

BUILDINGS, SAFETY ENGINEERING AND ENVIRONMENTAL DEPARTMENT

Coleman A. Young Municipal Center 2 Woodward Avenue, Fourth Floor Detroit, Michigan 48226 Phone 313•224•2733 TTY:711 Fax 313•224•1467 www.detroitmi.gov/BSEED

MEMORANDUM

To:

Richard Doherty, PE, City Engineer

DPW- City Engineering Division (CED)

From:

Hosam Hassanien, PG, CPG, Environmental Specialist III

BSEED-Environmental Affairs (EA)

Date:

02/05/2024

Re:

Public Highway Institutional Control (PHIC) Notification

Knight #316

15464 Livernois Avenue, Detroit, MI 48238 EGLE REF. NUMBER: PHIC-RRD-213-23-053

FACILITY ID NUMBER: 00005953

On behalf of Knight Enterprises, Inc., BLDI, Inc., has conducted environmental investigation, assessment, and remediation activities at the property located at 15464 Livernois Avenue, Detroit, MI 48238 (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 in October 2017 (REL-0251-17). 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 conducted at the subject property 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 exceeding Part 213 Risk-Based Screening Levels, including non-aqueous phase liquid (NAPL), remain in the subsurface soil within the City of Detroit-owned and maintained roads of Livernois Avenue and John C. Lodge Service Drive north and east of the intersection of Livernois Avenue and John C. Lodge Service Drive, and Alley located along eastern boundary at 15464 Livernois Avenue, north of John C. Lodge Service Drive. As such, Knight Enterprises, Inc. has prepared the subject PHIC notification to serve as an institutional control for reliance on existence of the unaltered use of Livernois Avenue and John C. Lodge Service Drive north and east of the intersection of Livernois Avenue and John C. Lodge Service Drive, and Alley located along eastern boundary at 15464 Livernois Avenue, north of John C. Lodge Service Drive and associated rights-of-way (ROWs) as a public highway 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. Upon signoff, please make sure the subject PHIC is filed in your record for future reference.

December 19, 2023

City of Detroit Department of Public Works City Engineering Division 2 Woodward Avenue, Room 642 Detroit, MI 48226

RE: Public Highway Institutional Controls

Knight #316

15464 Livernois Avenue, City of Detroit, MI

Facility ID No: 00005953

EGLE Reference Number: PHIC-RRD-213-23-053

To Whom it May Concern:

An application for utilizing institutional controls for soil and groundwater corrective action is being submitted for the Knight Enterprises, Inc. Site K-316, located at 15464 Livernois Avenue, City of Detroit, Wayne County, Michigan (Site). The Site is utilized as a gasoline station with a convenience store. BLDI, LLC (BLDI) is currently retained as the environmental consultant for the Site.

The soil contamination remaining at this Site exists at concentrations that exceeds the applicable Part 213 Risk-Based Screening Levels (RBSLs) and/or Site-Specific Target Levels (SSTLs) in locations beyond the Site property boundary along and beneath the adjacent Livernois Avenue and John C. Lodge Service Drive rights-of-way (ROWs) and east adjacent Alley.

The application for institutional control includes the completed Public Highway Institutional Control form. Upon your review, you will note that the Site conditions may present an exposure risk to employees or subcontractors working within the ROWs and/or Alley. If potential construction activities would require removal of contaminated soil, the contaminated media will need to be characterized and disposed of properly, and additional precautions should be taken to prevent workers from the exposure to contaminated soil. Funding for disposal of contaminated media associated with a refined petroleum underground storage tank release and located within a public highway is available from the State of Michigan through the Michigan Underground Storage Tank Authority (MUSTA), public highway cleanup fund.

Regards,

Heidi A. Vogel, EP

Senior Project Manager

Attachment

cc: Mr. John Denton

Knight Enterprises, Inc. (via email)

Corporate Office 150 Fountain Street NE Grand Rapids, MI 49503 616.459.3737 MICHIGAN DEPARTMENT OF ENVIRONMENT, GREAT LAKES, AND ENERGY – REMEDIATION AND REDEVELOPMENT DIVISION PO BOX 30426, LANSING, MI 48909-7926, Phone 517-284-5087, Fax 517-241-9581

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 deg-rrd@michigan.gov, or by calling 517-284-5153.

