

City of Detroit
OFFICE OF THE CITY CLERK

Janice M. Winfrey
City Clerk

Vivian A. Hudson
Deputy City Clerk

DEPARTMENTAL REFERENCE COMMUNICATION

January 31, 2007

To: The Department or Commission Listed Below

From: Janice M. Winfrey
Detroit City Clerk

The following petition is herewith referred to you for report and recommendation to the City Council

In accordance with that body's directive, kindly return the same with your report in duplicate within four (4) weeks.

**/PUBLIC WORKS - CITY ENGINEERING DIVISION/
WATER AND SEWERAGE DEPARTMENT/**

1185 NESA & Associates, Inc. - Shell Oil Products, US (Shell), for Access Shell Service Station right-of-entry; to install monitoring wells for property located at 7961 Mack Avenue.

Carto 47B

1185



NESA & ASSOCIATES, INC.

- Corporate 23840 Dequindre, Warren, Michigan 48091
- West Michigan 7380 Broadmoor Avenue, Caledonia, Michigan 49316
- Chicago 7701 South Grant Street, Burr Ridge, Illinois 60527
- Indianapolis 6824 Hawthorne Park Drive, Indianapolis, Indiana 46220

(586) 427-5525 • Fax (586) 427-5530
 (616) 656-9310 • Fax (616) 656-9362
 (630) 230-0929 • Fax (630) 230-0973
 (317) 570-9416 • Fax (317) 570-9592

January 24, 2007

Overnight Mail

Ms. Janice M. Winfrey
 City of Detroit
 200 Coleman A Young Municipal Center
 2 Woodward Ave.
 Detroit, MI 48226

(313) 224-3260

Route 10
Dept of ENV-Affairs
[Signature]

RE: Request for Access
 Shell Service Station
 7961 Mack Ave.
 Detroit, Michigan

Dear Ms. Winfrey:

Based on January 24, 2007, discussions with Mr. Raymond A. Scott, Manager II, Detroit Department of Environmental Affairs, NESA & Associates, Inc. on behalf of Shell Oil Products, US (Shell) is forwarding the attached right-of-entry request from the City of Detroit to install monitoring wells in response to a confirmed petroleum release at the above referenced property. The attached information includes the package that was submitted to Mr. Raymond Scott on October 26, 2006. If you require any additional information please contact NESA & Associates, Inc. at (586) 427-5525.

Respectfully Submitted:
 NESA and Associates, Inc.

Shailendra Ganna

Shailendra Ganna, M.S., P.E
 Project Manager

Attachments as noted: Request for Access (October 2006)

cc: Kevin Dyer, Shell Oil Products, U.S.

RECEIVED

JAN 29 2007
 CITY OF DETROIT
 DEPARTMENT OF
 ENVIRONMENTAL AFFAIRS



UPS Overnight Delivery
Tracking #1Z 297 ROA 22 1000 2235

City of Detroit
Dept of Public Works – City Engineering Division
900 Cadillac Tower
65 Cadillac Square
Detroit, MI 48226
Attn: Mr. Raymond Scott

October 26, 2006

RE: Request for Access
Letter of Intent and Plans for Monitoring Wells
Shell Station
7961 Mack
Detroit, Wayne County, Michigan

Dear Mr. Scott:

Please find enclosed, information and material necessary to perform soil borings and their conversion to monitoring wells in the right-of-ways of the alleyway adjacent to Van Dyke Avenue, along Van Dyke Avenue and along Mack Avenue for the Shell Oil banded retail station located at 7961 Mack Avenue, Detroit, Wayne County, Michigan as shown on Figure 1.

In accordance with the enclosed letter received from the Michigan Department of Environmental Quality (MDEQ), Shell has determined that to satisfy MDEQ requirements, nine monitoring wells must be installed in the right-of-ways, to collect soil and water samples for analysis including soil type. Please refer to the enclosed Figure 1 for locations.

An air knife/hand auger and a Geoprobe™ 66DT hydraulic push and/or a hollow stem auger drilling rig will be used to install the soil borings to a depth of approximately 20-ft bgs and then conversion of the soil borings into monitoring wells. The proposed well construction is shown on the enclosed Figure 2.

