



CITY OF DETROIT
BUILDINGS, SAFETY ENGINEERING
& ENVIRONMENTAL DEPARTMENT
ENVIRONMENTAL AFFAIRS

401 COLEMAN A. YOUNG
MUNICIPAL CENTER
DETROIT, MICHIGAN 48226
Phone 313 • 628 • 2459
Fax 313 • 224 • 2745

MEMORANDUM

To: Richard Doherty, PE, City Engineer
DPW- City Engineering Division (CED)

From: Hosam Hassanien, PG, CPG, Environmental Specialist III
BSEED-Environmental Affairs (EA) HH

Date: 06/15/2023

Re: Public Highway Institutional Control (PHIC) Notification
Forestlawn Street; Forestlawn Street and Van Dyke Avenue
Tella Properties, LLC
13042 Van Dyke Avenue, Detroit, MI 48234
EGLE REF. NUMBER: PHIC-RRD-213-23-003
FACILITY ID NUMBER: 00035557

On behalf of Tella Properties, LLC, Environmental Resources Group, LLC (ERG), has conducted environmental investigation, assessment, and remediation activities at the property located at 13042 Van Dyke Ave, Detroit, MI 48234 (the subject property). The attached PHIC notification is being submitted to the City BSEED-EA for review as a result of a petroleum confirmed release filed with EGLE. Note, EGLE requires the legal entity proposing to implement the PHIC, as an alternative mechanism to site closure, to notify the local unit of government to confirm that the City of Detroit has no current plans to relocate, vacate or abandon the affected public roadways.

Based on a review of the proposed PHIC and supporting documentation, the investigative and remedial activities appear to be consistent with the rules and regulations of P.A. 451 of 1994, Part 213, Leaking Underground Storage Tanks Act, as amended; however residual petroleum contamination remain in the subsurface media within the City of Detroit-owned and maintained roads of Forestlawn Street; Forestlawn Street and Van Dyke Avenue. Tella Properties, LLC, has prepared the subject PHIC notification to serve as an institutional control for reliance on existence of the unaltered use of Forestlawn St; Forestlawn St and Van Dyke Ave and their associated rights-of-way (ROWs) as public highways for the foreseeable future.

Based on its review, BSEED-EA recommends that DPW-CED sign off on the attached proposed PHIC form (EQP4506 (05/2020)) provided that the City has no current plans to relocate, vacate or abandon the above-listed affected public roadways.

Michael E. Duggan, MAYOR

PUBLIC HIGHWAY INSTITUTIONAL CONTROL

When environmental contamination is proposed to remain in place within a public highway owned or controlled by a county road commission or local unit of government, the "Public Highway Institutional Control" may be used to satisfy all of the requirements under Section 21310a(3)(c) of Part 213, Leaking Underground Storage Tanks, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended (NREPA). In addition, the "Public Highway Institutional Control" may serve as an alternative instrument, with department approval, pursuant to Section 20121(9) of Part 201, Environmental Remediation, of the NREPA. The party proposing this Institutional Control (IC) shall submit the completed form and all attachments with a Closure Report pursuant to Part 213 or a No Further Action Report pursuant to Part 201 to the appropriate [District Office](#). Multiple signature pages may be necessary if there is more than one authority that owns or controls the public highway. The EGLE Reference Number can be obtained by contacting the Remediation and Redevelopment Division at deq-rrd@michigan.gov, or by calling 517-284-5153.

SECTION 1. FACILITY INFORMATION:		EGLE REF. NUMBER PHIC-RRD-213-23-003	
SITE OR FACILITY NAME: Former Clark Gasoline Station		SITE OR FACILITY ID NUMBER: 00035557	
STREET ADDRESS: 13042 Van Dyke			
CITY: Detroit		ZIP: MI	COUNTY: Wayne
NAME OF PARTY PROPOSING PUBLIC HIGHWAY IC: Tella Properties, LLC		EMAIL ADDRESS: At7242000@yahoo.com	
STREET ADDRESS: 13042 Van Dyke		CITY: Detroit	STATE: MI ZIP: 48234
CONTACT PERSON: Mr. Afal "Al" Tella		PHONE: (248) 918-1308	FAX: N/A
EGLE District Office: <input type="checkbox"/> Cadillac <input type="checkbox"/> Gaylord <input type="checkbox"/> Grand Rapids <input type="checkbox"/> Jackson <input type="checkbox"/> Kalamazoo <input type="checkbox"/> Lansing <input type="checkbox"/> Saginaw Bay <input checked="" type="checkbox"/> SE Michigan <input type="checkbox"/> Upper Peninsula			