Redevelopment Division at deq-rrd@michigan.gov, or by callii			ine Nemedialion a	TIG.
SECTION 1. FACILITY INFORMATION:	EGLE REF	F. NUMBER PHIC-RRD-213-23-053		
SITE OR FACILITY NAME: Knight #316	SITE OR FACILI		ITY ID NUMBER: 00005953	
STREET ADDRESS: 15464 Livernois Avenue				
CITY: City of Detroit	ZIP: 48238 COUNTY: Wayne			
NAME OF PARTY PROPOSING PUBLIC HIGHWAY IC: Knight Enterprises, Inc.	EMAIL ADDRESS: jdenton@knightenterprisesinc.com			
STREET ADDRESS: 47705 West Road, Suite B-102	CITY: Wix	om	STATE: MI	ZIP: 48393
CONTACT PERSON: John Denton	PHONE: 248-478-3651		FAX:	
EGLE District Office: □Cadillac □Gaylord □Grand Rapids □Saginaw Bay ☑SE Michigan □Upper Peninsula	Jacksor	□Kalamazoo	□Lansing	
SECTION 2. AFFECTED PUBLIC HIGHWAY INFORMATION	V:			
 Name of affected public highway(s) and nearest intersection and east of the intersection of Livernois Avenue and John C. I boundary at 15464 Livernois Avenue, north of John C. Lodge Known or suspected contaminant(s) type (Check all that ap	_odge Servi Service Driv ply): ☐Metal	ce Drive; and All ve s	ey located along ea □Other	
Nedia contaminated: 4. Media contaminated:	anected pub	ilc flighway.	E3 MNO	
a. ⊠Soil Depth to contaminated soil: ~1.0 foot below gr	ound curfs	00		
			votor flour directions	
b. Groundwater Depth to contaminated groundwater:5. Provide a scaled drawing of the portion of the public highway			vater flow direction:	
 impacted by regulated substances and the location of utilit municipal separate storm water systems. At a minimum, to 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, sho unit of government and other affected parcels. d. The public highway(s) name identified. e. A statement identifying the Township, Range, Section f. The limits of the affected public highway plotted to scale. 	ties in the in the scaled d l'). wwing the rel n, and Quart ale. This are	npacted area, incrawing should in ationship to the error Section where a should be hate	cluding storm water iclude: county road commi the the parcel is locate the and labeled appropriate the parcel is locate the dand labeled appropriate the control of the c	systems and ssion or local ed.
 g. The location of significant site features such as buildir h. Cross section illustrating affected public highway, med i. Most recent analytical data illustrating contaminant co 	dia, utilities,	and location and	d depth of contamin	

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):						
DTE Energy, City of Detroit Department of Public Works, City of Detroit Water and Sewage Department						
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						
7. Exposure risks: a. Due to groundwater contamination (Check all that □ Drinking water □ Indoor air inhalation □ Surface b. Due to soil contamination (Check all that apply): □ Direct contact □ Ambient air Inhalation □ Indoo □ Direct transport to surface water □ Soil excavat Soil contamination was documented to be present in th (ROWs) and the Alley located along the eastern bound the underground storage tank (UST) system that occur include soil excavation/relocation and volatilization to in contamination also exceed their applicable indoor air in therefore, there is no current risk via this pathway. The residual non-aqueous phase liquid (NAPL) based on deconcern (COCs) in soil samples collected from location deeper than 1.0 foot below ground surface may encour be handled and disposed of properly. Workers should be contaminated soils.	e water or air inhalation □Leaching from soil ion/relocation e Livernois Avenue and John C. Locary at the Site, resulting from a confired in October 2017 (C-0251-17). Redoor air inhalation. Although the dehalation criteria, no buildings are presoil in the ROWs and Alley is assure tections of gasoline range organics adjoining to and/or within the ROW ter contaminated soils. Any contaminated contaminated soils.	dge Service Drive rights-of-way irmed release of gasoline from isks due to the soil contamination etected concentrations of soil esent within the ROWs or Alley; ned to contain concentrations of (GRO) and/or contaminants of Vs and Alley. Any soil excavation inated soil encountered should				
SECTION 3. STORM SEWER SYSTEM CERTIFICATI	ON:					
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.						
OF OTHER MEDICAL PROPERTY.						
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				
4-1-	Heidi A. Vogel, EP	12/19/2023				
Name (Company (if applicable)	Address, City, State, Zip					
BLDI, LLC	150 Fountain St NE, Grand Rapids, MI 49503					
Phone Number	Fax Number Email Address					
616-459-3737	616-459-5357	hvogel@bldi.com				
SECTION 5. COUNTY ROAD COMMISSION OR LOCAL UNIT OF GOVERNMENT CONFIRMATION:						
Name of county road commission or local unit of government: City of Detroit Department of Public Works						
The aforementioned City of Detroit Department of Public Works 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 City of Detroit Department of Public Works .						
Signature of Authorized Official		horized Official				

Remediation and Redevelopment Division Phone: 517-284-5087

A - 1			
(a)	2-7-2024		
Title of Authorized Official	Date		
City Byinco	Richard	Doherty	
Name of county road commission or local unit of government	Address, City, State, Zip		
Phone Number	Fax Number	Email Address	
		DOM:	

































