UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
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CHICAGO, IL 60604-3590

OCT 24 2018

Michael Samhat, President
MSC Land Company, LLC
12225 Stephens Road
Warren, MI 48089

Re: In the Matter of: McLouth Steel Facility, Trenton and Riverview, Michigan,
CERCLA Docket No.: V-W-18-C-012

Dear Mr. Samhat:

This letter serves as written notice to you that the United States, the State and EPA have fully executed the Settlement after their review of public comments received regarding the Settlement. None of the public comments disclosed any facts or considerations that indicate that the proposed Settlement is inappropriate, improper or inadequate.

In early August 2018, the parties signed the proposed Administrative Settlement Agreement and Covenant Not to Sue ("proposed Settlement"). EPA then published notice of the proposed Settlement in the Federal Register on August 14, 2018, and provided the public with an opportunity to submit comments during the period of August 14, 2018, through September 13, 2018. EPA and the Michigan Department of Environmental Quality held a public meeting in Trenton, Michigan, on September 5, 2018, which was well attended. During the comment period, the public submitted comments orally, in writing and through the internet. In total, EPA and the State of Michigan received and considered over 100 comments from the public and elected representatives.

The community expressed concerns on the following issues: the appropriate end use of the McLouth Steel facility; the safety of the demolition work; the pace of the surface water assessment; the need to protect the water quality in the Trenton Channel of the Detroit River; the use of the low occupancy PCB cleanup criteria; the ability to ensure performance of the promises made in the Settlement; and general concerns about the Superfund process. The Region and the State have prepared thorough responses to the public comments, which will be posted on the EPA's McLouth Steel website and sent by email to those persons who provided comments by email.

The Settlement, Paragraph 102 provides that the United States may modify or withdraw its consent to the Settlement if public comments disclose facts or considerations indicating that the Settlement is inappropriate, improper or inadequate. The United States, the State and EPA have reviewed the public comments on the proposed Settlement and prepared responses to the comments. A summary of those comments and responses to them is enclosed. None of the

public comments disclosed any facts or considerations that indicate that the proposed Settlement is inappropriate, improper or inadequate.

Accordingly, the Department of Justice on behalf of the United States, the Michigan Department of Environmental Quality on behalf of the State of Michigan and the U.S. Environmental Protection Agency have determined that it is not necessary or appropriate to modify or withdraw their consent to the proposed Settlement, and the Settlement is now deemed fully executed.

The Region looks forward to productive working relationships with you, your staff and your contractors as collectively we work to reduce threats to human health and the environment, and bring real change to the Downriver Community. Please contact Steven Kaiser at 312-353-3804 if you should have any questions.

Sincerely,

James O. Payne for

Cathy Stepp
Regional Administrator

Enclosure

EPA and MDEQ's Responses to Public Comments

CC: Dave Kline (MDEQ)
Polly Synk (Michigan AG)
Jeffrey H. Wood (DOJ)

THE UNITED STATES DEPARTMENT OF JUSTICE,
THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY,
REGION 5, AND
THE STATE OF MICHIGAN

IN THE MATTER OF: McLouth Steel Facility Trenton and Riverview, Michigan MSC Land Company, LLC Purchaser Proceeding Under the Comprehensive Environmental Response, Compensation and Liability Act, 42 U.S.C. §§ 9601-9675; the Solid Waste Disposal Act, 42 U.S.C., §§ 9601-9675; and Part 111, Hazardous Waste Management, of Michigan's Natural Resources and Environmental Protection Act) 1994 PA 451, as amended, MCL 324.101	CERCLA Docket No. V-W-18-C-012 ADMINISTRATIVE SETTLEMENT AGREEMENT AND COVENANT NOT TO SUE

The Environmental Protection Agency and the Michigan Department of Environmental Quality's Response to Public Comments on the Administrative Settlement and Covenant Not to Sue Relating to the Former McLouth Steel Facility Trenton and Riverview, Michigan

1.0 Introduction

This responsiveness summary was prepared in accordance with the requirements of Section 117(b) of the Comprehensive Environmental Response, Compensation and Liability Act, 1980 PL 96-150 ("CERCLA"), as amended, and Section 7003(d) of the Resource Conservation and Recovery Act of 1976, as amended ("RCRA"). The purpose of this responsiveness summary is to summarize and respond to significant public comments, criticisms, and new information submitted during the public comment period on the Administrative Settlement and Covenant Not to Sue ("Settlement").

2.0 Community Involvement

A formal public comment period on the Settlement ran from August 14, 2018, to September 13, 2018. Notice of the comment period and public meeting on the Settlement was published on August 14, 2018, in the *Federal Regi*ster (83 FR 40276 - Page: 40276-40278) and on August 19, 2018, in the *News-Herald.* Fact sheets were hand-delivered to the municipal buildings in Riverview, Trenton, and Grosse Ile and to public libraries in Riverview and Trenton on August 20, 2018. The Environmental Protection Agency (EPA) made a formal announcement of the Settlement comment period during the Trenton City Council meeting on August 20, 2018. The fact sheet and public announcements provided information on how to access the Settlement, as well as links to other key documents, and information on the public meeting held on September 5, 2018, in Trenton, Michigan.

Individuals sent written comments through the mail or electronically. Written and verbal comments were also received at the public meeting held on September 5, 2018, in Trenton, Michigan. The EPA will post these responses to public comments and a transcript of the meeting once it is finalized at https://cumulis.epa.gov/supercpad/cursites/csitinfo.cfm?id=0502434 .

3.0 Comments and Responses

Comments were received from individuals, local elected representatives, and local civic groups covering a range of topics and varying perspectives. To facilitate the response, the public comments were separated and grouped into the following categories:

A. Concerns that the industrial/commercial development is inappropriate;

B. Concerns about the safety and monitoring of the demolition work and other work at the Property;

C. Concerns about the pace of the surface water assessment and protection of the Detroit River;

D. Concerns about the use of non-residential cleanup criteria and a low occupancy, PCB cleanup criteria of 25 parts per million;

E. Concerns about elements of the Settlement and the Superfund process;

F. Concerns about enforcement of the Settlement;

G. Concerns about when and how the EPA and the State will communicate with the public; and

H. Concerns about doing business with the Moroun family, related entities, and successors-in-interest.

Appendix A provides all the public comments on the Settlement and identifies which categories each of the comments were placed in. A summary of public comments received and agency responses is provided below by category. Appendix B provides a list of frequently used terms and acronyms in this document.

A. Concerns that the industrial/commercial development is inappropriate

Comment A.1. The Purchase and Development Agreement ("PDA") between Wayne County ("the County") and Crown Enterprises, Inc. ("Crown") anticipates industrial or commercial development, which is inconsistent with other plans and visions for the Downriver Area including the vision expressed in the Trenton Coast Resiliency Master Plan.

Response: The Settlement sets forth commitments that will be undertaken by MSC Land Company, LLC ("the Purchaser"). The Settlement defines and establishes interim actions to be taken by the Purchaser within an ~183-acre parcel known as "the Property," but the Settlement does not identify or select final response actions for the Property. Nothing in the Settlement alters the authority of the City of Trenton to zone the Property or limits the Purchaser's obligation to comply with the requirements of existing or future zoning restrictions. The Purchaser must comply with the substantive requirements of all federal and state laws and regulations. See Settlement, Section XII, Paragraph 59.

Neither the Environmental Protection Agency ("EPA") nor the Michigan Department of Environmental Quality ("the State" or "MDEQ") is party to the PDA and neither has authority to zone or define current or future land use. Decisions regarding the zoning and development of the Property (Attachment A of the Settlement) have been and will continue to be made by the local municipalities, Trenton and Riverview, Michigan. In the review of any final cleanup decision, the EPA and the MDEQ are required to consider the reasonably anticipated future land use of the property, which includes review and consideration of local zoning and land use master plans.

Comment A.2. The Statement of Facts section should include a reference to the Trenton Coast Resiliency Master Plan or other plans that express a preference for a long-term usage of the Property that is other than industrial. The Purchase and Development Agreement ("PDA") referenced in the Statement of Facts conflicts with the master plan.

Response: The purpose of the Statement of Facts section is to briefly summarize the history of the Property and explain why the parties are entering into the Settlement. The Statement of Facts section neither imposes nor alters any requirements or legal obligations on any of the parties. The summary of Wayne County's PDA in Section IV, Paragraph 17, is simply a summary of the PDA and not an endorsement of intended future use.

Comment A.3. Does construction of an industrial development on the Property require a change in zoning from the current "mixed use" designation?

Response: As set forth above in the response to Comment A.1., the Settlement does not alter local zoning authority or waive compliance with local zoning ordinances. Whether construction of an industrial development on the Property requires a change in zoning is a question best directed to local authorities.

Comment A.4. The Environmental Protection Agency (EPA) should not be subsidizing a private corporation 400% more than the buyer's investment to buy and clean up the Property. If federal funds are going to be used to clean up the Property, then the Property should be retained for public use such as a state, county or federal park.

Response: Wayne County has exercised its authority to divest its interest in the Property to a private party for development. The Settlement provides for implementation of interim response actions by a prospective purchaser of the Property.

In specified circumstances, including after listing a site on the National Priorities List, the EPA has authority under the Comprehensive Environmental Response, Compensation, and Liability Act ("CERCLA") to spend Superfund monies to respond to releases or threatened releases of hazardous substances. Section 107 of CERCLA authorizes the government to recover response costs it incurs from specified classes of liable parties. CERCLA, however, does not provide the EPA with broad authority to acquire or retain property for public purposes.

Decisions regarding the nature, scope, and cost of final remedial measures for the Property have not been made at this point and are outside the scope of the Settlement. The Settlement does not establish a present commitment for any expenditure of public resources for the Property, and the extent of any public expenditures required to complete cleanup of the Property is speculative at this time.

Comment A.5. The Settlement limits future development by employing industrial or non-residential rather than residential cleanup standards.

Response: The Settlement only establishes cleanup standards for certain interim measures in specified areas of the Property. It does not contain final cleanup standards. The Environmental Protection Agency ("EPA") and the Michigan Department of Environmental Quality ("MDEQ") have not yet determined the long-term cleanup requirements for soils, sediments, surface water, or groundwater. The long-term cleanup criteria will be selected after the EPA completes a full Remedial Investigation and Feasibility Study ("RI/FS"). The RI/FS process includes the collection of data necessary to adequately characterize the Site to develop and analyze effective remedial alternatives. This process will include a baseline risk assessment to characterize current and potential threats to human health or the environment that may be posed by contaminants at the Site to groundwater or surface water, released to the air, or those remaining in the soils. The

risk assessment will help to define final exposure levels for the Site based on the current or reasonably anticipated uses of the Site at the time.

The EPA will propose the long-term cleanup criteria in a document called the Proposed Plan, that describes the EPA's proposal for long-term remediation of the Site. As part of the Community Relations Plan, sometimes referred to as a Community Involvement Plan, the EPA and the MDEQ anticipate extensive public participation and multiple opportunities for input into the development of the Proposed Plan from local governments and concerned citizens. In addition, the EPA will publish the Proposed Plan for public comment and will hold a public meeting to explain and accept comments on the Proposed Plan before issuing a final remedial action plan in a document called the Record of Decision ("ROD"). The ROD will incorporate standards under federal and state laws that are applicable or relevant and appropriate at the Site as well as risk-based levels to protect from exposure to systemic toxicants and known or suspected carcinogens.

Remediation goals for residential use are often more stringent than non-residential goals because a person's frequency and duration of exposure is greater in a residential context than in a non-residential context. In determining whether to use residential or non-residential use levels, the EPA and the MDEQ consider the current land use and the reasonably anticipated future use. Currently, the Property is zoned for mixed use, which would allow for both residential and non-residential remediation as defined by Michigan Law.[1] For further discussion of the appropriate cleanup criteria, please see Comment D.1 and the Response.

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[1] "Residential" means that category of land use for parcels of property or portions of parcels of property where people live and sleep for significant periods of time such that the frequency of exposure is reasonably expected or foreseeable to meet the exposure assumptions used by the department to develop generic residential cleanup criteria as set forth in rules promulgated under this part. This category of land use may include, but is not limited to, homes and surrounding yards, condominiums, and apartments. MCL 324.201(l)(ss).

"Nonresidential" means that category of land use for parcels of property or portions of parcels of property that is not residential. This category of land use may include, but is not limited to, any of the following:
(i) Industrial, commercial, retail, office, and service uses.
(ii) Recreational properties that are not contiguous to residential property.
(iii) Hotels, hospitals, and campgrounds.
(iv) Natural areas such as woodlands, brushlands, grasslands, and wetlands.
However, the Property is currently unoccupied and the PDA between Crown and Wayne County anticipates non-residential development. Subparagraph 42.b.2 of the Settlement requires the Purchaser to obtain prior written approval from the EPA for development and use of the Property for residential use. MCL 324.201(l)(ii).

Comment A.6.: What uses have other steel making sites been put to after cleanup? Are there economic activities that will support the added cost of higher levels of remediation?

Response: The Settlement does not dictate an end use and neither the Environmental Protection Agency ("EPA") nor the Michigan Department of Environmental Quality ("MDEQ") are involved in selecting an end use. If the reasonably foreseen end use is residential, then the EPA and the MDEQ are likely to apply a residential cleanup standard, which may cost more to implement than an industrial cleanup standard.

B. Concerns about the safety and monitoring of the demolition work and other work at the Property

Comment B.1. The demolition of structures within the Property must be monitored to ensure that asbestos emissions are minimized. Gas and particulate emissions generated during the demolition of the structures must be contained.

Response: The demolition of structures within the Property will be performed by the Purchaser in accordance with federal and state law to ensure that asbestos and other emissions are minimized. The term "Demolition Requirement" is a defined term and can be found in the Settlement on Page 3. Paragraph 40 further explains the requirements associated with the Demolition Requirement and requires that the activities be undertaken in compliance with applicable federal and state law.

The federal government has established national standards that govern the demolition of structures that contain asbestos. See 40 C.F.R., Section 61.145, Subpart M. Michigan has adopted the federal standards, and the Environmental Protection Agency ("EPA") has delegated to Michigan the authority to enforce and implement the rules that govern the demolition of structures that contain asbestos. The procedures for asbestos emission control are set forth in Title 40 of the Code of Federal Regulations, Section 61.145(c). The demolition contractor must be appropriately licensed and employ personnel that have been trained and certified in asbestos abatement work. The contractor must perform the demolition work in accordance with all state and federal laws.

The Michigan Department of Environmental Quality ("MDEQ") intends to conduct routine oversight of the demolition activities identified in the Settlement. The Settlement provides in Section XXXIII that the Purchaser will pay certain MDEQ oversight costs. Oversight of the demolition by the MDEQ is a cost subject to reimbursement by the Purchaser.

The Settlement provides in Section XVIII that both the EPA and the State have retained their authorities to bring claims against the Purchaser for violations of federal or state law that begin on or after the Effective Date of the Settlement. These reservations of rights allow the EPA and the State to bring an action against the Purchaser or its contractor if either fails to comply with the federal and state laws that regulate emissions of asbestos during demolition.

Comment B.2. Should the downwind ambient air monitoring conducted for asbestos during demolition include monitoring for contaminants besides manganese?

Response: The demolition of structures will be performed in accordance with federal and state law. Neither federal nor state regulations require site-wide air monitoring for asbestos during demolition, although the regulations do require that the Purchaser take extensive precautions to minimize emissions. The Purchaser will demolish structures consistently with the federal standard adopted by the State. Work performed consistently with these standards, including use of personal air monitoring directly in the work zone, should minimize emissions of asbestos and other contaminants that would be associated with demolition and other site cleanup activities, within and beyond the work zone.

The air monitoring that will be required by the Dust Control Plan ("DCP"), and which will include fence-line monitoring for manganese, is required for all work at the Property. The DCP will include analysis for manganese because manganese is the only currently identified airborne exposure risk from soil. Other elements of the DCP will not be known until the Purchaser submits the DCP for the Environmental Protection Agency's ("EPA") review and approval. The EPA will only approve a DCP if it is confident that the DCP contains all necessary and authorized elements to protect human health and the environment. If other concerns are identified during the work, which are not addressed by the manganese monitoring, the EPA and the Michigan Department of Environmental Quality will address those concerns by requesting modification of the DCP.

The Settlement, Paragraphs 34 and 40, require the Purchaser to develop a Health and Safety Plan that covers the work associated with the Demolition Requirement. The Settlement, Paragraph 29, provides that the EPA's On-Scene Coordinator (Brian Kelly) has authority to halt work consistent with the authority vested by the National Contingency Plan. Persistently exceeding the manganese action level or other air quality concerns that are not promptly addressed would be cause to halt work.

Comment B.3. The required Dust Control Plan ("DCP") that the Purchaser will submit to the Environmental Protection Agency ("EPA") for review and approval will not be sufficient to protect Downriver residents.

Response: The EPA will ensure that the DCP that is approved and implemented by the Purchaser will be sufficient to protect local residents. The Settlement requires the Purchaser to submit a DCP for the EPA review and approval. Elements of the DCP are outlined in Appendix D, Paragraph 4, and include: covering haul roads with asphalt millings or other appropriate cover; wetting other exposed surfaces as required to control dust; decontaminating trucks before the trucks leave the Property; and dust monitoring for manganese at the Property line during Site activities.

If the EPA determines that the approved DCP is not protecting human health and the environment, the Purchaser will submit a revised DCP and implement the approved, revised DCP. See Settlement, Attachment 4, Paragraph 4. Manganese was selected for monitoring because it is a heavy metal known to be present in Property soils. If

manganese is not detected in the air in excess of health-based limits, it is unlikely that other contaminants are present above health-based limits. The EPA and the Michigan Department of Environmental Quality reaffirm their determination that the present provisions for the submission of the DCP will adequately protect human health and the environment. If other concerns, that are not addressed by the DCP are identified during the work, those concerns will be promptly addressed by appropriate monitoring and controls in accordance with state and federal law.

Comment B.4. Satisfaction of the demolition requirement should include removal of all debris, including contaminated debris.

Response: The Purchaser must comply with all relevant federal, state, or local laws, including laws pertaining to the Demolition Requirement. See Settlement, Section XII, "Compliance with Other Laws," Paragraph 59. The Demolition Requirement in the Settlement requires the Purchaser to comply with the applicable emissions standards; remove and dispose of all asbestos-containing materials encountered in the Structures; remove and dispose of all polychlorinated biphenyl-waste materials encountered in the Structures; and remove and dispose of all drummed or containerized solid or hazardous wastes in the Structures. See Settlement, Section III, "Definitions," definition of "Demolition Requirement," Page 3.

Section XVIII of the Settlement is entitled, "Reservations of Rights by United States and the State." It provides that the covenants not to sue do not pertain to liability resulting from exacerbation of Existing Contamination. If the Purchaser left contaminated debris on the Property, the Environmental Protection Agency and the Michigan Department of Environmental Quality could consider this an "exacerbation of Existing Contamination," which, if not remedied after proper notice, might result in the Purchaser losing the benefits of the covenants not to sue. Furthermore, the goal of the work and Demolition Requirement is to prepare the Property for redevelopment; redevelopment cannot occur if contaminated debris remains in place.

Comment B.5. What will happen to the contaminated materials including soils?

Response: Contaminated materials that result from the demolition work, including asbestos, polychlorinated biphenyl ("PCB")-containing materials, and drummed and containerized waste materials will be disposed of off-site consistently with the requirements set forth in Paragraph 39 of the Settlement. Contaminated water and sludges that will be removed by the Purchaser pursuant to the Settlement, Appendix D, Paragraph 6, will also be disposed of off-site. Waste materials will be characterized and disposed of appropriately in Toxic Substance Control Act licensed hazardous waste or solid waste facilities.

The Settlement, Appendix D, Paragraph 7, describes work regarding the investigation of possible PCB releases. The parties have identified five areas for investigation ("AFIs"). Surfaces of the AFIs where concentrations of PCBs above 25 parts per million ("ppm") have been identified may be either washed or removed and disposed of off-site; wash

water will be disposed of off-site. Soils where concentrations of PCBs above 25 ppm but below 50 ppm have been identified may remain in place subject to the interim measures requirements of Paragraph 7.e. Soils where concentrations of PCBs above 50 ppm have been identified may remain in place subject to the interim measures requirements of Paragraph 7.f.

The controls required in Paragraphs 7.e and 7.f must remain in place until either: (1) the Environmental Protection Agency ("EPA") approves termination of those measures based on site-specific risk; (2) the Purchaser moves forward with development in an area at which such measures have been implemented; or (3) the EPA issues a decision document that addresses any such area and takes response action to address any such area, whichever is earlier. Development work by the Purchaser must move forward consistently with the requirement in the Settlement, Paragraph 42.b.

Contaminated soils may also be generated during construction activities. See Settlement, Paragraph 44. The Purchaser is required to comply with all federal and state legal requirements applicable to any excavation and disposal or use of contaminated soil associated with the construction. Depending upon concentrations of contaminants in soils, current or anticipated land use, and the actual construction plans, soils might need to be removed and disposed of off-site; treated on-site; or capped, as appropriate.

Comment B.6.: A strategy for controlling airborne pollutants must be fully implemented. There must be air quality monitoring stations in multiple locations within a 10-mile radius of the Property.

Response: The major sources of air emissions are windborne dust and potential emissions from the demolition of structures. The Purchaser will submit for EPA review and approval a Dust Control Plan ("DCP"), and the demolition of structures will be done in accordance with federal and state laws designed to minimize air emissions. The Environmental Protection Agency and the Michigan Department of Environmental Quality expect the DCP to include monitoring at the Property fence line. Fence line monitoring will be able to determine whether contaminants are migrating beyond the Property. Requiring the Purchaser to install monitors located within a ten-mile radius of the Property would be inappropriate because such monitors would detect emissions from sources other than the Property, sources over which the Purchaser has no control and that are not relevant to releases of contaminants from the Property.

