DEBBIE DINGELL
12TH DISTRICT, MICHIGAN

116 CANNON HOUSE OFFICE BUILDING
WASHINGTON, DC 20515
(202) 225-4071

HOUSE COMMITTEE ON
ENERGY AND COMMERCE
SUBCOMMITTEE ON
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Congress of the United States
House of Representatives
Washington, DC 20515

DISTRICT OFFICES:

WOODHAVEN CITY HALL
21869 WEST ROAD
WOODHAVEN, MI 48183
(313) 278-2936

301 WEST MICHIGAN AVENUE
SUITE 400
YPSILANTI, MI 48197
(734) 481-1100

WEBSITE: DEBBIEDINGELL.HOUSE.GOV

July 8, 2022

The Honorable Debra Shore
Regional Administrator
U.S. EPA Region 5
77 W. Jackson Blvd.
Chicago, IL 60604

Dear Administrator Shore:

This letter is being sent with utmost urgency concerning the ongoing contaminated groundwater releases entering the Detroit River from the BASF site in Wyandotte, Michigan. My office is again receiving reports of alarming rates of contamination releases entering this waterway, which was initially referenced and troubling to learn in your April 5, 2022 response letter regarding the status of the dredging project in the Upper Trenton Channel. On behalf of my concerned constituents and our shared commitment to protect human health and our environment, it is critical that the U.S. Environmental Protection Agency (EPA) swiftly develop an action plan for enforcement actions and develop resources to better inform the public to prevent furth public harm.

As you know, EPA recently issued stronger lifetime health advisories based on new science for per- and polyfluoroalkyl substances (PFAS)—including for perfluorooctanoic acid (PFOA) and perfluorooctane sulfonic acid (PFOS). These are some of the very same contaminants known to be in BASF's contaminated groundwater, and that were found in 2019 in Wyandotte's drinking water intake. Since testing for these chemicals only started in 2018, they may have been making their way into the water supply for years. While recent water intake testing, from my understanding, has not detected the presence of PFOA and PFOS, EPA research indicates detection levels may not be sensitive enough to rule out the presence of these chemicals in the drinking water—and depending on the specific types of PFAS chemicals, such as shorter chain compounds—may not be removed by activated carbon at the drinking water plant.

It is also my understanding that BASF has been under an EPA Corrective Action order to prevent contaminated groundwater from reaching the Detroit River since 1994, so it is concerning to learn that BASF may not be in compliance with the order as contaminated groundwater continues to enter the Detroit River—and this contaminated groundwater is entering the Detroit River near the City of Wyandotte drinking water intake.

Given this information and the significant concerns it raises for me and my constituent's health and safety, we would like more information on the ongoing releases into the Detroit River from the BASF site. Please also provide answers to the following questions:

1. What contaminants are in the groundwater at the BASF site and what contaminants are being released from the BASF site into the Detroit River?

2. What are the volumes of each of the contaminants entering the Detroit River and how long has EPA known of these ongoing releases? Please provide details on the total number and frequency of releases from the BAFS site to the best of your knowledge.

3. What degree of monitoring is EPA conducting to track these releases and what notifications are sent to the public by EPA when these ongoing releases happen?

4. Is the City of Wyandotte's drinking water system in danger from these ongoing releases and, if so, what solutions are needed to protect the public's heath?

5. In addition to the contaminated groundwater, what testing is being done on the outfalls, non-contact cooling water, and stormwater coming from the BASF site?

Additionally, in your April 5, 2022 letter, you said BASF would have a preliminary design proposal to stop the contamination from entering the Detroit River later this year. A proposal to have a preliminary design later this year lacks urgency in addressing this potential public health threat. BASF, and all appropriate stakeholders, must also take immediate action using the existing or new groundwater extraction wells to reverse and capture the groundwater flow and stop contamination from entering the Detroit River while they develop their long-term plan.

Knowing that the City of Wyandotte's water intake is immediately downstream of the source of these ongoing BASF releases, I urge EPA to escalate enforcement to protect Wyandotte residents immediately. Additionally, we need to be able to assure the citizens of Wyandotte that their drinking water is safe, while also staying focused on completing the important work to remediate the Detroit River and protect the Great Lakes for everyone in the region. EPA should develop a robust community outreach program and a website to better inform the public about the corrective action order, testing results, and timeline of this contamination.

Thank you for your attention in this important public health and environmental matter. All stakeholders and every level of government must work together now before this situation evolves into something much worse. Please know I stand ready to work with you and all parties to ensure we mitigate this ongoing contamination and protect public health.

Sincerely,

Debbie Dingell

Debbie Dingell
Member of Congress