

Congress of the United States
House of Representatives

COMMITTEE ON OVERSIGHT AND REFORM

2157 RAYBURN HOUSE OFFICE BUILDING

WASHINGTON, DC 20515-6143

MAJORITY (202) 225-5051
MINORITY (202) 225-5074
<https://oversight.house.gov>

December 8, 2022

Mr. Carlos Tavares
Chief Executive Officer
Stellantis
800 Chrysler Drive
Auburn Hills, MI 48326

Mr. Ron Stallworth
External Affairs
Stellantis
800 Chrysler Drive
Auburn Hills, MI 48326

Dear Mr. Tavares and Mr. Stallworth:

On August 25, 2022, the Committee on Oversight and Reform's Subcommittee on Environment held a field hearing in Detroit, Michigan, regarding environmental protection and enforcement. During the hearing, the Subcommittee heard testimony from residents who live on Beniteau Street and in the area surrounding Stellantis' Detroit Assembly Complex. They described in vivid detail the toxic pollution emitted by the plant and the degradation in their quality of life since Stellantis expanded its operations in their community.¹ The Subcommittee also visited Beniteau Street and experienced the noxious fumes and odors the plant emits firsthand.²

Subcommittee Members were disturbed to hear testimony in August that Stellantis was issued five violation notices in just seven months, from September 20, 2021, to May 20, 2022.³ Since the hearing occurred, a sixth violation notice was issued on October 4, 2022, and a seventh violation notice was issued November 14, 2022.⁴ Despite these violations, your plant has been

¹ Committee on Oversight and Reform, Subcommittee on Environment, *Hearing on Effective Environmental Enforcement: Tools and Strategies to Protect Vulnerable Communities* (Aug. 25, 2022) (online at <https://oversight.house.gov/legislation/hearings/effective-environmental-enforcement-tools-and-strategies-to-protect-vulnerable>).

² Tlaib at *Hearing on Federal Environmental Protections: "The System is Broken"*, Michigan Advance (Aug. 26, 2022) (online at <https://michiganadvance.com/2022/08/26/tlaib-at-hearing-on-federal-environmental-protections-the-system-is-broken/>).

³ Committee on Oversight and Reform, Subcommittee on Environment, *Hearing on Effective Environmental Enforcement: Tools and Strategies to Protect Vulnerable Communities* (Aug. 25, 2022) (online at <https://oversight.house.gov/legislation/hearings/effective-environmental-enforcement-tools-and-strategies-to-protect-vulnerable>); *EGLÉ to Fine Stellantis, Plans Other Actions over Violations, Odor at Detroit Jeep Plant*, Detroit Free Press (Nov. 18, 2021) (online at www.freep.com/story/money/cars/chrysler/2021/11/18/egle-fine-stellantis-violations-odor-detroit-jeep-plant/8667021002/).

⁴ Michigan Department of Environment, Great Lakes, and Energy, *Violation Notice* (Oct. 4, 2022) (online at www.egle.state.mi.us/aps/downloads/SRN/N2155/N2155_VN_20221004.pdf); Michigan Department of

allowed to continue daily operations. Residents testifying at the Subcommittee’s hearing detailed the daily health issues they have faced while awaiting enforcement and accountability. They also discussed Stellantis’ attempts to downplay the impacts of its violations; the company’s refusal to engage with community members on additional health and environmental protections, despite being presented with a petition signed by thousands of residents; and the inability of state and local agencies to provide timely public health information.⁵

According to the Asthma and Allergy Foundation of America’s Asthma Capitals 2022 report, Detroit is the worst-ranked city in America for living with asthma, based on asthma prevalence, emergency room visits, and asthma deaths.⁶ Recent statistics from the Michigan Department of Health and Human Services demonstrate that Detroit’s disproportionately high asthma burden has only gotten worse for both children and adults.⁷ As one of the Detroit Assembly Complex’s neighbors—Mr. Robert Shobe, whose home on Beniteau Street is one of the closest to the facility’s emitting stacks—pointed out during his testimony, “The unfortunate fact is that ... those of us that live around the plant have the highest asthma hospitalization rates in the city, nearly double any asthma rates across the state.”⁸

Mr. Shobe went on to describe what it is like to live with Stellantis as a neighbor:

This plant is making us sick. I am a cancer patient. I am physically disabled. I suffer from COPD [chronic obstructive pulmonary disease]. When the smell comes down around my house, my eyes burn. I have a cough from smelling the paint. I feel a tightness in my chest. I have gotten headaches from the smell, and I have been living as a prisoner in my own house for well over a year.

Environment, Great Lakes, and Energy, *Violation Notice* (Nov.14, 2022) (online at www.michigan.gov/egle/-/media/Project/Websites/egle/Documents/Programs/AQD/Compliance/N2155-vn-2022-11-14.pdf).

⁵ Organize For, *Tell Chrysler: Detroit Residents Need Environmental Health Protections Now* (Nov. 21, 2022) (online at <https://campaigns.organizefor.org/petitions/tell-chrysler-that-detroit-residents-need-environmental-health-protections-now/>); Committee on Oversight and Reform, Subcommittee on Environment, *Hearing on Effective Environmental Enforcement: Tools and Strategies to Protect Vulnerable Communities* (Aug. 25, 2022) (online at <https://oversight.house.gov/legislation/hearings/effective-environmental-enforcement-tools-and-strategies-to-protect-vulnerable>).