SECTION 2. AFFECTED PUBLIC HIGHWAY INFORMATION:	
1. Name of affected public highway(s) and nearest intersection: Forestlawn Street; Forestlawn Street and Van Dyke	
2. Known or suspected contaminant(s) type (Check all that apply): <input checked="" type="checkbox"/> Petroleum <input checked="" type="checkbox"/> Volatile organic compounds <input type="checkbox"/> Metals <input type="checkbox"/> Other	
3. Is residual/mobile nonaqueous-phase liquid present in the affected public highway: <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
4. Media contaminated:	
a. <input checked="" type="checkbox"/> Soil Depth to contaminated soil: 3-6'	
b. <input type="checkbox"/> Groundwater Depth to contaminated groundwater: Predominant groundwater flow direction:	
5. Provide a scaled drawing of the portion of the public highway subject to the institutional control that depicts the area impacted by regulated substances and the location of utilities in the impacted area, including storm water systems and municipal separate storm water systems. At a minimum, the scaled drawing should include:	
a. A north arrow.	
b. A graphical scale bar and scale statement (e.g. 1" =50').	
c. The limits of the source property plotted, to scale, showing the relationship to the county road commission or local unit of government and other affected parcels.	
d. The public highway(s) name identified.	
e. A statement identifying the Township, Range, Section, and Quarter Section where the parcel is located.	
f. The limits of the affected public highway plotted to scale. This area should be hatched and labeled appropriately.	
g. The location of significant site features such as buildings, drives, parking lots, and road surface.	
h. Cross section illustrating affected public highway, media, utilities, and location and depth of contaminated media.	
i. Most recent analytical data illustrating contaminant compounds and concentrations within the contaminated media.	

6. Provide a complete list that identifies all parties with ownership and possessory or use property interests related to the public highway (including owners of real property, easement holders, utility franchise holders, and owners or operators of public utilities):

- City of Detroit Water & Sewerage Department
- City of Detroit – Public Works
- DTE Energy

a. Are any of the parties listed above affected by the contamination: YES NO

b. Have all of the parties above affected by the contamination received notification of the existing conditions as part of a corrective action plan or pursuant to the due care requirements: YES NO (will be included in Closure Report)

7. Exposure risks:

a. Due to groundwater contamination (Check all that apply):

- Drinking water Indoor air inhalation Surface water

b. Due to soil contamination (Check all that apply):

- Direct contact Ambient air Inhalation Indoor air inhalation Leaching from soil to groundwater

- Direct transport to surface water Soil excavation/relocation

Based on the exposure risks identified above, insert a paragraph below which describes the affected media, the nature and extent of the hazardous substances, the cleanup criteria exceeded, the routes of potential exposure, any response activities or corrective actions that have been taken to address the contamination, and any activities that could result in exposure to hazardous substances that would cause this institutional control to not be protective of public health, safety, and welfare (e.g. use of the groundwater for consumption, irrigation, or any other use, management and disposal of groundwater for dewatering for construction purposes; any excavation or intrusive activity that would result in contaminated soils to be placed at the ground surface or otherwise exacerbate the extent of contamination).

Soils encountered in the 2018 excavation area consisted primarily of stiff grey and brown mottled clay. Soils encountered in the borings completed consisted primarily of stiff clay, with varying amounts of sand and/or silt. The clay appears to extend to at least 15 feet bgs, the maximum depth explored. Thin seams of sand and gravel were observed.

Groundwater was not encountered during the subsurface investigations and soil removal to a depth of at least 15 feet below ground surface (bgs).

All contamination above applicable residential Tier 1 RBSLs has been excavated and removed, with the exception of the residual soil contamination located between 3-5' bgs. However, these areas are covered with concrete to prohibit exposure. A Restrictive Covenant will be filed for the Site, which imposes vapor intrusion exposure restrictions, direct contact exposure barrier restriction, and imposes contaminate soil management practices. The Owner shall manage all soils, media, and/or debris located on the Property in accordance with the applicable requirements of Section 21304b of the NREPA; Part 111, Hazardous Waste Management, of the NREPA; Subtitle C of the Resource Conservation and Recovery Act, 42 USC Section 6901 et seq.; the administrative rules promulgated thereunder; and all other relevant state and federal laws.

