

STS

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February 14, 2008

Mr. Derek Delacourt
Deputy Director, Planning Department
City of Rochester Hills
1000 Rochester Hills Drive
Rochester Hills, MI 48309

Re: Review of Hamlin & Adams Act 381 Submittal, February 13, 2008 and Additional Comments

Dear Mr. Delacourt:

At your request, I have reviewed the document submitted to the City by AKT Peerless Environmental Services on behalf of Hamlin & Adams Properties LLC. Because time was of the essence, this document was submitted via email at 11:45am, February 13, 2008. As discussed with the applicant, this document has been amended by comments generated in meetings with the Applicant and/or their consultant on February 4, 8, and 11, 2008.

MI Act 381 Workplan:

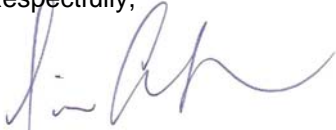
As in prior reviews, I will highlight problems or inconsistencies and then expound as needed.

- The page numbers are out of sequence in the TOC.
- The estimated cost of eligible activities increased to \$3,083,000 – itemized cost tables were not included in this plan for review
- Page 4, end of Section 1.4. This section indicates that construction is anticipated to begin in early 2008. This contradicts later portions of the plan.
- Section 2.1, P. 5. The last bullet item. I remain concerned that exceedances of the C_{sat} exist on the site. That set of numbers implies that free phase liquids *could* be present above those concentrations. This condition should be mitigated by the applicant excavating and disposing of contaminated soils in Area E.
- Page 10, Section 2.2.9. I remain concerned about the formerly confirmed pcb concentrations that were confirmed to exist in the northwest part of the eastern parcel and the buried 55-gallon drums, free phase liquids and other debris discovered in the southern part of the middle portion of the property. Later in the plan, AKT briefly discusses a method for handling unforeseen conditions. This will address the drums and free phase liquids but not the PCBs.
- Page 17, end of Section 2. No mention is made of the significant quantities of glass and metallic debris, ie. solid waste. Thus far, AKT has maintained that the debris will excavated and disposed of properly.
- Page 17, Section 3, bulleted items. The sentence construction is confusing. Perhaps remove the word “due” to clarify.
- Page 19, Section 3.2.1.1 Air Monitoring. The text indicates three air monitoring locations will be utilized. Verbal conversations with AKT indicated that one upwind location and three downwind locations were to be used. This issue should be clarified. The remainder of the air monitoring section is highly technical though appears to accomplish the needs of the project. This issue will likely be reviewed by the MDEQ Air Quality Division prior to MDEQ approval of the 381 Plan.

- Page 20, Action Levels. AKT and their subcontractor need to ensure that the action levels that are contemplated in the air monitoring protocol are appropriate for “residential” exposures and not commercial or industrial.
- Page 20, Data Reporting. This section indicates that the real-time measurements will be retrieved at the end of a monitoring event. What equipment will be used to monitor events while they are happening that could trigger a response action and not after the event? Will a technician monitor the equipment at all times?
- Page 21, Dust Emission Response. What will be the frequency of “periodic” perimeter monitoring?
- Page 22/23, Soil Removal Sections. Approximately 865 truckloads (30-trucks/day outbound based on a 30-day field effort) of contaminated material will be removed from this site, based on the yardage projections in this section. That number will likely be greater based on the nature of much of the fill material (ie. weight) proposed for disposal. How will the truck traffic be managed? Will traffic lanes be restricted? What traffic control devices will be used? These questions would fit well into the site control Section. Additionally, I have not seen a reference to a need to develop a Soil Erosion Control Plan for construction sites.
- Page 23, Soil Management in Place Area E. The description in this Section is an improvement over past submittals however, significant constructability concerns remain. Issues like, wall design, installation methodology, construction testing, groundwater impact, etc. will be needed for thorough review whether by the City or any other reviewer. How will the FML be attached to the encapsulated area and how will it be seamed together? The deed restriction and O&M plans for the FML, pavement, and subsurface, are appropriate.
- Page 25, Stormwater Management. The concept presented in this Plan is different than that presented in past meetings and plans and should be presented to the City’s Engineering Department to build consensus. There may be other methods employed for underground sediment removal prior to charging the retention system. The eligibility determination for reimbursement of differential costs should be addressed by the BRA and MDEQ. The path of the discharge pipe should also be discussed as it may encounter impacted soils. If so, are costs included to remove, dispose and backfill those trenches or would they be lined as a protective measure?
- Page 26, Site Control. Similar to what was noted in comments regarding Area E, traffic management is a concern to be addressed prior to field work. Additionally, many pedestrians use the walking trail on a daily basis, as was seen during the field investigation in 2007. How will that issue be addressed? Will the trail be temporarily closed? This issue should be addressed with the City.
- Page 27, Laboratory Analysis. How will the applicant address a situation where verification samples are collected from the floor of the excavation and they are not clean? It is likely that the excavation would have been filled by that time given standard laboratory turnaround times and possibly prepared for construction. Will that analytical information and location data be made available to the City or made part of the deed restriction? Or will the Applicant’s BEA be updated with that information?
- Page 28, Additional Response Activities. Additional field and response activities may be required if the USEPA decides that they retain jurisdiction over this site. Provisions have not been made at this time due to a lack of a decision from the USEPA. This Section would seem to be a good place to discuss how these matters may be handled, not specifically what will be done.
- Page 28, Schedule and Costs. One of the most beneficial tools that could be provided for this project is a schedule of projected meetings with the City and other Stakeholders, reports and plans, sequence of events and activities.
- Page 29, Total Estimated Project Costs. The aggregate cost presented here is \$4.59MM as was presented in the Brownfield Plan. Have the tasks not changed enough to warrant a revision to this cost?

While I believe this Plan submittal to be administratively complete, (appropriate Sections are included with brief detail) for a MI Act 381 Workplan, and an improvement over prior submittals, many important details are yet lacking. These details could be included in a comprehensive work plan and/or design document to be completed and submitted as an interim measure while the Applicant is awaiting the final word from the USEPA. However, at this time, there is no indication that such a plan is contemplated. The issues in a plan of that nature are particularly important because they not only affect the technical execution of the project; they impact public health, safety, and the environment.

Respectfully,

A handwritten signature in blue ink, appearing to read "Jim Anderson", written over a vertical line.

Jim Anderson
Associate Scientist

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