Shell understands that any disturbed areas within the ROW must be finished to match the existing grade and that upon completion of the need for these monitoring wells, the monitoring wells would be removed in accordance with MDEQ rules and the monitoring well location repaired to match the pre-existing conditions per current City of Detroit standards and specifications. MISS-DIG will be notified at least 72 hours before the commencement of the work.

Shell Oil Products US

Environmental Services

2216 Troy Road

PMB #399

Edwardsville, Illinois, 62025

Tel (618) 288-7237

Fax (618) 288-7451

Email kein.dyer@shell.com

Internet <http://www.shell.com>



City of Detroit
October 26, 2006
Page 2 of 2

Enclosed with this letter is an insurance certificate for Shell Oil's contractor, NESAs, naming the City of Detroit as additional insured, Figure 1 specifying the location of the proposed soil borings, Figure 2 showing the anticipated construction details of the monitoring wells and the referenced MDEQ letter. If you should have any question, please contact me at (618) 288-7237.

Sincerely,
SHELL OIL PRODUCTS US


Kevin E. Dyer
Staff Project Manager

Attachment: As noted

Cc: Shailendra Ganna - NESAs
Ed Platt - Shell Oil Products US
Cisselon Nichols - Shell Oil Products US

cpia

Central Park Insurance Agency, Inc.
&
Somerset Group



AUTOMOBILE
HOMEOWNERS
BUSINESS

36880 Woodward Ave., #100, Bloomfield Hills, MI 48304
FAX (248) 723-8833

PROFESSIONAL LIABILITY
PENSION • LIFE
PROFIT SHARING • DISABILITY

TELEPHONE (248) 723-8888

TELEPHONE (248) 723-8811

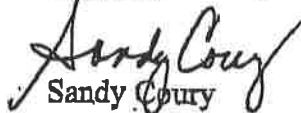
10-17-06

Mr. Kevin Dyer
Coordinator Environmental Engineer
Shell Oil Products, US
2216 Troy Rd.
PMB #399
Edwardsville, IL 62025

Dear Mr. Dyer,

Sara Page of Nesa & Associates has asked me to forward the enclosed certificate of insurance to you. Please let me know if you have any questions regarding it.

Regards,


Sandy Coury



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
10/17/2006

INSURER
Central Park Ins. Agency, Inc.
36880 Woodward Ave. Ste. 100
Bloomfield Hills, MI 48304
248-723-8899

INSURED
Nesa & Associates, Inc.

POB 99336
Troy, MI 48099

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.

INSURERS AFFORDING COVERAGE	NAIC#
INSURER A: AIG	
INSURER B: OHIO CASUALTY GROUP	
INSURER C: ACCIDENT FUND OF MI	
INSURER D:	
INSURER E:	

COVERAGES

THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INBR	ADD'L LTR	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)	LIMITS
A	X	GENERAL LIABILITY	PROP9342829	9-12-06	9-12-07	EACH OCCURRENCE
		<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> * CLAIMSMADE <input checked="" type="checkbox"/> OCCUR <input checked="" type="checkbox"/> Pollution <input type="checkbox"/> * Professional GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC				DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 MED EXP (Any one person) \$ 10,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 1,000,000 PRODUCTS - COMP/OP AGG \$ 1,000,000
B		AUTOMOBILE LIABILITY	BAW52296025	9-12-06	9-12-07	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000
		<input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input checked="" type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS <input checked="" type="checkbox"/> NON-OWNED AUTOS				BODILY INJURY (Per person) \$
						BODILY INJURY (Per accident) \$
						PROPERTY DAMAGE (Per accident) \$
		GARAGE LIABILITY				AUTO ONLY - EA ACCIDENT \$
		<input type="checkbox"/> ANY AUTO <input type="checkbox"/> OTHER THAN AUTO ONLY: EA ACC \$, AGG \$				
A	X	EXCESS/UMBRELLA LIABILITY	PROU9342833	9-12-06	9-12-07	EACH OCCURRENCE \$ 4,000,000
		<input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMSMADE <input type="checkbox"/> DEDUCTIBLE <input checked="" type="checkbox"/> RETENTION \$ 10,000				AGGREGATE \$ 4,000,000
C		WORKERS COMPENSATION AND EMPLOYERS' LIABILITY	WCV6001183 MI, IL, IN	9-12-06	9-12-07	WC STATUTORY LIMITS
		<input type="checkbox"/> ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED If yes, describe under SPECIAL PROVISIONS below				OTHER
						E.L. EACH ACCIDENT \$ 1,000,000 E.L. DISEASE - EA EMPLOYEE \$ 1,000,000 E.L. DISEASE - POLICY LIMIT \$ 1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES / EXCLUSIONS ADDED BY ENDORSEMENT / SPECIAL PROVISIONS

