



**City of Rochester Hills
AGENDA SUMMARY
NON-FINANCIAL ITEMS**

**1000 Rochester Hills Dr.
Rochester Hills, MI 48309
248.656.4630
www.rochesterhills.org**

Legislative File No: 2007-0435

TO: Mayor and City Council Members
FROM: Ed Anzek, AICP, Director, Planning and Development
DATE: 8-4-08
SUBJECT: NE Corner Hamlin Adams Remediation/Oversight (City File 03-013)

REQUEST:

Discussion regarding remediation/oversight of the NE Corner Hamlin Adams site, and potential investigation of abutting City owned property.

BACKGROUND:

Remediation

The City accepted and forwarded the Phase II 381 Work Plan for the project to the DEQ. The City received a letter dated July 11, 2008 from the DEQ approving the capture of school tax for the proposed project. This approval allows work to commence on the site (please refer to attached letter).

EPA

The City's submittal of the Phase II 381 Work Plan was conditioned on issues related to the EPA involvement being resolved prior to any work being conducted on the site. The EPA did receive copies of the Work Plan and any additional information they requested. Staff received a telephone call from the Region 5 Office of the EPA indicating that they were not requesting any additional review or involvement.

Staff requested, on two occasions, written confirmation of their decision and to this date has not received anything in writing. Attached is a verbatim transcript of the voice mail message from the EPA regarding their decision.

Oversight

The City must decide the level of oversight appropriate for the phase II remediation. The Consent Judgment allows City oversight of the remediation and of all documents and reports generated from the site. The level and amount is not dictated by the Consent Judgment. However, the Consent Judgment does require that the City's Environmental Consultant confirm that the proposed work is completed in conformance with the Consent Judgment.

At a previous City Council meeting, a budget amendment was discussed regarding the level and cost of oversight appropriate for the project. That item was postponed to allow Staff to review additional options. We have attempted to meet with the applicant to streamline the oversight process and identify targeted points in the process where it would be necessary for confirmation of completed work. The applicant is not far enough along to provide us with that information. Based on that we asked our Consultant to provide an estimate of the minimum amount of oversight necessary to confidently confirm that work was completed properly.

STS reevaluated the field time necessary to provide thorough oversight and lowered its field time from 100% to 60%. This lowered the estimate from approximately \$60,000 - \$80,000 to \$40,000 - \$50,000 (please see attached STS letter for complete estimate). Please note that these numbers are estimates based on the maximum time necessary to provide oversight. If the developer provides a schedule of when and how the remediation will be accomplished, STS will be able to revisit these numbers. Also, these numbers are only being generated at this time to insure that the City's budget can be adjusted according to the level of oversight Council determines acceptable. Once that determination is made Staff will prepare the appropriate adjustment for the next budget amendment.

City Owned Property

As discussed previously by the Brownfield Authority, and on several occasions by the City's Environmental Oversight Committee (EOC), during the investigation process it was identified that the contaminated area of the subject site abuts directly with a narrow L shaped parcel of land owned by the City and located between the developer's property and River Bend Park.

It appears that the contaminated area may extend over the property line on to the City owned parcel. Based on that information, we have received a proposal for investigation of that property from the City's Continuing Services Environmental Consultant (ASTI). That work would include digging several test pits on the City owned parcel abutting areas of contamination or areas that appear to have had disturbed soil at some point in the past. ASTI estimates that this work will cost \$20,100 (please refer to the attached proposal for complete information).

The City currently has a contract with ASTI to conduct this type of work. However, if the investigation of City owned property; oversight on the developer's property, and normal wetland/environmental services all are conducted at estimated costs, a budget adjustment will likely be necessary prior to the end of the year.

RECOMMENDATION:

Staff is requesting direction regarding Consultant oversight of the remediation and potential investigation of the City owned property.

RESOLUTION

NEXT AGENDA ITEM

RETURN TO AGENDA

APPROVALS:	SIGNATURE	DATE
Department Review		
Department Director		
Mayor		
City Council Liaison		

Document3