

**ENVIRONMENTAL OVERSIGHT COMMITTEE**  
**Thursday, October 26, 2006**  
**(9:00 AM)**

Present: Jim Rosen, City Council President  
Jim Duistermars, City Council  
Ravi Yalamanchi, City Council  
Derek Delacourt, Deputy Director, Planning & Development Department  
Paul Davis, City Engineer, Department of Engineering Services  
Roger Moore, Professional Surveyor, Department of Engineering Services

Also Present: Jim Anderson, STS Consultants  
Deanna Hilbert, Resident

Discussion Regarding Hamlin/Adams Brownfield Plan and 381 Work Plan

Brownfield Plan will be scheduled for approval by City Council (11/15/06 Regular Meeting)

- Council will decide payback period
  - cap or 15 years or 7 years after build-out
    - Consent Judgment says 7 years after build-out
      - when will build-out happen?
      - who defines "build-out"?
- TIF will cover \$4.6 Million of eligible activities
  - 100% TIF – cap repayment period
  - 25% - will require longer repayment period
- TIF starts when DEQ approves Plan
  - DEQ may not approve 25%

Is proposed environmental cleanup the right thing?

Is proposed environmental cleanup right for the Community?

Will this work?

Who decides level of cleanup?

- DEQ, EPA
  - State: Minimum use levels
  - State: May only approve to a certain level

Consent Judgment

- calls for a combination of cleanup goals
- direct field oversight
- additional conditions were included in the Judgment
- inserts City into the process
- allows City to ask for additional testing (if data indicates need)

- DEQ - typically does not look at approving additional standards
- cleanup criteria based on use of property
  - may be present when test pit work is done

#### 381 Work Plan

- has been through 4-5 iterations based on comments from City Consultant and DEQ (in conjunction with negotiation of Consent Judgment)

Site does not need more data to qualify as a facility

Brownfield Plans are typically designed to be rather generic

#### 381 Work Plan contains more technical data

- City Council does not act on the Work Plan
- Brownfield Authority is the proper body
- If City Council approves Brownfield Plan, then 381 Work Plan will be submitted to DEQ
- DEQ will have 90 days to review the plan after submittal
  - review done by local office and Lansing
  - typically will not approve first time submitted
  - DEQ approves; City and Developer implement
- modifications
  - if minor, handled by Staff/City Consultant
  - if major, back to Brownfield Authority

#### Health and Safety Plan

- designed for employees on the site at the time of investigation and remediation
- City would like Health and Safety Plan for utility workers
  - after development completed
  - health and safety requirements on survey documents
  - provide notice of conditions on the site for future utility workers
  - document site through GIS?
- design utility trench with liner during installation
  - awareness level training

#### Develop base line air quality

- prior to excavation
- real time data during excavation

Have an action plan in place

#### PCBs are not volatile

- only travel with water or with wind on dust particles

### Utilities

- City would like to have the ability to interact
  - oversee and control or eliminate risk
- utilities in trenches
  - don't want to provide another method for methane to travel
- can monitor with OVM or FID
  - OVM organic vapor meters
  - FID flame ionization detector

### Methane

- not sure what is on this site
- is travelling from the Suburban Softball site
- monitors in right-of-way on Hamlin Road

There is no good water-related history available for this site

- site is within 500 feet of the River
- River will be checked to see if anything has gone to it
  - may have already happened and dissipated
  - may be occurring now
  - may not be occurring at all
- site will be remediated to prevent anything travelling to the River
  - cut off any future source
    - part of due care
      - not leave site

Oils float

Solvents sink

Perhaps City should create a policy

- special circumstances
  - better to go through Consent Judgment process
  - PUD may address

Data and information from testing

- City has full access
- ongoing reports will be generated
  - will include lab data

Worst-case scenario

- DEQ and EPA will halt development
  - move in to clean up
- can negotiate with the State
- if developer walks way
  - will lose TIF (no way to recoup money already spent)

#### Timeline of Work Plan

- 11/15/06 City Council Meeting (TIF structure)  
(if approved)
- Submit to DEQ
- DEQ has 3 months to review
  - DEQ could require changes
- If DEQ approves
  - can move to investigation
    - will be used to next phase 318 Work Plan
- Cannot start building until environmental work is completed

#### Citywide Brownfield Policy

- rather than independent plans
- City would pay rather developer
- policy would provide direction beforehand
  - what City wants to be done