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October 2, 2020

The Honorable Andrew Wheeler
Administrator
U.S. Environmental Protection Agency
William Jefferson Clinton Building
1200 Pennsylvania Avenue, N.W.
Washington, DC 204460

Dear Administrator Wheeler,

This letter is being sent to express my frustration that after 31 years the Arkema property located in Wyandotte and Riverview, Michigan has not been cleaned up, and there is still public no decisions or schedule to finalize clean-up of the site to protect the long-term the health and safety of the surrounding environment and my constituents.

Chemical operations at the Arkema East Site ceased in 1985 and at the Arkema West Site in 2008. In 1989, U.S. Environmental Protection Agency (EPA) and Arkema signed a Consent Order for Corrective Action under the Resource Conservation and Recovery Act (RCRA) for investigation and remedy study. In 2017, EPA provided a presentation to the City of Wyandotte that said remedies would be available for public comment in 2018. To this day, no clean-up plan has been presented.

It is also my understanding a final decision and schedule for soil cleanup and offshore impacted sediment remediation is contingent on the voluntary participation of Arkema in a Great Lakes Legacy Act (GLLA) project, known as the Detroit River-Upper Trenton Channel dredging project. This is unacceptable. A RCRA Corrective Action Enforcement Order should never be contingent on the voluntary actions of a company—EPA should be enforcing the order.

In a 2017 EPA presentation, the Agency said a recovery system is containing the Halowax oil on the northern end of the property. Offshore there is 66,868 cubic yards of sediments contaminated with historical releases of chloronaphthalenes, polycyclic aromatic hydrocarbons, mercury, and polychlorinated biphenyl compounds and oil.

This clean-up cannot continue to languish or the surrounding communities will be in continued danger. It is a hazard to public health and the environment. Please provide complete answers in writing to the following questions and concerns:

1. Why, after 31 years working with the company, has the property still not been cleaned up? What is a reliable schedule to clean-up the property moving forward?
2. EPA's policy is enforcement first, and polluter pays. Why is the RCRA order taking a backseat to the voluntary GLLA project in the Detroit River-Upper Trenton Channel?
3. Will EPA make available on its website the RCRA order, cleanup and investigation reports, and proposed future remedies? And if so, when will these be available?
4. Through correspondents between my office and EPA, we have learned that the remedial design phase of the Arkema site has not yet been completed. What is the current status and what has been the reason for the continued delay?
5. Additionally, EPA Region 5 has told my office it plans to issue a proposed final remedy for public comment on the entire site, both the East Site and West Site, in 2021. Is EPA still committed to finalizing a proposal in 2021 and once it is public what are the next steps?
6. Portions of the property are within the 100-year FEMA flood zone (listed as Zone AE on the map). What contingency is in place in the event this area experiences any harmful flooding?
7. The RCRA program has been woefully inadequate for addressing the site or even explaining a process for cleanup. EPA should consider listing the site on the National Priorities List. Will EPA evaluate this option by conducting a Pre-CERCLA Screening of the property?

The Arkema property straddles the cities of Wyandotte and Riverview and sits along the Detroit River. These communities deserve better than waiting another 5, 10, or 31 years for clean-up of this heavily contaminated property. Thank you in advance for your consideration of this important request and for EPA Region 5's prompt responses to my office's past inquiries on this issue. We look forward to a full response.

Sincerely,



Debbie Dingell
Member of Congress