Comment B.7.: A strategy to ensure that vehicles are free of soils prior to exiting the Property and a method to treat the wastewater from this process must be fully operational. There must be monitoring of the roadways, and railways that exit the property.

Response: The Environmental Protection Agency and the Michigan Department of Environmental Quality will ensure that the Dust Control Plan and Traffic Control Plan require that vehicles be free of soils prior to exiting the Property; wastewater will be

captured and treated and discharged or disposed of in accordance with applicable federal and state laws.

Comment B.8.: The Settlement must require the Environmental Protection Agency ("EPA") to operate ongoing monitoring of stormwater runoff, groundwater, soil and airborne contamination, and make such data available to the public.

Response: Stormwater runoff will be managed in accordance with state and federal law. The Purchaser will assess options for stormwater management on the Property and summarize those options in a stormwater management report ("SWMR"). See Settlement, Attachment D, Paragraph 5. Federal law does not obligate the EPA to monitor stormwater runoff or groundwater migration. The EPA and the Michigan Department of Environmental Quality have proposed listing the Site on the National Priorities List to secure funding for a Remedial Investigation and Feasibility Study ("RI/FS"). During a RI, the EPA will analyze existing data on stormwater runoff and groundwater migration, as well as data developed by the Purchaser and, as necessary, supplement this data with additional monitoring data to propose appropriate actions to mitigate impacts to the Detroit River. The EPA will share with the public the data developed during the Remedial Investigation. The Dust Control Plan will provide for monitoring of airborne contamination and the monitoring results will be made available to the public.

Comment B.9.: Who will be responsible for the laboratory testing of air monitoring samples, the Purchaser, the Environmental Protection Agency ("EPA") or the Michigan Department of Environmental Quality ("MDEQ")?

Response: The Purchaser will be responsible for the collection and laboratory testing of air monitoring samples. The Purchaser must use approved sampling and laboratory methods to ensure the accuracy of the results. The Purchaser is required to submit a Sampling and Analysis Plan to the EPA and the MDEQ for review and approval. That plan will include a Field Sampling Plan and Quality Assurance Project Plan to assure that samples are properly collected, handled, and analyzed consistent with EPA guidance. The approved plans become an enforceable part of this Settlement, and the EPA and the MDEQ retain the right to inspect such laboratories and provide samples to assure quality of the results. In addition, the Purchaser is required to assure that the laboratories it uses comply with competency requirements set forth in the EPA policy. See Settlement, Paragraph 36. The EPA and the MDEQ may collect their own samples or request split samples for separate analysis to confirm the accuracy of the sampling results.

Comment B.10.: What is the environmental impact associated with demolition of the structures?

Response: Demolition of structures will be done in accordance with federal and state laws designed to minimize air emissions of asbestos and other waste materials. Leaving the structures in place to deteriorate also poses risks of releases of asbestos and other waste materials.

C. Concerns about the pace of the surface water assessment and protection of the Detroit River

Comment C.1. Stormwater runoff associated with the demolition of the structures must be handled and contained so that storm water runoff from the Property does not jeopardize the area groundwater or nearby waterways.

Response: The Environmental Protection Agency ("EPA") and the Michigan Department of Environmental Quality ("MDEQ") recognize that construction is a major cause of erosion and sedimentation. Part 91, Soil Erosion and Sedimentation Control ("SESC"), of the Michigan Natural Resources and Environmental Protection Act, 1994 PA 451, as amended ("NREPA"), requires a person to obtain a permit when the person intends to disturb one or more acres or is within 500 feet of a lake or stream. Counties have the primary responsibility for issuing permits, but the City of Trenton has assumed permitting responsibility within its jurisdiction. No earth change may take place until SESC measures are in place, inspected, and approved by the City of Trenton Engineering Department.

The Settlement does not relieve the Purchaser of its obligation to obtain a Part 91 permit for the work associated with the Demolition Requirement. The Purchaser will develop and submit for review and approval an SESC Plan. The SESC Plan will include control measures to minimize erosion and to prevent off-site sedimentation. The EPA and the MDEQ expect the Purchaser's SESC Plan to include the following elements: regrade the Property to eliminate sheet flow to the Trenton Channel and adjacent properties; install a silt fence and a berm along the Trenton Channel and around the remainder of the Property boundary; and collect stormwater in temporary channels and/or an infiltration basin, if necessary.

Section XII of the Settlement is entitled, "Compliance with Other Laws." The Purchaser must comply with all relevant federal, state, or local laws, including laws pertaining to the Demolition Requirement and Soil Erosion and Sedimentation Controls (Part 91).

Section XVIII of the Settlement is entitled, "Reservations of Rights by United States and the State." It provides that the covenants not to sue do not pertain to liability resulting from exacerbation of Existing Contamination. If the Purchaser fails to implement soil erosion and sedimentation controls during the demolition phase, the EPA and the MDEQ might consider this failure and the consequences that flow from it an "exacerbation of Existing Contamination." Exacerbation of existing contamination would be a breach of the Settlement and might result in the Purchaser losing the benefits of the covenants not to sue.

Comment C.2. The Settlement does not adequately address storm water issues.

Response: See Response to Comment C.1, above. The Environmental Protection Agency and the Michigan Department of Environmental Quality have determined that the

Settlement adequately addresses stormwater issues on an interim basis. Currently, stormwater is not controlled at the Property. Surface water may become contaminated by contact with contaminated soils, as well as by contact with contaminated water and sludges, which are located within the Property. The Settlement requires the Purchaser to remove large volumes of contaminated water and sludges from 23 subsurface structures, each of which is a potential source of stormwater contamination. The Settlement does not excuse the Purchaser from bringing the Property into compliance with the Clean Water Act.

Comment C.3.: Stopping toxic chemicals from going into the Detroit River should be a priority before anything else.

Response: The Settlement prioritizes the removal of contaminated water and sludges from 23 subsurface structures within the Property. These subsurface structures contain large quantities of contaminated water and sludges. These waters and sludges have been and continue to be ongoing sources of groundwater and surface water contamination. Removing these source materials is a significant first step in reducing the migration of contamination from the Property to the Detroit River. The erosion and sediment controls that the Purchaser will put in place because of the demolition work will also reduce the migration of contaminants from the Property to the Detroit River. See Response to Comment C.1, above. The Environmental Protection Agency and the Michigan Department of Environmental Quality have proposed the Site for inclusion on the National Priorities List to secure funding to perform a Remedial Investigation and Feasibility Study ("RI/FS"). The RI will develop data and the FS will evaluate options for the long-term protection of the Detroit River.

Comment C.4. Hot spots in sediments in the Detroit River should be remediated.

Response: The Settlement sets forth certain interim measures to be taken by the Purchaser. Sediments are expected to be evaluated as part of the Remedial Investigation ("RI") and are outside of the scope of the Settlement. The Settlement addresses certain conditions that exist within the ~183-acre parcel known as the Property. The Settlement does not address sediments in the Detroit River unless the Environmental Protection Agency ("EPA") can show that the Purchaser has exacerbated existing contamination in a manner that impacts sediments in the Detroit River. See Settlement, Section XVIII, Paragraph 79.

The EPA anticipates performing a RI, which will collect data to characterize sediments along the eastern boundary of the Property. If sediments contain hazardous substances, pollutants, or contaminants above action levels, the sediments will be addressed in a Proposed Plan and Record of Decision. In addition to the Superfund program, the EPA also manages the Great Lakes National Program Office ("GLNPO"). GLNPO has been involved in sediment cleanup projects in the Detroit River upstream of the Property. GLNPO is currently conducting investigation activities in its continued efforts to address contaminated sediments in the Riverview and Trenton areas.

Comment C.5. Wetlands along the Trenton Channel of the Detroit River should be restored and there should be public access to the River.

Response: The Settlement sets forth certain interim measures to be taken by the Purchaser. Wetlands are outside of the scope of the Settlement but are expected to be evaluated as part of the Remedial Investigation and remedial action decision, if necessary. In addition, the Environmental Protection Agency ("EPA") will notify federal natural resource trustees and the Michigan Department of Environmental Quality ("MDEQ") will notify state natural resource trustees that resources near the Property may have been impacted. These trustees have the authority to evaluate the impacts to federal and state natural resources, like wetlands, and bring claims for damages to natural resources.

Section XVIII of the Settlement is entitled, "Reservations of Rights by United States and the State." In this section, both the EPA and the MDEQ reserve their rights to bring actions for "damages for injury to, destruction of, or loss of natural resources, and for the costs of any natural resource damage assessments."

The local community makes decisions about zoning and public access to the Detroit River and its banks. As noted above, the EPA and the MDEQ will consider current and reasonably foreseeable future land uses in the development of final cleanup levels for the Proposed Plan. Neither the EPA nor the MDEQ has authority to make determinations regarding zoning or land use or to require public access to the Detroit River.

Comment C.6. What is currently entering the environment (especially the water) from the Property? Is there any monitoring going on now, especially of ground water and rainwater runoff?

Response: Surface water samples collected by the Michigan Department of Environmental Quality in November 2015 from the Monguagon Creek (at the northern end of the Riverview/Trenten Railroad Company property) did not reveal the presence of any organic compounds or inorganic analytes at levels of environmental concern. Groundwater on the southern property was sampled and analyzed in 2015 and found to contain volatile organic compounds 2-butanone, benzene/ethylbenzene/toluene/xylene ("BETX") Compounds, Cis-1,2-dichloroethene, Methyl acetate, Methylcyclohexane, and Vinyl chloride; semi-volatile compounds 2,4-dichlorophenol, 2-chloronaphthalene, 2-methylphenol, 4-methylphenol, Naphthalene, N-nitroso-di-n-propylamine, and Phenol; a low-level of the pesticide Alpha-BHC; and several inorganic analytes including Antimony, Arsenic, Cadmium, Cobalt, Cyanide, Manganese, Vanadium, and Zinc. Currently, there is no monitoring of groundwater or rainwater runoff.

Comment C.7.: The Settlement should require the Purchaser to complete the storm water assessment in less than 18 months and should require immediate actions to prevent storm water runoff into the Detroit River.

Response: Steps will be taken almost immediately following the transfer of title from the Wayne County Land Bank to the Purchaser to prevent migration of contaminants from the Property to the Detroit River. These steps include those required to comply with Part 91, Soil Erosion and Sedimentation Control, of Michigan's Natural Resources and Environmental Protection Act, and are likely to include grading of the eastern portion of the Property to prevent flow to the Trenton Channel; the installation of silt fences and berms; and the collection of stormwater in temporary channels and/or an infiltration basin, if necessary.

During demolition work (Paragraph 40) and the cleanup of the 23 subsurface structures (Settlement, Attachment D, Paragraph 6), the Purchaser is expected to install silt fences and do rough grading as necessary to divert stormwater from work areas. Interior floor drains and process drains will be permanently sealed as each subsurface structure is addressed. The pits, ponds, sumps, and basements will be drained, cleaned, and backfilled.

The Environmental Protection Agency, the Michigan Department of Environmental Quality, and Purchaser have discussed whether the stormwater assessment can be completed in less than 18 months and have concluded that it cannot. The stormwater assessment must evaluate a large (~183 acres) and complex area. The subsurface of the Property contains a system of piping associated with the former steel operations and wastewater treatment system. The Purchaser did not construct or operate this subterranean piping system so does not have first-hand knowledge of the system. The Purchaser has, however, acquired drawings and diagrams of this system from the previous owner.

To complete the stormwater assessment, the Purchaser must verify the existence of this underground piping system. Many of these pipes are expected to be located near the bottom of the 23 subsurface structures being addressed under the Settlement. The Purchaser will address these subsurface structures over a period of 18 months. Information gathered through the process of draining and cleaning these structures, including verifying the existence of piping and drains, is integral to the completion of the stormwater assessment. The information gathered will enable the Purchaser to identify which catch basins are connected to "Clean Water" piping, and determine connections between existing on-site stormwater, off-site stormwater, and process water piping. During this process, the Purchaser will also evaluate drainage areas, runoff flow, and stormwater composition. While this work is underway, the Purchaser will install soil erosion and sediment protection controls.

Comment C.8.: A method of treating storm water, wastewater, and run-off from the Property must be fully operational. There must be water quality monitoring stations at multiple points down stream.

Response: Stormwater and wastewater will be managed in accordance with federal and state law. The Environmental Protection Agency expects to conduct surface water monitoring as part of a Remedial Investigation. The Stormwater Management Report (Settlement, Appendix D, Paragraph 5) will contain recommendations for treating stormwater, wastewater (if any), and run-off from the Property. The Settlement does not provide the Purchaser with a covenant not to sue for violations of the Clean Water Act.

Comment C.9.: The consequences of the contamination of the drinking water in Flint, Michigan, should be kept in mind and the Environmental Protection Agency ("EPA") should keep carcinogens out of the water. EPA should not bow to the power of money and should protect local waters.

Response: Neither the EPA nor the Michigan Department of Environmental Quality are bowing to the power of money but rather are insisting on full compliance with federal and state law. There is no covenant not to sue for Clean Water Act violations.

Comment C.10.: The Environmental Protection Agency ("EPA") has been too slow to investigate subsurface contamination and should focus first on groundwater contamination.

Response: The Settlement requires the Purchaser to remove contaminated water and sludges from 23 subsurface impoundments, each of which is a source of surface and subsurface water contamination. It is common to have remediation work first focus on sources of groundwater contamination. This source removal will happen within the next 24 months, faster than if there were no Settlement. On September 13, 2018, the EPA proposed the McLouth Steel Site for inclusion on the National Priorities List ("NPL") to secure funding for a full subsurface investigation. The EPA and the Michigan Department of Environmental Quality have been working for over three years to develop a record to support the proposed listing of a site, which includes the Property, on the NPL; that work began well before negotiations commenced with the Purchaser in late 2017, which have culminated in the Settlement.

Comment C.11.: The Detroit River needs to be protected to enable fishing of bass and walleye.

Response: As set forth in responses above, the Settlement requires the Purchaser to remove large volumes of contaminated water and sludges from 23 subsurface structures within the Property. The prompt removal of these sources of contamination will lead to a reduction in the volume and concentrations of contaminants that enter the Detroit River. The Settlement protects the Detroit River by requiring the Purchaser to comply with the Clean Water Act ("CWA"). Compliance includes in the short-term, implementing soil erosion and sediment controls and in the mid-term, identifying how to come into, and

then coming into compliance with the CWA. While not required by the Settlement, the Environmental Protection Agency expects through the National Priorities List process to investigate subsurface conditions and identify and implement appropriate remedial actions to protect the Detroit River.

Comment C.12.: The Property is underlain by loose fill material that allows groundwater to migrate to the Detroit River; this needs to be understood and dealt with appropriately through removal or impermeable containment.

Response: As discussed above, the Settlement does not select and implement comprehensive final remedial measures for the Property. The Settlement's focus is on work to remove major sources of contamination and stabilize Site conditions pending further response actions by the Environmental Protection Agency ("EPA"). The EPA's Remedial Investigation will investigate the subsurface conditions and pathways for migration. The Feasibility Study will take this information and develop proposals for stopping the migration of contaminants from the Property to the Detroit River.

D. Concerns about the use of non-residential cleanup criteria and a low occupancy, polychlorinated biphenyl ("PCB") cleanup criteria of 25 parts per million ("ppm")

Comment D.1. The cleanup criteria for PCBs should be more stringent since the Property cannot be characterized as a "restricted access area" rather than a "non-restricted access area." The proper clean up criteria for PCBs is set forth at Part 201 and should be 4,000 parts per billion ("ppb") or 4 ppm.

Response: The Environmental Protection Agency ("EPA") and the Michigan Department of Environmental Quality ("MDEQ") have determined that the appropriate cleanup criteria for the current use of the Property are the standards set forth in the regulations adopted pursuant to the Toxic Substances Control Act.

The Michigan Natural Resources and Environmental Protection Act, 1994 PA 451, as amended, at MCL 324.20120a(12) states, "In determining the adequacy of a land-use based response activity to address sites contaminated by polychlorinated biphenyls, the department shall not require response activity in addition to that which is subject to and complies with applicable federal regulations and policies that implement the toxic substances control act, 15 USC 2601 to 2692."

The current Part 201 Soil Direct Contact Cleanup Criteria for PCBs of 4,000 ppb for residential and 16,000 ppb for non-residential are applicable only if the MDEQ determines that Toxic Substances Control Act ("TSCA") is not applicable. This is not such a situation. Here, the MDEQ and the EPA have determined that TSCA is applicable. Historical PCB Releases will be investigated and addressed consistently with TSCA. See Settlement, Attachment D, Paragraph 7. Development activities will also be conducted consistently with TSCA. See Settlement, Paragraph 44.

Pursuant to TSCA, the EPA has set standards for addressing PCB remediation wastes including soils, sediments, and industrial sludge. (See, 40 C.F.R., Section 761.61). These rules provide regulated entities with either a risk-based or self-implementing cleanup option. The self-implementing option sets out standards for cleanup under the categories of "low occupancy" and "high occupancy" rather than "restricted access area" and "non-restricted access area."

The cleanup level for bulk PCB remediation waste in high occupancy areas is less than or equal to 1 ppm without further conditions. High occupancy areas where bulk PCB remediation waste remains at concentrations greater than 1 ppm and less than or equal to 10 ppm shall be covered with a cap. (See 40 C.F.R., Section 761.61(a)(4)(i)(A)).

The cleanup level for bulk PCB remediation waste in low occupancy areas is less than or equal to 25 ppm unless otherwise specified. Bulk PCB remediation wastes may remain at a cleanup site at concentrations greater than 25 ppm and equal to or less than 50 ppm if the site is secured by a fence and marked with a sign. Bulk PCB remediation wastes may remain at a cleanup site at concentrations greater than 25 ppm and equal to or less than 100 ppm if the site is covered with a cap. (See 40 C.F.R., Section 761.61(a)(4)(i)(B)).

The Settlement Agreement provides for the cleanup of areas specified in the Statement of Work ("SOW") to meet the low occupancy cleanup level of 25 ppm and the placement of clean backfill or provide engineered or other controls comparable with the self-implementing requirements set forth in 40 C.F.R., Section 761.61(a)(4)(i)(B). Should the future use change from the current low occupancy usage and become a high occupancy area, the Purchaser would be subject to compliance with the high occupancy, self-implementing standards or site-specific risk-based levels based on the future use. "Nothing in this Settlement shall limit Purchaser's responsibility to comply with the requirements of all federal and state laws and regulations applicable to the obligations required of the Purchaser pursuant to the terms of this Settlement." Paragraph 59.

Paragraph 44 and the SOW also allow the Purchaser to apply to the EPA's TSCA program for a site-specific risk-based approval for sampling, cleanup, or disposal for PCB remediation waste materials where the Purchaser discovers PCB contamination in other areas of the Property in the future (e.g., development activities) in lieu of the self-implementing requirements. An EPA risk-based approval would be based on a determination that the alternative methods for sampling, cleanup, or disposal "will not pose an unreasonable risk of injury to the health or the environment." See Paragraph 44 and 40 C.F.R., Section 761.61(c).

Similarly, the Demolition Requirements definition requires PCB waste materials associated with the demolition of the buildings to comply with the cleanup requirements specified under TSCA. The cleanup level under either the self-implementing or the site-specific risk-based approval will be dependent on the reasonably anticipated use of that property. Should the future use change from a low occupancy to a high occupancy area, the Purchaser would be subject to compliance with the high occupancy, self-implementing standards or site-specific risk-based levels based on the future use.

The Settlement describes short-term, interim-measures to be implemented by MSC Land Company, LLC, regarding areas that are contaminated with PCBs. The Settlement does not select a final remedy for the long-term cleanup of PCB-contaminated areas nor does it identify final cleanup criteria for PCB-contaminated areas. The EPA and the MDEQ will develop with stakeholder participation a Community Relations Plan that will provide the public with an opportunity for input on the development of a final cleanup plan. Before the EPA selects a final remedy, the remedy will be published to the public as a Proposed Plan; the EPA will accept further comments from the public at that time.

Comment D.2. How can Crown et al use the Property before it is completely cleaned?

Response: The Environmental Protection Agency ("EPA") and the Michigan Department of Environmental Quality ("MDEQ") will jointly oversee and monitor activities at the Property while the Purchaser is conducting the work at the Property required by the Settlement. During this time, the Purchaser will demolish structures, perform environmental cleanup work, and abide by certain land, water, and other resource use restrictions. Abiding by these use restrictions will enable the Purchaser to move forward with development work, enable the EPA to move forward with the Remedial Investigation and Feasibility Study ("RI/FS"), and provide mechanisms to enable the EPA to construct a final remedy, as necessary. Section IX of the Settlement is entitled "Property Requirements" and is one of the largest sections in the Settlement, consisting of six pages and ten paragraphs, and addresses these competing interests.

Section IX begins with Paragraph 40, which describes the Demolition Requirement. Paragraph 41 requires the Purchaser to provide all legally required notices with respect to the discovery or release of any hazardous substances.

Paragraph 42 authorizes the EPA and the State to have access to oversee the work, conduct investigations, and construct any remedies. It also prohibits the Purchaser from using the Property in a manner that the EPA determines will pose an unacceptable risk to human health or the environment due to exposure to waste material or interferes with or adversely affects the implementation or integrity or protectiveness of a response action. In addition, the Purchaser is prohibited from using the Property in a manner that exacerbates existing contamination or increases the cost of response actions. The Purchaser must receive written approval from the EPA to use the Property in a manner that will interfere with completed or ongoing EPA response actions or specifically identified response actions. Similarly, the Purchaser must receive prior written approval for development and use of the Property for residential use.

