

United States Senate

WASHINGTON, DC 20510

January 9, 2020

The Honorable Andrew Wheeler
Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Ave, N.W.
Washington, D.C. 20460

Dear Administrator Wheeler:

We write to request additional assistance by the Environmental Protection Agency (EPA) to the state of Michigan in responding to the hazardous chemicals leaking from the Electro-Plating Services (EPS) site in Madison Heights, Michigan. This includes assistance assessing the potential human health and environmental threats posed by the facility, and any others owned or managed by the same operator. We also request that the EPA work in coordination with the state of Michigan in identifying long-term solutions, including remediation options, to prevent further migration of toxic waste associated with the hazardous site(s).

While we recognize the significant number of contaminated sites across the state and the nation, EPA regional response staff have characterized the level of hazardous waste mismanagement by EPS Owner Gary Sayers as “unprecedented.” Since 1967, the company utilized copper, tin, bronze, cadmium, nickel, chrome, gold, silver, zinc and lead, and with systemic mismanagement left behind a dangerous cocktail of chemicals including sodium cyanide, trichloroethylene, lead, as well as the hexavalent chromium recently identified in the liquid seeping from an embankment along Interstate 696. EPS was issued an immediate cease and desist order in December 2016 due to the owner’s repeated and serious mismanagement of hazardous waste. At the request of the state at the time, EPA conducted an emergency clean-up intended to address the immediate hazards found on the site, which concluded in January 2018.

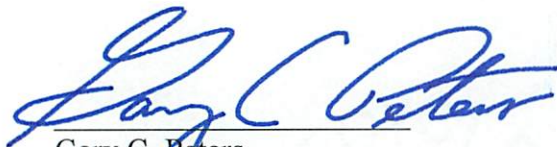
Michigan’s Department of Environment, Great Lakes & Energy (EGLE) has briefed our offices on the March 2019 preliminary site assessment submitted to EPA in order to determine the site’s eligibility for Superfund. The assessment identified significant contamination at the site, yet also concluded there was no risk to drinking water and a low risk for migration of contaminants off-site. EPA signed the state’s assessment, suggesting the agency’s concurrence with the state’s determination at the time. Given the current presence of the hexavalent chromium offsite, the state is reassessing the earlier site assessment. Governor Whitmer has additionally ordered a review of the state’s pollution-inspection procedures and called for greater agency funding.

EPA's mission is to protect human health and the environment, and ensuring Michigan's access to clean and safe air and water is our shared priority. Unfortunately, we in Michigan know too well the consequences of government inaction when it comes to protecting drinking water. We are concerned about the potential risks from this site, given there are homes not more than 500 feet away, as well as day care centers, schools, and senior living facilities in the immediate area. To better understand the threat posed by this facility, we request EPA provide our offices with information on:

- 1) The current sampling and testing conducted or planned to be conducted to assess potential risks to human health and the environment, including the full list of potential contaminants being assessed;
- 2) The extent and levels of contamination, when known, to help inform a permanent solution to protect human health and the environment;
- 3) Current known spread of the contamination;
- 4) Potential pathways for the contamination to further migrate into the air, water, or soil, to the extent known or reasonably expected;
- 5) EPA's updated reconsideration of the state's Superfund assessment for the site, when available;
- 6) EPA's assessment or inspection of any other properties owned or managed by Gary Sayers, given his record of illegally storing and transporting hazardous wastes between properties; and
- 7) EPA's suggested long-term solutions, including long-term remediation of the EPS site, to prevent further migration of toxic waste associated with the hazardous site(s).

EPA's continued presence and coordination with Michigan state agency staff will be essential to clean up and prevent further contamination. Thank you, in advance, for your expeditious consideration of our request.

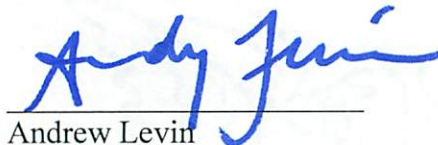
Sincerely,



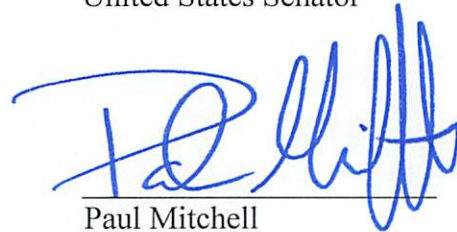
Gary C. Peters
United States Senator



Debbie Stabenow
United States Senator



Andrew Levin
Member of Congress



Paul Mitchell
Member of Congress