***10 day notice of cancellation for non-pay; 30 day notice for all other reasons. Workers compensation policy has 20 day notice for all reasons.**

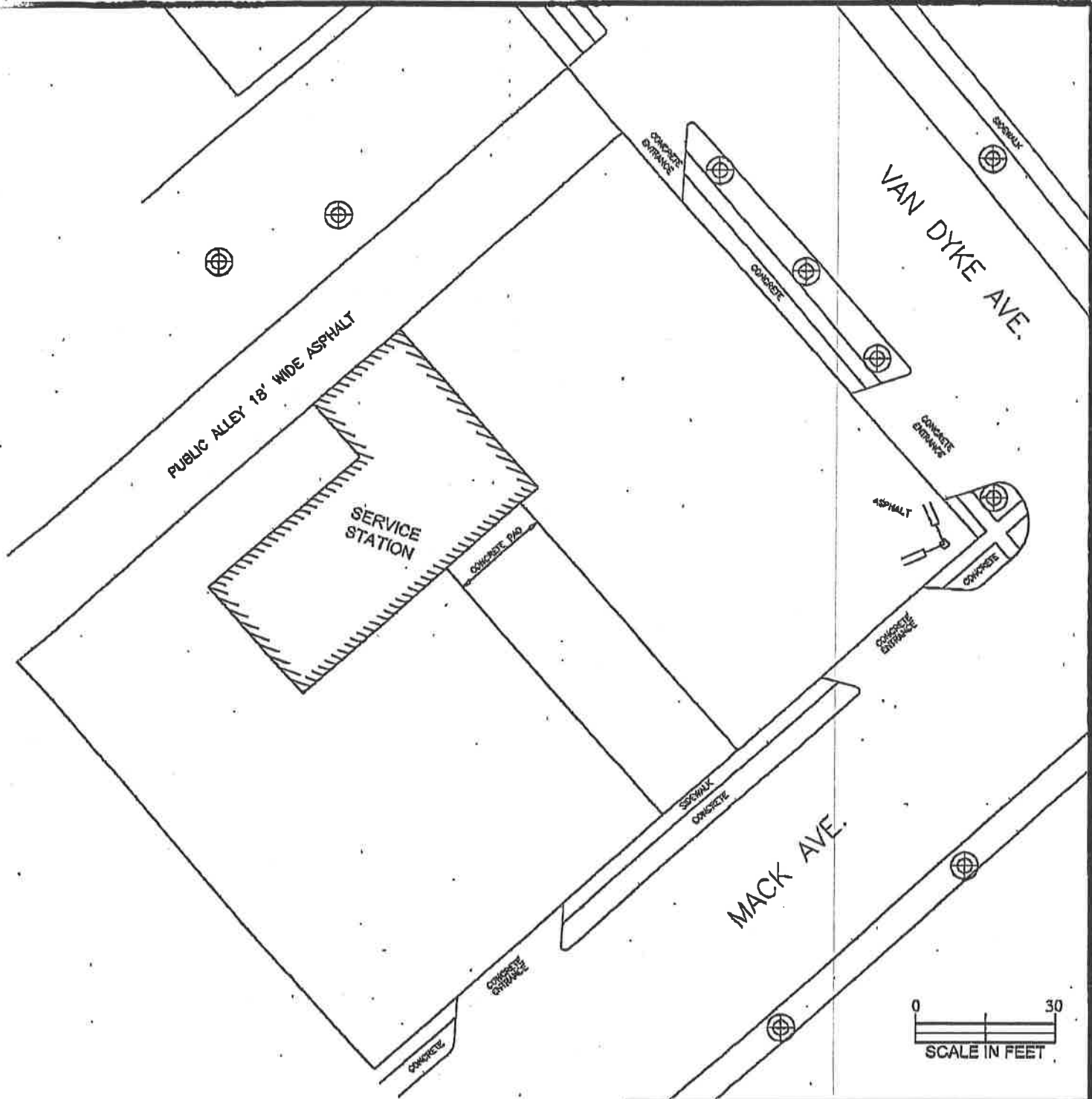
CERTIFICATE HOLDER

**CITY OF DETROIT
DEPT. OF PUBLIC WORKS
900 CADILLAC TOWER
DETROIT, MI 48226**

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL ENDEAVOR TO MAIL * DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO DO SO SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER, ITS AGENTS OR REPRESENTATIVES.

AUTHORIZED REPRESENTATIVE
Andre T. Cozy