Paragraph 43 requires the Purchaser to construct buildings or other structures in a manner that minimizes potential risk of exposure to contaminants above applicable regulatory limits and requires the Purchaser to maintain some fence around undeveloped areas to limit access by persons to contaminated areas until the EPA acts or concludes that no further action is required. Before the Purchaser can begin construction, Paragraph 44 requires the Purchaser to characterize the surface and subsurface soils within the

Footprint down to the water table. The results of the characterization must be shared with the EPA and the MDEQ in a Construction Plan. The Construction Plan will also include a schedule, Health and Safety Plan, Due Care Plan, Dust Control Plan, and Stormwater Prevention and Pollution Control Plan.

The collection of this and other data by the Purchaser should enable the EPA and the MDEQ to characterize the existing contamination in an area to be redeveloped and determine whether the development would have an adverse effect on human health, the environment, or any likely response actions to be required by the EPA.

The Purchaser will also submit a Soil Management Plan (SMP). The SMP will propose actions consistent with the generic non-residential cleanup criteria defined in Part 201 of the NREPA. The SMP is not subject to EPA approval, although the EPA and the MDEQ will review and comment on the SMP and confer with the Purchaser about the comments. If the EPA, the MDEQ, and the Purchaser do not agree that the work proposed in the SMP is sufficient, the EPA may in its sole discretion treat contaminated soil on-site or remove soil in addition to the soil to be addressed under the SMP and dispose of the additional soil off-site.

Finally, if the Purchaser discovers PCB contamination that is in excess of 25 ppm in any area not subject to the requirements of Paragraph 44 (the Footprint) or Paragraph 7 of the Statement of Work ("SOW") (Historical Releases of PCBs), the Purchaser shall implement the measures required in Subparagraph 7(e) of the SOW.

While the Purchaser moves forward with the redevelopment of the Property, the EPA will take those actions necessary to enable it to move forward with the RI/FS.

Comment D.3.: How does EPA clean up a site that has already been redeveloped? Will EPA allow the Purchaser to install infrastructure or any structures that could possibly impede cleanup in the future?

Response: See the above response to D.2.

E. Concerns about elements of the Settlement and the Superfund Process

Comment E.1. Is the $20 million investment in addition to the purchaser's requirements to tear down structures, remove asbestos, and other cleanups?

Response: The Purchaser and Development Agreement ("PDA") is an agreement between Wayne County and Crown Enterprises, Inc., which contains certain requirements that are summarized in the Settlement, Paragraph 17. Neither the Environmental Protection Agency ("EPA") nor the Michigan Department of Environmental Quality is a party to the PDA. The commitments in the PDA are separate from the commitments in the Settlement. The consideration that supports the covenants not to sue in the Settlement is set forth in the Settlement and consists generally of the Work, Demolition Requirement, and Property Requirements. The EPA has had a

contractor perform preliminary cost estimates for the work required under the Settlement. The contractor estimates that the costs associated with the Work and Demolition Requirement set forth in the Settlement will cost approximately $25 million. This work and this cost estimate includes, and is not in addition to, the Purchaser's requirements to tear down structures, remove asbestos, and other cleanups. Whether the expenditures under the Settlement satisfy requirements under the PDA is a question best directed to Wayne County and Crown Enterprises, Inc.

Comment E.2. The Purchaser should consider using the Point Mouillee Confined Disposal Facility for the disposal of building wastes because wastes could be transported by barge rather than on public roadways.

Response: Paragraph 39 of the Settlement is entitled "Off-Site Shipments" and describes the requirements for the off-site transport and disposal of Waste Materials. Consistent with the Environmental Protection Agency's Off-Site Rule, Comprehensive Environmental Response, Compensation, and Liability Act wastes may only be placed in a facility operating in compliance with the Resource Conservation and Recovery Act and other applicable federal or state requirements. If the Point Mouillee Confined Disposal Facility meets the requirements of Paragraph 39, the Purchaser may dispose of waste materials at that location.

Comment E.3. Good traffic flow for Crown and the public will be impossible to facilitate without new road projects. Wayne County should be a party to the Settlement to facilitate traffic management.

Response: The Traffic Management Plan should protect human health and the environment while cleanup and demolition work are underway at the Property. The Settlement in Paragraph 35 requires the Purchaser to consult with the Environmental Protection Agency ("EPA"), the Michigan Department of Environmental Quality, the City of Trenton and the City of Riverview and then submit a Traffic Management Plan to the EPA for review and approval. The purpose of the Traffic Management Plan is to prevent injuries to workers, passengers and pedestrians, damage to vehicles and/or other equipment, and damage to third-party property; to prevent off-site spills and releases, and to minimize or remediate any such spills or releases should such spills or releases occur; and to minimize congestion and impact to the local community.

Concerns about longer-term traffic issues should be addressed by the Cities of Trenton and Riverview, as well as Wayne County and the State of Michigan. Generally, the authority of the EPA to address traffic issues is limited to ensuring that proper precautions are taken to prevent spills and releases.

Comment E.4: Current operations at the Property, which involve the storage and transportation of bulk sugar, may be causing emissions of contaminated dust and tracking contaminants onto local roadways.

Response: The Environmental Protection Agency and the Michigan Department of Environmental Quality have made the current property owner, the Wayne County Land Bank, aware of these concerns. The operator has a license with Wayne County to operate until October 31, 2018. The operator does not anticipate receiving any further shipments of sugar and will wrap up storage and transportation operations by October 31, 2018. The Purchaser will require the operator to ensure that it is not causing dust emissions or tracking contaminated soil onto public roadways once it has taken title to the Property.

Comment E.5: Why was only the south section of the former McLouth Steel facility proposed for the National Priorities List ("NPL")?

Response: The purpose of the Settlement is to address certain conditions within the ~183-acre parcel known as the Property. The decision whether to propose for NPL listing only the southern section of the former McLouth Steel facility is the subject of a separate rule making process. See *Federal Register*, Vol. 83, No. 178, Page 46460 (September 13, 2018). Comments on the proposed listing should be submitted in accordance with the instructions contained in the *Federal Register* notice.

At the former McLouth facility, the company that owns the northern section is a financially viable entity, subject to Resource Conservation and Recovery Act ("RCRA") corrective action obligations at the northern end and willing to execute a Corrective Action Consent Order with the State. The Environmental Protection Agency ("EPA") has authorized the Michigan Department of Environmental Quality ("MDEQ") to implement the RCRA corrective action program. The EPA is committed to the principle of parity between RCRA corrective action and the Comprehensive Environmental Response, Compensation, and Liability Act ("CERCLA") programs and to the idea that the program should yield similar remedies in similar circumstances. Furthermore, it has long been the EPA's policy to defer facilities that may be eligible for inclusion on the NPL to the RCRA program if they are subject to RCRA corrective action.

Because the northern portion of the Property is being addressed by the RCRA corrective action program, and to access funds for a long-term cleanup for the southern portion, the EPA and the MDEQ have agreed to propose the southern portion of the Property for inclusion on the NPL. Michigan's concurrence is essential to the listing because the State is required under CERCLA to agree to pay ten percent of the costs of any remedial response actions and to assure maintenance of those response actions.

Comment E.6. The cleanup of the Property will take too long and is too uncertain. What happens to the Property once it is proposed to the National Priorities List ("NPL")? What happens if federal funds are not allocated to this cleanup?

Response: The purpose of the Settlement is to address certain conditions within the ~183-acre parcel known as the Property. The Settlement defines the commitments of the Purchaser and does not require the Purchaser to clean up the entire former McLouth Steel facility. The long-term remediation of the southern portion of the former McLouth Steel facility will occur on a different track. See *Federal Register*, Vol. 83, No. 178, Page 46460 (September 13, 2018).

On September 13, 2018, the Environmental Protection Agency ("EPA") proposed the southern portion of the former McLouth Steel facility for inclusion on the NPL. If included on the NPL, the Site will become eligible for federal funds to investigate and clean up the Site. A full-scale investigation of the Site, development of a Feasibility Study, and issuance of a Proposed Plan may take five years from start to finish. Construction of a remedy, particularly if a part of the remedy is an interceptor trench to prevent contaminated groundwater from entering the Detroit River, could take several years.

As described at the public meeting on September 5, 2018, federal funds are limited and there is intense competition for those funds. Progress will depend upon the ability of EPA, Region 5, to access funds through the normal budgeting process and through appeal to the National Priorities Board, which ranks sites and allocates federal funds. Without federal funds, work at the Property will be dependent upon private funds. However, the EPA will address emergency situations at the Site like the actions taken to respond to a fire (2007); to remove deteriorating polychlorinated biphenyl-containing capacitors (2009); to intercept a leachate break out at the Riverview/Trenton Railroad Company property (2010); and to clean up a mercury spill at the Property (2017).

F. Concerns about enforcement of the Settlement

Comment F.1. There should be stiff penalties for failure to perform on a timely basis the requirements of the Settlement. Penalties should include forfeiture of title to the Property.

Response: Neither the Environmental Protection Agency ("EPA") nor the Michigan Department of Environmental Quality ("MDEQ") have authority to require forfeiture of title to the Property in the event of a failure to perform. There are significant consequences for the failure to perform on a timely basis the requirements of the Settlement. The principle benefits of the Settlement for the Purchaser and Crown Enterprises, Inc. ("Crown") are the covenants set forth in Section XVII. If the Purchaser fails to do what it is required to do by the Settlement and fails to cure these failures after notice from the EPA, it will lose these benefits. See Settlement, Section VI, Paragraph 24. The consequences of losing these covenants not to sue are that the Purchaser could

become liable for potentially all costs incurred by the EPA and the MDEQ at the Site. These costs could run into the tens of millions of dollars.

In Paragraph 74, the United States agrees not to bring certain actions against the Purchaser or Crown under provisions of the Comprehensive Environmental Response, Compensation, and Liability Act ("CERCLA")/Superfund, the Resource Conservation and Recovery Act ("RCRA"), or the Toxic Substances Control Act. The State agrees not to bring certain actions against the Purchaser or Crown under provisions of CERCLA, RCRA, and the Michigan Natural Resources and Environmental Protection Act. These covenants not to sue are conditioned upon the complete and satisfactory performance by the Purchaser of all obligations under this Settlement. (See Paragraph 75).

In the Settlement, the EPA and the MDEQ elected to forego provisions that might impose stipulated penalties for the failure to perform certain requirements. Instead, the EPA and the MDEQ opted for essentially an "all or nothing" approach. Either the Purchaser fully performs under the Settlement and secures the full benefits of the Settlement for itself and its related party (Crown), or the Purchaser fails to perform and loses both for itself and Crown the full benefits of the Settlement.

Comment F.2.: Will there be more than one Environmental Protection Agency ("EPA") on-scene coordinator at this site once work begins? The EPA and Michigan Department of Environmental Quality ("MDEQ") should be responsible for monitoring water quality, wind borne contamination, and traffic that may track contaminants off-site. Strong oversight of work is essential.

Response: The Settlement provides for strong oversight. The EPA has designated Brian Kelly as its On-Scene Coordinator ("OSC"). The OSC can access additional EPA resources as necessary, including having others act as OSC as necessary, to carry out the responsibilities of an OSC. The MDEQ will also oversee work at the Property. Oversight will include oversight of air emissions, traffic, and dust controls. Water quality monitoring is addressed in the Settlement as part of the Surface Water Assessment.

G. Concerns about when and how EPA and the MDEQ will communicate with the public

Comment G.1. The Environmental Protection Agency ("EPA") and the Michigan Department of Environmental Quality ("MDEQ") should hold timely community update forums to learn about the progress of the execution of the Settlement.

Response: The EPA and the MDEQ will develop what is referred to as a Community Relations Plan ("CRP") or Community Involvement Plan, which will include a commitment to participation in community forums as appropriate. EPA On-Scene Coordinator Brian Kelly and Community Involvement Coordinators Diane Russell and Kirstin Safakas have been meeting regularly with local elected officials and community leaders and will continue to do so. MDEQ staff is also committed to working collaboratively with the EPA in communicating regularly and effectively with the

community. After the conclusion of the Remedial Investigation/Feasibility Study and announcement of a Record of Decision, the EPA will be subject to the National Contingency Plan, 40 C.F.R., Section 300.430(c), which requires the EPA to undertake certain community relations activities when undertaking remedial activities. These activities include the development of a CRP after outreach to local officials, community residents, public interest groups, and other interested or affected parties. Please see the EPA document entitled, "Superfund Community Involvement Handbook" (January 2016) for a description of the EPA's community involvement process.

Comment G.2. Plans, revised plans, and testing results should be made available to the public preferably uploaded to an Environmental Protection Agency ("EPA")-managed website.

Response: The EPA and the Michigan Department of Environmental Quality ("MDEQ") are in the process of finalizing a Memorandum of Understanding that will describe how the two entities will work together to coordinate work and the flow of information regarding the entire former McLouth facility ("Facility"). They will develop a Community Relations Plan ("CRP"). The CRP is expected to include a commitment to posting all approved plans, revised plans, and testing results on an EPA-managed website. The EPA and the MDEQ will provide to the public all information required by the National Contingency Plan, 40 C.F.R., Part 300.

Comment G.3.: Residents should be made aware of the identities of contractors and subcontractors for abatement, demolition, and other work.

Response: To the extent known to the Environmental Protection Agency ("EPA"), the EPA will post the names of contractors and subcontractors on the McLouth Steel website. The Settlement, Paragraph 25, includes approval by the EPA and the Michigan Department of Environmental Quality of the following contractors: ASTI Environmental, Next Generation Services Group and its subsidiaries, and COGENT Recovery.

Comment G.4.: Residents should be given a chance to review and comment not just on the Settlement but also on specific work plans such as the Health and Safety Plan, Traffic Management Plan, Construction Plan and the corresponding health and safety plan, revised due care plan, dust control plan, storm water prevention and pollution control plan, and soil management plan.

Response: The Environmental Protection Agency ("EPA") will approve specified plans as required under the Settlement after consultation with the Michigan Department of Environmental Quality. Approved plans will be posted on the McLouth Steel website. The National Contingency Plan requires the EPA to provide an opportunity for meaningful involvement in site characterization and remedy selection; however, it does not require that the public be provided an opportunity to comment on specific work plans. The development and implementation of the Community Involvement Plan will provide

for public involvement, and concerns about the adequacy of approved plans may be addressed through that process.

Comment G.5.: Where is the Health Impact Assessment? Did the Environmental Protection Agency ("EPA") skip this step?

Response: The Settlement does not require a Health Impact Assessment. The EPA will perform an analysis of the risks posed to human health and the environment at the Property as part of the Remedial Investigation, which is separate from the Settlement. To the extent that the comment refers to demolition and work under the Agreement, the Purchaser is required to develop a Health and Safety Plan for review and approval by the EPA and the Michigan Department of Environmental Quality. The purpose of the plan is to assure protection of the public and workers health and safety during implementation of the activities required under the Settlement. See Paragraph 34.

Comment G.6.: The Environmental Protection Agency ("EPA") should interview former employees of McLouth Steel to learn where contaminants may have been disposed of.

Response: The Remedial Investigation will fully delineate the horizontal and vertical extent of contamination at the Property. If persons have information that will help the EPA focus the investigation, such information would be welcomed. The development of the Community Involvement Plan anticipates interviewing community residents.

Comment G.7.: When will the work start?

Response: The work to be performed under the Settlement will begin almost immediately. The initial work calls for the submission of certain plans. Field work and demolition work will begin only after the Environmental Protection Agency has approved all necessary plans. Sediment and erosion controls will be put in place promptly. Waste materials will need to be removed from structures before the Purchaser can demolish structures. Demolition of the large structure along Jefferson Avenue will be one of the last pieces of work to be completed.

Comment G.8.: The Environmental Protection Agency ("EPA") is closing its office in Grosse Ile, Michigan, which will reduce protection of the Great Lakes.

Response: The closure of the Grosse Ile office will not impact the EPA's ability to oversee work at the Property under the Settlement.

Comment G.9.: What toxins are nearby residents exposed to; do those toxins escape the Property; if so, how far have the toxins traveled; what measures are appropriate for

containment; how much will clean up cost; how long will it take; and what have been the human health consequences?

Response: As noted above, the Settlement describes interim measures that will be undertaken by a prospective purchaser of the Property. The questions raised in this comment are relevant to the Comprehensive Environmental Response, Compensation, and Liability Act remedy selection process that is governed by the National Contingency Plan rather than the terms of this Settlement. Such issues will be evaluated as part of the Remedial Investigation ("RI") that will be undertaken as part of the remedy selection process. A summary of groundwater sampling results collected from the Property in 2015 is provided in Response to Comment C.6. These results provide a "snapshot" of groundwater conditions, while a RI will provide robust information on the nature and extent of contamination at the Property.

H. Concerns about doing business with the Moroun family, related entities, and successors-in-interest

Comment H.1.: The Settlement is not in the public interest and should be amended or rescinded.

Response: The United States and the State have determined that the commitments made in the Settlement are in the public interest and require an appropriate amount of work from the Purchaser, who has certified that to the best of their knowledge and belief that as of the Effective Date, neither the Purchaser (MSC Land Company, LLC) nor the Purchaser's Related Party (Crown Enterprises, Inc.) disposed of Existing Contamination at the Facility. See Settlement, Paragraph 73. Waste materials will be removed from the Property, and sediment and erosion controls will be put in place to mitigate migration of contaminants to the Detroit River under the terms of the Settlement more quickly than if there were no Settlement.

Comment H.2.: Crown Enterprises, Inc. ("Crown") should not be included in the covenant not to sue unless it is subject to the requirements in Section VII of the Settlement.

Response: The Covenants by the Purchaser and the Purchaser's Related Party set forth in Section XIX of the Settlement provide adequate consideration for the covenants not to sue extended to Crown. Paragraph 75 provides that the covenants not to sue are conditioned upon the complete and satisfactory performance by the Purchaser of all obligations under this Settlement. Crown will lose the protections of the covenants if MSC Land Company, LLC fails to perform.

Crown held title for several months in 2000 to what is now referred to as the Riverview/Trenton Railroad Company property, a term defined in the Settlement. It is also the signatory to the Purchase and Development Agreement with Wayne County. Under the circumstances, it was appropriate that the Settlement resolve the potential liability of Crown.

Comment H.3.: The Environmental Protection Agency and the Michigan Department of Environmental Quality need to prioritize the health of our community over the profits of wealthy businessmen and corporations.

Response: The Settlement prioritizes the prompt removal of waste materials that are a source of surface and groundwater contamination. Soil erosion and sedimentation controls are also expected to be implemented promptly following the effective date of the Settlement.

Comment H.4.: Wayne County should not be selling the Property to the Moroun family. The Moroun family should not be allowed to use the Property as a toxic dumping site. The Moroun family should not be able to dictate the proper cleanup of the Property or "buy" a less stringent cleanup standard. Moroun should not be allowed to destroy the local wildlife refuge. The Moroun family should not be allowed to destroy Michigan's precious natural resource, fresh water.

Response: The purpose of the Settlement is to establish appropriate terms and conditions for resolving potential environmental liabilities that would or may otherwise attach to the prospective purchaser; the purpose is not to countermand or interfere with a Purchase and Development Agreement that Wayne County entered into with Crown Enterprises, Inc., prior to the negotiation of the Settlement.

The Settlement does not authorize anyone to use the Property as a toxic dumping site. As noted above, the Settlement does not establish final cleanup standards applicable to the Property. Rather, such standards will be determined as part of the Comprehensive Environmental Response, Compensation, and Liability Act remedy selection process that will be governed by the National Contingency Plan, based on a consideration of reasonably anticipated uses of the Property at the time of selection of a final remedy for the Property. Moreover, the Moroun family did not dictate the selection of the proper cleanup standards used to determine the extent of the interim cleanup measures required under the Settlement or otherwise "buy" less stringent, interim cleanup standards. The proposed Settlement does not relieve the Purchaser from complying with all applicable requirements of the Clean Water Act, nor allow the Purchaser to take actions that will destroy Michigan's local wildlife refuge or fresh water.

Comment H.5.: How will the Moroun project affect the toll bridge and its operation (opening of the bridge for boats to pass)?

Response: The work required under the Settlement is not expected to impact the toll bridge or its operations.

Comment H.6.: The Settlement must stipulate that no prospective purchaser shall invoke powers granted by the Federal government or the State of Michigan to provide

Federally recognized railroads with the ability to preempt regulation by state and local governments.

Response: The Settlement contains provisions related to the transfer of title to a subsequent owner. See Settlement, Paragraphs 47, 48, 49, and 50. The Purchaser may only transfer its obligations under the Settlement with the approval of the State and the United States. Successors in interest must comply with land-use restrictions and Institutional Controls.

Comment H.7.: The Settlement should prohibit any person from using powers of eminent domain or condemnation to acquire additional property beyond the McLouth Steel site, realign existing public roadways or establish new railroad crossings on existing public roadways and prohibit the use of these powers to acquire the Grosse Ile Toll Bridge, roadways/rights-of-way leading to the span and property currently owned by the Grosse Ile Bridge Company.

Response: The Agreement is meant to facilitate the remediation of existing contamination at the Property. The use of eminent domain and condemnation at properties outside of McLouth Steel facility are matters of local concern and the Environmental Protection Agency's involvement in those matters is not believed to be appropriate.

Comment H.8.: The Settlement must stipulate that the Detroit/Wayne County Port Authority, or any other port authority, may not use eminent domain or condemnation powers to acquire the McLouth Steel site, or any property in its vicinity, including the Grosse Ile Toll Bridge, roadways/rights-of-way leading to the span and property currently owned by the Grosse Ile Bridge Company.

Response: See Response to Comment H.7., above.

