

**Testimony before the House Appropriations Committee  
Wednesday, January 15, 2020**

Good Morning, Chairman Hernandez and committee members, thank you so much for allowing me to testify here today. I am Melissa Marsh, the City Manager for the City of Madison Heights.

My concern as City Manager of Madison Heights is not only for the health and safety of our Madison Heights residents, but also for residents of the entire Southeast region of Michigan who may be affected by the Electro-Plating Services site — including drivers along I-696, residents of adjacent communities, and residents living near regional waterways.

We are thankful to EGLE and the EPA for their quick efforts to address the emergency situation once it became known on Dec. 20, and their ongoing efforts in the weeks since to divert storm water and develop a long term solution for this Electro-Plating Services site. Unfortunately, the measures the EPA is currently taking are only a temporary solution.

A long-term solution must include complete remediation and clean-up of this site, something that in my opinion, that should have taken place in 2017. This clean-up would include the demolition of the building, excavation, removal and replacement of the soil under the building and surrounding areas as well as continued testing. While we do not have any projections for cost at this point the cost will easily be in the millions.

We are reliant on expertise and resources of both EGLE and the EPA. While the site is currently being reevaluated for Superfund status on the federal level through the EPA, that process is uncertain and lengthy, and the community needs a more immediate solution to make sure the health of our residents is protected. It is also doubtful the owner will have the resources to pay for complete remediation.

The reality is that the City of Madison Heights cannot bear the burden of these costs.

This experience has been very eye-opening for me not only as the City Manager for Madison Heights but also as a Michigan resident. While I have complete confidence in the current EPA and EGLE staff and have expressed that to our residents, I am flabbergasted by many of the items I have learned during this process. There must be a better solution to protect not only my City but our state as a whole.

For example, this facility was cited by the MDEQ with violations for as far back as 1996. To my knowledge the City was not notified of these violations. While the MDEQ/EGLE probably issues hundreds of violations a year and cannot copy each City on every violation, there should be a process in place to notify the municipality in the event there is reoccurring or multiple violations especially in instances when the owner does not take steps to correct the situation.

I have also heard that this is only the third time that an active business was shut down for violations and mishandlings of hazardous waste. This tool of closing a business in violation should not need to be an extraordinary action on the part of EGLE or EPA staff but instead an expected tool to gain compliance and empowering the EGLE employees to take the steps necessary to protect the public's health from people who continue to disregard the regulations. It was documented in the EPA final report, dated January 25, 2018 "[T]he immediate risk to public health or the environment from direct contact or exposure to potentially uncontrolled

hazardous waste liquids and solids has been eliminated at this site.” Further, “[T]he EPA and MDEQ maintain ongoing coordination regarding further investigation at this site.” Based on this report, city staff fully expected the MDEQ/EGLE to inspect this business after the EPA issued its final report especially considering the extensive history of violations at this site. I have now learned that there are over 7,000 sites in Michigan requiring inspection and only 4 inspectors, and prior to December 20<sup>th</sup>, this site just didn’t rise to the level of severity to merit inspections because there were other more immediate violations to address throughout the State.

It is clear to everyone today that the Electro-plating site is in immediate need of complete remediation and cleanup, and as I mentioned earlier, the City of Madison Heights simply cannot fund this cleanup on its own.

Therefore, I am here today to ask for the support of this committee and the State of Michigan toward:

1. The funding of a complete remediation and cleanup of contamination at the Electro-Plating Services site and other areas affected by EPS and Gary Sayers
2. Supporting long-term measures to help address other contaminated sites throughout the state more efficiently going forward. We would hope to see what happened here in Madison Heights become the lens through which we learn how to be better stewards of our environment before such messes occur.

The City of Madison Heights looks forward to working with the State of Michigan and all regulatory agencies as a long-term financial solution is devised.

Thank you for your time.