Message

From: DiCosmo, Nefertiti [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=8E2CC71D17CB4A48B76319CD08E60C77-NDICOSMO]
Sent: 7/14/2022 6:50:53 PM
To: Murphy, Elizabeth [Murphy.Elizabeth@epa.gov]
Subject: RE: Draft Background and Materials

Thanks.

From: Murphy, Elizabeth <Murphy.Elizabeth@epa.gov>
Sent: Thursday, July 14, 2022 1:25 PM
To: DiCosmo, Nefertiti <dicosmo.nefertiti@epa.gov>
Subject: RE: Draft Background and Materials

I added 2 items to the supplemental info below. Please provide this as the response.

The call went extremely well and I believe a simple request to EGLE will result in a swift response to both the RA's commitment and in response to the Congresswoman's letter.

Immediate asks:

1. EGLE DW and NPDES programs are coordinating on a response to question 4 of the Congressional letter regarding the safety of the drinking water at the Wyandotte PWS. We should expect it in the next 1 – 2 days.
2. EGLE is coordinating **weekly** PFAS sampling at the GLWA PWS intake (upstream of BASF), Wyandotte intake (immediately downstream of BASF) and at Monroe intake (further downstream of BASF). EGLE uses a contractor for these samples and they are analyzed by a certified laboratory in California. **With a request by EPA, EGLE will direct their contractor to send split samples of all 3 system intake samples to a laboratory of our choosing.**
3. EGLE is coordinating **monthly** PFAS sampling at the GLWA PWS finished water (upstream of BASF), Wyandotte finished water (immediately downstream of BASF) and at Monroe finished water (further downstream of BASF). PWS operators collect finished water samples and they are analyzed by a certified laboratory in Lansing, Mi. **With a request by EPA, EGLE will direct the operators to send split samples of all 3 system intake samples to a laboratory of our choosing.**
4. ***Recommendation – identify the EPA laboratory / contract lab for confirmation PFAS analysis and request split samples be collected at all 3 systems. Results from the analysis would likely take 4 – 6 weeks.***

Supplemental info:

5. EGLE is preparing PFAS data results from all 3 systems (both intake and finished water) and will be sending soon. They are also coordinating on an interpretive statement from a PFAS modeling effort that demonstrated that due to flow rates, turn over, and water volume the Wyandotte PWS is likely not impacted by PFAS releases from BASF.
6. Michigan's PFAS MCLs are PFOS = 16ppt, PFOA = 8ppt, PFHxS = 51 ppt.
    a. Exceedances of the PFOS and PFOA MCLs were observed at all 3 intakes in the April 2022 time frame. EGLE believes the exceedances could be due to lake turn over (this is a likely option in my opinion based on GLNPO Great Lakes surveys).
    b. Michigan's rule requires quarterly PFAS sampling. All 3 systems are voluntarily collecting monthly PFAS samples for compliance. There is no requirement for PFAS sampling at the raw water intake, EGLE is collecting on a weekly basis voluntarily.
7. BASF is a currently a RCRA corrective action site.
8. EPA Region 5 is continuing to coordinate with EGLE's Water Resources Division as the State determines compliance of the BASF stormwater outfalls.

Thank you,
Beth Murphy

Elizabeth W. Murphy, MPH
(she/her/hers)
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From: DiCosmo, Nefertiti <dicosmo.nefertiti@epa.gov>
Sent: Thursday, July 14, 2022 1:17 PM
To: Murphy, Elizabeth <Murphy.Elizabeth@epa.gov>
Subject: Fw: Draft Background and Materials

you think we could get that BASF paper by COB today?

Nefertiti DiCosmo, Chief (She/Her)
Water Enforcement and Compliance Branch
(312) 886 - 6148

From: Harris, Michael <harris.michael@epa.gov>
Sent: Thursday, July 14, 2022 1:13 PM
To: Persoon, Carolyn <persoon.carolyn@epa.gov>; DiCosmo, Nefertiti <dicosmo.nefertiti@epa.gov>
Subject: FW: Draft Background and Materials

Hi Carolyn and Nefertiti,
What's our timeframe on the options paper for this? Please let me know. Thank you.

Michael D. Harris (he/him/his)
Director, Enforcement and Compliance Assurance Division
U. S. Environmental Protection Agency, Region 5
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ENFORCEMENT CONFIDENTIAL/FOIA EXEMPT

From: Shore, Debra <Shore.Debra@epa.gov>
Sent: Thursday, July 14, 2022 12:56 PM
To: Ireland, Scott <ireland.scott@epa.gov>; Nam, Ed <nam.ed@epa.gov>; Harris, Michael <harris.michael@epa.gov>
Cc: Saucedo, Alfred <Saucedo.Alfred@epa.gov>; Fong, Tera <Fong.Tera@epa.gov>
Subject: FW: Draft Background and Materials

Greetings all –
Liesl Clark, director of Michigan's Department of Environment, Great Lakes, and Energy, with whom I discussed the situation at BASF and the water quality concerns in Wyandotte, has sent these attachments including data from testing at the Wyandotte water treatment plant. (Potential PFAS contamination there seems to be the major concern of some local activists.) I don't know whose division is best to review these data – Mike? Tera? Scott?

It may still make sense for a variety of reasons to send our own inspectors to the Wyandotte plant to take water samples to verify results and demonstrate action. We can discuss.

