



GRETCHEN WHITMER
GOVERNOR

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



LIESL EICHLER CLARK
DIRECTOR

November 9, 2021

CERTIFIED MAIL –
RETURN RECEIPT REQUESTED

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

Dear Mr. Walton:

SUBJECT: Compliance with Consent Decree No. 2:21712372 -GAD-RSW (CJ)
Sewer Investigation and Impact to Utility Corridors – Vapor Mitigation
Ford Livonia Transmission Plant (LTP)
36200 Plymouth Road, Livonia, Wayne County, Michigan
Site ID No.: 82002970

This letter serves to notify Ford Motor Company (Ford) that the Department of Environment, Great Lakes, and Energy (EGLE), Remediation and Redevelopment Division finds that Ford is not in compliance and or has not complied with the requirements of the Consent Decree No. 2:21712372 -GAD-RSW (CJ), entered with EGLE on July 21, 2017 (CD).

Ford has been aware of the migration of contamination (via groundwater) from the LTP property into the sewers both on and off the LTP property since at least 2019. From at least 2020, Ford has also been aware of the presence of vapors within the sewers due to the volatilization of the contaminants of concern (COCs) from both groundwater and likely sediments that exist within and are migrating into the sewers at concentrations that could pose an unacceptable risk if they migrate into the indoor air of structures located along Plymouth and Stark Roads and potentially Hawthorne Street and any other connecting sewers not already identified. EGLE has directed Ford to comply with the CD and conduct the necessary investigations to define the extent of contamination and vapors within the sewers, both on and off the LTP property. In May of 2021 Ford provided EGLE with information that indicated there may be an immediate risk to residential and commercial structures from the volatilization of COCs into the indoor air via the sewer corridors located on and off-site of the Ford LTP property.

By letter dated June 2, 2021, EGLE directed Ford to **immediately** undertake the response activities necessary to identify and mitigate all unacceptable risks, pursuant to Section 6.6(d)(iii) of the CD. To date, EGLE has not been provided with any information or documentation that demonstrates Ford has undertaken the response activities outlined in EGLE's June 2, 2021, letter which included:

1. Full characterization of the contamination (groundwater, sediment, and vapor) within the sewer corridor stepping out in all locations and directions where the detected vapor concentrations exceed the residential site-specific criteria to evaluate vapor migration in preferential pathways (sewers) and includes:

- a. Investigating both to the north and south along Stark Road, following any connections until their end.
- b. Determining if the sewer in Plymouth Road continues east beyond Stark Road, following any connections until their end.
- c. Identifying the presence and extent of any laterals intercepting the length of the sewer corridors where concentrations are above the applicable site-specific criteria, including any locations on the Ford property.
- d. At structures along the sewer corridor where vapors are identified, and concentrations are above the applicable site-specific criteria, Ford is required to document the laterals and their connections and determine if each structure does or does not connect to the sewer or portions of the sewer.

For each lateral and structure that is connected to the sewer corridors where vapor concentrations are above the applicable site-specific criteria, each lateral pipe must be evaluated for the presence of contaminated groundwater, sediment, and vapors, including the point of entry into the structure. For example, the P-traps, floor drains and wax seals should be inspected and deemed in good working condition and demonstrated to be capable of preventing the direct volatilization of vapors into the structure. If the structure has a sump, it should also be investigated for the presence of contaminated groundwater and the potential for direct volatilization of COCs into the indoor air.

Ford may in lieu of entering every structure, investigate each structure along the sewer corridor where concentrations are identified above the applicable site-specific criteria for the presence of an exterior vapor trap and sample between the exterior trap and the structure for the presence of contamination (vapors). If an exterior vapor trap was not present, Ford may elect to install an exterior vapor trap that aligns with the appropriate building code or further assess if the indoor plumbing within each structure is protective, is preventing the migration of vapors into the indoor air.

- e. At structures where it could not be demonstrated there was an exterior vapor trap preventing vapor migration or the indoor plumbing did not prevent the migration of vapors into the indoor air, Ford is to immediately conduct sampling of the indoor air and:
 1. At structures where indoor air concentrations exceeded the residential indoor air Recommended Interim Action Screening Levels), Ford is to immediately notify EGLE and the Department of Health and Human Services (DHHS).
 2. At structures where indoor air concentrations are not exceeded, indoor air sampling is to be conducted at regularly scheduled intervals (to be determined by DHHS) until the appropriate response activities to eliminate the risk can be completed.

Failure on the part of Ford to **immediately** conduct the response activities listed above to address the identified potential imminent and substantial endangerment of public health, safety and welfare is a violation of Paragraph 6.1(b) of the CD and may subject Ford to stipulated penalties pursuant to Section 15.1 for failure to comply with the requirements of the CD in the amounts set forth in Sections 15.2 and 15.3 of the CD.

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Compliance with Section 6.6(d)(iii) of the CD requires Ford to perform all necessary response activities both on and off the LTP property to abate any imminent and substantial endangerment to human health and the environment caused by the release of COCs by Ford at the LTP property. The CD requires Ford to comply with the requirements of both Part 201, Environmental Remediation, of the Natural Resources and Environmental Protection Act, Act 451 of 1994, as amended and to meet the performance objectives outlined in the CD.

Ford shall complete the response activities listed in this letter and provide to EGLE a report documenting the completion of all listed response activities **no later than 30 days** from the date of this letter. Ford shall include within the report, documentation of the response activities undertaken to eliminate any potential risks or identified risks to structures where the migration of vapors into the indoor air is occurring or has the potential to occur. If Ford fails to cure the violation cited above within the 30-day timeframe, stipulated penalties will begin to accrue and continue to accrue through the final days of completion of the performance of the response activity pursuant to paragraph 15.4 of the CD.

Pursuant to Section 6.14 of the CD, EGLE may take over the performance of response activities if Ford is performing or not performing response activities in a manner that may result in or cause an endangerment to human health. Ford is advised this letter serves as the thirty (30) days written notice required to be provided by EGLE to Ford prior to EGLE taking over the performance of the necessary response activities to assure the protection of the public health, safety, and welfare. Per the CD, Ford shall reimburse the State of Michigan for its costs to perform response activities, including any accrued interest.

If you have any questions regarding this matter, please do not hesitate to contact me.

Sincerely,



Jeanne Schlaufman
Environmental Quality Specialist
Warren District Office
Remediation and Redevelopment Division
SchlaufmanJ1@Michigan.gov

cc: Mr. Chuck Pinter, Ford Motor Company
Mr. Kris Hinskey, Arcadis of Michigan, LLC
Ms. Alexandra Rafalski, DHHS
Mr. Aaron Cooch, DHHS
Mr. Matthew Williams, EGLE
Ms. Cyndi Mollenhour, EGLE
Mr. Paul Owens, EGLE
Ms. Beth Vens, EGLE
Ms. Krista Reed, EGLE