



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF
ENVIRONMENT, GREAT LAKES, AND ENERGY
LANSING



PHILLIP D. ROOS
DIRECTOR

October 24, 2023

VIA EMAIL

Mark Fletcher, Director of Environmental Compliance
Crown Enterprises, LLC
12225 Stephens Road
Warren, Michigan 48089 USA

Dear Mark Fletcher:

SUBJECT: Approval of Revised Work Plan Area of Interest Interim Measures:
Riverview Trenton Railroad Company (RTRR); Corrective Action Consent Order
WMRPD No 111-06-2018 (CACO); MIK 420 024 889; Waste Data System
Number 497352

The Michigan Department of Environment, Great Lakes, and Energy (EGLE), Materials Management Division (MMD), has reviewed the revised "*Work Plan; Area of Interest Interim Measures; Riverview-Trenton Railroad Company; Former McLouth Steel Site; 18251 West Jefferson Avenue, Riverview, Michigan,*" (Revised IM Work Plan) submitted on August 16, 2023. The Revised IM Work Plan was prepared in response to the July 28, 2023, Approval with Modifications letter issued by EGLE. Based on the review, the Revised IM Work Plan is approved.

Pursuant to Paragraph 8.7.3 of the CACO, RTRR shall implement the approved Revised IM Work Plan in accordance with the approved schedule and shall continuously maintain the interim measures until the appropriate cleanup standard has been achieved and cessation has been approved by EGLE. Section 3.6 of the Revised IM Work Plan indicates that for the duration of construction activities, surface water will continue to be collected in Frac Tanks to prevent off-site migration, and the fence will remain around the construction area. Although construction of the rail crossing is complete, these measures must be maintained until the Revised IM Work Plan is implemented and the required Investigation Report has been approved by EGLE.

This letter also documents recent developments related to high-pH water observed offsite near the RTRR property. On August 16, 2023, EGLE MMD staff observed pooled water along the railroad tracks north of West Jefferson Avenue. The water had a similar color and appearance to pooled water observed on the RTRR property the same day. MMD staff measured the pH of the offsite water using a pH strip and found that it was between 11 and 12 standard units. The pooled water both onsite and offsite was also observed to be flowing north through the railroad ballast. These observations indicate that impacted groundwater is migrating north along a preferential pathway created by the recent construction of the rail crossing.

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EGLE MMD staff notified you of the observations and concern of migration by telephone and email on August 17, 2023. Following subsequent observations by RTRR and contractors, you indicated that RTRR did not believe that the source of the high pH water observed north of West Jefferson is the RTRR property. In an email dated August 24, 2023, RTRR offered to contract to have a vacuum truck remove the pooled water north of the road to help address community concerns but reserved the right to prove the source of the water is not RTRR.

On August 30, 2023, EGLE MMD staff again observed water flowing north through the ballast on the RTRR property and more extensive pooling north of West Jefferson. MMD staff measured the pH at numerous locations within the pooled water to be between 11 and 12 standard units. On September 6, 2023, MMD staff notified you of these conditions by telephone and email. At the request of MMD, RTRR began pumping groundwater at the RTRR property south of West Jefferson.

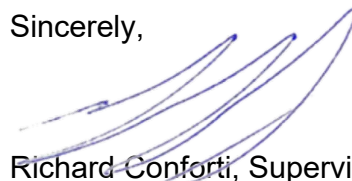
In a follow-up call between EGLE MMD, and RTRR on September 11, 2023, you stated that RTRR pumped approximately 20 to 40 gallons of groundwater from the surface near the tracks before pumping dry. It was agreed that by approximately September 16, 2023, RTRR will dig roughly two feet below the surface in the same area and continue pumping the groundwater. This measure is intended to prevent or mitigate groundwater from flowing offsite under West Jefferson while the area is further investigated through implementation of the Revised IM Work Plan, and any permanent measures to prevent flow are considered.

As described in Section 1.0, one purpose of the Revised IM Work Plan is to determine the nature of the impacted groundwater by delineating the horizontal extent of impacts. RTRR must demonstrate that impacted groundwater is not migrating offsite under West Jefferson in the required Investigation Report.

EGLE MMD recognizes RTRR's cooperation and responsiveness in addressing the issues and community concerns identified in recent months related to the northwest area of the property.

If you have any questions regarding this communication, please contact Elizabeth Garver, Enforcement Specialist, Enforcement Section, MMD, at GarverE2@Michigan.gov; or 248-417-4135, or me at ConfortiR@Michigan.gov; or 517-275-1649.

Sincerely,



Richard Conforti, Supervisor
Engineering and Program Support Unit
Hazardous Waste Section
Materials Management Division
517-275-1649

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cc: Todd Goss, Vice President, Crown Enterprises, LLC
Cheryl Jordan, Legal Director, Crown Enterprises, LLC
Tom Wackerman, President, ASTI Environmental, LLC
The Honorable Debbie Dingell, U.S. House of Representatives
Brian Kelly, U.S. EPA, Region 5
Elizabeth M. Browne, EGLE
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Corrective Action File