediment and benthos samples has not been completed due to a lack of funding. Environment Canada has indicated that funds will be made available to complete the study. However, in order not to further delay the completion of the Stage II document, it will contain recommendations for implementation programs & projects including a contaminated sediment management plan. An Implementation Annex will be prepared in 2002 with specific details on the programs & projects, timing, implementing agency, etc.

The St. Marys River community did have something to celebrate in the past two years as the river was officially designated a Canadian Heritage River and a Water Trails award of excellence was received from North American Water Trails Inc. The designation formally recognizes the importance of the St. Marys River's history, culture and ecology to our region and community. The designation reinforces the findings presented at the SOLAC 2000 Conference - that the St. Marys River is the TOP rated biodiversity area in the Great Lakes. The St. Marys River Heritage Strategy incorporated BPAC's goals for restoring & protecting the

river as well as including goals for celebrating & promoting its unique heritage, recreational & natural values.

To implement the Heritage Strategy, the Friends of the St. Marys River group has been revived and re-organized. As an incorporated, non-profit entity, the Friends will be able to receive and distribute funding for restoration, protection & education efforts including those identified through the RAP process. The Friends will be an important partner of BPAC during the implementation stages of the RAP.

Two other major decisions have also been made to resolve the last major pollution contributions to the river. The City of Sault Ste. Marie has found the funds to upgrade the sewage plant & to resolve the sanitary sewer surcharging problems. Ironically elimination of all the major sources - including industrial - will be underway before completion of the Stage II document.

The BPAC has been meeting regularly in the past year and elected Donald Marles of Sault Ste. Marie, Ontario as the BPAC Chair. Donald has been an active member of the BPAC since its inception and represents environmental and naturalist interests of the St. Marys River community.

#### **01/21/02 McKinley Elementary only local school listed.**

**By SCOTT BRAND/The Evening News**

SAULT STE. MARIE -- Of all the students in the Eastern Upper Peninsula only 229 currently enrolled at McKinley Elementary School are within a half-mile of federally or state-listed toxic waste sites, according to the Child Proofing Our Communities Campaign.

"It doesn't pose any more of a threat now than it has for the last 40 years," said Supt. Dr. Tony McLain early today responding to the report. "It's actually safer now than it was in the past."

McLain said he initially thought the group was dealing with dated data, as the old tannery site, once home to the Northwestern Leather Co., was officially declared clean by the U.S. Environmental Protection Agency (EPA) in the fall of 1999. This declaration came following the excavation of 33,000 tons of tannery waste and contaminated soils and additional work to alter drainage and improve water treatment at the site. In addition, the EPA also oversaw seeding and mulching while also installing air-monitoring equipment on the property.

"They mention that it has only been cleaned up to a level of industrial or commercial standards," said McLain of today's report, adding to his understanding "children are more vulnerable to this (toxic materials) than adults are."

With that said, McLain went on to explain that to his knowledge the actual school grounds themselves were never a part of the old tannery site with all of the old company ground sitting across the road. Water contamination is also not a problem at this location as the school uses the city water supply instead of a well system at McKinley Elementary School.

While the report will not alter the immediate plans for McKinley Elementary, McLain said the information will be turned over to the Site Review Committee for consideration.

"The only place where it will affect us in the future is in our building plan," he said. McKinley Elementary, along with Washington Elementary, is already on the proverbial chopping block, with the long-range district plan calling for the closure of both buildings with construction of a new building to replace the two structures. The Child Proofing Our Communities Campaign, from all appearances, is seeking to promote legislation that would ensure that any new school construction would take place on uncontaminated lands.

Respectfully submitted,

Donald L. Marles  
Chairman  
St. Marys River Binational Public Advisory Council