

May 25, 2022

Mr. Ron Brudidge Director of Public Work, City of Detroit 2 Woodward Ave. STE 642 Detroit, MI 48226

Re: Request for Public Highway Institutional Control Former Jet Store #22008, Phillips 66 RM&R #6239 9100 Chalmers Ave Detroit, Michigan 48213 Wayne County Facility ID No. 00007366

Dear Mr. Brudidge:

Atlas Technical (Atlas), on behalf of Phillips 66 (Phillips), is presently conducting corrective actions at the former Jet store property referenced above. As part of the corrective actions, we are requesting a signature on the enclosed Michigan Department of Environment, Great Lakes, and Energy (EGLE) Public Highway Institutional Control Form (Form).

Phillips proposes to use the Form to document soil and groundwater impacts at the former Jet property line which may extend into the Chalmers Ave., Evanston St., and Hayes St., right-of-way adjacent to the former Jet property. This Form will be used as an alternate institutional control mechanism in order to obtain closure with EGLE.

Atlas is respectfully requesting that you sign the Form and return it in the enclosed self-addressed stamped envelope. Please feel free to contact the undersigned by phone at 248-863-2668, or by email at Laura.Sleeper@oneatlas.com, if you have any questions or if you need any additional information.

Sincerely,

Atlas

Laura Sleeper

Retail Petroleum Division Manager

Copy: Edward Kuhn, Phillips 66

Atlas File (6239)

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 RE | :F. NUMBER.: L | ROW-F | RRD-213-20-055 |) | |
|---|---|-----------------|-------------------|------------------|----------|--|
| SITE OR FACILITY NAME: Former Jet Store #22008, Phillip RM&R #6239 | s 66 | SITE OR FACI | LITY II | NUMBER: 000 | 007366 | |
| STREET ADDRESS: 9100 Chalmers Avenue | | | | | | |
| CITY: Detroit | ZIP: 4821 | 3 | COU | NTY: Wayne | | |
| NAME OF PARTY PROPOSING PUBLIC HIGHWAY IC: Phillips 66 Company | EMAIL ADDRESS: Ed.kuhn@contractor.p66.com | | | | | |
| STREET ADDRESS: 222 South Church Street, Suite 400 | ('IIV: ('harlotte | | STATE: NC | ZIP: 28202 | | |
| CONTACT PERSON: Edward Kuhn | PHONE: 704-676-0502 FA | | FAX: 704-676-0704 | | | |
| EGLE District Office: □Cadillac □Gaylord □Grand Rapids □Jackson □Kalamazoo □Lansing □Saginaw Bay ⊠SE Michigan □Upper Peninsula | | | | | | |
| SECTION 2. AFFECTED PUBLIC HIGHWAY INFORMATION | N: | | | | | |
| 1. Name of affected public highway(s) and nearest intersection | on: Chalme | ers Avenue, Eva | nston S | Street, and Haye | s Street | |
| 2. Known or suspected contaminant(s) type (Check all that apply): ☑Petroleum ☐Volatile organic compounds ☐Metals ☐Other | | | | | | |
| 3. Is residual/mobile Non-Aqueous phase liquid present in the affected public highway: ⊠YES □NO | | | | | | |
| 4. Media contaminated: | | | | | | |
| a. ⊠Soil Depth to contaminated soil: 1'-8' bgs | | | | | | |
| b. ⊠Groundwater Depth to contaminated groundwater: 1.60'-4.80' bgs Predominant groundwater flow direction: West/ Northwest | | | | | | |
| Nortnwest 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 and Sewerage Department (water and sanitary sewer service line) City of Detroit Department of Public Services (road right-of-way) DTE Energy (natural gas service line) |
| | a. Are any of the parties listed above affected by the contamination: |
| 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 expose this institutional control to not be protective of public health, sofety |

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).

