

**LIVINGSTON COUNTY HEALTH DEPARTMENT IMMINENT DANGER ORDER TO
DIAMOND CHROME PLATING, INC.**

The Livingston County Health Department ("LCHD") has authority to order the correction of conditions posing an imminent danger to the public health. MCL 333.2451(1)

Diamond Chrome Plating, Inc. ("DCP"), located at 604 S. Michigan Ave., Howell, Michigan 48843, is a chrome plating facility, whose industrial processes produce the release of trichloroethylene (TCE) emissions.

TCE exposure has been found to cause fetal cardiac malformations and decreased thymus weight in animals, and has the potential to cause cardiac defects in humans.

On October 17, 2019, the Michigan Department of Environment, Great Lakes, and Energy ("EGLE") conducted an inspection of DCP to assess DCP's compliance with the requirements of the Clean Air Act. On October 30, 2019, EGLE issued a Violation Notice to Scott Wright of DCP, for DCP's failure to contain in plant emissions of TCE. TCE releases in the soil, groundwater, sewer systems, and ambient air at the site are being investigated. EGLE required DCP to correct the cited violations and submit a written response.

On November 13, 2019, the Michigan Department of Health and Human Services (MDHHS), LCHD, and EGLE received results from ambient air samples collected on November 4, 2019. Some of the November 4th samples showed higher levels of TCE in the ambient air than had previously been detected. Specifically, the sample closest to the facility contained TCE more than ten times the residential health-based screening level. MDHHS concluded that TCE levels measured in the neighborhood adjacent to Diamond Chrome Plating plant poses an Imminent Danger to Health. MDHHS, EGLE, and LCHD also initiated actions to notify the public, and are coordinating with national, state, and local partners to address the issue.

On November 18, 2019, the MDHHS issued a Health Consultation Letter, in which it determined, based upon testing of TCE from passive roof vents, that TCE at documented high levels measured in the neighborhood adjacent to the DCP plant poses an Imminent Danger to Health, such that TCE emissions from DCP must be halted immediately to protect the public from the potential acute health effects of TCE, including but not limited to fetal cardiac malformations.

MCL 333.2451(1) provides that:

Upon a determination that an imminent danger to the health or lives of individuals exists in the area served by the local health department, the local health officer immediately shall inform the individuals affected by the imminent danger and issue an order which shall be delivered to a person authorized to avoid, correct, or remove the imminent danger or be posted at or near the imminent danger. The order shall incorporate the findings of the local health department and require immediate action necessary to avoid, correct, or remove the imminent danger. The order may specify action to be taken or prohibit the presence of individuals in locations or under conditions where the imminent danger exists, except individuals whose presence is necessary to avoid, correct, or remove the imminent danger.

The conditions and practices outlined above could reasonably be expected to cause death, disease, or serious physical harm immediately or before the imminence of the danger can be eliminated through enforcement procedures otherwise provided.

On these grounds, I reasonably believe the conditions at DCP pose an imminent danger. Now, therefore, it is hereby ordered that DCP immediately avoid, correct, or remove the imminent danger at its facility by:

- (1) Halting emissions of TCE at DCP.
- (2) Demonstrating that the TCE levels in the ambient air have been reduced to no longer present a public health hazard.

- (3) Cooperating with LCHD, MDHHS, EGLE, and the Environmental Protection Agency to assess, mitigate, and eliminate the dangers outlined above.

Failure to comply promptly with this Order may require the LCHD to petition the Circuit Court for an injunction to restrain a condition or practice which causes the imminent danger, or to require action to avoid, correct, or remove the imminent danger. MCL 333.2451(2).

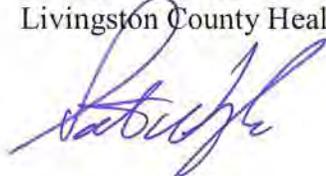
Violation of, or failure to comply with, this Order is a misdemeanor punishable by up to 6 months in jail and a fine of not more than \$200, or both. MCL 333.2443.

THIS ORDER IS EFFECTIVE IMMEDIATELY.

Dated: November 18, 2019



Dianne McCormick, Health Officer
Livingston County Health Department

 11-18-2019