LEGEND

⊕ PROPOSED MONITORING WELL LOCATION



PREPARED BY:
JMK

DATE:
12/10/02

MODIFIED BY:
SMH

DATE:
3/21/05

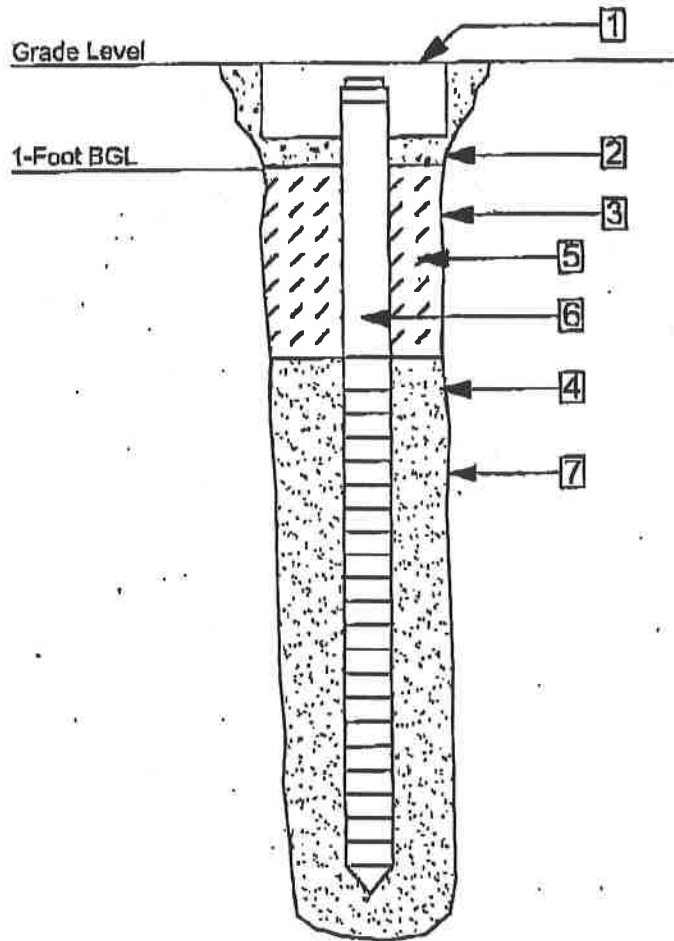
CHECKED BY:
GM

FIGURE 1

PROPOSED INVESTIGATION LOCATIONS

SHELL OIL PRODUCTS US
7961 MACK @ VAN DYKE
(SAP: 137967, Incident: 98997964)
DETROIT, MICHIGAN





1. 10-Inch Diameter Protective Cover
2. Concrete Seal
3. Bentonite Seal
4. Silica Sand
5. 2-Inch Diameter Casing & Screen
6. Screen Data
 - A. Type - Schedule 40 PVC
 - B. 10-Slot Screen Size
7. Borehole Drilled with 4 1/4-Inch Augers