Scott, who's best to take ownership of a review of these documents?

Thanks all,
Debra
Debra Shore
Regional Administrator & Great Lakes National Program Manager
US EPA Region 5
(312) 886-3000 – office

From: Clark, Liesl (EGLE) <ClarkL20@michigan.gov>
Sent: Thursday, July 14, 2022 12:10 PM
To: Shore, Debra <Shore.Debra@epa.gov>
Cc: Keatley, Aaron (EGLE) <KeatleyA@michigan.gov>
Subject: Draft Background and Materials

The team is pulling materials together on the history, the current draft is here.

BASF Northworks is an operating chemical manufacturer in Wyandotte, Michigan. The site has been the home of chemical manufacturing for almost a century and the soil and groundwater on site is highly contaminated. BASF

occupies approximately one mile of Detroit River shoreline. The city of Wyandotte operates a drinking water plant with an intake on the Detroit River just downstream of BASF.

The contamination on site is subject to the Resource Conservation and Recovery Act (RCRA). Department of Environment, Great Lakes, and Energy (EGLE), Materials Management Division (MMD), is delegated to implement the RCRA program in Michigan. Prior to the United States Environmental Protection Agency (USEPA) becoming the lead agency responsible for corrective action oversight in the early 90's, cleanup actions at the site was governed by a Consent Decree established in 1986 (attached). After USEPA became the lead agency for addressing the contamination, an Administrative Order on Consent was entered in 1994 between USEPA and BASF (attached). This Order requires investigation and control of the contamination. Extensive investigation has been conducted at the facility and a number of interim actions have been implemented at the facility to reduce risks. However, there is not yet a final control in place to address the contamination. Contaminated groundwater from the site is venting into the Detroit River above water quality standards. This contamination includes mercury, PFAS, and other chemicals. BASF is expected to submit a plan to EPA in September, 2022, laying out their plan to control this contamination.

Below are key, recent actions taken by EGLE, along with their associated attachments:

- September 9, 2021: Perimeter groundwater data was received from BASF. This was the first perimeter data since 2012, and was done at the MMD's insistence. PFAS, mercury, pH, and volatile organic compounds (VOCs) exceeded water quality criteria in monitoring wells adjacent to the Detroit River. The data was consistent with the MMD's understanding of site conditions, except that PFAS was not previously sampled.

- November 3, 2021: The MMD shared a briefing memo with the Drinking Water and Environmental Health Division (DWEHD) and WRD, requesting an assessment relative to surface water quality and potential impact to the city of Wyandotte's drinking water intake.

- November 23, 2021: The DWEHD shared the briefing memo with the city of Wyandotte. The DWEHD increased the required monitoring frequency of the city's raw and finished drinking water to monthly for PFAS, mercury, and VOCs. PFAS, mercury, and VOCs were not detected in raw or finished water for the four months that data was submitted by the city; January through April 2022.
- January 27, 2022: WRD determined that it was not likely that contaminants from BASF would be found near the intake at levels above water quality criteria. The evaluation employed to make this determination was documented in an memorandum.

- April 2022: DWEHD began weekly PFAS sampling of the city's raw water as part of a PFAS sampling initiative of drinking water plants with surface water intakes. PFOA and PFOSA was detected in the raw water in three of the weekly sampling events during the month of April, 2022. These chemicals were not detected in the treated water going into the distribution system. PFAS was also detected in other municipal water intakes upstream of BASF during this same period. One hypothesis related to the unexpected PFAS detections in raw intake water is that the lake may have experienced a spring turnover around that time. Discussions around this hypothesis are ongoing, and a conclusion has not yet been reached. There have not be any positive detections at this location since April. All available PFAS monitoring results collected at the Wyandotte drinking water system are attached. Note that Vista Analytical recently experience a ransomware issue, which has adversely affected turnaround time for PFAS analysis. The newest available results are from intake samples collected during the second week of June, 2022. We have received verification from Vista Analytical that more recent results are forthcoming.

[This data is included in the spreadsheet attached above]

- April 13, 2022: The MMD sent a letter to the USEPA requesting the USEPA require BASF to implement near-term actions to control the venting groundwater.

- June 27, 2022: The MMD and USEPA met and the MMD identified specific near-term actions that could be taken at BASF to address the venting groundwater. Follow up meeting on 7/13.

In addition to the work identified above, the Water Resources Division (WRD) is addressing per- and polyfluoroalkyl substances (PFAS) being discharged at the facility's permitted outfalls. The WRD will be documenting its expectations of BASF through a proposed Administrative Consent Order (Order). As part of this Order, BASF is proposing a project that will prevent contaminated groundwater from seeping into onsite storm sewers that discharge to the Detroit River. This Order will not address the groundwater that vents through the shoreline of the facility since that is expected to be covered by the remedial actions required through the RCRA program.

EGLE is also providing financial support to the city of Wyandotte so they can upgrade their water treatment plant. This project will result in the installation of granulated activated carbon at the treatment plant, which is capable of removing PFAS and other hazardous constituents. While current data does not indicate that the water intake is being impacted by the BASF facility, having this additional treatment provides assurances that the community's water supply will be capable of adequately treating its water if contaminants impact the water intake. EGLE executed the grant agreement on December 17, 2021. The total grant amount is $674,490.