



# Great Lakes Legacy Act

## Appropriations Update

February 2008

### Background

The Great Lakes Legacy Act, signed into law in 2002, authorizes \$270 million over five years to remediate contaminated sediments in Great Lakes Areas of Concern. The Act authorizes \$50 million annually to monitor, evaluate or remediate contaminated sediments, or prevent new contamination. The Act also authorizes \$3 million annually for research on innovative remediation technologies; and \$1 million annually for public outreach and education. The Act requires a minimum of 35% nonfederal cost share for remediation projects. (Additional information is available from the U.S. Environmental Protection Agency's Great Lakes National Program Office at [www.epa.gov/GLLA](http://www.epa.gov/GLLA).)

### Implementation Status

Congress appropriated \$9.9 million for the Legacy Act in FY 2004, \$22.3 million in FY 2005, \$29.6 million in FY 2006, \$30 million in FY 2007 and \$34.5 million in FY 2008. To date U.S. EPA has released two request for projects under the Legacy Act. Highest priority was given to on-the-ground remediation of contaminated sediments. Secondary priority was for projects that move a contaminated sediment site toward remediation (e.g., site assessments, source control, monitoring, alternatives evaluations, etc.). Five cleanup projects and seven projects to monitor and evaluate contaminated sediments have been funded with a federal cost share of \$54.9 million, and seven projects are under review with a projected federal cost share of approximately \$85 million. U.S. EPA is accepting proposals and negotiating agreements on an ongoing basis.

Remediation has been substantially completed at five sites (Black Lagoon on the Detroit River, Newton Creek/Hog Island Inlet on the St. Louis River, Ruddiman Creek on Muskegon Lake, Tannery Bay in the St. Marys River and the Ashtabula River). A project to monitor and evaluate contaminated sediments in Ryerson Creek in Muskegon Lake also has been completed. The current list of projects completed, underway, or under review is on the reverse.

### FY 2009 Funding Request

President Bush has requested \$35 million for the Great Lakes Legacy Act in FY 2009.

### Key Points in Support of Great Lakes Legacy Act Funding

- **Legacy Act funding is a priority for the Great Lakes states:** The Great Lakes States, acting through the Great Lakes Commission and the Council of Great Lakes Governors, have identified Legacy Act funding as a priority, as did the Restoration Strategy developed under the Great Lakes Regional Collaboration.
- **Cleanup projects are ready for implementation:** Cleanup projects have been "scoped out" and are ready for implementation. Many vital projects will not be implemented without full funding for the Legacy Act in FY 2009.
- **Cleaning up the Areas of Concern is critical to restoring the Great Lakes:** The Great Lakes Legacy Act is the cornerstone of the Areas of Concern cleanup program and must be fully funded to maintain progress in restoring the Great Lakes and to meet U.S. obligations under the Great Lakes Water Quality Agreement.
- **Area of Concern cleanup priorities are well documented:** The strong demand for support under the Legacy Act reflects years of research and planning devoted to restoring the Areas of Concern. Their cleanup needs are well documented and deserve Congressional support in the form of full funding for the Great Lakes Legacy Act.
- **Full funding for the Legacy Act is part of the President's Commitment to the Great Lakes:** Local stakeholders in the 30 U.S. and binational Areas of Concern expect Congress and the President to fully fund the Legacy Act to demonstrate support for recommendations developed under the Great Lakes Regional Collaboration.
- **Contaminated sediment cleanups increase property values and promote economic development:** The Areas of Concern include valuable waterfront areas that are vital to local economic development. Studies project that property values in areas near contaminated sites will increase by up to 25% after the sites are cleaned up.



Prepared by the Great Lakes Commission as part of its mandate to advocate on behalf of the eight Great Lakes states on issues of common interest related to the use, management and protection of the water, land and other natural resources of the Great Lakes-St. Lawrence system. Contact Matt Doss, 734-971-9135, [mdoss@glc.org](mailto:mdoss@glc.org).

## Great Lakes Legacy Act Project Listing

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Summaries of projects proposed for funding under the Great Lakes Legacy Act are available from the U.S. EPA-Great Lakes National Program Office at <http://www.epa.gov/glnpo/sediment/legacy/projlst.html>.