Prepared
By: MKC
Date:
9/23/03

FIGURE 2

**TYPICAL MONITORING
WELL CONSTRUCTION**

Modified
By: MKC

SHELL OIL PRODUCTS US

SAP: 137987 INC: 07871897

Dated:
2/26/06

7981 MACK @ VAN DYKE
DETROIT, MICHIGAN

Checked
By: GLM





STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENTAL QUALITY
SOUTHEAST MICHIGAN DISTRICT OFFICE



STEVEN E. CHESTER
DIRECTOR

JENNIFER M. GRANHOLM
GOVERNOR

June 29, 2006

CERTIFIED MAIL - 7003 3110 0005 1885 5676

Mr. Kevin E. Dyer
Shell Oil Products, US
2216 Troy Road
PMB #399
Edwardsville, Illinois 62025

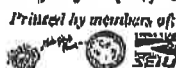
Dear Mr. Dyer:

SUBJECT: Location of Tank(s): Shell Station SAP# 137967
7961 Mack Avenue, Detroit, Wayne County, Michigan
Confirmed Release Nos. C-1470-91, C-1111-93, and C-0225-05
Facility ID No. 0-00010502
Final Assessment Report: Time Extension Denial

This will acknowledge receipt of your letter received May 15, 2006, requesting an extension of time for your submittal of a Final Assessment Report (FAR) for the release of a regulated substance from your underground storage tank (UST) system. The Michigan Department of Environmental Quality (MDEQ), Remediation and Redevelopment Division (RRD), may grant an extension of reporting time frames for good cause, pursuant to Section 21313a(3) of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended (Act 451).

Based upon the review of the reasons for an extension, the RRD has determined that the basis of your request does not constitute good cause, and that granting an extension of time is not appropriate. For a number of years, measurable free product was present in the UST cavity tank pit wells, all of which are located on the end of the UST cavity close to the station building. Given this, there has yet to be any investigations conducted on the west side of the tank cavity or underneath the station building along the west side of the UST cavity. In addition, soil samples collected from within the UST cavity exhibited concentrations which exceeded the soil saturation screening levels. Section 21307 specifically requires initial response actions to address contamination that is likely to cause a fire hazard or spread and increase the cost of correction action. To date, no source control activities or investigations have been performed to address the cause of the release or the maximum contaminant concentrations on-site and the risk posed to public health, safety, welfare, or the environment.

27701 DONALD COURT • WARREN, MICHIGAN 48092-2703
www.michigan.gov • (800) 753-3700

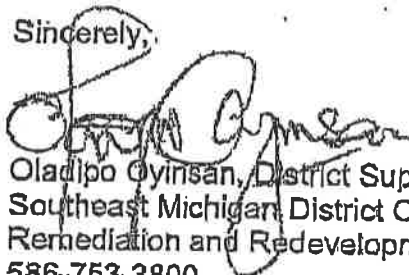


In addition, based on the city of Detroit's April 24, 2006, denial of access to the off-site property, it will be necessary for you to initiate legal action before April 24, 2007, pursuant to Section 20135a in order to gain access and conduct the required investigations. Once access is granted, you should expedite the submittal of the FAR. Please note the use of fate and transport calculations is not appropriate unless the full extent of soil and groundwater contamination has been determined:

Should you fail to initiate court ordered access and submit the required reports within the specified timeframe, the RRD may pursue escalated enforcement actions against you, including the imposition of administrative penalties for late reports, red-tagging the tanks at the subject facility to prohibit delivery of product, or other enforcement actions to compel compliance with Act 451.

Please contact Ms. Stephanie Milkovich at 313-456-4671 if you have any further questions.

Sincerely,



Oladipo Oyinsan, District Supervisor
Southeast Michigan District Office
Remediation and Redevelopment Division
586-753-3800

cc: Mr. Shailendra Ganna, M.S., P.E., NESA & Associates, Incorporated
Ms. Jeanne Schlaufman, MDEQ
Ms. Stephanie Milkovich, MDEQ