APPENDIX A

FRIENDS of the DETROIT RIVER

Friends of the Detroit River
[redacted]
Taylor, MI 48180
[redacted]

September 12, 2018

Kirstin Safakas
U.S. EPA Region 5
Superfund Division (SI-6J)
77 W. Jackson Blvd.
Chicago, IL. 60604-3590

Dear Ms. Safakas,

The Friends of the Detroit River (FDR) is a non-profit organization whose mission statement includes the protection and improvement of the natural resources of the Detroit River. For nearly three decades, our organization has worked in various capacities to fulfill this goal. In 2005, FDR became the fiduciary for the Detroit River Public Advisory Council and has been working since then to implement the Detroit River Remedial Action Plan to address the removal of the river's Beneficial Use Impairments.

As part of this process, our organization had been involved with many of the efforts to address onshore and in-water contaminated sediment remediation actions that have been taken at a number of the old industrial sites along the Detroit River. Members of our organization have been following and monitoring activities that have been occurring at the old McLouth Steel property in Trenton and Riverview since the plant ceased operation in the mid 1990's. FDR staff has worked closely with agency personnel from both the MDEQ and EPA regarding several issues related to this site over the years.

After reviewing the settlement agreement and having a very positive discussion with EPA agency personnel, we are confident that, if this agreement is fulfilled as specified in this document, this part of the Detroit River will benefit greatly. Having said this, however, there are several concerns that we have which are based on past observations and current knowledge of the environmental issues associated with this site.

The first issue is regarding the evaluation, discovery and removal/containment of contaminated soils and materials contained on this site. According to the agreement, specific areas, including waste holding ponds, sumps and below grade basements areas, will be drained and contaminated materials removed. There will also be several suspected PCB contaminated areas around the site that will be evaluated for ground contamination. This site, like many other industrial operations along the Detroit River, was built over loose fill material that was used to infill over the vast wetlands areas that once ran the length of the Detroit River. The fact is that many of the sites that have already been remediated along the shoreline have proven to have issues with large amounts of ground contamination and the migration of contaminated groundwater. We want to make sure, if this is the case on this site, that efforts are made to ensure that the soils around each of these subsurface areas are tested for ground contamination. If it is shown that contaminants are migrating out from these structures, we want assurance that the surrounding contaminated soils will be dealt with appropriately through removal or impermeable containment.

WATERKEEPER ALLIANCE
MEMBER

FRIENDS of the DETROIT RIVER

Friends of the Detroit River
[redacted]
Taylor, MI 48180
[redacted]

The second concern that FDR has is with the issue of the control of fugitive dust that has been observed emanating from this site. Over the years, our organization has documented and forwarded fugitive dust concerns to EPA and MDEQ several times. Some of the dust is a result of the movement and storage of commodity products on and off the site, and some of the reports are a result of soil and material moving operations related to demolition activities that have occurred over the last 20 plus years. Each time these types of activities occur, and the ground and/or ground cover is disturbed, it opens up the soil to the effects of straight-line stormfront wind driven dust clouds that can blow huge amounts of dust and particulate matter all the way across the river to the residential areas on Grosse Ile and into the neighborhoods of Trenton and Riverview.

In the past, any measures that have been put in place to control fugitive dust migration have failed, generating a lot of health-related concerns from area residents. Constant truck traffic while moving commodities off the site that were unloaded at the dock, earth moving operations, and demolition implosions of the buildings, have all contributed to the movement of dust and contaminants off this site and into surrounding residential areas. We cannot stress strongly enough that the dust control plan needs to address any activity that may cause the generation of dust and a way to control it, as well as include a plan to maintain and or replant vegetative cover when these areas are disturbed.

The final concern that FDR has with this agreement is in relation to the gap that appears to exist in this agreement between where the liability of the new owner ends and future EPA obligation under the Superfund program begins. We are concerned that there may be contaminants or contaminated groundwater leaching into the Detroit River along the shoreline of this site from the Toll Bridge down to the foot of King Rd. We are concerned that if this problem does exist, there is the possibility that it might not be addressed for many years down the road under this current agreement. We would like some further clarification as to who would be responsible for dealing with this potential problem if it exists, regarding the contaminated sediments that are known to exist along the shoreline in the river and the time frame that a remedy would be implemented.

Sincerely,

David Howell

David Howell, Chairman

WATERKEEPER ALLIANCE
MEMBER

he epa is closing its grosse isle location the only one in hte state Chicago will then be the only watchdog for the great Lakes this is absurd in my eyes when theres so much damage being done to our waterways by money hungry polluters we must protect the future of the great lales anf the only way is with watchdogs and volunteers the epa needs to stay inplac ein michigan

sheryll degroat
woodhaven, MI 48183
Sep 10, 2018

Bob Peters
Grosse Ile, MI 48138
Sep 10, 2018

We care

Denise rinaldi
Grosse Ile, MI 48138
Sep 10, 2018

Carol groulx
Newport, MI 48166
Sep 10, 2018

Janet bragadin
Mi, MI 48138
Sep 10, 2018

ANTHONY G TRAPANI
LINCOLN PARK, MI 48146
Sep 10, 2018

Renee Moxlow
Grosse Ile Township, MI 48138[redacted]
Sep 10, 2018

Connie Eggleston
Trenton, MI 48183
Sep 10, 2018

John Leon
Grosse Ile, MI 48138
Sep 10, 2018

Dorene Miller
Taylor, MI 48180
Sep 10, 2018

Greg Karmazin
Grosse Ile, MI 48138
Sep 10, 2018

Jonathan Wojtkowiak

Sep 10, 2018

Courtney Sawyer
Trenton, MI 48183
Sep 10, 2018

Daniel O'Reilly
Grosse Ile, MI 48138
Sep 10, 2018

Crystal Dingus
Trenton, MI 48183
Sep 10, 2018

Lucie McNeil
Adrian, MI 49221[redacted]
Sep 10, 2018

Morene McNulty
Taylor, MI 48180
Sep 10, 2018

Clean up the chemicals now!!!

Lorraine Brooks
Trenton, MI 48183
Sep 10, 2018

Joan Ursing
Taylor, MI 48180
Sep 10, 2018

Can t we have one decent fishery in the state. Detroit river and Lake Erie host many bass and walleye tournaments which bring people from all over the country to fish. That boosts our economy by brining in more tax dollars to our state. The state needs to start caring about their residents and not some wasteful billionair.

Jason Lowe
Brownstown, MI 48134
Sep 10, 2018

Safakas, Kirstin

From: Bill Heil [redacted]
Sent: Wednesday, September 12, 2018 9:23 PM
To: Safakas, Kirstin
Cc: Kelly, Brian
Subject: McLouth Steel Trenton MI

G. William Heil

[redacted]

Grosse Ile, MI 48138

September 10, 2018

Kirsten Safakas

EPA Community

Involvement Coordinator

I attended the EPA Meeting at St. Paul Lutheran church 2550 Edsel Drive, Trenton, Michigan, 48183 on September 5th 2018 regarding McLouth Steel and had opportunity to comment, but upon subsequent thought, further questions seem important ask about.

I realize evaluation and planning appropriate actions for sites such as McLouth Trenton are complicated and that each such site stands on its own merits. Yet it seems some conceptual remarks can be made that would indicate the potential condition and problems the facility faces.

What issues do steel mills encounter? What chemicals, toxins etc. are generally associated with steel operations? For a site of similar operations and size what, in general terms were the remedial procedures undertaken and what were their approximate costs.

What level of remediation is realistically attainable?

As I understand, the true extent of pollution at this site is yet to be determined. EPA personnel, Brian Kelly, Emergency Response, and Steve Kaiser, Enforcement have been have been at the site for over ten years, but not for evaluation of circumstance. From remarks made at the meeting, the site seems to be very heavily contaminated. How is it possible that pathways to human health exposure are as yet unidentified? This geographic area sits upon limestone, a porous material. Significant flows of water pass by in the Detroit River. Run off waters from rains and melting snow adds to the potential for spread of toxins both on the surface and below the surface of land. Vapors as well as soils and waters are vehicles that can impact the public and are issues a fence will not sufficiently contain. It seems important to ascertain the impact upon public health from these potentials.

In summary the initial questions seem to be.

What toxins are we exposed to?

Do those toxins escape the property?

If so, how far have they travelled?

What measures' are appropriate for containment?

What are the estimated costs, how long will it take to fix?

What have been the consequences to human health? The hazardous exposure

Here may not be immediate, but over decades of operation and then after closure there has been plenty of time for bioaccumulation to impact the population.

What uses have other steel making sites been put to upon completion of their remediation? Are there economic activities that will support added cost of higher levels of remediation? For example, I've heard in passing that Pittsburg PA has remediated steel making sites and enabled casino operations.

Who are contractors that have rehabilitated such sites, firms with proven histories of success in these kinds of undertakings?

Answers to these questions give the public a more clear understanding of circumstance. They may not like it what they learn, but once they accept it, and realize they have alternatives they'll gain more realistic expectations possibly ecome more hopeful and a more trustworthy circumstance will grow.

Thank you for this opportunity to comment.

Sincerely,

G. William Hell

I m appalled we have waited for twenty years to get to the point we will now investigate the subsurface contamination which has been leaching into the river for years, further I m appalled that the apparent delay was to find some deep pockets to offset the cost of remediation get the site. The building are the least of our worries, focus on groundwater first. further appalled that We would trust Crown with any aspect of this project, given their track record of giving the gov t the finger any chance it gets

Jordan Thompson
Grosse Ile, MI 48138
Sep 9, 2018

Lois Zook
Grosse Ile, MI 48138
Sep 9, 2018

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monika egerer
Grosse Ile, MI 48138
Sep 9, 2018

Barbara Thayer
Grosse Ile, MI 48138
Sep 9, 2018

Jeffrey Bouwman
Grosse Ile, MI 48138
Sep 9, 2018

Rebecca KARPINSKI
TRENTON, MI 48183
Sep 9, 2018

EPA needs to take action to stop the run-off of PCBs and heavy metals now. Prevention is more efficient than the cost of the damage and later clean-up.

Elizabeth Hugel
Grosse Ile, MI 48138[redacted]
Sep 9, 2018

Section 3.0 G

J McDaniels
Williamston, MI 48895
Sep 9, 2018

Armando Sardanopoli

Sep 9, 2018

Susan Belcher

Sep 9, 2018

Sep 10, 2018

Nicole Brashear
Kihei, HI 96753[redacted]
Sep 10, 2018

Morgan Markowicz
New York, NY 10016
Sep 10, 2018

Susan Jedynak
Wyandotte, MI 48192
Sep 10, 2018

Rebecca Baier
Allen park, MI 48101
Sep 10, 2018

Dear Kirstin and Steve, It is important that action take place on producing a 'stormwater management report' and subsequent plan/agreement as soon as possible. We need to prioritize the health of our community over the profits of wealthy businessmen and corporations. Paul Robinson Grosse Ile, Michigan

Paul Robinson
Grosse Ile, MI 48138
Sep 10, 2018 Section 3.0 C

Leah Bahr
Wyandotte, MI 48192
Sep 10, 2018

Samantha M Eyster
Grosse Ile, MI 48138
Sep 10, 2018

Paula Miller
Burke, VA 22015-[redacted]
Sep 10, 2018

Nancy Lukasik
Woodhaven, MI 48183
Sep 10, 2018

Shanna Pope
Flat Rock, MI 48134
Sep 10, 2018

Valerie Ratliff
Grosse Ile, MI 48138
Sep 10, 2018

From: drupal_admin@epa.gov on behalf of EPA <no-reply@epa.gov>
Sent: Wednesday, September 12, 2018 7:24 PM
To: Safakas, Kirstin
Subject: Form submission from: EPA in Michigan Former McLouth Steel Facility - Trenton, Michigan Public Comment Form form

Submitted on 09/12/2018 8:24PM
Submitted values are:

Comment:
I am quite concerned and have been since the proposed sale of the McLouth Property to Crown Enterprises. It is my understanding at this time the sale has not been closed due to the massive amounts of paperwork involved with many different agencies involved with the cleanup of the property. I did attend the meeting in Trenton on 9/5/2018. My concerns are as follows:

1. Will the property be remediated (cleaned up) in accordance with the current zoning as "mixed use" and cleaned up to residential levels as well.
It is not currently zoned for "industrial use" but most comments made by Crown aka MSC Land Co. LLC in reference to their intended use has been industrial use.

2. According to the Proposed Settlement Document within 24 months of closing
Phase 1 of clean up will be completed which includes: performance of
asbestos abatement and demolition of structures on the property and taking to grade existing buildings on the site adjacent to Jefferson Avenue. When is the effective date that this work will be started?

3. After the 24 months of Phase 1 clean up the owner has 72 months to construct an industrial development. The property is not presently zoned for industrial. Did Crown/MSC purchase this property with assurance from the City of Trenton that the zoning would be changed? This has not been disclosed in any information that I have read or revealed at any meetings I have attended.

4. Will there be more than one EPA on-scene coordinator at this site once work begins?

5. I am more concerned that all regulations are followed STRICTLY to ensure our community's environment is kept safe and clean if this transfer of property to Crown/MSC is completed. Our community definitely has deep concerns about Crown/MSC due to their past reputation in the Detroit area and how they conduct business.

Name: Kimberly S. Zeppa
Organization:
Email: [redacted]
Address (if you would like to be added to mailing list): [redacted] Riverview, MI, 48193

This whole process has been a joke and the fact that the Moroun's are buying this property goes to show just how ignorant Wayne County is. This is the last company they should be selling this land to, especially with all the backlash that has come from the citizens of ALL the surrounding cities and townships. Nothing good will come from this sale for the downriver community with the Moroun family in control.

Ryan Carlson
Taylor, MI 48180
Sep 10, 2018

Nicholle Ricer
Grosse Ile, MI 48138
Sep 10, 2018

Ruth E Briggs
Trenton, MI 48183
Sep 10, 2018

Kimberly Genaw
Grosse ile, Fa 48138
Sep 10, 2018

The environment is more important than money. Please keep our environment clean!

Rosemary Shuryan
Wyandotte, MI 48192
Sep 10, 2018

Edward C Dunlap
Canton, MI 48188
Sep 10, 2018

Roberta Flanders
Brooklyn, MI 49230
Sep 10, 2018

Elizabeth Nickerson

Sep 10, 2018

Stefanie Scalcucci
Hickory Isle, MI 48138
Sep 10, 2018

Yi-Chia Schmaeman
GROSSE ILE, MI 48138
Sep 10, 2018

Evidently you are not old enough to remember when the Detroit River and the Trenton Channel was so polluted that you could have no contact with it. I don't want to see it again. I'm holding you people personally responsible for any and all run off or leaching of carcinogens into our water system! NEVER FORGET FLINT

Len Plonka
Grosse Ile, MI 48138
Sep 9, 2018

Gary iverson
Grosse Ile, MI 48138
Sep 9, 2018

Wendy Pate
Trenton, MI 48183
Sep 9, 2018

Julie Moretti
Grosse Ile, MI 48138
Sep 9, 2018

Judy Alford
Grosse Ile, MI 48138
Sep 9, 2018

Kristina Freeze
Trenton, MI 48183
Sep 9, 2018

James Pepper
Grosse Ile, MI 48138
Sep 9, 2018

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manfred egerer
Grosse Ile, MI 48138
Sep 9, 2018

The sooner we clean this up the better.

PAUL GLOOR
Grosse ile, MI 48138
Sep 9, 2018

Sections 3.0 C/E

Dana Castle

Sep 9, 2018

Nadema Larkin
Grosse Ile Township, Fa 48138-[redacted]
Sep 8, 2018

Margaretann Sta
Grosse Ile, MI 48138
Sep 8, 2018

R. Smith
Gaylord, MI 49735
Sep 8, 2018

Sleeping with the devil is never wise.

David Kissel
Grosse Ile, MI 48138
Sep 8, 2018

Kathy Miller
Grosse Ile, MI 48138
Sep 8, 2018

Hana Chinavare
Grosse Ile, MI 48138
Sep 8, 2018

Vince Weslow
Grosse Ile, MI 48138
Sep 8, 2018

Susan Armiak

Sep 8, 2018

Stacey O'Brien
Grosse Ile, MI 48138
Sep 8, 2018

Please don t let Moroun use this as a toxic dumping site, which he has a record of doing til he is forced to stop his illegal behaviors. Fines unless incredibly huge mean nothing to this multi millionaire. Don t let this site add to pollution, add to carcinogens in the air and add to land and water traffic with little or no consequences. Don t let this area turn into the next Flint.

Monica Malden- Stevens
Grosse Ile, MI 48138
Sep 8, 2018

Section 3.0 H

Sep 9, 2018

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michael Campeau
Grosse ile, MI 48138
Sep 9, 2018

Lauren O Hara
Brownstown, MI 48174
Sep 9, 2018

In my opinion, 6 months is a very fair amount of time to address the issue of water pollution. Please take steps to protect and care for the people who live near the McLouth site. Thank you

Nicole Gall
Grosse Ile, MI 48138
Sep 9, 2018 Section 3.0 C

Theresa Mccarthy
Grosse Ile, MI 48138
Sep 9, 2018

Amanda Grunduski
Grosse Ile, MI 48138
Sep 9, 2018

Brianna Thorsrud

Sep 9, 2018

Karen McDonald
Marietta, GA 30064
Sep 9, 2018

Maureen Killian
Aurora, IL 60502
Sep 9, 2018

Kim Esposito
Grosse Ile, MI 48148
Sep 9, 2018

Just Stop!

Lalena Hale
Lincoln Park, MI 48186
Sep 9, 2018

Dean Koy
Trenton, MI 48183

Sep 11, 2018

Respect the Earth!

Judy Weber
Cedar, MN 55011
Sep 11, 2018 Sections 3.0 A-H

Nick

Sep 11, 2018

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carl crispino
MONROE, MI 48162
Sep 11, 2018

Lisa Jasina
Grosse Ile, MI 48138
Sep 11, 2018

Joan Hemsworth
Grosse Ile, MI 48138
Sep 11, 2018

Health Assessment should have been performed before any deal was made. Many Wayne County district commissioners who hastily, recklessly pushed this forward are up for re-election this November - they've shown the cleanliness of the river is not as important to them as it needs to be.

Stephen Knapp
Grosse Ile, MI 48138
Sep 11, 2018 Section 3.0 G

Jeffrey Will
GROSSE ILE, MI 48138
Sep 11, 2018

Wasn't the toxic pollution of Flint enough for you? Stop bowing to the power of money, protect our water, and do your job for the people!

Eileen DeLorey
Redford, MI 48239
Sep 11, 2018 Sections 3.0 C/H

Julianna Briggs

Sep 11, 2018

Where is the Health Impact Assessment of the future redevelopment of 260 acres of land, a step in the decision-making process of land use redevelopment? This assessment is promoted by the Center for Disease Control, also recommended by the U.S. Department of Health and Human Services and, found as a step to build healthy communities according to the EPA website. "Health Impact Assessment (HIA) is a decision-support tool being utilized by EPA to promote sustainable and healthy communities (EPA.gov)." Why did the Environmental Protection Agency skip this crucial process or is there one being illegally hidden from the public who will be affected by this land redevelopment? I have asked for this documentation before to be told it does not exist because it was not required. If this is so, why is it not required if the EPA produces research showing the importance and effectiveness of this tool? "HIA is a tool designed to investigate how a proposed program, project, policy, or plan may impact health and well-being and inform decision-makers of these potential outcomes before the decision is made (EPA.gov)." In this case, before the land was sold to Morourns. "HIA's consider input from stakeholders, including those impacted by the decision; and provide evidence and recommendations to decision-makers in a timely manner (EPA.gov)." How was this decision made when the decision makers didn't have this important information? Protecting the health of many surrounding communities is only one of the many issues that arise from this settlement. An HIA could have eliminated the mistrust the public interest now has on the deal between the EPA and Moroun's Crown Enterprises. An HIA could have given us options for a proper site clean up of these 260 acres of land in a timely manner rather than leave this decision up to Matty Moroun, who has previously been jailed for failing to comply with agreed-upon development plans.
https://www.epa.gov/healthresearch/health-impact-assessments

Catherine Bohl
Grosse Ile Township, MI 48138
Sep 10, 2018 Section 3.0 G

So much progress has been made restoring the Detroit River to what it should be. Please do not allow this progress to be hindered. STOP THE POLLUTION!

Beth DeJulian
Grosse Ile, MI 48138
Sep 10, 2018 Section 3.0 C

Please keep our water clean.

Holly Barter
Grosse Ile, MI 48138
Sep 10, 2018 Section 3.0 C

Lets be smart and mindful about our water. Do the due diligence and make educated decisions on our behalf!

Jonica Yakey
Harrison Twp, MI 48045
Sep 10, 2018 Section 3.0 C

Maroun s money should not be able to buy less environmental clean up standards that will affect the future of the Detroit River and liesl eco-systems.

Cynthia Sawyer
Trenton, MI 48183
Section 3.0 H

Sep 11, 2018

Bridget Labadie
Grosse Ile, MI 48138
Sep 11, 2018

Please protect our water and keep the detroit river from being polluted. Thank you

Christine Ayre
Dearborn heights, MI 48127
Sep 11, 2018 Section 3.0 C

Jody Finazzo
Grosse Ile, MI 48138
Sep 11, 2018

Kyle Laliberte

Sep 11, 2018

David Tarnacki

Sep 11, 2018

James Walsh
Holt, MI 48842
Sep 11, 2018

This comminity is host to a beautiful wildlife refuge. Matty will destroy it.

Laurel Garrison
Mi, MI 48138
Sep 11, 2018 Section 3.0 H

Our fresh water is Michigan s most precious natural resource. We cannot stand by while people like the Moroun family exploit it for profit. People like them think they are above the law. This country is of the people, by the people, and for the people. And the people don t want greedy fat cats ruining our state for their own gains.