SECTION 3. STORM SEWER SYSTEM CERTIFICATION:

Is contamination present in or does the contamination have the potential to enter the storm sewer system (including separate storm sewer systems and combined sewers) as a result of the release from the underground storage tank system:

- YES NO

If yes, please provide information below and attach any drawings, tables, etc. that clearly identifies the nature and extent of the contamination that enters or has the potential to enter the storm sewer system.

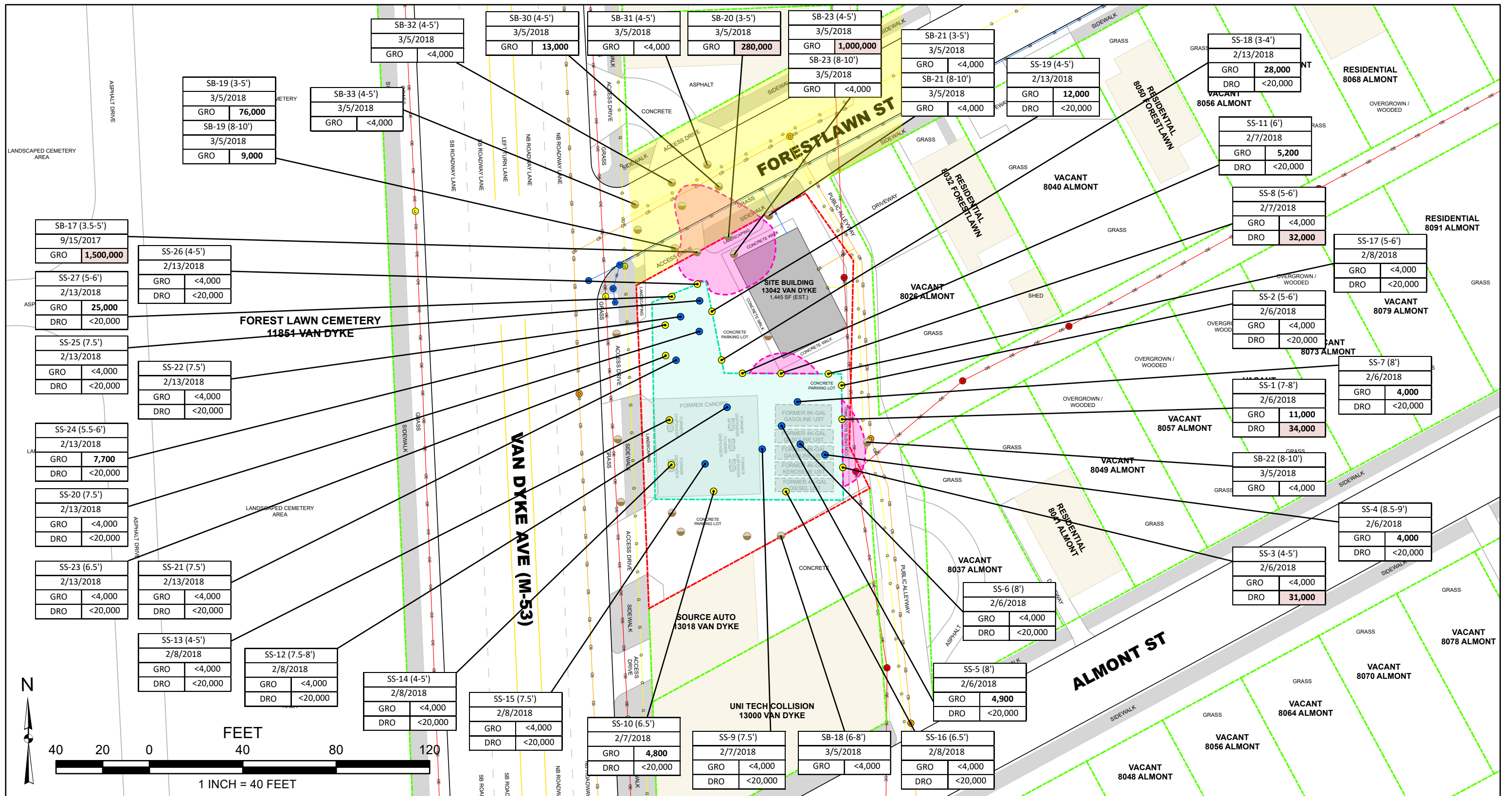
Please refer to the attached maps which depict the areas with residual contamination. The attached cross section maps depict the vertical and horizontal extent of contamination in relation to underground utilities.

