



GRETCHEN WHITMER  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF  
ENVIRONMENT, GREAT LAKES, AND ENERGY  
WARREN DISTRICT OFFICE



LIESL EICHLER CLARK  
DIRECTOR

March 23, 2020

Mr. Todd Walton  
Ford Motor Company  
290 Town Center Drive, Suite 800  
Dearborn, Michigan 48126

Dear Mr. Walton:

**SUBJECT:** COVID-19 Force Majeure request for  
Off-site Response Activities at  
Livonia Transmission Plant  
36200 Plymouth Road, Livonia, Wayne County, Michigan, 48150  
EGLE Site ID Number: 82002970

The Department of Environment, Great Lakes, and Energy (EGLE), Remediation and Redevelopment Division received your correspondence dated March 17, 2020, for a "COVID-19 Force Majeure" and that off-site vapor intrusion (VI) sampling and mitigation work in residential homes and commercial business be temporary suspended for 30 days because of the current Coronavirus Disease (COVID-19) outbreak. This work is a requirement of the Consent Decree agreed upon by the Ford Motor Company and the State of Michigan and entered into court on July 27, 2017, Case No. 2:1712372-GAD-RSW (CD). EGLE has reviewed your request and has determined that it qualifies as a "Force Majeure event" pursuant to Paragraph 10.2 of the CD and grants the 30-day suspension.

The off-site activities that qualify for the COVID-19 Force Majeure are specifically identified in the March 17, 2020, correspondence and include: installation of the mitigation systems for the 3 homes, indoor air sampling and sub-slab soil gas sampling within 20 commercial businesses, and routine monitoring of mitigation systems within 10 residential homes. All other work required under the CD is expected to continue using "social distancing" strategies as specified by the Centers of Disease Control and Prevention (CDC) to mitigate COVID-19 transmission. If a residential mitigation system fails during this 30-day Force Majeure event, Ford will still be required to evaluate the mitigation system and conduct the needed repairs to make the system effective and operational using CDC social distancing strategies.

If you have any questions please contact Ms. Beth Vens, Assistant District Supervisor, at [vensb@michigan.gov](mailto:vensb@michigan.gov), or at 586-753-3825; or Mr. Brandon Alger, Project Manager, at [algerb@michigan.gov](mailto:algerb@michigan.gov), or at 586-623-2839; or you may contact me.

Sincerely,



Paul Owens, District Supervisor  
Warren District Office  
Remediation and Redevelopment Division  
586-235-6990  
[owensp@michigan.gov](mailto:owensp@michigan.gov)

cc: Senator Dayna Polehanki  
Representative Laurie Pohutsky  
Mr. Kris Hinskey, Arcadis of Michigan  
Mr. Paul Bernier, City of Livonia  
Wayne County Health Department  
Mr. Brian Negele, MDAG  
Ms. Alexandra Rafalski, DHHS  
Ms. Cyndi Mollenhour, EGLE  
Ms. Beth Vens, EGLE  
Mr. Brandon Alger, EGLE