



**REGION 5**

CHICAGO, IL 60604

**VIA ELECTRONIC MAIL**

Susan M. Harvey  
Authorized Agent  
Flint Commerce Center, LLC  
2575 South Haggerty Road  
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Canton, Michigan 48188  
sharvey@ashleycapital.com

Tyler Tennent, Esq.  
Dawda, Mann, Mulcahy & Sadler, PLC  
3953 Woodward Avenue  
Suite 200  
Bloomfield Hills, Michigan 48304  
ttennent@dmms.com

Dear Ms. Harvey and Mr. Tennent:

Enclosed please find an executed copy of the Settlement Agreement and Covenant Not to Sue pursuant to CERCLA and RCRA (Docket No.: V-W-23-C-006) pertaining to the Buick City site in Flint, Michigan. The public comment period required by Paragraph 55 has closed, including a reopened period. A public meeting was held. Roughly fifty people submitted comments, most opposing the PPA. The comments have not convinced EPA that the PPA is inappropriate, improper, or inadequate. Therefore, EPA has determined not to modify or withdraw its consent to the Settlement Agreement.

If you have any questions regarding the Settlement Agreement, please contact Mark Koller, Associate Regional Counsel, at (312) 353-2591 or [koller.mark@epa.gov](mailto:koller.mark@epa.gov).

Sincerely,

**DOUGLAS  
BALLOTTI** Digitally signed by  
DOUGLAS BALLOTTI  
Date: 2023.10.26  
08:22:39 -05'00'

Douglas Ballotti, Director  
Superfund & Emergency Management Division

**EDWARD NAM** Digitally signed by  
EDWARD NAM  
Date: 2023.10.25  
14:21:30 -05'00'

Ed Nam, Director  
Land, Chemicals & Redevelopment Division

Enclosures

cc: Mark Koller, EPA, via email  
Phil Page, EPA, via email  
Alison McGregor, U.S. DOJ, via email  
Polly Synk, MI AGO, via email