Nicholas McIntosh
Grosse ile, MI 48138
Sep 11, 2018 Sections 3.0 C/H

DO NOT POLLUTE THE WATER. Clean the site!!!!!

Cailee McIntosh
Grosse Ile, MI 48138
Sep 11, 2018 Section 3.0 C

From: Jeff Mesler [redacted]
Sent: Thursday, September 13, 2018 9:36 PM
To: Kelly, Brian
Cc: [redacted]
Subject: proposed settlement agreement

This communication is in response to the proposed settlement agreement and covenant not to sue between the EPA, the MDEQ, and the DOJ with Crown Enterprises and MSC regarding the cleanup and redevelopment of the southern section at the former McLouth Steel facility in Trenton, Michigan. I do not believe that the settlement agreement as written is in the public interest and I urge the EPA, the MDEQ and the DOJ to amend or rescind the agreement.

I am a lifelong resident of the downriver area, currently living on Grosse Ile, Michigan directly across the Trenton Channel from the site in question. I am very excited about the possibility of the old buildings coming down, the pits of toxins being drained, and the property being re-developed, but I want to ensure that the process is done safely. I do not believe that the settlement agreement does enough to protect the citizens and the environment from further contamination while the project takes place.

I feel it is imperative that the following three items be addressed BEFORE any demolition or removal of materials from the property begins.

1. A method for preventing storm water, waste water, and run-off from leaving the property untested or untreated.

2. A method for controlling air borne pollutants that are released during the demolition of the site and during removal from the property with a pre-determined, approved fugitive dust prevention plan.

3. A method to ensure that all vehicles are free of potential contamination before exiting the property and potentially spreading contaminants to public roads and/or adjacent areas.

The proposed agreement allows Crown Enterprises and MSC 18 months to study these problems, and suggest plans for the control of these issues, while also stipulating that the buildings be demolished, and the toxic pits be drained within 24 months. Studies need to be completed, and solutions for the anticipated spread of contaminants need to be in place BEFORE demolition and draining begins. The proposed project timeline must be amended to reflect this.

In my estimation, the most egregious problem with this agreement is the lack of continuous ON-SITE presence of members of the responsible agencies for the duration of the project. The EPA and the MDEQ, not the owner, should be responsible for monitoring water quality at multiple points downstream, and at the very least, air quality at multiple locations within a one-mile radius of the site with special focus on the areas downwind. The appropriate agency should also be responsible for monitoring all the roads that exit the property for tramp soil contamination as these roads pass through residential and busy retail areas.

My concerns regarding who should be responsible for ensuring existing protocol is followed or establishing acceptable abatement procedures and monitoring come from the prospective owner's long history of skirting rules and possible unlawful behavior on many other endeavors in this region. Indeed, since the present owner,

Wayne County Land Bank, has already allowed Crown Enterprises to control access and security to the south site before the agreement is finalized, without oversight, this pattern of behavior is repeating itself.

On the evening of Friday, August 31st, Labor Day weekend, a large bulk cargo vessel tied up and began to unload "sugar" into tandem bulk trailers. Semi tractors then proceeded to haul these 40 or so wheeled rigs uninterrupted across the muddy known contaminated south site and directly onto public roadways without concern for the trail of potentially contaminated tramp soil they were leaving behind them. This activity went on around the clock for over 72 hours, disturbing the peace and potentially spreading hazardous waste. Throughout the whole public comment process the public was told by representatives of the governing agencies that a certain amount of trust in the involved parties would be required. These same representatives were completely unaware of the appearance and activities of this ship and trucks.

Trust is a commodity that the public cannot afford to squander on a project of this magnitude. The potentially disastrous harm to a sensitive aquatic environment and the human and animal life surrounding this site demands that proper safeguards are in place and enforced.

I believe that the settlement agreement and covenant not to sue as written IS NOT in the public interest, and that the agreement should be amended or rescinded.

Sincerely,

Jeffrey Mesler

Comment Sheet

EPA is interested in your comments on the proposed settlement for the southern portion of the former McLouth Steel facility. EPA will consider public comments before deciding if it will approve the settlement. Alternatively, EPA may elect to reopen negotiations to address significant public concerns, if any.

Please use the space below to write your comments, then fold and mail, or hand it in at the public meeting. This sheet may also be faxed to Kirstin Safakas at 312-353-1263. Or, you may submit comments through the Web at www.epa.gov/superfund/mclouth-steel. Comments must be postmarked by Sept. 13. If you have any questions, please contact Kirstin at 312-886-6015.

1) What is the environmental impact on the population of Trenton and Grosse Ile by taking down the McLouth Steel structure (pollution, toxins, etc.)?

2) How will the Maroun project affect the toll bridge and its operation (opening of the bridge for boats to pass)?

Name Walfraud E. Prechter

Affiliation business owner

Address [redacted]

City Trenton State MI Zip 48183

Safakas, Kirstin

From: Brian Loftus [redacted]
Sent: Thursday, September 13, 2018 10:34 PM
To: Safakas, Kirstin
Subject: McLouth/DSC Settlement Agreement

Dear Ms. Safakas,
I have two concerns with the language of the proposed settlement agreement due to the potential imapct on Grosse Ile Township:
First, control of fugitive dust and particulates during the demolition process. In an area of prevailing westerly winds, any contaminants released during the demolition phase of the numerous structures on the site will most probably be carried across the channel onto Grosse Ile, with potentially detrimental impact on the health of residents. I must request the most stringent controls on both the known and to be discovered contamiants, not limited to asbestos, during the demolition phase.
Second, control of contaminated ground water and surface contaminants - I would request immediate remediation of known surface contaminants and existing contaminated groundwater before any potential runoff enters the watershed. I am concerned there is enough existing contamination which, if allowed to wash into the river, could offset the benefits of the 'Black Lagoon' cleanup and coild have a long term detrimental impact on our local waters.
I want to thank those in Region 5 who are making this long awaited environmental improvement possible. Please keep my residents and myself informed of any developments in the remediation of the site.
Best regards,
Brian Loftus
Supervisor
Grosse Ile Township

Sent from Samsung tablet

MS. RUSSELL: Thank you. Fifteen.

CITIZEN: No comment.

MS. RUSSELL: Okay, thank you.

Sixteen. Card holder sixteen. And card holder seventeen.

MR. HOWARD: Can I say something else?

MS. RUSSELL: Seventeen. I will allow you to do that once I get through. Oh, you have -- well then you're card seventeen, sir.

CITIZEN: Well but I was also card three.

MS. RUSSELL: Well you're being very fair if you let me get through this if there's anyone else --

CITIZEN: Sure.

MS. RUSSELL: -- if there's eighteen was out there. Eighteen.

Thank you, sir. Please state your name, and I will take your card.

MR. THOMPSON: My name is Jordan Thomson. I'm a resident of Grosse Ile. I live as the crow flies less than a mile from the site. I'm on the island just south of Horse Mill. I'm also an environmental professional and have been doing this for thirty years. I'm primarily in the area of waste but also in remediation as well.

I will say this: I'm appalled that it's taken this long to get to this spot. And I'm also appalled that

it's taken the partnership or supposed partnership to get us here. These issues have been known since, based on the timeline 2000. I know you've done your best, Brian, to mitigate ongoing emergency issues. All the while it's been raining and Leachate has been going into the Detroit River. All the while the wind has blown and pushed and moved materials off that site. So I think it's well overdue. And it's unfortunate that it took money from somebody who I don't trust at all to get us to this point. And that's the crux of my comment.

I would hope that we'd learned some lessons in Flint and that we have some oversight of a private company whose only interest is to save money. If I'm in business as a private entity, I want to do it on the cheap, which means cutting corners and not doing it to standard. So I hope between the DEQ and the EPA that there is a rigorous oversight. And I hope that there's a good communication method to relay the plans and daily monitoring of those sites.

I live downwind, and immediately downwind. I'm sure my property is already impacted by McLouth Steel. If anybody knows anything about steel mills, the materials that they've processed for years and years and years have drifted probably all over the north end of Grosse Ile and into the community of Trenton, including heavy metals along

with PCBs.

So I think as we look to the future as you do your remediation investigation, you're going to find out that, boy, we should have done something twenty years ago. I'm sure there's a lot of mercury, and I'm sure there's a lot of PCBs on that site. Unfortunately, I also fish in the Trenton Channel, and I've probably eaten some mercury from McLouth Steel. And I'm sure anybody else here who fishes and consumes Michigan fish, even though we read the consumption warnings and abide by them.

That has been a contribution from an orphan site. And I guess -- unfortunately I couldn't get a question in. I would like to know what -- well that's a question. I would hope that the EPA would solicit more and constant questions from the community and input, because I think this is the beginning. Although I don't agree with the partnership, I don't agree with the release of liability, I understand that's a means to an end. But I don't know that it's the right partnership.

I think twenty years ago the EPA should have bit the bullet and started cleaning this up on its own and followed that process. It's been eluded to by others. And to speed this up, I think we're making a deal with the devil. So thank you.

MS. RUSSELL: Thank you. Do we have nineteen?

From: Roberta Urbani [redacted]
Sent: Friday, September 14, 2018 8:49 AM
To: Safakas, Kirstin
Subject: Comments re: McLouth Steel

Dear Ms. Safakas,

Thank you for taking public comments on this very important issue to the entire Downriver Community.

The industrial might of southeast Michigan was largely concentrated in the Downriver area, to the detriment of its environment, the health of its citizens, and the abundance, diversity, and vitality of its wildlife populations. While this grim legacy continues to this day, the enactment and implementation of strict environmental regulations (now endangered) and the decline of heavy industry in the area have resulted in a cleaner environment and the recovery of many wildlife species. The brooding hulk of the McLouth Steel plant on the Detroit River shore has been and remains a reminder of the "bad old days."

Unfortunately, with no responsible parties available to force a genuine clean up of the site, and the City of Trenton unable to shoulder that unknown but immense financial burden, the site will now be turned over to the Moroun family under a complicated agreement of clean up responsibilities ending in a "Covenant Not to Sue." We citizens of Downriver shudder to think of entrusting this responsibility in the hands of the family headed by Michigan's own Ebeneezer Scrooge. A man (and a family) that could have, and should have, been a great benefactor to the region has proven himself over and over again to be a selfish, grasping, money-grubbing individual with no concern for the community. What we have heard about their plans for the site are not encouraging. It will remain an industrial area for transport, rather than being transformed into a site for economic development, public use, and enjoyment.

As helpless observers, we Downriver citizens can only hope that EPA will be able to fully discharge its responsibilities and ensure a thorough and genuine clean up of the property that will restore the environment and protect air and water quality. We can also hope that Matty Moroun will experience his "ghosts of Christmas past, present, and future" and be transformed himself.

This is a test. Please, EPA, be vigilant!

--
Roberta Urbani
[redacted]
Grosse Ile, MI 48138
[redacted]

"The major problems in the world are the result of the difference between how nature works and the way people think." Gregory Baleson

To: Kristin Safakas

From: Robert Johnson

[redacted]

Trenton Mi 48183

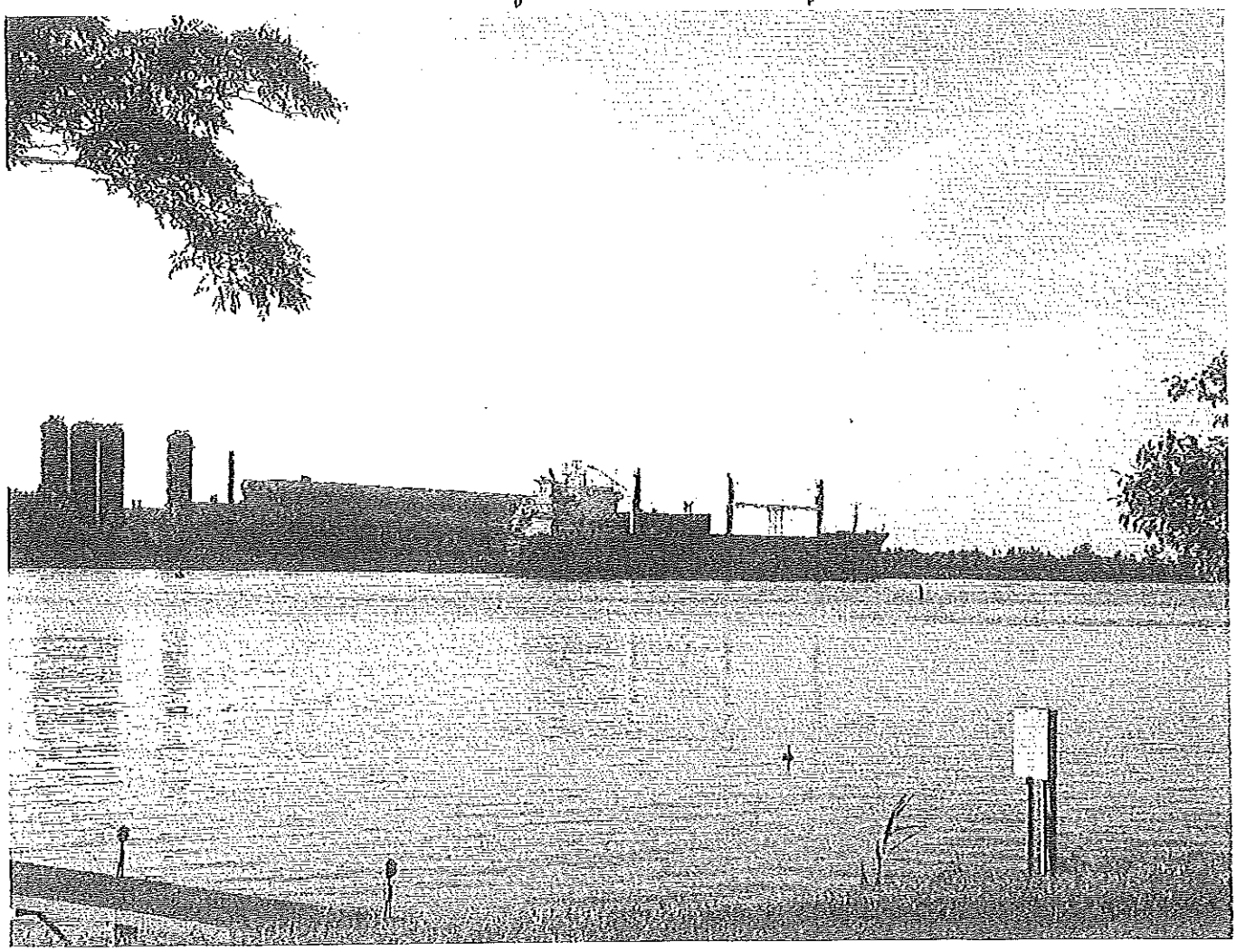
Date: 9/13/18

Kristin,

Thank you for the opportunity to ask questions and give comment at the hearing on September 5, 2018. Included are more cards from neighbors. I am glad you are starting the job of cleaning up the McLouth Steel facility. I am not yet convinced that the job will be done right. Please revise language on chemical levels and water run off.

Thanks
Robert Johnson

These pictures were taken September 4, 2018 by Robert Johnson [redacted] Mi. They show activity on the river and marks left at the front entrance.

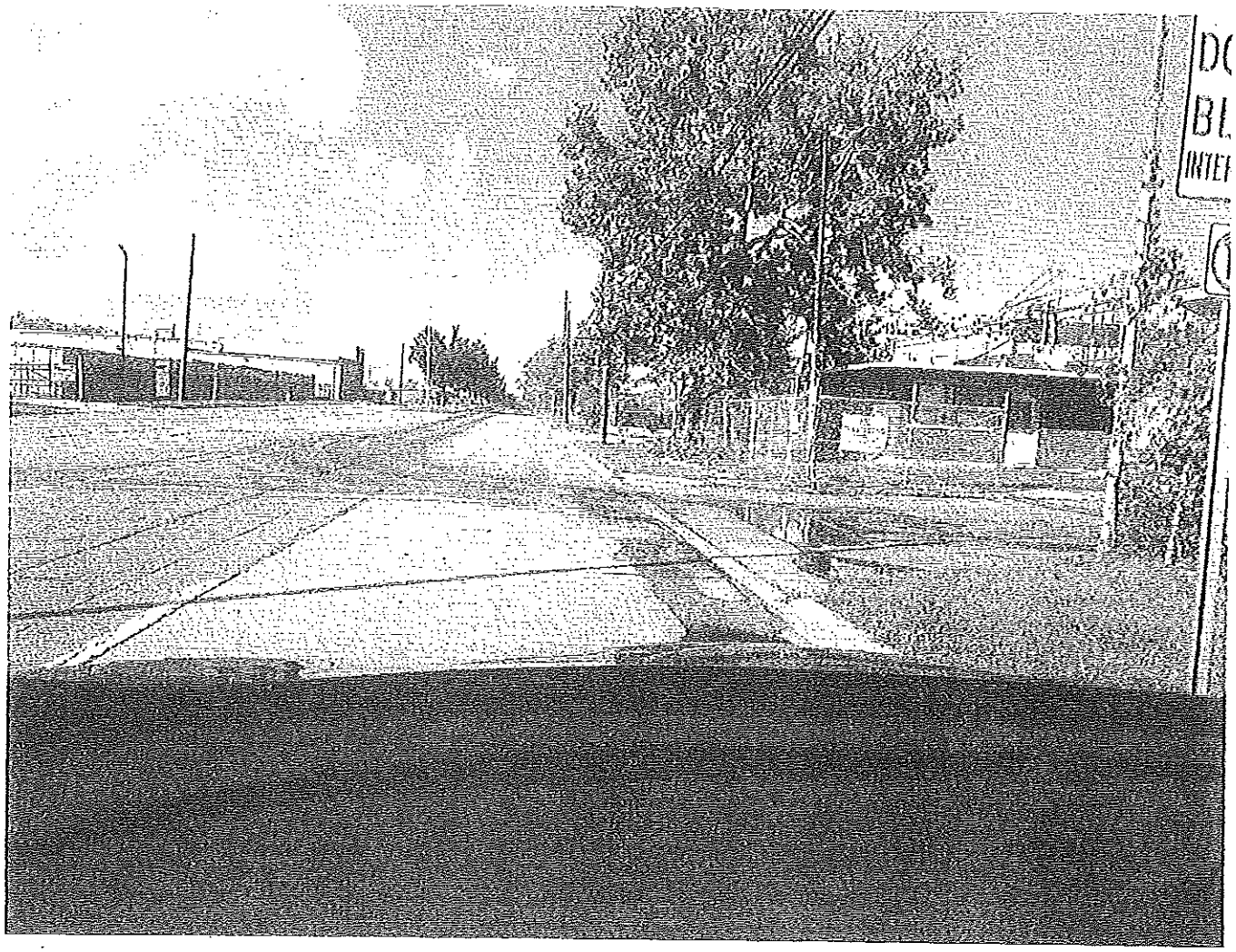


to McLouth Steel factory site. Will business be carried on during cleanup? If so what will be the safeguards put in place to ensure

(continued)

Pollutants are not leaving the site?

Robert Johnson



that would be raised to a level that would require work stoppage if elevated to -- if certain levels are detected on the property during cleanup. And also that any work would cease to -- stop if there was some kind of natural event that would require the winds to be at a certain rate, such as 20mph or higher. And that is the end of my public comment. Thank you.

MS. RUSSELL: Thank you very much. Appreciate that.

Do we have card seven that is available, up and ready to go? Thank you. Please state your name, and I'll take your card.

MS. HARTIG: Hello, good evening. I'm Patricia Hartig. I live at [redacted], basically around the corner from here.

First of all, I want to thank everyone from the MDEQ and the EPA for being here this evening. I know that you would not be working for the agencies that you work for if you did not deeply care about the environment. And also the DOJ. Thank you so very much for being here and for working on our behalf. I also want to thank you for allowing me to speak regarding the Administrative Settlement and Covenant Not to Sue. As a 27-year resident of Trenton I appreciate the opportunity to be involved in civil engagement affecting the environment in my community.

We all know that the McLouth site is a symbol of the Downriver area. It screams dirty, polluted, old, poor, unhealthy. The rebirth of Downtown Detroit that has so captivated the world with business leaders, government officials and philanthropists working together on a redevelopment vision by pouring millions of dollars into rehabbing buildings and reclaiming the Detroit River for people to use hasn't quite made it to our part of the river.

Yes, we do have the Detroit River International Wildlife Refuge; the only international wildlife refuge in the entire country. And indeed, as you mentioned earlier, over $10 million has been sent to clean up ten feet deep of contaminated soil at the Black Lagoon just a short ways south of the McLouth site. And actually, as you pointed out, caused by affluent McLouth.

But as a region south of Detroit on the same river, we have a hard time with that vision thing. Fortunately, as you've already heard and may continue to hear, Trenton does have a master plan and has, in fact, zoned much of the McLouth property to mixed use back in 2006, over 12 years ago.

You will be provided with the Trenton Zoning Ordinance that defines mixed use. And the interesting thing about this mixed use designation is that it includes

residential, recreational, environmental and commercial uses but not industrial. And because the property zoning does not include industrial, it is imperative that the level of cleanup be measured by the Part 201 Generic Cleanup Plan For Residential Standard.

The Settlement Agreement requires MSC to test suspected areas that are contaminated with PCBs and to only remediate if the levels are over 25 parts per million.

Now many many years ago in a previous life I did some environmental law work, and I can remember even back then that parts per million was kind of high. And we were always talking about parts per billion. So I am attaching to my statement those Part 201 standards that specifically talk about what the levels should be for soil and for both the industrial use and the nonindustrial use.

So curiously, the Part 201 standards for nonindustrial -- I'm sorry -- for nonresidential property, which would include industrial property, is 16,000 parts per billion.

