

PROPOSED ENFORCEMENT SUMMARY

FCA US LLC (STELLANTIS) DETROIT ASSEMBLY COMPLEX MACK

The Michigan Department of Environment, Great Lakes, And Energy, Air Quality Division (AQD), is asking for comments from the public on a proposed Consent Order for FCA US LLC, otherwise known as Stellantis. The AQD will accept comments on the proposed Consent Order at the public hearing on October 19, 2022, and until the close of the comment period on November 2, 2022. We will review all comments before we make a final decision on the proposed Consent Order.

WHAT DOES STELLANTIS DO AT THIS PLANT?

Stellantis designs, engineers, makes, and sells cars and trucks at their Detroit Assembly Complex Mack (Mack Plant), which is located at 4000 Saint Jean Street in Detroit.

WHAT IS A CONSENT ORDER?

A Consent Order is a legal document that a company agrees to sign to resolve alleged air quality violations. This document contains a compliance plan the company will follow to resolve the alleged violations and prevent future violations, and a fine. The AQD can enforce the Consent Order.

WHY DOES STELLANTIS NEED A CONSENT ORDER?

From September 2021 to May 2022, the AQD issued several violation notices to Stellantis alleging the company violated state and federal rules and regulations and violated requirements in its air permit at the Mack Plant. The alleged violations include:

- Emissions from the ambient flash zones in the paint shop were emitted to the outside air instead of being properly sent to the air pollution control equipment; and
- Nuisance odors were emitted that unreasonably interfered with nearby residents' comfortable enjoyment of life and property.

The AQD is taking an enforcement action to resolve these violations. To settle the action, the AQD and Stellantis agreed to enter into this proposed Consent Order.

WHAT DOES THE PROPOSED CONSENT ORDER REQUIRE STELLANTIS TO DO?

The proposed Consent Order requires Stellantis to pay a fine and follow a compliance program to prevent similar violations in the future at the Mack Plant. This includes the following:

- Follow and comply with the Nuisance Minimization Plan for Odors and prevent nuisance odors from being emitted from the Mack Plant;
- Begin construction and installation of new equipment to reduce odors from the paint shop; and
- Complete a destruction and removal efficiency test on the existing air pollution control equipment in the paint shop to ensure emissions are properly controlled.

Stellantis will also spend at least \$212,000 on two [Supplemental Environmental Projects \(SEPs\)](#) and pay a fine of \$62,863. Additionally, the proposed Consent Order includes specific fines Stellantis must pay if it does not meet the requirements detailed in the order.

WHAT IS A SEP?

A [SEP](#) is an environmental or public health project a company volunteers to do as part of an enforcement action. The project must go above and beyond what is required by the law and provide added benefits to the community or ecosystem affected by the violations.

WHAT SEPs ARE STELLANTIS GOING TO DO?

Stellantis will purchase and install a new Building Management System (BMS) for Southeastern High School, located at 3030 Fairview Street in Detroit. The new BMS will improve the school’s energy efficiency by managing the building operating systems, including lighting, mechanical and water systems, heating and cooling, and ventilation. The school staff will be able to monitor in real time how well these systems are working, monitor new and aging equipment, and find equipment or areas to upgrade, replace, or fix. The new BMS will result in higher energy efficiency, lower operating and maintenance costs, and improved indoor air quality in the school.

Stellantis will partner with [The Greening of Detroit](#) to plant and maintain over 80 trees in Brewer Park, located at 4535 Fairview Street in Detroit. For two years, the trees will be watered and any that do not survive will be replaced.

Stellantis solicited input from City of Detroit Public Schools, City of Detroit Parks and Recreation Department, [The Greening of Detroit](#) and [Great Lakes Environmental Law Center](#) during the development of these SEPs.

HOW WAS THE MONETARY FINE DETERMINED?

An initial fine was calculated using the USEPA Clean Air Act Stationary Source Civil Penalty Policy. The penalty policy takes into account several factors, including actual or possible harm caused by the violation(s), the length of time of the violation(s), the sensitivity to the environment, importance to the regulatory scheme, and the size of the violator. The monetary fine amount was then negotiated and agreed to by Stellantis and AQD.

WHERE CAN I FIND MORE INFORMATION?

There are three ways to find out more information about this proposed Consent Order:

1. The Enforcement Summary Report has additional details about the proposed Consent Order.
2. The proposed Consent Order.
3. AQD staff can provide additional information.

WAS ANY TRANSLATION INTO OTHER LANGUAGES DONE?

An evaluation of the number of people who speak English “less than very well” within a 1-mile radius of the proposed project’s location was done. This is required by EGLE’s [Limited English Proficiency Plan](#) using an environmental justice screening tool like [USEPA’s EJSCREEN](#). The evaluation found that translation would not likely be helpful.

HOW CAN I PARTICIPATE IN THE PROCESS?

The AQD welcomes participation by the public in this enforcement process. There are several ways the public can get information, ask questions, or submit an official comment about the proposed Consent Order.

WHAT PUBLIC COMMENTS CAN EGLE CONSIDER?

Comments from the public are very important. It is also important to know the law is clear about what we can and cannot consider when we make our decision. Some examples are below.

What we can consider	What we can't consider
<ul style="list-style-type: none"> ✓ Technical mistakes in the review ✓ Grammar and spelling mistakes ✓ Other rules the action should consider and why ✓ Why the action will not follow the rules 	<ul style="list-style-type: none"> • Air, land, or water issues not part of the project • Indoor air pollution • Traffic • Noise and lights • Zoning issues • Anything unrelated to the project

HOW DO I MAKE A COMMENT?

You may comment at any time during the comment period. **Prior to making a comment, it is a good idea to “View an Example” of how to do it.** This document can be found by going to Michigan.gov/Air, choose “choose “Enforcement Program” then choose “Proposed Consent Order Public Notice Documents”.

Comments must be received
by November 2, 2022.



Via email
MoranE@Michigan.gov



Via US mail
Enforcement Unit
EGLE, AQD, P.O. Box 30260
Lansing, MI 48909-7760



Via voicemail
by calling 517-284-0900



At the [Virtual Information Session and Public Hearing](#), on October 19, 2022, at 6 p.m.

WHO CAN I CONTACT?

For more information about the proposed Consent Order, please contact Ms. Jenine Camilleri, AQD, at CamilleriJ@Michigan.gov or 517-643-2612

SUMMARY:

The AQD has prepared a proposed Consent Order containing an adequate compliance program and specific monetary fine. We are recommending this proposed Consent Order be signed to legally bind Stellantis to this agreement.

Before the AQD makes a decision on the proposed Consent Order, we are requesting comments from the public. The AQD will consider all comments received during the public comment period and during the public hearing for the final decision. The comment period ends at the close of day on November 2, 2022. Once the comments are reviewed, the AQD will decide whether to enter into the proposed Consent Order as written or make changes based on the comments received.

EGLE promotes the equitable treatment and meaningful involvement of Michigan’s residents regarding the development, implementation, and enforcement of laws, regulations, and policies. Equitable treatment means that no group of people bears a disproportionate share of the negative consequences resulting from governmental, industrial, or commercial operations and policies. Meaningful involvement means all people have an opportunity to participate in decisions that affect their environment and/or health.

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