

EPA to investigate racial discrimination complaint over Jeep plant permit

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The U.S. Environmental Protection Agency will investigate Michigan's

environment department to determine whether it racially discriminated against a lower-income, majority-Black neighborhood in approving an emissions permit for a new Jeep plant in Detroit.

The EPA is acting after five [residents](#) whose properties now back up to the Mack Assembly Plant on the city's east side filed a civil rights complaint in November against the Michigan Department of Environment, Great Lakes and Energy.

It failed to do its diligence, the Beniteau Street residents argued, by not conducting a cumulative impact analysis of the plant owned by Stellantis NV before approving its permit. The result, they say, is discrimination on the basis of race, color and national origin in violation of federal law.

The EPA's External Civil Rights Compliance Office determined the complaint meets its jurisdictional requirement and will begin gathering information to assess the merits of the complaint, according to a letter from the agency obtained by The Detroit News. The EGLE will have 30 days to respond to the complaint. The parties also have the option of mediation and an informational resolution agreement.

"Michigan EGLE looks forward to EPA's review of Michigan permitting decisions and processes," spokeswoman Jill Greenberg said in a statement, "to ensure that the state is doing everything within its authority to protect vulnerable communities, and to receive guidance from EPA in doing so most effectively."

A request for comment was left with the Great Lakes Environment Law Center, which is representing the Detroit residents, on Saturday afternoon. Stellantis declined to comment on the EPA's step.

Months after the Mack plant began deliveries of the three-row Jeep Grand Cherokee L SUV in June, the EGLE hit the plant with three air-

quality violations following complaints from neighbors about a smell from its new paint shop and is working with the automaker on a compliance plan, which is expected to include a fine. Air sampling around the plant has found no immediate health concerns, according to multiple government agencies.

Stellantis in December installed ducting to route paint emissions into equipment to destroy potentially harmful compounds that is required by its permit, but was missing in a section of facility. The automaker also has said it will install additional control measures after a third-party investigation found a high frequency of odor concentrations at the plant that now also makes the two-row Grand Cherokees.

Stellantis invested \$1.6 billion into the former Mack Avenue Engine Complex to turn it into Detroit's first assembly plant in nearly 30 years. The expanded plant property now borders Beniteau homes.

The residents allege EGLE violated Title VI that requires "no person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance."

At the crux of their argument is that the Mack Assembly Plant has a disproportionate impact on a majority-Black community that already faces increased risks for health conditions such as asthma.

In order to obtain the permit, Stellantis had to decrease emissions at another site, because it was increasing them at the former Mack Avenue Engine Complex with a new paint shop. The plants emit [volatile organic compounds](#) that when combined with the atmosphere create the toxic gas ozone. Southeast Michigan has failed to meet the EPA's National Ambient Air Quality Standard for ground-level ozone since 2018. EGLE

can require the offsets be made in the seven-county region, but doesn't have the power to specify where.

Stellantis decreased emissions in Warren, an action that is reducing 30% of VOC emissions in southeast Michigan, according to the company. The Mack plant in Detroit has the lowest volatile organic compound emissions rate of any U.S. assembly plant in the country, the automaker also has said.

Within a one-mile radius of the Warren plant, however, 52% of residents are people of color compared with 98% around the Detroit plant, according to the EPA's environmental justice screening and mapping tool.

By not including an impact analysis during the permit processing, the EGLE cannot know if it is in compliance with Title VI, according to the complaint. The residents demand assistance for people wishing to leave the neighborhood, more money for home repairs and a requirement that EGLE conduct a cumulative impact analysis during its permitting process.

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