



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENTAL QUALITY
SOUTHEAST MICHIGAN DISTRICT OFFICE



LIESL EICHLER CLARK
DIRECTOR

March 21, 2019

Mr. Todd M. Walton
Ford Motor Company
Fairlane Plaza North, 8F
290 Town Center Drive
Dearborn, Michigan 48126

Dear Mr. Walton:

SUBJECT: RE: Livonia Transmission Plant – Consent Decree No. 2:17112372-GAD-
RSW; Force Majeure Determination; 36200 Plymouth Road; Livonia,
Wayne County, Michigan; DEQ Site ID No.: 82002970

In a letter dated March 14, 2019, you requested that the Michigan Department of Environmental Quality (DEQ), Remediation and Redevelopment Division (RRD), grant a 45-day extension to complete preemptive mitigation on the off-site properties. Based on our review of your request, the events described in your letter do not qualify as “Force Majeure” events as defined in the Consent Decree (CD).

As previously communicated to Ford, the intent of paragraph 6.6(d)(iii) of the CD is to allow Ford, in consultation with the DEQ, to undertake interim response activities as determined appropriate when there may be an immediate risk to human health. The DEQ did not want Ford to have to wait until the assessment was completed in order to submit the Response Activity Plan for vapor intrusion mitigation as specified in paragraph 6.6(b)(ii) of the CD or wait for DEQ approval as specified in paragraph 6.6(d)(ii) of the CD. An immediate risk to human health needs to be addressed as soon as possible and in the DEQ’s professional judgment, a 45-day time frame is an appropriate amount of time to complete the mitigation installations.

However, the DEQ does feel it is reasonable based on the home owners’ schedules and needs to grant an extension of 30 days in order to complete the installation of the mitigation systems at the following addresses:

12100 Boston Post

12101 Brewster

12121 Boston Post

12141 Boston Post

34544 Beacon

34424 Beacon

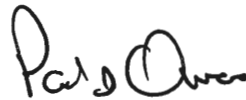
12070 Boston Post

Your letter provided a high-level summary of the delays and challenges Arcadis encountered in the installation of the mitigation systems. Please provide a detailed summary property by property of these delays and challenges. If an additional extension is required due to homeowners' schedules documentation and an additional request should be submitted to the DEQ for review.

An extension for additional homes not specifically listed is not granted. A detailed summary property-by-property would be required for these additional homes and provided to DEQ for review.

If you have additional questions regarding this matter, please contact Brandon Alger, Project Manager, at 586-623-2839, algerb@michigan.gov, or DEQ, RRD, 27700 Donald Court, Warren, Michigan 48092; or you may contact me.

Sincerely,



Paul Owens, District Supervisor
Southeast Michigan District Office
Remediation and Redevelopment Division
586-235-6990
owensp@michigan.gov

Enclosure

cc: Senator Dayna Polehanki
Representative Laurie Pohutsy
Mr. Shawn Collins, The Collins Law Firm, PC
Mr. Paul Bernier, City of Livonia
Ms. Maureen Franklin, Wayne County DNVCW
Mr. Kris Hinskey, Arcadis
Mr. Aaron Cooch, DHHS
Ms. Alexandra Rafalski, DHHS
Mr. Brian Negele, MDAG
Ms. Cyndi Mollenhour, MDEQ-C&E
Mr. Darren Bowling, MDEQ-C&E
Ms. Beth Vens, MDEQ-RRD
Mr. Brandon Alger, MDEQ-RRD