

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 MDEQ 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:MDEQ REF. NUMBER.: **PHIC-RRD-213-19-054**SITE OR FACILITY NAME: **Warren and Livernois, Inc.**SITE OR FACILITY ID NUMBER: **00036847**STREET ADDRESS: **6330 West Warren Avenue**CITY: **Detroit**ZIP: **48210**COUNTY: **Wayne**NAME OF PARTY PROPOSING PUBLIC HIGHWAY IC:
Warren and Livernois, Inc.EMAIL ADDRESS:
Mike2964@hotmail.comSTREET ADDRESS: **6330 West Warren Avenue**CITY: **Detroit**STATE:
MIZIP:
48210CONTACT PERSON: **Muhammad Nassar**PHONE: **313-622-6758**FAX: **N/A**MDEQ District Office: Cadillac Gaylord Grand Rapids Jackson Kalamazoo Lansing
 Saginaw Bay SE Michigan Upper Peninsula**SECTION 2. AFFECTED PUBLIC HIGHWAY INFORMATION:**1. Name of affected public highway(s) and nearest intersection: **West Warren Avenue; Warren and Livernois Avenue**

2. Known or suspected contaminant(s) type (Check all that apply):

 Petroleum Volatile organic compounds Metals Other 3. Is residual/mobile nonaqueous-phase liquid present in the affected public highway: YES NO

4. Media contaminated:

a. Soil Depth to contaminated soil: **~ 3-5'**b. 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 north arrow.
- A graphical scale bar and scale statement (e.g. 1" =50').
- 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.
- The public highway(s) name identified.
- A statement identifying the Township, Range, Section, and Quarter Section where the parcel is located.
- The limits of the affected public highway plotted to scale. This area should be hatched and labeled appropriately.
- The location of significant site features such as buildings, drives, parking lots, and road surface.
- Cross section illustrating affected public highway, media, utilities, and location and depth of contaminated media.
- 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-Department of 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).

The leaking underground storage tanks were removed from the ground in September 2018 along with approximately 1,923 tons of petroleum impacted soil. Groundwater was not encountered during the UST and soil removal activities. Impacted soil remains on-Site above the drinking water protection (DWP) criteria, the groundwater surface water interface protection (GSIP) criteria, the site-specific volatilization to indoor air criteria (VIAC), and the soil saturation concentration (Csat) screening level. Contamination has been detected and remains on-Site above the DWP and GSIP criteria, however, these are not relevant pathways for the Site because groundwater is not in an aquifer and is not continuous at the Site. The property and surrounding area are serviced by the municipal water supply and no water wells are located within one mile of the Site. Additionally, the nearest surface water body to the Site is the Detroit River which is located approximately 3.5-miles southeast of the Site. The Site and surrounding area are serviced by the municipal combined storm and sanitary sewer system. Any storm and sanitary liquid discharges will be transported to the City of Detroit wastewater treatment plant where it will receive primary treatment before being discharged to the Detroit River. Soil ingestion, absorption and/or inhalation are potential exposure routes. The indoor air inhalation pathway is a relevant exposure pathway that is being evaluated and addressed through quarterly sub-slab vapor sampling within the station building. Soil contamination extends beyond the southern property boundary along Warren Avenue at approximately 3-5 feet below ground surface (bgs). A restrictive covenant is being filed for the property which imposes vapor intrusion exposure restrictions and imposes contaminate soil management practices. The use of wells for any other purpose other than evaluating groundwater quality is prohibited. 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.

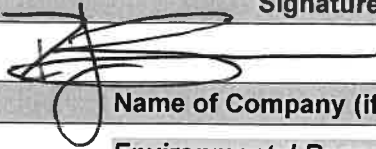
SECTION 3. STORM SEWER SYSTEM CERTIFICATION:

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

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
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	Signature	Print	Date
		Robert J. Zwald	12/5/19
Name of Company (if applicable)	Address, City, State, Zip		
Environmental Resources Group	28003 Center Oaks Court, Suite 106, Wixom, MI, 48393		
Phone Number	Fax Number	Email Address	
248-773-7986	248-924-3108	Bob.zwald@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 **local unit of government** 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 **unit of government**.

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		
			
Phone Number	Fax Number	Email Address	