Now one of the reasons that I never went into math or science was because I was really bad at it. And parts per billion and parts per million sound really hard to even understand. However, 25 parts per million equals 25,000 parts per billion. The Part 201 nonresidential property standard is 16 parts per billion. So the rules

require 16 parts per billion as a cleanup level. We're talking about 25,000 parts per billion, which is way more contamination than we're allowing.

But I really don't want you to even think about the 16,000 parts per billion; I would really like you to consider that the proper cleanup criteria should be for land that is zoned mixed use. And that standard in the Part 201 residential standard is 4,000 parts per billion, or in other words, 4 parts per million.

So I'm asking that you amend the settlement agreement to establish the cleanup standard of all contaminants to the part 201 generic cleanup criteria for residential property as required by a mixed use zone.

And I'll point out that in your settlement agreement, under the public comment portion it specifically states that:

> "After a public comment period and a potential public meeting the United States may modify or withdraw its consent of this settlement if comments received disclose facts or consideration which indicate that this settlement is inappropriate, improper, or inadequate."

I would ask you to modify it, because the standard of 25 parts per million is an inadequate standard.

Now no one can predict the future, but we can

envision it. If we require the McLouth property to be cleaned up to the level that it is currently zoned, mixed use, we will not preclude future city councils and county commissions from having the courage to dream bigger for us as so many other communities have done in the past. Thank you.

MS. RUSSELL: Thank you. And we can always collect those --Unintelligible --

All right, we have card eight. Please state your name, and I will take your card. Thank you.

MR. HUNT: Brandon hunt. Grosse Ile. So we've just been talking about how the property is zoned as mixed use. And so let's read what it means to be mixed use.

"The intent of the MD mixed use district is used to serve as the principal district for the development or redevelopment of those areas in the city designated on its adopted master plan mapped as areas for mixed use development.

Mixed use development as envisioned in the master plan and set forth in the MD district is designed to encourage the blending of various types of residential land use, which may include single family, including cluster housing and multiple family units in a harmonious and functional relationship with nonresidential land use, such as office and select commercial uses is, including marina

that was card three. We had card four. Do we have card five? Card five.

CITIZEN: I have no comment.

MS. RUSSELL: Okay, thank you. Moving on to card six. Anyone have six? Thank you. And please state your name and I'll take your card. Thank you.

MS. PATE: Good evening, and thank you for the opportunity to speak tonight. My name is Wendy Pate. I live at [redacted] in Trenton, which is almost adjacent to the McLouth property. I'm also a founding member of the Trenton Visionary Committee.

I represent a group of community stakeholders who seek to educate and engage business owners, community leaders and government officials in order to advocate for implementation of the goals and strategies of the Trenton coast and --Unintelligible-- master plan; an award-winning plan that outlines the future path of Trenton.

We have met with and questioned most of those connected to the settlement put forth. We've read, researched, and hotly debated for countless hours as a group, and the group has decided to come to a compromised statement of support of the plan.

As Representative Debbie Dingell put it, it is a first step toward a future that is away from the tough times of the past for Trenton. In this spirit of her

comment and of the master plan's vision and our group, also finds that this agreement can be amended, and we request your consideration of the following:

1. In the statement of facts portion, number 17, it should be made clear of the conflicting and current zoning that also includes mixed use and I2 on the southern portion of the proper. Because currently it only states that the property will be used for industrial development which is in the county settlement, but is in conflict with the City of Trenton's master plan. So if we're doing a historical look and including that in the settlement, it does, we feel, need to be added as a conflicting use of the property at this time.

2. We would hope that all plans and testing results such as work plans, health and safety plans, dust, and traffic management plans and the finding from the sampling be disclosed and available to the public; preferably upload to a site similar to the Superfund Site Profile Page.

3. We would like you to hold monthly or appropriately timed community updates, such as this, as a question and answer period, perhaps a town hall, not necessarily for public comment; continue to educate on us -- educate the community on the progress of the project, and help keep us informed of how things are progressing.

We know that there is community development person for that.

4. And most importantly, that the cleanup standards be raised to the level of the current mixed use zoning as often as possible. And given that we do not know the development plans. For example:

(1) The cleanup criteria being used is for nonresidential soil while the master plan zone is for mixed use. As such that criteria should be applied or the plan in the settlement would be considered inadequate.

(2) the PCB standard of 25 parts per million is inappropriate. It might be better to reduce the -- I guess that would be increase to 10 parts per million as the standard be used since the area cannot be characterized as a restricted access area, rather a non-- I'm sorry -- rather a nonrestricted access area, and

(3) Consider in the dust plan for our public health requirements such as spraying roadways, street sweepers to clean property -- you know, output -- clean trucks before they are leaving the property.

And then this was already mentioned, which I hadn't known, because in the settlement it doesn't say what the dust plan would be, but to include a particular --Unintelligible-- monitor. And perhaps that would detect other things than the Manganese, but perhaps other things

that would be raised to a level that would require work stoppage if elevated to -- if certain levels are detected on the property during cleanup. And also that any work would cease to -- stop if there was some kind of natural event that would require the winds to be at a certain rate, such as 20mph or higher. And that is the end of my public comment. Thank you.

MS. RUSSELL: Thank you very much. Appreciate that.

Do we have card seven that is available, up and ready to go? Thank you. Please state your name, and I'll take your card.

MS. HARTIG: Hello, good evening. I'm Patricia Hartig. I live at [redacted], basically around the corner from here.

First of all, I want to thank everyone from the MDEQ and the EPA for being here this evening. I know that you would not be working for the agencies that you work for if you did not deeply care about the environment. And also the DOJ. Thank you so very much for being here and for working on our behalf. I also want to thank you for allowing me to speak regarding the Administrative Settlement and Covenant Not to Sue. As a 27-year resident of Trenton I appreciate the opportunity to be involved in civil engagement affecting the environment in my community.

As a local resident in proximity to the pollution at the McLouth Steel site, I request the EPA and all government entities to enforce the clean-up standards for PCB's and other contaminants as required by Part 201 for residential use, in accordance with the site's Mixed-Use zoning.

Sign Stephen Viger

Print Stephen Viger

Address [redacted]

Trenton, Mi

48183

As a local resident in proximity to the pollution at the McLouth Steel site, I request the EPA and all government entities to enforce the clean-up standards for PCB's and other contaminants as required by Part 201 for residential use, in accordance with the site's Mixed-Use zoning.

Sign Dan Vieyra

Print Dan Vieyra

Address [redacted]

Trenton, MI 48183

As a local resident in proximity to the pollution at the McLouth Steel site, I request the EPA and all government entities to enforce the clean-up standards for PCB's and other contaminants as required by Part 201 for residential use, in accordance with the site's Mixed-Use zoning.

Sign Debbie Vicker

Print Debbie Vicker

Address [redacted]

Trenton, MI 48183

With that, I would open it up to -- you had another comment you wanted to make, sir. Please state your name.

MR. HOWARD: John Howard from East Rockwood. Basically I just want to say that if you got together with some old McLouth Steel employees, I think you could really find out where the bodies are buried on that land. They could tell you. I know many people who have told me, you know, where the spots are.

MS. RUSSELL: Thank you.

Were there any other folks who wanted to make a comment here verbally?

I do want to, as someone's contemplating that, again reiterate you can submit these via mail. There are forms in the fact sheet and forms out on the table if you want to turn those in and mail them in. There are online forms. You can send us an email, and we can take that as well. And if we can have that postmarked by September 13th.

I want to also highlight for folks ongoing information. If you signed up for EPA's mailing list as you came in or if you missed that, please do that. Because as we send information out in these fact sheets, or have public meetings, or want to get information to you, we would like to mail it to you. So please give us your

mailing address so we can get that to you. So I just wanted to remind folks as you exit, if you have not sign up for our mailing list, please do so.

MAYOR STACK: Do you have number twenty-three there.

MS. RUSSELL: I do.

MAYOR STACK: Okay, can I use that.

MS. RUSSELL: You certainly can.

MAYOR STACK: Okay. Okay. My name is Kyle Stack, and I'm mayor for the city of Trenton. I'd like to make a statement instead of any kind of question for the public hearing here.

But first, I'd like to begin that in 2011, I was elected to the office of mayor. And in December of 2011, I attended my first Brownsville meeting hosted by the Downriver Community Conference. At the end of the meeting -- Paula Bose (Phonetic) who's in charge of the economic development through the Downriver Community Conference asked if there were any questions from the group attending. I raised my hand, and I said help. I then proceeded to ask how we could get help for one of the most contaminated sites, not only in the city of Trenton but the County of Wayne and the state of Michigan.

My city administrator at that time -- and I won't say his name, because I don't want to have him have a

problem -- who I can't say enough thank you's to began to network and made connections to move this property forward to make it a viable site again many, many, many, many -- you will not believe; I can't even count them -- the hours that have been put into this site. Not only from the EPA, not only from the MDEQ, but from the City of Trenton, City of Riverview, Township of Grosse Ile.

Our administrative knew how important it was to me to move forward on getting this site cleaned up and to have once again a commercial property that could create jobs and taxes for this community.

As the city decided to pass on the purchasing of the property Wayne County, Khalil Rahal and his team from Wayne County Economic Development Corporation moved on presenting to the County Commission the importance of this property the city, county, the property -- or the commissioner -- I'm sorry -- to the County Commission the importance of this property to city, county and state. The commissioners then voted to place the property in the county land bank. Thank you to the commissioners that supported this important move.

RFQs were sent out to prospective buyers, and the interviews were sent out by Mr. Rahal. And he included myself and one other staff member to participate in the interviews. Four companies were interviewed, but only one

could show the financial support needed to proceed with clearing and providing a once damaged piece of property a nice chance with a new beginning. That company was Crown Enterprises.

And these gentlemen here, I have to tell you, they have been nothing but gracious in trying to work with everybody that's involved. They were the company that showed that there was true value in this property, and we look forward to seeing major improvements to the site.

Many residents and Downriverites [sic] are skeptical, but me myself along with the unanimous support of the council are convinced that they will show us that they will be truly invested in the community, and it is already started.

Thank you to Matthew Maroon, Michael Samhat (Phonetic), and Ron Patty for all your support on this project. I want to thank Steve Kaiser and all of his staff, Region 5 EPA Office, and especially to Brian Kelly for all his work on this project, and the Department of Justice for this review and acceptance of the cleanup.

I would like to thank Debbie Dingell for all her help on this project, along with State Representative Darrin Camilleri; County Commissioner Joe Palamara; Warren Evans, county executive; Khalil Rahal, assistant county executive, and the Wayne County Economic Development

Corporation. A big thanks goes to Jim Perry, director, and Paula Boase of the Downriver Community Conference for all their assistance.

The vision is coming to see a place that will no longer have these huge, dilapidated buildings. To see huge cleanup of the site and to see a new fence and all the weeds gone will be the vision I have to have an entrance to our community that we are proud to see.

Thank you, Crown Enterprises, for stepping up and believing in our community. We look forward to working with you as a partner in our community.

And I have to let you know, this has been one of the most projects that I have worked on during my -- I've been with the city as the mayor for seven years. It's taken this long, seven years, to get where we're at today. So I am very passionate about this. We need to be able to move forward with this to get this.

I'm getting tired of looking at -- and a lot of these people -- you know, I know Wendy Pate, because I've dealt with her with different things. She lives in between that and Riverside Hospital. So now it's time to move forward. And we're working on Riverside Hospital too. So I'll just let you know that. But I am not done with trying to figure out what we need to do here. And I'll be damned if I'm going to be chastised for working on a project that

of those samples or will it be the EPA or the MDEQ? That's a question. But it's just another one of my comments; that it just doesn't seem like this has been very well thought out. Not to denigrate all of the hard work and effort that's gone into this by both of these organizations. But they are legitimate concerns, and so I felt it was necessary to comment on them. Thank you.

MS. RUSSELL: Thank you. And you know that is going to be put into the formal comment for this settlement -- proposed Settlement Agreement.

I will need card number five. If you have card -- the card number five. How did we get out of order over there?

CITIZEN: That's okay.

MS. RUSSELL: So you have card two?

CITIZEN: I have card number 2.

MS. RUSSELL: Okay.

CITIZEN: This gentleman helped me.

MS. RUSSELL: I see. I see.

MR. HOWARD: That's okay. I have a comment if I can.

MS. RUSSELL: Please do.

MR. HOWARD: Okay, basically --

MS. RUSSELL: Oh, sir, please tell us your name.

MR. HOWARD: My name is John Howard from I'm

going to call it East Rockwood, down by Pointe Mouillee. And I'm really wondering where all this pollution is going to end up? If it's going to end up in our "bird sanctuary" down by Pointe Mouillee; you know, bury it so it can leak out into the lake?

I'm also wondering -- and it certainly seems to me as MSC, RTRR, and Crown Enterprises are basically controlled by the same people. And if I'm wrong on that, please let me know. Because if they are, it certainly seems like it's a monopolistic enterprise, which you people are going to be trying to defend yourself against, which has not done a very good job with the property that they've owned up in Detroit and, you know, have had major consequences until they finally ended up selling what they had to Ford, because finally they had a good idea.

So I'm wondering where the pollution is going to go? If RTR, RTRR, MSC and Crown Enterprise are the same, isn't that going to end up with, you know, having a room full of shenanigans again?

MS. RUSSELL: Thank you. And if you turn your card in with your name on it. It doesn't have on it right now. So I can turn it into our court reporter I appreciate it.

MR. HOWARD: Sure.

MS. RUSSELL: Thank you. Okay, do we have -- so

had since industrialization. And I just ask that in the consideration of the plans that the EPA look towards rezoning to mixed use standards and holding Crown Enterprises accountable to some of the vision that's already been set forth by the members of the community. Thank you.

MS. RUSSELL: Thank you.

Card number two, if you could step forward and submit your comment. If you can, keep it brief.

Do we have a card two? Going once. Remind you, you can always submit these online, or by mail, or in written form tonight.

Card number three. Do we have card number three? Step forward. Three. Do we have four?

Card four. Thank you. Please state your name for the court reporter, and I will take your card.

MR. MESTER: May name is Jeffrey Mester. I live at [redacted] on Grosse Ile. So I would like to make a comment related to some of the questions or comments that were made previously, because I have a front row seat to what's going on at the McLouth site.

Friday afternoon a ship was brought in to the deep water port. I believe it is anchored or was anchored on the north property, the very southern edge of the north property. Now evidently they're unloading sugar. I know

if -- they didn't have a stacker conveyor. They were using clam buckets to unload some kind of bulk material into tandem trailers and hauled off the site. Those trucks were leaving the site via the Jefferson road entrance, which is on the southern property.

So I don't know how they got approval from Wayne County to use land which is currently owned by Wayne County. But this is the sort of thing that doesn't generate a lot of trust, you know. And the sheriff should be the one controlling the access going to and from that site, and he's not. So --

And then again, it would appear that we are putting the cart before the horse on this whole project. Because I picked up this information on the way in today. And the very final step in the Superfund process is after the site is cleaned the U.S. EPA works with the community to help return the site to productive use.

Well it would seem that the agreement has already been approved, it's been signed, it's waiting for a rubber stamp, and MSC is going to begin to do their basic cursory surface cleanup and then begin redevelopment while you're waiting for the Superfund status to be approved, the assessments to be done and the work completed. How do you clean up a site that's already been redeveloped? That's what I would like to know.

And so to get it to some of the rest of my comments, it also states that they will determine the pace of redevelopment. So will they be permitted to install infrastructure or any structures that could possibly impede a cleanup in the future?

Let's see. Part of what I feel would be the wrong progression of this whole work is that, they are required to perform an assessment of the storm water runoff when we know it's already an issue. If they're going to do any demolition on the site, certainly they'll have to do it with some approved, you know, method. But if you don't have control of the storm water runoff on that site then how can we assure that you're not going to be just releasing more and more contaminants into the environment?

And as a lifelong Trenton resident who recently moved to Grosse Ile, I would hate to see the city of Trenton burdened with having that runoff diverted into their storm system for processing at our expense.

So the final -- my final concern and comment relates to a mentioning that there was going to be some monitoring, air monitoring, of -- for potential Manganese contamination. Who is going to be conducting that monitoring? Is that going to be MSC? I'm sorry. If it's on the north site that would be RTR. Are they going to be responsible for the monitoring and the laboratory testing

of those samples or will it be the EPA or the MDEQ? That's a question. But it's just another one of my comments; that it just doesn't seem like this has been very well thought out. Not to denigrate all of the hard work and effort that's gone into this by both of these organizations. But they are legitimate concerns, and so I felt it was necessary to comment on them. Thank you.

MS. RUSSELL: Thank you. And you know that is going to be put into the formal comment for this settlement -- proposed Settlement Agreement.

I will need card number five. If you have card -- the card number five. How did we get out of order over there?

CITIZEN: That's okay.

MS. RUSSELL: So you have card two?

CITIZEN: I have card number 2.

MS. RUSSELL: Okay.

CITIZEN: This gentleman helped me.

MS. RUSSELL: I see. I see.

MR. HOWARD: That's okay. I have a comment if I can.

MS. RUSSELL: Please do.

MR. HOWARD: Okay, basically --

MS. RUSSELL: Oh, sir, please tell us your name.

MR. HOWARD: My name is John Howard from I'm

And I absolutely need to get into the public comment portion of this meeting.

If you have questions, all of us are available. We have our contact information on fact sheets, on the website. And please, please, please don't hesitate to ask our folks questions.

What I need to do at this point in time is I do need to move into the public comments portion. And if you had picked up a card tonight and you have this card here, it's going to start from the number one. So if you are the lucky person who drew number one, I'm just going to go ahead -- I know that I said there would be a small break, but we have definitely moved into the time here. So what I would like to do is have the person who has the card number one to step forward.

And what I will have you do is as you come forward hand your card to me. If you can state your name for the court reporter.

And I will give you these cards so you have access to how to spell the person's name properly.

So if you will state your name and then go ahead and go into your comment. Thank you.

MR. STEWART: Ryan Stewart. I live at [redacted]. I feel like I won the lottery having the first card.

I just want to say thank you for -- I know that this has been a contentious meeting. There's a lot of concern certainly. And, you know, as has been expressed before, we appreciate that the EPA exist and the work it's done on behalf of the public, at least speaking from my perspective.

So a lot of the comments that I intended to make have already been made in the form of a question, but I did just want to bring up -- I have a list here of sites. You know, the mixed use zoning has been thoroughly beaten upon, so to speak, in the question period. I did bring a map that shows a majority of the southern portion of the site is zoned for mixed use currently.

I've also brought a sheet of a few different Brownsville cleanup that led to economic revitalization. You know, if anybody on the panel is interested, there are a few extra copies.

So, for instance, in 2016 the Detroit Riverfront Conservancy raised $163 million to build three and a half miles of the Detroit Riverwalk. Nearly three million visitors are using it annually. Ninety percent of these visits would not have taken place without significant riverfront improvement that spurred approximately $1 billion in total public and private sector investment during the first ten years with more than a billion dollars

expected over the next decade.

In Cleveland, Ohio in 1969 the Cuyahoga River caught on fire because of water pollution. This site has experienced $750 million in economic development since 2012. In addition $270 million new development projects are in the planning phase.

In Buffalo, New York in the 1950s and '60s no fish were able to be caught in the river. And by 2012 and 2018, there's been over $259 million in waterfront development along the Buffalo River.

The reason I bring these up, when we speak of vision and Crown Enterprise having put forth a vision for the purpose of the property, I would like to say -- and for the sake of the environment, I did not print up this document, because it's quite long.

The City of Trenton with the input of the community have developed a master plan. You know, for the sake of brevity, I'd just like to read one major point. That being, the physical goals to redevelop the waterfront so that it becomes a community asset that provides business and recreational space; to promote the riverfront as ecotourism designation, potentially; or convert all vacant sites into anchor institutions, businesses, parks, green space, education or medical facilities.

Understanding that Crown Enterprise is committing

a small amount of resources towards the development but also that the Environmental Protection Agency through the Superfund, as Mr. Kaiser said, will be funding the lions share of the recovery effort, in my mind the citizens of the community have already come together with a vision as well.

So from my perspective -- I have a brief example here, and this was released this week. There's an initiative that aims to get more cruise ships on the Great Lakes. Governor Snyder this week helped launch an international partnership that aims to get more cruise ships in the Great Lakes. I won't go into detail, but the goal and initiative is that international government and business arrangement to work and creat ecotourism in the Great Lakes region.

We know the Crown Enterprise site has a deep water port available, which is perfect for something like a cruise ship. The city of Trenton has been involved in a trail town initiative to revitalize and create a community development around things like ecotourism, biking, and parks.

There is vision, and there is an opportunity for development on behalf of the private and the public to work together to create a situation that supersedes the type of economic identity crisis that the Downriver community his

had since industrialization. And I just ask that in the consideration of the plans that the EPA look towards rezoning to mixed use standards and holding Crown Enterprises accountable to some of the vision that's already been set forth by the members of the community. Thank you.

MS. RUSSELL: Thank you.

Card number two, if you could step forward and submit your comment. If you can, keep it brief.

Do we have a card two? Going once. Remind you, you can always submit these online, or by mail, or in written form tonight.

Card number three. Do we have card number three? Step forward. Three. Do we have four?

Card four. Thank you. Please state your name for the court reporter, and I will take your card.

MR. MESTER: May name is Jeffrey Mester. I live at [redacted] on Grosse Ile. So I would like to make a comment related to some of the questions or comments that were made previously, because I have a front row seat to what's going on at the McLouth site.

Friday afternoon a ship was brought in to the deep water port. I believe it is anchored or was anchored on the north property, the very southern edge of the north property. Now evidently they're unloading sugar. I know

Card nineteen for comment?

Yes. Hello. Please state your name, and I'll take your card.