SECTION 4. SUBMITTER INFORMATION:

I, as the submitter identified in Section 1, or the qualified consultant authorized to complete this document on the submitter's behalf, hereby attest to the accuracy of the statements in this document and all attachments and have provided this document to the county road commission or local unit of government.

Signature	Print	Date
	Keith Christofferson	5/15/23
Name of Company (if applicable)	Address, City, State, Zip	

Environmental Resources Group, LLC		28003 Center Oaks Court, Suite 106, Wixom, MI 48393	
Phone Number		Fax Number	Email Address
(248) 773-7986		(248) 924-3108	Keith.christofferson@ergrp.net
SECTION 5. COUNTY ROAD COMMISSION OR LOCAL UNIT OF GOVERNMENT CONFIRMATION:			
Name of county road commission or local unit of government: City of Detroit			
The aforementioned City of Detroit hereby confirms that there are no current plans to relocate, vacate, or abandon the public highway. With my signature below, I certify that I am legally authorized to sign on behalf of the City of Detroit.			
Signature of Authorized Official		Print Authorized Official	
Title of Authorized Official		Date	
Name of county road commission or local unit of government		Address, City, State, Zip	
City of Detroit – Department of Public Works		2 Woodward Avenue, #611, Detroit, MI 48226	
Phone Number		Fax Number	Email Address
(313) 224-3901		NA	



LEGEND

Soil Borings	Remedial Excavation Boundary (2018)	Light Poles	Natural Gas Valves
Excavation Sidewall Samples	Appx. Site Boundary	Combined Sewer Manholes/Catch Basins	Overhead Electric
Excavation Bottom Samples	Appx. Offsite Parcel Boundaries	Water Main Access Manholes	Combined Sewer
Extent of Potential Residual NAPL Based on GRO/DRO Exceedances	Utilities	Hydrants	Water Main
	Utility Poles	Natural Gas	

DATA LEGEND

Bold value indicates a concentration that is above laboratory detection limits.
Red shading indicates a concentration that exceeds the NAPL May Be Present Screening Level (>250,000 µg/kg GRO, >20,000 µg/kg DRO)

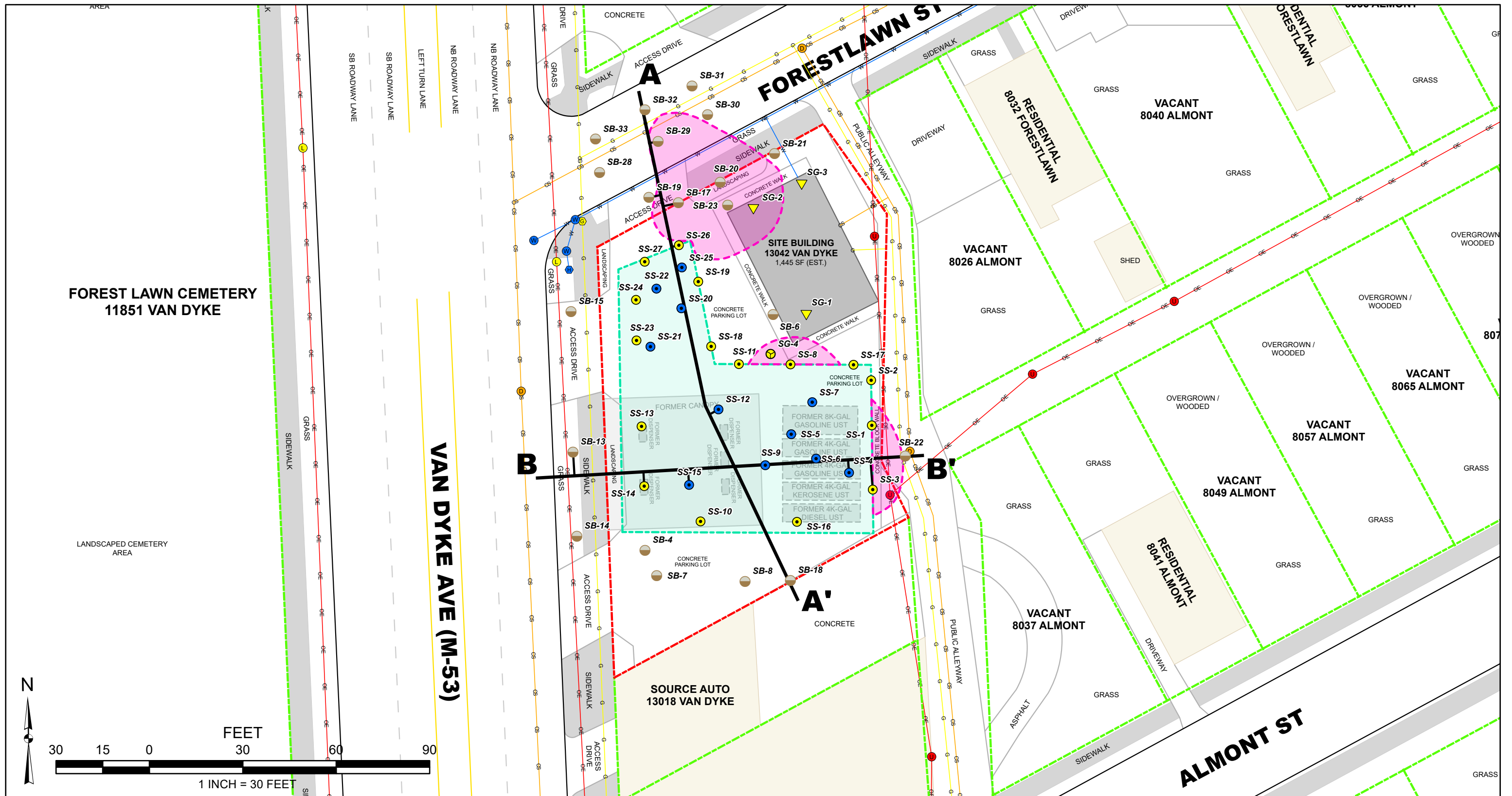
GRO - Gasoline Range Organics
DRO - Diesel Range Organics

