

AG Nessel and EGLE Announce Filing of Updated Requirements on Gelman Sciences, March 24, 2023

LANSING – Michigan Attorney General Dana Nessel announced today that the Michigan Department of Environment, Great Lakes, and Energy (EGLE) and Gelman Sciences, LLC filed a motion asking the Washtenaw County Circuit Court to enter an updated Consent Judgment governing response activities to address the 1,4-dioxane plume in the Ann Arbor area.

This updated Consent Judgment requires compliance with the current 7.2 ppb cleanup criteria for 1,4-dioxane in groundwater, replacing the outdated 85 ppb standard in the 2011 Consent Judgment, which will be superseded by the update. Additionally, the updated Consent Judgment requires Gelman to implement additional response activities to ensure compliance with the lower cleanup criteria for drinking water, surface water and soils.

AG Nessel welcomed the improvements to the outdated 2011 Consent Judgment. “Entry of this amended Consent Judgment accomplishes important goals that have been in the works for some time, requiring Gelman to comply with the significantly lower and more protective cleanup criteria for 1,4-dioxane. Lower criteria and additional response activities are important steps toward addressing this contamination and important for the people of Washtenaw County,” Nessel said.

EGLE Acting Director Dan Eichinger stated: “This Consent Judgment gives the State the necessary tools to ensure that Gelman continues to address its 1,4-dioxane plume and allows EGLE to require compliance at the lower, more protective levels. The updated terms put the cleanup on track to bring new extraction wells and monitoring wells online, bolster contingency planning, and take other necessary steps to protect public health and the environment.”

In addition to requiring compliance with the current cleanup criteria for 1,4-dioxane, the updated Consent Judgment requires Gelman to perform additional response activities including many actions proposed or supported by the local governments affected by the plume:

1. installing additional extraction wells to remove and treat contaminated groundwater;
2. installing wells to monitor for and track migration of the 1,4-dioxane plume to prevent people from being exposed to contamination;
3. investigating groundwater migrating into surface water to determine if the law requires action to address 1,4-dioxane impacts to surface water;
4. providing bottled drinking water to residents if a residential well exceeds 3 parts per billion of 1,4-dioxane;
5. developing contingency plans to extend municipal water in certain areas if residential wells are impacted by greater than 7.2 ppb 1,4-dioxane; and

6. investigating and proposing response activities for the wetland on Gelman's property.

While the State and Gelman do not believe a hearing is a necessary requirement for the Court to approve the Consent Judgment, the Department of Attorney General has requested that the Court hold a hearing as soon as possible, if the Court determines a hearing is necessary. A copy of the [proposed Consent Judgment is available here](#).

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