CITIZEN: My name is Carl Debusai (Phonetic). I just want to stand wholeheartedly in support of the comments of Wendy Pate, Bob Johnson, and Pat Hartig in terms of some of the amendments that should be made to the settlement agreement.

In addition on that, I just want to reiterate, as I did with my question, that I'm extremely concerned that this agreement only calls for the assessing and reporting of uncontrolled flow into the Trenton Channel. And it was extremely a concern to me as well to hear that tearing those buildings down was prioritized over that, because that's a primary concern of mine. So I'd ask that anything possible be done within the amendment to make sure that that is taken care of as soon as possible. Because as the previous gentleman said, it's been going on too long.

I'd also like to add that I'm also extremely concerned that copies of the settlement were not printed out for those that couldn't go on the internet and get that. So I'll leave it at that. Thank you.

MS. RUSSELL: Thank you. Do we have the holder of card twenty? Card twenty. Twenty-one. Twenty-two. And I have twenty -- or did someone else take it? Okay.

Safakas, Kirstin

From: Susan Mesler [redacted]
Sent: Thursday, September 13, 2018 5:56 PM
To: Safakas, Kirstin
Subject: Fw: Proposed Settlement Agreement with Crown Enterprises and MSC

----- Forwarded Message -----
From: Susan Mesler [redacted]
To: kelly.brian@epa.gov <kelly.brian@epa.gov>; confortir@michigan.gov <confortir@michigan.gov>; safakas.kirstin@epa.gov <safakas.kristin@epa.gov>; russell.diane@epa.gov <russell.diane@epa.gov>
Sent: Thursday, September 13, 2018, 6:50:00 PM EDT
Subject: Proposed Settlement Agreement with Crown Enterprises and MSC

This communication is in regard to the proposed settlement agreement between the EPA, the MDEQ, and the DOJ with Crown Enterprises and MSC regarding the cleanup and redevelopment of the former McLouth Steel facility in Trenton, Michigan. I do not believe that the settlement agreement is in the public interest and I urge the EPA, the MDEQ and the DOJ to amend or rescind the agreement.

I am a lifelong resident of the downriver area, currently living on Grosse Ile, Michigan directly across the Trenton Channel from the defunct property. I am very excited about the possibility of the old buildings coming down, the pits of toxins being drained, and the property being re-developed, but I want to ensure that the process is done safely. I do not believe that the settlement agreement does enough to protect citizens and the environment from contamination while the project takes place.

I feel it is imperative that the following three items be addressed BEFORE any demolition or removal of materials from the property begins.

1. A method for treating storm water, waste water, and run-off from the property.

2. A method for controlling air borne pollutants that are released from the property

3. A method to ensure that all ensure that vehicles are free of soil before exiting the property.

The proposed agreement allows Crown Enterprises and MSC 18 months to study these problems, and suggest plans for the control of these issues, while also stipulating that the buildings be demolished, and the toxic pits be drained within 24 months. Studies need to be completed, and solutions for the anticipated spread of contaminants need to be in place BEFORE demolition and draining begins. The proposed project timeline must be amended to reflect this.

I believe that the EPA and the MDEQ should have a continuous ON-SITE presence for the duration of the project. The EPA and the MDEQ should be responsible for monitoring water quality at multiple points downstream, and air quality at multiple locations in a one-mile radius of the site. The EPA and the MDEQ should also be responsible for monitoring all the roads and railways that exit the property for the spread of soils

The property has been zoned for mixed usage by the City of Trenton. Crown Enterprises and MSC must be held to the EPA and MDEQ standards set for this type of zoning.

I believe that the settlement agreement IS NOT in the public interest, and that the agreement should be amended or rescinded.

Sincerely,

Susan Mesler

MICHIGAN HOUSE OF REPRESENTATIVES
DARRIN CAMILLERI
STATE REPRESENTATIVE

[redacted]

September 13, 2018

Kirstin Safakas
Community Involvement Coordinator
Superfund, EPA R5
77 W Jackson Blvd, SI-6J
Chicago, IL 60604

Dear Ms. Safakas:

On behalf of the 90,000+ Downriver residents I represent, as well as the future residents of Downriver, I am providing comment on the administrative settlement and covenant not to sue between MSC Land Company, LLC (MSC) and the US Environmental Protection Agency (EPA) in the matter of cleaning up the former McLouth Steel Facility site. **I believe the agreement under consideration, while a long-awaited and necessary step toward rehabilitation of the site, should go further in requiring actions to sufficiently restore and protect the area's water, soil, and air quality.**

For decades, the vacant site of the former McLouth Steel Facility has plagued Trenton's waterfront. In addition to being a hindrance to economic activity in the area, the toxic chemicals that remain from McLouth's manufacturing processes have caused untold damage to Downriver's water, soil, and air. We now know that in multiple locations, toxic chemicals are within 500 ft of the Detroit River, a crucial water body for Downriver's economy, recreation, and wildlife. It is imperative, therefore, that the clean-up of the former McLouth property not only happen, but happen quickly and meet a high standard.

Because the extent of the contamination is so great, and with the site having sat vacant for so long, there is now overwhelming community support for cleaning up the site. In fact, EPA scientists have concluded that to not clean the site would pose "an imminent and substantial endangerment to public health, or welfare, or the environment." I agree that action must be taken, or we risk subjecting future generations of Downriver residents to the harmful effects of numerous volatile contaminants.

It's with this history and context in mind that I must first express my sincere appreciation for the EPA's efforts to come to an agreement around rehabilitation of the McLouth Steel property and to list the site on the Superfund program's National Priorities List (NPL). The scale of the site's contamination makes it almost impossible for any one community to tackle alone. It is my hope that this potential NPL designation, and the federal attention and resources that come with it, would bring the capacity and sense of urgency that this clean-up warrant.

However, while I recognize the importance of moving quickly to address the McLouth site's contamination, I must also emphasize the EPA's responsibility to fulfill its mission. The purpose of the

agreement with MSC is to protect Downriver residents from the threat to public health that the site poses. After thorough review of the agreement and listening to stakeholder concerns, I believe there are several areas where the agreement should take stronger action to ensure that goal is met:

1. **Stormwater management:** The agreement calls for MSC to assess options for stormwater management on the property and to submit a stormwater management report to EPA and the State within 18 months of the agreement being finalized. This stormwater assessment is crucial to understanding the pathways of how contaminants are polluting surrounding water bodies. *Therefore, the EPA should shorten the 18 month time frame, so that the necessary controls can be put into place as quickly as possible.*

2. **PCB cleanup:** Under the agreement as written, MSC Land Company has the responsibility to take soil samples from specified areas at a depth of 0-6". If a surface sample reveals PCBs in excess of 25 ppm, the contaminated surface must be removed or cleaned. However, if a deeper sample reveals contamination in excess of 25 ppm, MSC is only responsible for blocking off the contamination and posting warning signage, and they are not responsible for taking any action to clean it up. There are two points on this issue:

    1. At this point, it remains unclear how contaminants below 6" are moving from soil to surrounding water bodies. *Therefore, until all environmental assessments are complete, MSC should be responsible for removing contaminants below 6" in addition to the surface contaminants.*
    2. The site is currently zoned for mixed-use development. This is inconsistent with the document's stated goal of the purchaser using the site for industrial purposes after their work is complete. The agreement calls for a PCB limit of 25 ppm, however, the EPA recommended PCB cleanup level for high-occupancy areas is 10 ppm. *Therefore, until the site's zoning is changed, the more appropriate standard for PCB cleanup is 10 ppm.*

3. **Dust plan:** According to preliminary assessments of the site, the buildings to be demolished on site contain a significant amount of asbestos. That makes the dust plan particularly important, especially given the proximity of the site to surrounding neighborhoods. While the Statement of Work specifies some elements of a dust plan, it leaves most elements of the plan up to the EPA's discretion when approving the plan. *Environmental experts recommend that the plan include an automatic cessation of work if elevated levels of particulate matter are detected at the property line as well as work limitations during high wind or severe weather events.*

4. **Best efforts:** Many elements of the agreement are subject to MSC's giving a best effort to complete work. For example, the initial Work Plan that MSC must submit shall provide an "expeditious but realistic schedule" for completion of the work. Many members of our community are concerned with the motives and intentions of MSC and its affiliate Crown Enterprises, Inc. While there is no specific recommendation here, I would like to issue a word of caution on behalf of my constituents that the agreement should be as prescriptive as possible, so as to ensure that work expectations are met.

While I am pleased to see an agreement moving forward, I strongly urge you to strengthen the protections and requirements related to soil, water, and air quality. I believe addressing the concerns listed here, which are shared by many in our community, would protect the long-term health of Downriver residents and improve the environmental and economic outcomes of the proposed agreement.

Thank you for your consideration and the opportunity to comment. If you have any questions, please contact my office at [redacted] or email [redacted]

Sincerely,

State Representative Darrin Camilleri
23rd House District

Card nine. Card nine. Nine? Please state your name, and I will take your card. Thank you.

MR. JOHNSON: Robert Johnson.

I'm here to offer some input for some people who are not here. A petition has been circulated which supports the Trenton Coastal Plan. And I have 370 names that I will put into the record.

And, secondly, on very short notice we have circulated some cards indicating that the EPA should adhere to the Part 201 for the cleanup of the site. And I offer you in the amount of 48 cards --

MS. RUSSELL: Okay.

CITIZEN: -- for the record.

MS. RUSSELL: Okay, I will take those. Thank you, sir.

Do we have number ten? Card number ten. We have ten out there? I'm going up to twenty-three folks. Do we have eleven?

CITIZEN: My comments have been covered.

MS. RUSSELL: Comments have been covered. Thank you, sir.

Twelve? Do we have card twelve for comment? Thirteen? Card thirteen. The holder of card thirteen. Fourteen.

CITIZEN: I'm going to pass, thank you.

envision it. If we require the McLouth property to be cleaned up to the level that it is currently zoned, mixed use, we will not preclude future city councils and county commissions from having the courage to dream bigger for us as so many other communities have done in the past. Thank you.

MS. RUSSELL: Thank you. And we can always collect those --Unintelligible --

All right, we have card eight. Please state your name, and I will take your card. Thank you.

MR. HUNT: Brandon hunt. Grosse Ile. So we've just been talking about how the property is zoned as mixed use. And so let's read what it means to be mixed use.

"The intent of the MD mixed use district is used to serve as the principal district for the development or redevelopment of those areas in the city designated on its adopted master plan mapped as areas for mixed use development.

Mixed use development as envisioned in the master plan and set forth in the MD district is designed to encourage the blending of various types of residential land use, which may include single family, including cluster housing and multiple family units in a harmonious and functional relationship with nonresidential land use, such as office and select commercial uses is, including marina

and related commercial uses.

Furthermore, the MD District is structured to encourage and fill the government's redevelopment design intended to contribute to a more compact use of the land, resulting in less consumption of land and natural resources while at the same time enhancing the site's natural features by sustaining them through their careful integration to the site's overall development scheme.

Full utilization of the city's existing utilities and other municipal services, a high level of development that would make a positive contribution to sustaining the quality of life and the communities lives, enhancing and diversifying the economy of the community, enhancing the environmental qualities of the community, and enhancing the recreational potential of the community.

The redevelopment of environmentally infected areas with a form of diversified land use that will be environmentally acceptable to the community. A creative approach to mixing up land use types by minimizing regulatory standards generally associated with a zoning district in order to encourage a high level of design innovation, and the optimum use of public park and open space areas to attract infields and development of environmentally impacted sites. Thanks.

MS. RUSSELL: Thank you.

Safakas, Kirstin

From: drupal_admin@epa.gov on behalf of EPA <no-reply@epa.gov>
Sent: Thursday, September 13, 2018 9:54 PM
To: Safakas, Kirstin
Subject: Form submission from: EPA in Michigan Former McLouth Steel Facility - Trenton, Michigan Public Comment Form form

Submitted on 09/13/2018 10:54PM
Submitted values are:

Comment: Please clean this site up. Michigan water is so important to the entire nation. Protect it
Name: Diane Hewson
Organization:
Email: [redacted]
Address (if you would like to be added to mailing list): [redacted] Rochester, MI, 48307

Safakas, Kirstin

From: drupal_admin@epa.gov on behalf of EPA <no-reply@epa.gov>
Sent: Thursday, September 13, 2018 9:50 PM
To: Safakas, Kirstin
Subject: Form submission from: EPA in Michigan Former McLouth Steel Facility - Trenton, Michigan Public Comment Form form

Submitted on 09/13/2018 10:50PM
Submitted values are:

Comment:
The priority should not be tearing down buildings - the priority is stopping the pollution going directly into the Detroit River..

Waiting 18 months for a report is obscenely long for toxic chemicals to continue to leach into the river. If we don't stand up and start treating our water supply as finite and something worth protecting, it will be gone.
And we'll be left with ... a report.
Name: Kelly White
Organization:
Email: [redacted]
Address (if you would like to be added to mailing list): [redacted] New Boston, MI, 48164

Grosse Ile Civic Association
[redacted]
Grosse Ile, Michigan 48138

September 13, 2018

Ms. Kirstin Safakas
Community Involvement Coordinator
U.S. Environmental Protection Agency
Superfund, EPA R5
77 W Jackson Blvd
SI-6J
Chicago, IL 60604
Sent via e-mail to safakas.kirstin@epa.gov, and copied to kelly.brian@epa.gov and confortir@michigan.gov

Re: **Comments of the Grosse Ile Civic Association on the proposed "settlement agreement" for the McLouth Steel site**

Ms. Safakas:

This letter is to transmit the comments of the Grosse Ile Civic Association (GICA) about the proposed "settlement agreement" between the government and Matty Moroun's companies pertaining to the former McLouth Steel site in Trenton, Michigan and Riverview, Michigan. The GICA advocates that the U.S. Environmental Protection Agency (EPA) incorporates the following comments into the final text of the "settlement agreement" that must be signed by all parties:

(1) The "settlement agreement" must be modified to mandate that the clean-up of the McLouth Steel site is performed to EPA standards that are considered safe for humans living in residential property that may be included in a mixed-use redevelopment project on the site. It is the GICA's understanding that the "settlement agreement" as currently written only requires a clean-up of the McLouth Steel property to a standard that would only enable industrial redevelopment.

(2) The EPA must accelerate the schedule in the "settlement agreement" to no more than six (6) months for designing a stormwater runoff, groundwater, soil and airborne contamination containment and remediation plan that can be reviewed by the government and the public. The target schedule for final approval and initial implementation of this plan should be no more than nine (9) months. This plan must include a detailed description about the containment of asbestos dust and other particulates that may become airborne during the demolition of structures on the McLouth Steel site and other remediation or redevelopment activities. This plan must be approved prior to the start of planned remediation and demolition activities other than those that may be required to address emergency environmental problems and, or, other situations that threaten public safety and, or, the environment.

(3) The "settlement agreement" must to include a provision requiring the EPA to operate ongoing, and if technically feasible real-time, monitoring of stormwater runoff, groundwater, soil and airborne contamination on the McLouth Steel site that is made available to the public through the Internet and periodic printed reports. The capability must be approved and implemented prior to the start of planned remediation and demolition activities other than those that may be required to address emergency environmental problems and, or, other situations that threaten public safety and, or, the environment.

(4) The "settlement agreement" must stipulate that the no prospective purchaser, and, or company owned by, or affiliated with, Mr. Moroun -- specifically including the Riverview-Trenton Railroad -- or any related company or agent shall invoke powers granted by the Federal government and, or, State of Michigan to provide Federally-recognized railroads with the ability to preempt regulation by state and local governments. The "settlement agreement" must state that Mr. Moroun's companies will abide by all laws and regulations of the State of Michigan as well as the ordinances and codes of Wayne County, City of Trenton, City of Riverview and Grosse Ile Township.

(5) The "settlement agreement" must stipulate that the no prospective purchaser, and, or company owned by, or affiliated with, Mr. Moroun -- specifically including the Riverview-Trenton Railroad -- or any related company or agent shall invoke powers possibly granted by the Federal government and, or, State of Michigan to provide Federally-recognized railroads with the ability to use powers of eminent domain or condemnation to acquire additional property beyond the McLouth Steel site, realign existing public roadways or establish new railroad crossings on existing public roadways. This stipulation must also specifically state that eminent domain and, or, condemnation powers cannot be used to acquire the Grosse Ile Toll Bridge, roadways/right-of-ways leading to the span and property currently owned by the Grosse Ile Bridge Company.

(6) The "settlement agreement" must stipulate that the Detroit/Wayne County Port Authority (DWCPA), or any other port authority, shall not be permitted to use any potential eminent domain or condemnation powers as well as regulatory authority possibly granted by the Federal government and, or, State of Michigan to acquire the McLouth Steel site, and, or any property in its vicinity. This stipulation must also specifically state that eminent domain and, or, condemnation powers cannot be used to acquire the Grosse Ile Toll Bridge, roadways/right-of-ways leading to the span and property currently owned by the Grosse Ile Bridge Company. The DWCPA must be required to include appointees from the City of Trenton, City of Riverview and Grosse Ile Township to provide proportional representation if the entity seeks to assert jurisdiction over a potential port located at the McLouth Steel site, and, or other land along the Trenton Channel.

(7) The "settlement agreement" must include a provision that requires the prospective purchaser, and, or Mr. Moroun's companies to produce and make public a study of the impact of the proposed redevelopment of the McLouth Steel site on vehicle traffic flow in, and around, the City of Trenton, City of Riverview, Grosse Ile Township, City of Woodhaven and Brownstown Township. This study shall be required to be made public at least two (2) months prior to Mr. Moroun's companies submitting any proposal to the City of Trenton and, or, the City of Riverview for any rezoning and, or, permitting that may be required for new construction on the McLouth Steel site.

Thank you for attention to the comments of the GICA. Please include the GICA's comments in the EPA's public record for this matter.

Sincerely,
Eric Anderson
Bill Heil
Greg Karmazin
Craig Pilkington
Grosse Ile Civic Association Board of Directors

cc: Grosse Ile Township Board Members & Grosse Ile Township Manager
State of Michigan Governor Rick Snyder
U.S. Senator Gary Peters
U.S. Senator Debbie Stabenow
Congresswoman Debbie Dingell
Michigan State Senator Coleman Young, II
Michigan State Representative Darrin Camilleri
Wayne County Executive Office
Wayne County Commission Members
Trenton City Council
Riverview City Council

Sue unger
Grosse Ile, MI 48138
Sep 11, 2018

Theodore L. Copley
Grosse Ile, MI 48138
Sep 11, 2018

The Detroit river flows into Lake Erie and down stream there are MILLIONS OF US & CANADIAN citizens who can & will be poisoned by this act. The EPA is supposed to protect the PEOPLE not BILLIONAIRES POLLUTERS!

NICHOLAS J REACH JR
Buffalo, NY 14223
Sep 11, 2018 Section 3.0 C

Kathleen
Taylor, MI 48180
Sep 11, 2018

David Ezell
Grosse Ile, MI 48138
Sep 11, 2018

Jane Rossi
Grosse Ile, MI 48138
Sep 11, 2018

Nancy DeMarco
Brighton, MI 48116
Sep 11, 2018

Therese O'Neil Darling
New Boston, MI 48164
Sep 11, 2018

Protect our waters not billionaires.

Margaret Donelson
Taylor, MI 48180
Sep 11, 2018 Sections 3.0 C/H

Alex Porter
Grosse ile, MI 48138
Sep 11, 2018

Jeff Clark
Ann Arbor, MI 48103

Safakas, Kirstin

From: drupal_admin@epa.gov on behalf of EPA <no-reply@epa.gov>
Sent: Thursday, September 13, 2018 6:44 PM
To: Safakas, Kirstin
Subject: Form submission from: EPA in Michigan Former McLouth Steel Facility - Trenton, Michigan Public Comment Form form

Submitted on 09/13/2018 7:44PM
Submitted values are:

Comment: Crown Enterprises, Inc. (Purchaser's Related Party) should not be included in the covenant not to sue. There are no affirmative obligations for Crown Enterprises, Inc yet the United States and the State have pledged not to sue Crown Enterprises, Inc. To be included in the covenant not to sue, Crown Enterprises, Inc must be subject to the requirements in Sections VII.
through XV of the Settlement.
Name:
Organization:
Email:
Address (if you would like to be added to mailing list): [redacted] Wyandotte, MI, 48192

Safakas, Kirstin

From: drupal_admin@epa.gov on behalf of EPA <no-reply@epa.gov>
Sent: Thursday, September 13, 2018 7:02 PM
To: Safakas, Kirstin
Subject: Form submission from: EPA in Michigan Former McLouth Steel Facility - Trenton, Michigan Public Comment Form form

Submitted on 09/13/2018 8:01PM
Submitted values are:

Comment: EPA Large Lakes Research Station and emergency response should remain on Grosse Ile. It is critical to oversight of the McLouth cleanup and protection of southeast Michigan. 40% of responses in Michigan are Downriver, 9% are in Ann Arbor. EPA's Grosse Ile office is scheduled to close in March
2019
Name: AJ
Organization:
Email:
Address (if you would like to be added to mailing list): Downriver, Trenton, MI, 48192

NO Delays on the Cleanup!!!!!!

galati
Grosse Ile, MI 48138
Sep 10, 2018

Sections 3.0 A-H

Karen Bankovich
Trenton, MI 48183
Sep 10, 2018

Danielle West
Grosse Ile, MI 48138
Sep 10, 2018

Sharon Burton
Troy, MI 48085
Sep 10, 2018

Denise Fischione
Sterling Heights, MI 48313
Sep 10, 2018

---

charlene porter
pikeville, KY 41501
Sep 10, 2018

We need to ensure clean water for people and for the wildlife that depend on uncontaminated water.