Soil samples were collected along the property boundary of the site, as well as the northern and southern Right-of-Way (ROW) of Evanston Street, eastern ROW of Hayes Street, and the western ROW of Chalmers Road. Concentrations of petroleum constituents have been detected in soil samples collected from soil borings EB-4, EB-6, EB-7, EB-8, MW-4, SB 9-09, SB 10-09, SB 11-09, SS-9, SVB-2, TB-B, TB-C, TB-D, UC-1, and UC-2. Concentrations in EB-4, EB-6, EB-7, EB-8, SB 9-09, SB10-09, SB 11-09, SS-9, SVB-2, TB-B, TB-C, TB-D, UC-1, and UC-22 are greater than the EGLE Nonresidential Drinking Water Protection Risk-Based Screening Levels (RBSLs) and/or EGLE Groundwater Surface Water Interface Protection RBSLs creating concern for exposure when the soil leaches to groundwater and groundwater is used for potable water. Concentrations of petroleum constituents have been detected in soil samples above vapor intrusion sitespecific screening levels collected from soil boring EB-4, EB-6, EB-7, EB-8, SS-5, SS-8, SS-9, SS-10, MW-4, TB-6/MW-6, TB-8/MW-7, TB-9/MW-8, TB-10/MW-9, TB-11/MW-10, TB-12/MW-11, SB9-09, SB10-09, SB11-09, SVB-2, TB-B, TB-C, UC-1, UC-2, and UC-3. The vapor intrusion site-specific screening levels create an exposure concern for workers when the soil is disturbed during construction. Also, if a building is installed in these areas, the vapors can create issues for the occupants of the building. Concentrations of petroleum constituents have been detected in soil samples collected from soil borings EB-4, EB-6, EB-7, EB-8, MW-4, SB 9-09, SB 10-09, SB 11-09, SS-9, SVB-2, TB-B, TB-C, TB-D, UC-1, and UC-2. Concentrations in EB-4, EB-6, EB-7, EB-8, SB 9-09, SB 10-09, SB 11-09, SS-9, SVB-2, TB-B, TB-C, TB-D, UC-1, and UC-22 are greater than the EGLE Direct Contact Risk-Based Screening Level (RBSL) creating a concern for any disruption of the soils during any excavation with construction workers. The potential extent of petroleum impacted soil is displayed on attached Figures 1 through 8.

Groundwater samples collected from monitoring wells MW-3, MW-4, MW-5, MW-9, MW-10, MW-11, MW-20, MW-21, and MW-22 contained concentrations of petroleum constituents greater than Drinking Water and/or Groundwater Surface Water Interface RBSLs, creating a concern for exposure when the groundwater is used for potable water. The general groundwater flow direction at the site is to the west/northwest. The nearest drinking water well is located upgradient, approximately 0.5 miles east, of the site. The site and surrounding properties are connected to municipal water supply provided by the City of Detroit Water and Sewerage Department. In addition, groundwater beneath the site satisfies the EGLE guidelines for determining groundwater not in aquifer conditions; therefore, the potable water use exposure pathway is not a concern. The concern for Groundwater Surface Water Interface RBSL is creating a concern for exposure to the storm sewers; however, the storm and sanitary sewers are combined that discharges at a wastewater treatment plant and there are no surface water bodies in the vicinity; therefore, the Groundwater Surface Water Interface exposure pathway is not a concern.

Dewatering of the ROW for construction work in the affected area must be treated to be discharged under an EGLE's National Pollutant Discharge Elimination System (NPDES) permit.

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: $\boxtimes YES \square NO$

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.

There are storm sewers that run under Chalmers Avenue, Hayes Street, Evanston Street, have depths of 11-46 feet bgs which is below the impacted soil zone. The construction of the storm sewer lines are assumed to be concrete; however, due to the clean groundwater samples collected on both sides of the roads it is believed the soil contamination is not leaching into the groundwater. Former on-site monitoring well MW-5 contained concentrations above Groundwater Surface Water Interface RBSL and was screened from 9 feet bgs to 11 feet bgs; however, MW-5I was installed with screen interval of 12 feet bgs to 18 feet bgs and did not contain concentrations above Groundwater Surface Water Interface RBSL. Therefore, impacted groundwater is not infiltrating into the Municipal Separate Storm Sewer System (MS4).

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 | |
|---------------------------------|--|----------------------------|--|
| Laur Heyen | Laura Sleeper | 5/22/22 | |
| Name of Company (if applicable) | Address, City, State, Zip | | |
| Atlas Technical | 46555 Humboldt Drive, STE 100 Novi, MI 48377 | | |
| Phone Number | Fax Number | Email Address | |
| 248-669-5140 | 248-669-5147 | Laura.sleeper@oneatlas.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 Services

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 City of Detroit.

| Signature of Authorized Official | Print Authorized Official | | |
|--|-----------------------------------|-------------------------|--|
| | Richard Doherty | | |
| Title of Authorized Official | Date | | |
| City Engineer | 05/11/2023 | | |
| Name of county road commission or local unit of government | Address, City, State, Zip | | |
| City of Detroit - DPW/CED | 2 Woodward Ave, Detroit, MI 48226 | | |
| Phone Number | Fax Number | Email Address | |
| 313-224-3955 | 313-224-2471 | dohertyri@detroitmi.gov | |















