

*Brian Masse*  
Member of Parliament  
(Windsor West)



*Ottawa*  
1000 Valour Bldg.  
House of Commons  
Ottawa ON, K1A 0A6  
[brian.masse@parl.gc.ca](mailto:brian.masse@parl.gc.ca)

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To Whom It May Concern:

I am writing this letter in opposition to Marathon Petroleum Company's ("Marathon") requested variance from various sections of the Bulk Solid Materials Ordinance (the "Ordinance"), specifically its request that it be exempt from complying with the ordinance's requirement that bulk solid materials be stored in fully enclosed containers having a floor, four walls, and a roof. Marathon does not want to put a roof on its petroleum coke ("pet coke") processing pit in Southwest Detroit, which would subject residents in the surrounding area, including Windsor, Ontario and Essex County in Canada, to unacceptable health and environmental risks. The City of Detroit Building, Safety and Environmental Department (BSEED) should follow the decision made by Detroit City Council and hold Marathon accountable for our public health.

Petcoke is a toxic substance that is carcinogenic and must be prevented from being exposed to humans. The basic protection of having all petcoke covered from the elements is a simple and easily implemented solution. Petcoke becoming aerosolized can impact the air quality in an area, such as southwest Detroit which has some of the highest asthma and cancer rates in the United States. It was one of the primary reasons for passing the Ordinance in the first place. Petcoke entering water ways and polluting the Detroit River would be a violation of the Boundary Waters Treaty between the United States and Canada. The International Joint Commission, which has jurisdiction over the Great Lakes–Saint Lawrence River waters, whose purpose is to help prevent and resolve disputes about the use and quality of boundary waters and to advise Canada and the United States on questions about water resources would need to be notified.

Marathon, regardless of their suspect and unsubstantiated engineering claims about following the rules, is a successful and financially able corporation, having had record profits in 2017, that can institute these measures to come in compliance with the regulations. Building a roof can be done. The public benefit far outweighs the costs. Marathon's bottom line is not the standard for technical feasibility, and cannot be a factor allowing them to undermine a City Ordinance.

Marathon's history of environmental violations is a litany of noncompliance. Since 2013, the Michigan Department of Environmental Quality (MDEQ) has issued 13 violation notices to Marathon, 5 of which were of 'high priority' that required legal action. All the violations that involved the release of chemicals violate Marathon's permit and the US federal Clean Air Act.

The MDEQ has taken legal action against Marathon three times, in 2005, 2014 and 2016. All of these resulted in settlements but the recent Marathon gas leak on February 3, 2019 has demonstrated, Marathon cannot be trusted to adequately regulate itself and protect the health and safety of the communities surrounding it nor is it responsive to actions from the MDEQ to ameliorate and change its behaviour. The reason the Detroit City Council passed the Ordinance was to set a higher standard for protecting public health and the environment than what exists at the Michigan State level. It is requisite that we follow the residents' demands, made at the January 23, 2019 public hearings, which universally spoke out against Marathon's proposal to continue polluting their neighborhood and putting residents across the region on both sides of the border at risk and reject Marathon's variance - or risk rendering the Ordinance meaningless.

The public hearings demonstrated that every single affected resident who showed up and spoke was in opposition to the variance while Marathon alone defended its proposal. Residents exposed Marathon's false claim that pet coke dust has not escaped its facilities by providing video and photos that showed the opposite.

Accordingly, based on all the information and the overwhelming opposition from residents on both sides of the border I urge BSEED to deny Marathon's variance request and protect the public health and environment.

Respectfully submitted,



Brian Masse  
Member of Parliament, Windsor West  
NDP Industry and Great Lakes Critic  
Vice-Chair, Canada-US Inter Parliamentary Association