NOTES:
1) All results in micrograms per cubic meter (µg/m³).

LIMIT OF THE APPROXIMATE AREA AFFECTED FOR PUBLIC HIGHWAY INSTITUTIONAL CONTROL

ERG Environmental Resources Group
28003 Center Oaks Court • Suite 106 • Wixom, MI • 48393
Phone: 248-773-7986 • Fax: 248-924-3108

FORMER CLARK GASOLINE STATION
13042 VAN DYKE, DETROIT, MICHIGAN
PUBLIC HIGHWAY SUBJECT TO INSTITUTIONAL CONTROL
JOB NO.: 1672
BY: TNV DATE: 1/4/2023
FIGURE 1

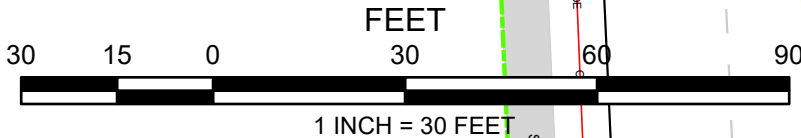


FOREST LAWN CEMETERY
11851 VAN DYKE

VAN DYKE AVE (M-53)

FORESTLAWN ST

ALMONT ST

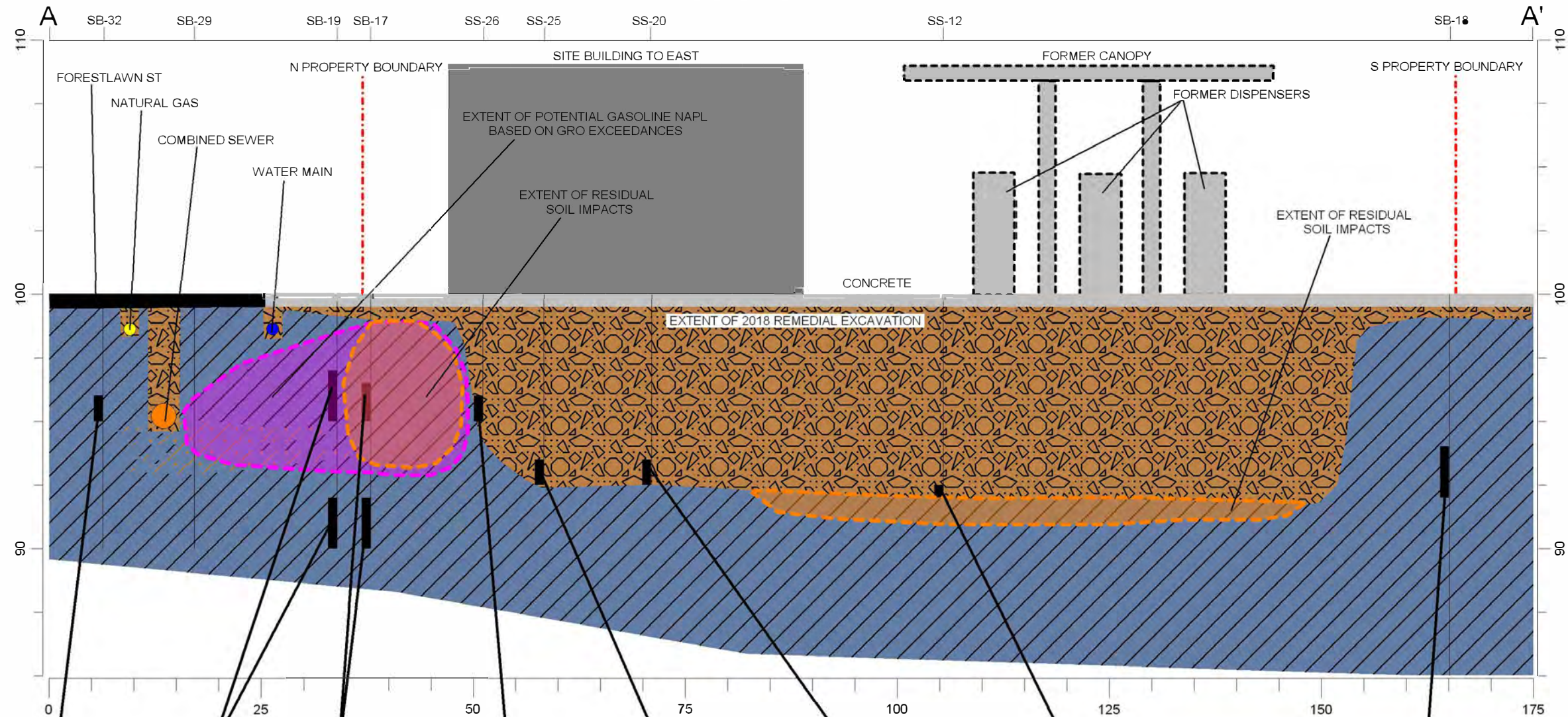


LEGEND			
	Soil Borings		Appx. Site Boundary
	Vapor Pins		Appx. Offsite Parcel Boundaries
	Soil Gas Wells		Extent of Potential Residual NAPL Based on GRO/DRO Exceedances
	Excavation Sidewall Samples		Remedial Excavation Boundary (2018)
	Excavation Bottom Samples	Utilities	
			Utility Poles
			Light Poles
			Combined Sewer Manholes/Catch Basins
			Water Main Access Manholes
			Hydrants
			Natural Gas Valves
			Overhead Electric
			Combined Sewer
			Water Main
			Natural Gas

ERG Environmental Resources Group
28003 Center Oaks Court • Suite 106 • Wixom, MI • 48393
Phone: 248-773-7986 • Fax: 248-924-3108