Completed Remediation and Assessment Projects	Applicant	Cost (Federal/Nonfederal)	Description
<b>Detroit River, Michigan:</b> Remediation of the Black Lagoon, Trenton Channel, Trenton, MI	Michigan Department of Environmental Quality	\$8.7 million (\$5.6 million / \$3.1 million)	Remediated 115,000 cubic yards of contaminated sediment. Completed in September 2005.
<b>St. Louis River, Wisconsin:</b> Remediation of Hog Island Inlet-Newton Creek, Superior, WI	Wisconsin Department of Natural Resources	\$5.7 million (\$3.7 million / \$2 million)	Remediated 46,000 cubic yards of contaminated sediments. Completed in November 2005.
<b>Muskegon Lake, Michigan:</b> Remediation of Ruddiman Creek, Muskegon, MI	Michigan Department of Environmental Quality	\$14.2 million (\$8.9 million / 5.3 million)	Remediated 90,000 cubic yards of contaminated sediments. Completed in June 2006.
<b>Muskegon Lake, Michigan:</b> Assessment of contaminated sediments in Ryerson Creek, Muskegon, MI	Michigan Department of Environmental Quality	\$310,000 (\$200,000 / \$110,000)	Evaluation of contaminated sediments in Ryerson Creek, Division St. outfall, and Heritage Landing on Muskegon Lake. Sampling and analysis conducted in fall 2005 and reporting completed in fall 2006.
<b>St. Marys River, Michigan:</b> Remediation of Tannery Bay, Sault Ste. Marie, MI	Phelps Dodge Corp & Michigan Dept. of Environmental Quality	\$8 million (\$4.8 million / \$2.6 from Phelps Dodge and \$600,000 from Michigan)	Remediation of 40,000 cubic yards of contaminated sediments. Completed in September 2007.
Projects Underway	Applicant	Cost (Federal/Nonfederal)	Description
<b>Ashtabula River, Ohio:</b> Remediation of the Ashtabula River, Ashtabula, OH	Ashtabula City Port Authority	\$60 million (\$30 million / \$30 million)	Remediation of 500,000 cubic yards of contaminated sediments. 25,000 pounds of PCBs were removed from the river. Landfill construction was completed in August 2006. Dredging began in September 2006 and was completed in October 2007. Landfill is scheduled to be closed and capped in fall 2008.
<b>Detroit River, Michigan:</b> Remedial Investigation and Feasibility Study of the Riverview site on the Trenton Channel, Trenton, Michigan.	Michigan Department of Environmental Quality	\$500,000 (\$325,000 / \$175,000)	Remedial Investigation and Feasibility Study (RI/FS) to develop and select the most appropriate option to remediate contaminated sediments at the Riverview sites on the Detroit River. The RI will evaluate the magnitude and extent of sediment contamination and will be followed by the FS, which will establish remedial goals, identify and evaluate remedial options, and recommend a remedial alternative, consistent with the Great Lakes Legacy Act.
<b>St. Louis River, Wisconsin:</b> Evaluation of sediment contamination on the Wisconsin side of the St. Louis River.	Wisconsin Department of Natural Resources	\$600,000 (\$390,000 / \$210,000)	The project will evaluate the nature and extent of sediment contamination on the Wisconsin side of the St. Louis River. It is an amendment to the Hog Island Inlet sediment remediation project.
<b>Buffalo River, New York:</b> Remedial Investigation/Feasibility Study in the Lower Buffalo River, including the Buffalo Harbor and City Ship Canal, Buffalo, NY.	Buffalo/Niagara Riverkeeper	\$800,000 (\$400,000 / \$400,000)	Project has two components: 1) conduct a Remedial Investigation to identify the extent and magnitude of contaminated sediments in the Lower Buffalo River, including the Buffalo Harbor and City Ship Canal; and 2) conduct a Feasibility Study to establish remedial goals, evaluate remedial alternatives, and select the option(s) consistent with the Great Lakes Legacy Act.

<b>Grand Calumet River, Indiana:</b> West branch of the Grand Calumet River, Hammond, IN.	Indiana DEM and Indiana DNR	\$450,000 (\$290,000 / \$160,000)	This project will provide the final engineering design for the potential sediment remedial action.
<b>Milwaukee Estuary, Wisconsin:</b> Kinnickinnic River, Milwaukee, WI.	Wisconsin DNR	\$200,000 (\$130,000 / \$70,000)	This project will provide supplemental design and remedial planning for the proposed sediment remedial action.
<b>Muskegon Lake, Michigan:</b> Feasibility study for the Division Street outfall site, Muskegon, MI.	Michigan Department of Environmental Quality	\$300,000 (\$195,000 / \$105,000)	2007; Project continues work conducted on the Division Street outfall in 2005. This phase is conducting a feasibility study to assist engineering design work for a potential future Legacy Act remedial action at the site. Mercury contamination is the significant issue.
<b>Other Potential Projects</b>	<b>Applicant</b>	<b>Anticipated Request for Legacy Act Funding*</b>	<b>Projected Start Date and Description*</b>
<b>Maumee River, Ohio:</b> Contaminated sediment remediation in the Ottawa River, Toledo, OH	City of Toledo	\$7.5 million	2009; Proposed remediation of areas with highest PCB concentrations. Sampling completed and investigation of ongoing sources to begin soon.
<b>Detroit River, Michigan:</b> Contaminated sediment remediation at the Riverview site, Trenton Channel, Detroit, MI	Michigan Department of Environmental Quality	\$10 million	2008; Proposed remediation of an estimated 120,000 cubic yards of contaminated sediments. Ongoing negotiations could affect schedule.
<b>Milwaukee Estuary, Wisconsin:</b> Contaminated sediment remediation in the Kinnickinnic River, Milwaukee, WI	Wisconsin Department of Natural Resources	\$14.3 million	2008; Proposed remediation of an estimated 100,000 cubic yards of PCB and PAH contaminated sediments. Engineering design currently underway
<b>Grand Calumet River, West Branch, Indiana:</b> Contaminated sediment remediation in the west branch of the Grand Calumet River, Hammond, IN	Indiana Dept. of Environmental Management and Hammond Sanitary Dist.	\$13 million	2008; Remediation of 120,000 cubic yards of contaminated sediment in the west branch of the Grand Calumet River.
<b>Muskegon Lake, Michigan:</b> Remediation project for the Division Street outfall site, Muskegon, MI.	Michigan Department of Environmental Quality	\$13 million	2008; Proposed remediation of sediments contaminated with mercury, oil and grease.
<b>Buffalo River, New York:</b> Remediation in the Lower Buffalo River, including the Buffalo Harbor and City Ship Canal, Buffalo, NY.	To be determined	\$10 million	2009; Remediation of contaminated sediments in the lower Buffalo River.
<b>Estabrook River, Milwaukee Estuary AOC, Milwaukee, WI:</b> Remediation in the Estabrook River.	State of Wisconsin	\$17 million	2008; Remediation of contaminated sediments in the Estabrook River.

\* Costs and sediment remediation volumes are rough estimates based on currently available information.