



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENTAL QUALITY
SOUTHEAST MICHIGAN DISTRICT OFFICE



C. HEIDI GRETHOR
DIRECTOR

December 19, 2018

CERTIFIED MAIL – 7018 0360 0000 2430 4945

Mr. Michael Einheuser, Chairperson
Board of Water Commissioners
DWSD Downtown Customer Care Center - Water Board Building
735 Randolph Street, 1st floor
Detroit, Michigan 48226

Dear Mr. Einheuser:

SUBJECT: Notice of Part 213 Corrective Action and Reporting Requirements
Detroit Water & Sewer Dept - West Yard,
13401 W. Outer Drive, Detroit, Wayne County, Michigan 48239
Facility ID No.: 00033144; Confirmed Release No.: C-0179-18

The Department of Environmental Quality (DEQ) would like to inform you, as representative for City of Detroit Water & Sewerage Department, of the corrective action and reporting requirements of Part 213, Leaking Underground Storage Tanks, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended. The DEQ records indicate that a release from a regulated underground storage tank (UST) system at the above-subject Site was discovered on August 22, 2018, and the release is subject to the corrective action and reporting requirements of Part 213.

An Owner/Operator (O/O) who is liable under Part 213 has statutory obligations to undertake corrective actions and meet the reporting requirements of Part 213. These obligations include, but are not limited to:

1. Hire a qualified underground storage tank consultant to perform the work that is necessary to meet the reporting and corrective action requirements of Part 213. A qualified underground storage tank consultant must meet all of the requirements of Section 21325 of Part 213.
2. After a release has been reported to the DEQ, initial corrective actions must be performed immediately and expeditiously, pursuant to Section 21307 of Part 213.
3. Section 21308a of Part 213 requires that a liable O/O complete and submit an Initial Assessment Report (IAR) within 180 days after a release has been discovered. The deadline for submittal of the IAR to the DEQ for Confirmed Release No. C-0179-18 is February 18, 2019.

4. Section 21311a of Part 213 requires that a liable O/O complete and submit a Final Assessment Report (FAR) and Corrective Action Plan within 365 days after a release has been discovered. The deadline for submittal of the FAR to the DEQ for Confirmed Release No. C-0179-18 is August 22, 2019.
5. Upon completion of the corrective actions, Section 21312a of Part 213 requires that the liable O/O complete and submit a Closure Report (CR) to the DEQ.

If the reporting deadline cannot be met, Section 21313a(3) of Part 213 allows for submittal of a written request to the DEQ for an extension. The extension request must be submitted no later than 15 days prior to the reporting deadline and include good cause for why the reporting deadline cannot be met. The DEQ may choose to approve or deny the extension.

Please be advised, there are provisions for the imposition of administrative penalties for failure to comply with the Part 213 reporting requirements. Part 213 requires specific information in each report. A complete copy of Part 213 is available on our Web site at: www.michigan.gov/deq.

If you do not agree that City of Detroit Water & Sewerage Department is responsible for conducting corrective actions for the above-subject confirmed release, please submit documentation in support of the reasons why City of Detroit Water & Sewerage Department is not responsible to the address provided below. The DEQ will evaluate the information submitted and make a determination of City of Detroit Water & Sewerage Department's liability for conducting the corrective actions required under Part 213.

For more information or if you believe you have received this letter in error, please contact me at your convenience.

We look forward to working with you.

Sincerely,



Beth Vens, Assistant District Supervisor
Southeast Michigan District Office
Remediation and Redevelopment Division
586-753-3825
vensb@michigan.gov

Enclosure

cc: Mr. Paul Owens, DEQ
Ms. Krista Reed, DEQ

FACTSHEET

Reporting Requirements and Administrative Penalties Under Part 213, Leaking Underground Storage Tanks, of the Natural Resource and Environmental Protection Act, 1994 PA 451, as Amended

Reporting Requirements:

1. After a release has been reported to the Michigan Department of Environmental Quality (MDEQ), initial response actions shall be performed immediately and expeditiously, pursuant to Section 21307 of Part 213.
2. Pursuant to the requirements of Section 21308a of Part 213, within 180 days after a release has been discovered, the liable Owner/Operator (O/O) shall complete an Initial Assessment Report (IAR) and submit the report to the MDEQ.
3. Pursuant to the requirements of Section 21311a of Part 213, within 365 days after a release has been discovered, the liable O/O shall complete a Final Assessment Report that includes a Corrective Action Plan developed under Section 21309a of Part 213, and submit the report to the MDEQ.
4. Pursuant to the requirements of Section 21312a of Part 213, upon completion of the corrective action, the liable O/O shall complete a Closure Report and submit the report to the MDEQ.

Penalties for failure to provide required submittal:

Section 21313a(1) of Part 213, provides for the assessment of administrative penalties against an O/O who fails to comply with the reporting requirements of Part 213. The MDEQ may impose a penalty according to the following schedule:

1. Not more than \$100 per day for the first 7 days the report is late.
2. Not more than \$500 per day for days 8 through 14 that the report is late.
3. Not more than \$1,000 per day for each day beyond day 14 that the report is late.