FORMER CLARK GASOLINE STATION
13042 VAN DYKE, DETROIT, MICHIGAN
CROSS-SECTION LOCATION MAP
JOB NO.: 1672
BY: TNV DATE: 1/4/2023
FIGURE 2

Cross-Section A-A'



SB-32 (4-5')	
3/5/2018	
ULG	ND
GRO	<4,000

SB-19 (3-5')	
3/5/2018	
ULG	<RBSLs
GRO	76,000
SB-19 (8-10')	
3/5/2018	
ULG	<RBSLs
GRO	9,000

SB-17 (3.5-5')	
9/15/2017	
B	850
E	5,400
N	3,100
Other ULG	<RBSLs
PNAAs	<RBSLs
GRO	1,500,000
SB-17 (8-10')	
9/15/2017	
ULG	ND
PNAAs	ND

SS-26 (4-5')	
2/13/2018	
ULG	ND
PNAAs	ND
GRO	<4,000
DRO	<20,000

SS-25 (7.5')	
2/13/2018	
ULG	ND
PNAAs	ND
GRO	<4,000
DRO	<20,000

SS-20 (7.5')	
2/13/2018	
ULG	ND
PNAAs	ND
GRO	<4,000
DRO	<20,000

SS-12 (7.5-8')	
2/8/2018	
B	120
PNAAs	ND
GRO	<4,000
DRO	<20,000

SB-18 (6-8')	
3/5/2018	
ULG	ND
GRO	<4,000

Soil Data Legend

Bold value indicates a concentration that is above laboratory detection limits.
Shaded value indicates a concentration that exceeds the Drinking Water Protection (DWP) RBSLs.
Italicized value indicates a concentration that exceeds Groundwater Surface Water Protection (GSIP) RBSLs.
Red value indicates a concentration that exceeds the Nonresidential Site-Specific Target Levels for Volatilization to Indoor Air Criteria for Soil.