Linda Shannon
Grosse Ile, MI 48138
Sep 10, 2018

Section 3.0 C

We do not want Crown Enterprises as our neighbor. Stop industrial contaminants from entering our water supply!

Lisa Cunningham
Grosse Ile, MI 48138
Sep 10, 2018

Sections 3.0 C/H

Joanne Bohl
Grosse Ile, MI 48138
Sep 10, 2018

Leslie Southall
Trenton, MI 48183
Sep 10, 2018

From: drupal_admin@epa.gov on behalf of EPA <no-reply@epa.gov>
Sent: Thursday, September 13, 2018 10:50 AM
To: Safakas, Kirstin
Subject: Form submission from: EPA in Michigan Former McLouth Steel Facility - Trenton, Michigan Public Comment Form form

Submitted on 09/13/2018 11:49AM
Submitted values are:

Comment: Please don't sell out Downriver residents by taking the least expensive and incomplete route to the McLouth site remediation thereby expeditiously handing over our fates to the untrustworthy Mouroun group who has no stake or interest whatsoever in what is good for area residents.
Remember that the EPA should be representing the interests of PEOPLE not CORPORATIONS.
Name: Paige Miller
Organization:
Email: [redacted]
Address (if you would like to be added to mailing list): [redacted] Grosse Ile, MI, 48138

6TH DISTRICT
STATE CAPITOL
[redacted]
LANSING, MI 48909-[redacted]
[redacted]

MICHIGAN HOUSE OF REPRESENTATIVES

STEPHANIE CHANG
STATE REPRESENTATIVE

September 13, 2018

Brian Kelly
US Environmental Protection Agency
R5 Emergency Response Branch #1
9311 Grosse Ile Rd
Grosse Ile, MI 48138

Steven Kaiser
Associate Regional Counsel – C14J
US Environmental Protection Agency
77 West Jackson Boulevard
Chicago, IL 60604

RE: Proposed settlement agreement between EPA, DOJ, MDEQ, Crown Enterprises, and MSC Land Co.

Dear Mr. Kelly,

Thank you for the opportunity to provide public comment regarding the proposed administrative settlement agreement between the US Environmental Protection Agency, US Department of Justice, Michigan Department of Environmental Quality, Crown Enterprises and MSC Land Co. regarding the McLouth Steel Facility in Trenton and Riverview, Michigan.

I was pleased to review the proposed settlement and believe that this is an important positive step forward for the quality of life of Downriver residents. The McLouth Steel plant has sat abandoned on the Detroit River for decades and this proposed settlement agreement provides an opportunity for renewal and reuse of this important site. The demolition of structures, removal of asbestos-containing material, removal of contaminated water and sludge, and efforts to address PCBs, groundwater contamination, and more are all important for the environmental protection and public health of Downriver residents. The settlement agreement includes some strong provisions that ensure that MDEQ and EPA will have the ability to secure and ensure compliance but could be improved in some areas.

I hope that residents will be given ample opportunity to review and provide comment not just on this proposed settlement agreement, but other specific work plans that are yet to be developed, such as the Health and Safety Plan, Traffic Management Plan, Construction Plan and the corresponding health and safety plan, revised due care plan, dust control plan, storm water prevention and pollution control plan, and soil management plan. The EPA and MDEQ should take all necessary steps to ensure that these plans protect the public health of Downriver residents and the quality of our air and water, and residents should be given as much opportunity as possible to understand and comment on these important plans. Additionally, as the Purchaser identifies contractors and subcontractors for abatement, demolition, etc. the public should be made aware of these decisions and any past environmental violations (if any) of these contractors and subcontractors. In general, I believe that regular updates and opportunities for comment should be provided to the public on an ongoing basis.

The proposed settlement agreement should be revised to include a more appropriate PCB cleanup standard of 10 ppm, which regulations state is for spills in non-restricted access locations, since the McLouth Steel property is zoned for mixed use development. I understand that the likely use in the future will be industrial, but given the current zoning and allowable use, application of the stronger standard seems appropriate. You have the opportunity to ensure the cleanup is done as thoroughly as possible, and using this stricter standard is not only appropriate, but it would also send a strong signal to Downriver residents that your agencies are strongly committed to protecting the public from harmful contaminants.

In addition, the requirements in the settlement agreement for the dust control plan to be developed by the parties should be strengthened to ensure that it is comprehensive. Best practice for dust plans include spraying of roads or use of street sweepers, installation of particulate matter monitors with stoppage of work if elevated levels are detected, and stoppage of work when there is high wind. Given the contaminants at the site and the close proximity of the site to residential neighborhoods and the Detroit River, including these requirements now for inclusion in the dust control plan to be developed is imperative.

I would like to request more information about the air quality monitoring, water quality monitoring, and any other environmental quality monitoring that will take place during the remediation work at the site. Which entity will be conducting this monitoring? How often will it take place – will the monitors include continuous monitoring? Where will the monitors be located? What substances will be monitored? Will the monitoring reports be available to the public? This information should be provided to the public.

I am very encouraged that the McLouth Steel site was proposed this week by the EPA for consideration for the Superfund program's National Priorities List. Cleaning up this site is important for the environment and public health of thousands of residents, and I applaud the EPA and local public officials who have advocated for this action. It is critical that the EPA maintain or strengthen funding for Superfund sites and not let this important program suffer any cuts in the coming years.

Thank you for the opportunity to provide comment on the proposed settlement agreement. I look forward to our continued discussions about this important matter. I can be reached at [redacted] or [redacted]

Sincerely,

Stephanie Chang

Stephanie Chang
State Representative, House District 6 (Detroit, River Rouge, Ecorse)
Democratic nominee for State Senator, District 1 (Detroit, Trenton, Riverview, River Rouge, Ecorse, Wyandotte, Woodhaven, Gibraltar, Grosse Ile, Brownstown)

CC: Rich Conforti, MDEQ Project Manager

Aram Kalousdian
Ypsilanti, MI 48198[redacted]
Sep 12, 2018

DANA P FARRELL
ANN ARBOR, MI 48103
Sep 12, 2018

Mary Moriarty
Ann Arbor, MI 48105
Sep 12, 2018

kate
Harbor Springs, MI 49740
Sep 12, 2018

Please support the CIty of Trenton Coastal Resiliency Plan and allow redevelopment in accordance with the resident's vision. STOP polluting the Detroit River.

Mark Knowles
Trenton, MI 48183
Sep 12, 2018 Sections 3.0 A/C

Kathryn Stanley
Renton, WA 98058
Sep 12, 2018

Danielle Miles
Grosse Ile, MI 48138
Sep 12, 2018

Ashley Gunn
Lane Brownstown, MI 48134
Sep 12, 2018

Jeremy Barron
Flat Rock, MI 48134
Sep 12, 2018

Arthur MacNee III
Grosse Ile, MI 48138
Sep 12, 2018

Joe Deuparo
White Lake, MI 48386
Sep 12, 2018

Sep 11, 2018

Please protect our waters stop the pollution

Dawn Walworth
Chase, MI 49623
Sep 11, 2018

Angela Page
Lincoln Park, MI 48146
Sep 11, 2018

It will be a crying shame if the EPA is pushed around by the Maroun family and their money. Do what is best for the environment. That is what you are here for!!

Jeremy Wilson
Allen Park, MI 48101
Sep 11, 2018 Section 3.0 H

JoAnne Pantale
Marcellus, MI 49067
Sep 11, 2018

Kathleen McGrath
Grosse Ile, MI 48138
Sep 11, 2018

Becca Krukowski
MPHS, TN 38119
Sep 11, 2018

Richard Booth
Grosse Ile, MI 48138
Sep 11, 2018

Building materials include asbestos cement

Dennis O'Brien
Grosse Ile, MI 48138
Sep 11, 2018 Section 3.0 B

Anthony Krukowski
Grosse Ile, MI 48138
Sep 11, 2018

Please protect the Detroit River and surrounding area.

Jeanne Krukowski
Grosse Ile, MI 48138 Section 3.0 C

Sep 9, 2018

Barbara Hawn
Grosse Ile, MI 48138
Sep 9, 2018

Jacqueline Snow Davies
Grosse Ile, MI 48138
Sep 9, 2018

A total mess

Greg Manikowski
Grosse Ile, MI 48138
Sep 9, 2018 Sections 3.0 A-H

Judy Cholger
Grosse Ile, MI 48138
Sep 8, 2018

Kelly Weise
Grosse Ile, MI 48138-[redacted]
Sep 8, 2018

I find it hard to believe that when we're putting so concerned about our food and fertilizer, dog foods, cleaning our oceans that this building would be allowed to stand any longer. Downriver has a lot of industry thusly, and most likely leading to a high cancer area. We have to remove that building now, not 2 yrs. down the road. A question: how many people that live near that building have died of cancer???

Gloria Dalton
Grosse Ile, MI 48138
Sep 8, 2018 Sections 3.0 A-H

Richard Wallace
Melvindale, MI 48122
Sep 8, 2018

Just take a look at Jefferson where the trucks coming out of McClouth are leaving on the road

Louann Dunn
GROSSE ILE, MI 48138
Sep 8, 2018 Section 3.0 B

Salvatore J. Arini

Sep 8, 2018

Robert HOLMES
Grosse ile, MI 48138

Geoff
Grosse Pointe, MI 48236
Sep 12, 2018

It is definitely not appropriate to modify EPA rules to allow the wealthy to circumvent the costs of not polluting the environment that we all share. Were all in this together and we can't allow polluting

John Schneider
Escanaba, MI 49829
Sep 12, 2018

Sections 3.0 A-H

Kenneth Zielinski
Okemos, MI 48864
Sep 12, 2018

Richard H Sparkes
Grand Blanc, MI 48439
Sep 12, 2018

BURKE H. WEBB
MARCELLUS, MI 49067
Sep 12, 2018

Sue fox
Fenton, MI 48430
Sep 12, 2018

Cheryl Donakowski
Suttons Bay, MI 49682
Sep 12, 2018

Elizabeth Lieber
East lansing, MI 48823
Sep 12, 2018

Douglas Bethel
Muskegon, MI 49442
Sep 12, 2018

Tony jurado
South Lyon, MI 48178
Sep 12, 2018

Carol Mohr
Ann Arbor, MI 48108
Sep 12, 2018

Very concerned about The Maroun company having this much influence Downriver. I worry about the Toll Bridge and its future.

Amanda Phillips
Grosse Ile, MI 48138
Sep 8, 2018 Section 3.0 H

Our waterways our pouluted enough as-is. We cannot stand by and allow these corporations and billionaires to take short cuts to save cash at the expense of the environment.

Richard Teasdale
Flat rock, MI 48134
Sep 8, 2018 Sections 3.0 C/H

No to more industry on this site.

Lori Quinlan
Grosse Ile, MI 48138
Sep 8, 2018

Maureen Jarnot
Grosse Ile, MI 48138
Sep 8, 2018

Keith Fusinski
Grosse ile, MI 48138
Sep 8, 2018

Jamison Yager
Grosse Ile, MI 48138
Sep 8, 2018

John Colina
Grosse Ile, MI 48138
Sep 8, 2018

MaryLou Cartwright
Brownstown, MI 48183
Sep 8, 2018

Annette DeMaggio
Lincoln Park, MI 48146
Sep 8, 2018

Clean water isn t a partisan issue

Diane Hewson
Rochester, MI 48307 Section 3.0 C

Sep 9, 2018

This site is also full of asbestos, and there should be strict oversight on the demolition and the removal procedures of asbestos so that it does not become a friable airborne hazard. Thanks

Randall Mammo
Grosse Ile, MI 48138
Sep 9, 2018 Section 3.0 B

Chyril Ayotte
Manistee, MI 49660
Sep 9, 2018

Valerie Counard
Grosse Ile, MI 48138
Sep 9, 2018

We need to continually think about the future, for everyone. People and wildlife as well.

Bob Arzadon
Trenton, MI 48183-[redacted]
Sep 9, 2018 Section 3.0 A

Megan Antosh
Grosse Ile, MI 48138
Sep 9, 2018

Dominic Palazzolo
Grosse Ile, MI 48138
Sep 9, 2018

The community has worked hard to make our Downriver Beautiful and liveable for people and animals. Please don't mess it up for us.

Jane Fijal
Grosse ile, MI 48138
Sep 9, 2018 Sections 3.0 A-H

Our planet & our bodies are comprised of 72% water; the QUALITY of the water we consume, use on crops and fill our Great Lakes with is essential for the routine maintenance of healthy thriving life forms and our environments.

Jennifer Domino
Grosse Ile, MI 48138
Sep 9, 2018 Section 3.0 C

Robin Jones
Grosse ile, MI 48138
Sep 9, 2018

Ted Westphal
Grosse ile, MI 448138
Sep 8, 2018

Lisa Jarzeboski
Allen Park, MI 48101
Sep 8, 2018

Dawn Casella
Livonia, MI 48164
Sep 8, 2018

Do not settle for anything less than perfect when it comes to the lives of the people and the health of our waters! Insist that the Moround clean the McLouth Site properly and completely and stop the runoff of dangerous chemicals into the Detroit River, now!

Erica Chappuis
Grosse Ile, MI 48138
Sep 8, 2018 Sections 3.0 A-H

The USA citizens just spent 13B+ to clear the Detroit River, create the 1st International NA Wildlife Refuge. The Mouroun family has done nothing to move in this direction. Please read our treaties with Canada. Save our EPA office on Grosse Ile. We currently can not eat our fish!

Cathleen A Oldfield
Grosse ile, MI 48138
Sep 8, 2018 Sections 3.0 A-H

Lori Jo Vest
Troy, MI 48084
Sep 8, 2018

DavidAndLeahKaye Weathers
Marion, MI 49665[redacted]
Sep 8, 2018

Ann Sack

Sep 8, 2018

Christine L Davis
Grosse Ile, MI 48138
Sep 8, 2018

Marjorie Lynn
Belleville, MI 48111
Sep 8, 2018

This letter is in regard to the proposed settlement agreement between the EPA, MDEQ, DOJ, Crown Industries, and MSC regarding the clean-up and redevelopment of the former McLouth Steel facility in Trenton.

As a resident of Grosse Ile I would like to voice my concerns about the proposed settlement. For the safety of our community, I feel it is imperative that following 3 items be addressed BEFORE any demolition or removal of materials from the property begins.

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I believe that the EPA and the MDEQ should be responsible monitoring the clean-up process, not Crown Industries and MSC as proposed.

I believe that the Crown Industries and MSC should be responsible for cleaning up the property to the fullest extent possible, with the standards for mixed-usage zoning being the goal.

I believe that the settlement proposal IS NOT in the public interest and I urge the EPA, MDEQ, and the DOJ to amend or rescind the agreement with Crown Enterprises and MSC

Signed,

Date: 9/12/18

This letter is in regard to the proposed settlement agreement between the EPA, MDEQ, DOJ, Crown Industries, and MSC regarding the clean-up and redevelopment of the former McLouth Steel facility in Trenton.

As a resident of Grosse Ile I would like to voice my concerns about the proposed settlement. For the safety of our community, I feel it is imperative that following 3 items be addressed BEFORE any demolition or removal of materials from the property begins.

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Signed, Robert J Hardman

Date: 9-12-18

This letter is in regard to the proposed settlement agreement between the EPA, MDEQ, DOJ, Crown Industries, and MSC regarding the clean-up and redevelopment of the former McLouth Steel facility in Trenton.

As a resident of Brownstown Mi I would like to voice my concerns about the proposed settlement. For the safety of our community, I feel it is imperative that following 3 items be addressed BEFORE any demolition or removal of materials from the property begins.

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Signed, Shirley A. McBroom

Date: Sept 13, 2018

This letter is in regard to the proposed settlement agreement between the EPA, MDEQ, DOJ, Crown Industries, and MSC regarding the clean-up and redevelopment of the former McLouth Steel facility in Trenton.

As a resident of Trenton/Brownstown MI I would like to voice my concerns about the proposed settlement. For the safety of our community, I feel it is imperative that following 3 items be addressed BEFORE any demolition or removal of materials from the property begins.

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Signed, April Hall

Date: 9/13/18

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As a resident of Brownstown MI I would like to voice my concerns about the proposed settlement. For the safety of our community, I feel it is imperative that following 3 items be addressed BEFORE any demolition or removal of materials from the property begins.

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Signed, Jeanne Stephens

Date: Nov. 13, 2018

This letter is in regard to the proposed settlement agreement between the EPA, MDEQ, DOJ, Crown Industries, and MSC regarding the clean-up and redevelopment of the former McLouth Steel facility in Trenton.

As a resident of Michigan I would like to voice my concerns about the proposed settlement. For the safety of our community, I feel it is imperative that following 3 items be addressed BEFORE any demolition or removal of materials from the property begins.

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Signed,

Jessica Spotts

Date:

9/13/18

This letter is in regard to the proposed settlement agreement between the EPA, MDEQ, DOJ, Crown Industries, and MSC regarding the clean-up and redevelopment of the former McLouth Steel facility in Trenton.

As a resident of Leonard, Mich. I would like to voice my concerns about the proposed settlement. For the safety of our community, I feel it is imperative that following 3 items be addressed BEFORE any demolition or removal of materials from the property begins.

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Raymond C. Collinson

Signed,

Date:

9-13-18

This letter is in regard to the proposed settlement agreement between the EPA, MDEQ, DOJ, Crown Industries, and MSC regarding the clean-up and redevelopment of the former McLouth Steel facility in Trenton.

As a resident of Trenton, MI I would like to voice my concerns about the proposed settlement. For the safety of our community, I feel it is imperative that following 3 items be addressed BEFORE any demolition or removal of materials from the property begins.

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James C. Collenson

Signed,

Date: 9-13-18

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As a resident of Taylor I would like to voice my concerns about the proposed settlement. For the safety of our community, I feel it is imperative that following 3 items be addressed BEFORE any demolition or removal of materials from the property begins.

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Signed, Maeve E McNulty

Date: 13 September 2018

This letter is in regard to the proposed settlement agreement between the EPA, MDEQ, DOJ, Crown Industries, and MSC regarding the clean-up and redevelopment of the former McLouth Steel facility in Trenton.

As a resident of Riverview, Michigan I would like to voice my concerns about the proposed settlement. For the safety of our community, I feel it is imperative that following 3 items be addressed BEFORE any demolition or removal of materials from the property begins.

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Signed, Deborah Helton

Date: Sept. 13, 2018

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As a resident of Gross Ile Mi I would like to voice my concerns about the proposed settlement. For the safety of our community, I feel it is imperative that following 3 items be addressed BEFORE any demolition or removal of materials from the property begins.

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Signed, Oscar Talavera

Date: 9-12-18

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Signed, Shawna Elliott

Date: 9/12/18

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Signed, Kathleen Durick

Date: 9/12/2018.

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I believe that the Crown Industries and MSC should be responsible for cleaning up the property to the fullest extent possible, with the standards for mixed-usage zoning being the goal.

I believe that the settlement proposal IS NOT in the public interest and I urge the EPA, MDEQ, and the DOJ to amend or rescind the agreement with Crown Enterprises and MSC

Signed, Angela Hill

Date: 9-12-18

This letter is in regard to the proposed settlement agreement between the EPA, MDEQ, DOJ, Crown Industries, and MSC regarding the clean-up and redevelopment of the former McLouth Steel facility in Trenton.

As a resident of Grosse Ile MI 48138 I would like to voice my concerns about the proposed settlement. For the safety of our community, I feel it is imperative that following 3 items be addressed BEFORE any demolition or removal of materials from the property begins.

1. A method for treating storm water, waste water, and run-off from the property must be fully operational. There must be water quality monitoring stations at multiple points down stream.

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Signed, [signature]

Date: 09/12/12

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Signed,

Robin L Faulkner

Date:

9-12-18

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Signed, William J. Medvich

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Signed, Josephine Zwolinski

Date: 9-12-18

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Signed,

A. M. Bowen

Date:

9/12/18

APPENDIX B

LIST OF TERMS AND ACRONYMS

"AFIs"	Areas for Investigation
"BETX"	benzene, ethylbenzene, toluene and xylene compounds
"CIP"	Community Involvement Plan
"CRP"	Community Relations Plan
"CERCLA"	Comprehensive Environmental Response, Compensation, and Liability Act (also known as "Superfund")
"CWA"	Clean Water Act
"County"	Wayne County
"Crown"	Crown Enterprises, Inc.
"Demolition Requirement"	The requirement for the Purchaser to dismantle structures in accordance with all applicable federal, state and local regulations (further defined on Page 3 of the Settlement).
"DCP"	Dust Control Plan
"EPA"	Environmental Protection Agency
"GLNPO"	Great Lakes National Program Office
"MDEQ"	Michigan Department of Environmental Quality
"MSC"	MSC Land Company, LLC
"NCP"	National Contingency Plan
"NPL"	National Priorities List
"NREPA"	Michigan's Natural Resources and Environmental Protection Act
"OSC"	On-Scene Coordinator
"ppb"	parts per billion
"ppm"	parts per million

"PCB"	polychlorinated biphenyls
"Property"	The approximate 183-acre parcel subject to the Wayne County Purchase and Development Agreement and the Settlement Agreement
"PDA"	Purchase and Development Agreement
"Purchaser"	MSC Land Company, LLC
"Proposed Plan"	EPA's proposal document for long-term remediation following the RI/FS
"RI/FS"	Remedial Investigation/Feasibility Study
"RCRA"	Resource Conservation and Recovery Act
"RTRR"	Riverview/Trenton Railroad Company
"ROD"	Record of Decision
"Settlement"	Administrative Settlement Agreement and Covenant Not to Sue
"SESC"	Soil Erosion and Sedimentation Control
"SMP"	Soil Management Plan
"State"	The State of Michigan
"SOW"	Statement of Work
"SWMR"	Stormwater Management Report
"TSCA"	Toxic Substances Control Act