⁶ Asthma and Allergy Foundation of America, *Asthma Capitals 2022: The Most Challenging Places to Live with Asthma* (Sept. 14, 2022) (online at <https://oversight.house.gov/sites/democrats.oversight.house.gov/files/aafa-2022-asthma-capitals-report.pdf>).

⁷ Planet Detroit, *Asthma Makes More Detroiters Sick than Anywhere Else in Michigan – and It’s Getting Worse* (Mar. 10, 2022) (online at <https://planetdetroit.org/2022/03/asthma-makes-more-detroiters-sick-than-anywhere-else-in-michigan-and-its-getting-worse/>).

⁸ Committee on Oversight and Reform, Subcommittee on Environment, *Hearing on Effective Environmental Enforcement: Tools and Strategies to Protect Vulnerable Communities* (Aug. 25, 2022) (online at <https://oversight.house.gov/legislation/hearings/effective-environmental-enforcement-tools-and-strategies-to-protect-vulnerable>).

And it is not just me. One of my neighbors shared, “When my eyes start to burn, I start to be more afraid of all the things that I can't smell than those that I can.”

Another neighbor shared, “The migraine headaches, the burning of the eyes, and the tightness in my chest ... I just know I am out too long. I get that way. But I can't say today is going to be worse than tomorrow. I know yesterday it was too much for me. I was crying.”

The psychological impact of not knowing what you are being exposed to and having others tell you it is safe when you and your neighbors are getting sick is really tough, mentally, and draining.⁹

While it is clear much more must be done to reform air permitting and enforcement systems, we are encouraged to hear that the State of Michigan’s Department of Environment, Great Lakes, and Energy (EGLE) has announced a consent order with Stellantis.¹⁰ However, residents have already expressed disappointment with what they perceive as “a great PR move for the company” that “does nothing for the community being impacted by the smells.”¹¹ We share residents’ concerns about whether a consent order will effectively hold your company accountable, deter future violations, and deliver clean air and a safe environment for nearby residents. To that end, we request your answers to the following questions by December 15, 2022:

1. Has Stellantis taken any action to mitigate air pollution and improve public health in nearby communities other than what was required by the Permit to Install issued by the state or the Detroit Community Benefits Ordinance?
2. Has Stellantis taken any action to address air and noise pollution from mobile sources, particularly trucks entering and leaving the Detroit Assembly Complex?
3. The consent order requires Stellantis to install a second regenerative thermal oxidizer (RTO) to control its paint shop emissions. Has Stellantis considered suspending all paint shop operations while installing the second RTO?
4. What inspections and tests will be completed on the second RTO before it is operational?

⁹ *Id.*

¹⁰ Michigan Department of Environment, Great Lakes, and Energy, *Enforcement Summary for FCA US LLC (Stellantis)* (Sept. 19, 2022) (online at www.egle.state.mi.us/aps/downloads/Enforcement/N2155_ESR_ACO_20220919.pdf).

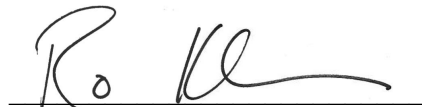
¹¹ *Proposed Stellantis Pollution Settlement Includes Tree-planting, Money for Local School*, Detroit Free Press (Sept. 20, 2022) (online at www.freep.com/story/news/local/michigan/wayne/2022/09/20/settlement-stellantis-pollution-mack-plant/69504984007/).

5. How will Stellantis ensure compliance with the Nuisance Minimization Plan for Odors in the consent order and ensure that nuisance odors are not emitted? Will EGLE be conducting air sampling, testing, or any other observations of your operations to ensure compliance with the consent order? Will Stellantis conduct any similar monitoring?
6. Is Stellantis aware of whether EGLE staff be present for the destruction and removal efficiency testing on the existing RTO as required by the consent order?
7. The consent order details that Stellantis will pay for a new Building Management System at Southeastern High School as a supplemental environmental project (SEP). How will a new Building Management System at Southeastern High School improve air quality in the building? What system is being installed, and how was it selected?
8. Please describe what Stellantis did to solicit, consider, and respond to complaints and concerns from the surrounding community. Which residents were consulted in the development of the consent order? Were residents of Beniteau Street, who are mostly directly impacted, thoroughly engaged and consulted?

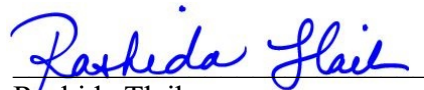
EGLE's enforcement action is welcome, but major questions must be addressed to ensure this consent order is in the best interests of residents, public health, and the environment—not just Stellantis. The Subcommittee would appreciate responses to its inquiries and close attention to the concerns raised.

The Committee on Oversight and Reform is the principal oversight committee of the House of Representatives and has broad authority to investigate “any matter” at “any time” under House Rule X. If you have any questions regarding this letter, please contact Subcommittee staff at (202) 225-5051.

Sincerely,



Ro Khanna
Chairman
Subcommittee on Environment



Rashida Tlaib
Vice Chair
Subcommittee on Environment

cc: The Honorable Yvette Herrell, Ranking Member
Subcommittee on Environment