B - Benzene
 E - Ethylbenzene
 N - Naphthalene
 FA - Fluoranthene
 PA - Phenanthrene
 ULG - Unleaded Gasoline Parameters
 PNAAs - Polynuclear Aromatic Hydrocarbons
 GRO - Gasoline Range Organics
 DRO - Diesel Range Organics
 ND - Non-detect
 <RBSLs - Below Risk-based Screening Levels

NOTES:
 1) Analytical Results Compared to EGLE Part 201 Generic Cleanup Criteria and Screening Levels/Part 213 Risk-Based Screening Levels for Nonresidential Soil.
 2) Analytical Results Compared to Nonresidential SSTLs For Volatilization to Indoor Air Criteria for Soil, provided for the Site by EGLE.
 3) All results in micrograms per kilogram (µg/kg).

Lithology

- CLAY
- SANDY CLAY
- SILTY SAND
- TOPSOIL
- SAND AND CLAY
- FILL
- CLAY AND SILT

V.E. (V:H) = 3:1
 VERTICAL SCALE: 1" = 5'
 HORIZ. SCALE: 1" = 15'

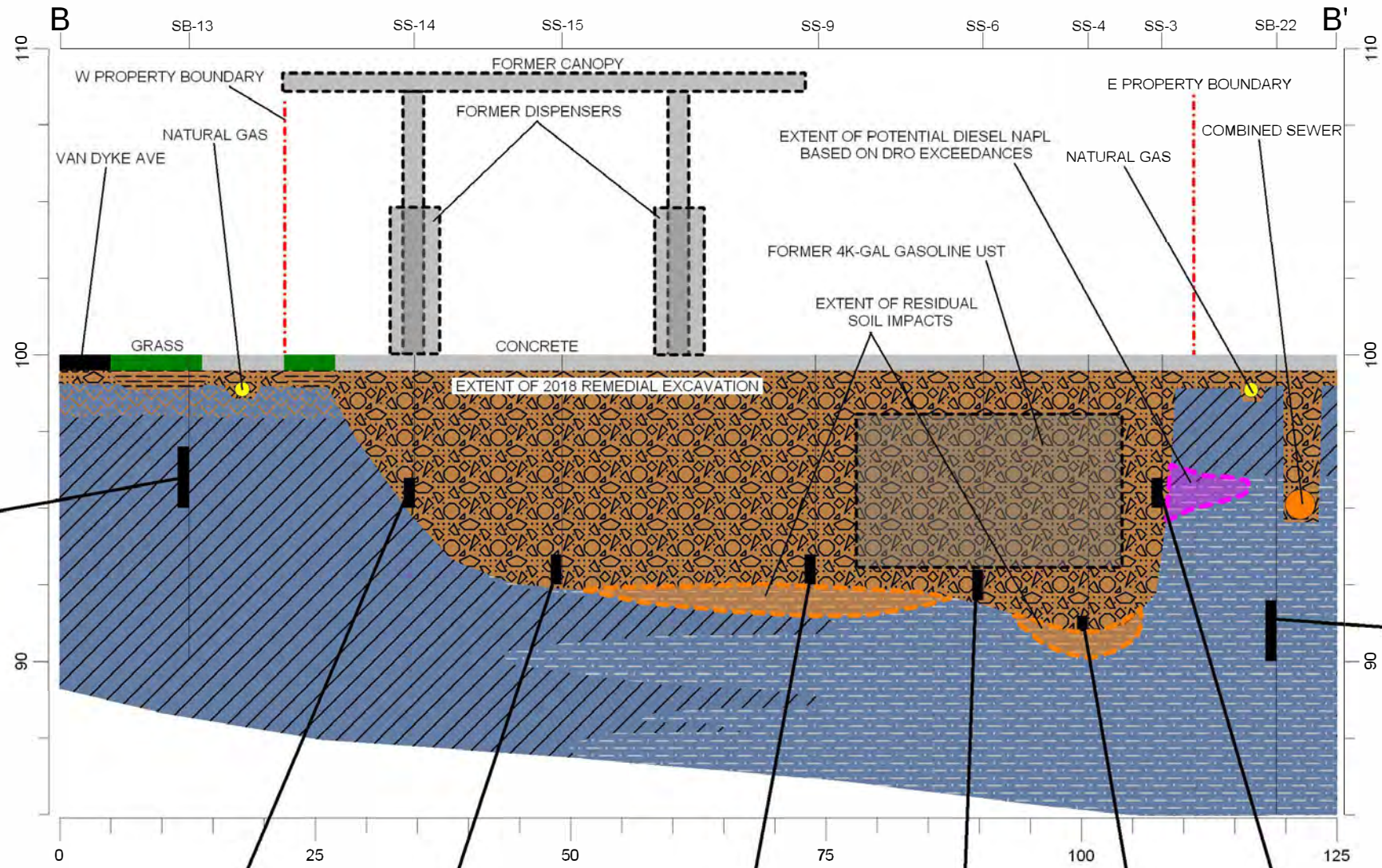


Environmental Resources Group
 28003 Center Oaks Court • Suite 106 • Wixom, MI • 48393
 Phone: 248-773-7986 • Fax: 248-924-3108

FORMER CLARK GASOLINE STATION

13042 VAN DYKE, DETROIT, MICHIGAN
 CROSS-SECTION A-A'
 JOB NO: 1672
 BY: TNV DATE: 1/4/2023
 FIGURE 3

Cross-Section B-B'



SB-13 (3-5')	
9/15/2017	
ULG	ND
PNA's	<RBSLs

SB-22 (8-10')	
3/5/2018	
ULG	ND
GRO	<4,000

SS-14 (4-5')	
2/8/2018	
ULG	ND
PNA's	ND
GRO	<4,000
DRO	<20,000

SS-15 (7.5')	
2/8/2018	
ULG	ND
PNA's	ND
GRO	<4,000
DRO	<20,000

SS-9 (7.5')	
2/7/2018	
B	400
PNA's	ND
GRO	<4,000
DRO	<20,000

SS-6 (8')	
2/6/2018	
ULG	ND
PNA's	ND
GRO	<4,000
DRO	<20,000

SS-4 (8.5-9')	
2/6/2018	
B	1,500
Other ULG	<RBSLs
PNA's	ND
GRO	4,000
DRO	<20,000

SS-3 (4-5')	
2/6/2018	
ULG	ND
PNA's	ND
GRO	<4,000
DRO	31,000

V.E. (V:H) = 3:1
 VERTICAL SCALE: 1" = 5'
 HORIZ. SCALE: 1" = 15'

Soil Data Legend

Bold value indicates a concentration that is above laboratory detection limits.
Shaded value indicates a concentration that exceeds the Drinking Water Protection (DWP) RBSLs.
Italicized value indicates a concentration that exceeds Groundwater Surface Water Protection (GSIP) RBSLs.
Red value indicates a concentration that exceeds the Nonresidential Site-Specific Target Levels for Volatilization to Indoor Air Criteria for Soil.

B - Benzene
 E - Ethylbenzene
 N - Naphthalene
 FA - Fluoranthene

PA - Phenanthrene
 ULG - Unleaded Gasoline Parameters
 PNA's - Polynuclear Aromatic Hydrocarbons
 GRO - Gasoline Range Organics

DRO - Diesel Range Organics
 ND - Non-detect
 <RBSLs - Below Risk-based Screening Levels

NOTES:
 1) Analytical Results Compared to EGLE Part 201 Generic Cleanup Criteria and Screening Levels/Part 213 Risk-Based Screening Levels for Nonresidential Soil.
 2) Analytical Results Compared to Nonresidential SSTLs For Volatilization to Indoor Air Criteria for Soil, provided for the Site by EGLE.
 3) All results in micrograms per kilogram (µg/kg).

Lithology

- CLAY
- SANDY CLAY
- SILTY SAND
- TOPSOIL
- SAND AND CLAY
- FILL
- CLAY AND SILT



Environmental Resources Group

28003 Center Oaks Court • Suite 106 • Wixom, MI • 48393
 Phone: 248-773-7986 • Fax: 248-924-3108

FORMER CLARK GASOLINE STATION

13042 VAN DYKE, DETROIT, MICHIGAN

CROSS-SECTION B-B'

JOB NO: 1672

BY: TNV DATE: 1/5/2023

FIGURE 4