



**1301 Third Street, Suite 606
Detroit, Michigan 48226
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Demo-info@detroitmi.gov
www.detroitmi.gov/demolition**

May 11, 2021

Scott Krall, President
Blue Star, Inc.
21950 Hoover Road
Warren, Michigan 48089

RE: Corrective Action Plan – 1 site

- 2623 Ferry – Commercial Group 53 (City)

Mr. Krall:

The City of Detroit Demolition Department (hereafter: “the Department”) received documentation that indicates the backfill material which Blue Star (hereafter: “Blue Star”) brought to the site identified above (“Site”) did not originate from an approved source. This site was demolished, backfilled, and graded in 2018 under an agreement with the City of Detroit. The Department, formed in July 2020, is now in charge of the demolition program for the City of Detroit and serves as the point of contact for this Corrective Action Plan for the 2018 violation.

In light of this violation of the Scope of Services, Blue Star is hereby directed to diligently proceed with sampling and evaluation of the fill material previously used by Blue Star to backfill and grade the Site. In order to move forward, Blue Star will need to obtain authorized access from the respective owners. This Corrective Action Plan does not authorize access to any of the Site. An outline of the site sampling activities is presented in the following sections.

A. Employ a qualified environmental professional to:

- a. Develop a Work Plan detailing the soil sampling activities to be completed at the Site. The Work Plan must include all of the tasks that will be conducted to implement the Corrective Action Plan. Specifically, the Work Plan will detail the following site activities, at a minimum:
 - Preparation of a Site-Specific Health and Safety Plan (HASP) in accordance with State and Federal regulations.
 - Identification and clearance of existing subsurface and overhead utility lines.



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- Description of the soil sampling activities including sampling depths and locations, sampling equipment decontamination procedures, sample collection and preservation methodology(ies), sampling intervals, field soil screening and visual/olfactory observations techniques, rationale for sample selection, and sample packaging and shipping procedures.
- Laboratory analytical testing including the USEPA-approved analytical methodologies.
- Preparation of a fill material sampling summary report for submittal to the department.

Submit the draft Work Plan to the Buildings, Safety Engineering and Environmental Department – Environmental Affairs (BSEED-EA) with copy to the Department as directed within ten (10) calendar days of this Corrective Action Plan for review and approval prior to proceeding with the site activities. After addressing the City's review comments (if any), the environmental professional will finalize the Work Plan and submit hard and electronic copies of the final Work Plan to the Department.

- b. Upon approval of the Work Plan, schedule, coordinate, and mobilize field personnel and equipment to collect no less than three (3) discrete representative samples from the fill material at each of the Sites. Submit all soil samples to a qualified analytical laboratory, under strict chain of custody protocol, for analysis of the following constituents of concern with a seven (7) business-day turn-around time:
 - i. Volatile Organic Compounds (VOCs, U.S. EPA Method 8260);
 - ii. Semi-Volatile Organic Compounds (SVOCs, U.S. EPA Method 8270);
 - iii. Polychlorinated biphenyls (PCBs, U.S. EPA Method 8080);
 - iv. Michigan 10 Metals (arsenic, barium, cadmium, chloride, copper, lead, mercury, selenium, silver, and zinc, U.S. EPA Methods 6000 & 7000 series);
 - v. Chloride (U.S. EPA Method 9056); and,
 - vi. Herbicides and pesticides (U.S. EPA Method 8081/8082)
- c. Upon receipt of the analytical results, tabulate the results and compare the data to the state's current Part 201 Residential Generic Cleanup Criteria (GCC). In addition, prepare a scaled-site figure for each site that identifies the site address, parcel boundaries, adjacent rights-of-way, area of the backfill, and locations and depths of the samples.
- d. Prepare a fill material sampling summary report that includes all analytical results, tabulations, figures, soil boring logs, and findings. The findings must include a written opinion of any human health risks, including an evaluation of any potential pathways for human exposure, and the findings must include the following statement:



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- i. “[COMPANY NAME] has evaluated the fill material located at [SITE ADDRESS(ES)] on behalf of [CONTRACTOR NAME] for use in the Detroit Demolition Program. Based upon the analytical results, we have determined that the material [is / is not] contaminated above the state’s Part 201 Residential Generic Cleanup Criteria. Therefore, in our professional opinion, the material [is / is not] suitable for use as fill. [COMPANY NAME] warrants that no information or documentation has been deleted, omitted, or changed which would otherwise cause the City of Detroit and its agencies and authorities to reach a different conclusion. Furthermore, [COMPANY NAME] understands that the City of Detroit and its agencies and authorities rely upon the overall completeness, accuracy, and conclusions in this report and hereby provides reliance on the contents presented herein.”
- B. Submit the draft fill material sampling summary report to BSEED-EA with copy to the Department as directed within thirty (30) calendar days of the Work Plan approval date for review and approval. After addressing the City’s review comments (if any), the environmental professional will finalize the fill material sampling summary report and submit hard and electronic copies of said report to the Department. If the City determines that the analytical results identify constituents of concern with concentrations above the state’s Part 201 Residential Generic Cleanup Criteria at one or more of the Sites, Blue Star must immediately remove and replace the fill materials at the site determined by the City to be backfilled and graded with unsuitable, contaminated fill material(s) as outlined in the following sections:
 - Upon receipt, immediately submit the fill material analytical results and any associated documentation to the Department and the licensed, Type II landfill selected for material disposal for approval. In addition, based on the totals analytical data, and in order for Blue Star to secure landfill approval for disposal of the fill materials, Blue Star must be prepared to provide results of the Toxicity Characteristic Leaching Procedure (TCLP) analysis for the collected samples, if requested by the landfill. Upon receipt, immediately forward the landfill approval to the Department.
 - Excavate all fill materials under the supervision and direction of the Department or its authorized representative. Immediately load, transport, and dispose of all excavated fill materials at the selected Type II landfill in accordance with all applicable federal, state, and local laws, regulations, and rules.
 - Identify a source of new fill material with analytical data for the City’s approval. Each site will be backfilled/ compacted, graded, and finalized immediately following removal of the fill materials, in accordance with the Scope of Services. If fill and grading activities do not occur on the day of the excavation, maintain the site(s) as required under the associated



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Scope of Services. This includes, but is not limited to, the installation, maintenance, and repair of fencing and the characterization, pump-out, and proper disposal of any standing water in the open hole.

Compile all site analytical data and submit a draft site restoration summary report documenting the fill materials removal and site restoration activities completed at all sites determined by the City to be backfilled and graded with unsuitable, contaminated fill material(s) to BSEED-EA with copy to the Department as directed within fifteen (15) calendar days of completing the final site grading and restoration activities for review and approval. After addressing the City's review comments (if any), the environmental professional will finalize the site restoration summary report and submit hard and electronic copies of said report to the Department. The summary report must include the following information and soil data, at a minimum:

- A description of all site activities completed.
- The actual volume of all fill materials removed from the Sites.
- The actual volume of new fill materials used to backfill and grade the Sites.
- Photographic documentation of all field activities completed.
- A scaled-site figure for each site depicting the limits of backfilled and graded area(s) and restored final grade relative to existing site features including property boundaries and adjacent rights-of-way.
- Complete and legible copies of all waste disposal manifests, including landfill weight tickets.
- Copies of all trip/load tickets for the new fill material used to backfill and grade the remediated sites.

Note, in lieu of conducting the sampling and laboratory testing activities described above, Blue Star has the option to proceed with the complete removal and immediate loading of all fill materials from the Site for transportation and proper disposal at a licensed Type II landfill. **Also note, the temporary storage or staging of any removed fill materials at a City-owned or operated property pending landfill disposal is prohibited.** Under this option, and as mentioned above, Blue Star must secure landfill approval for the disposal of all fill materials removed from all of the Sites. Blue Star must be prepared to provide results of TCLP analysis and any other associated documentation, if requested by the landfill. All fill removal and replacement and final site grading and restoration activities will be conducted under the supervision and direction of the Department or its authorized representative following the same protocols and requirements specified above. If Blue Star elects to proceed with this option, following completion of the final site grading and restoration activities, Blue Star must prepare and submit the site restoration summary report following the same report submittal timeline and process outlined above.



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The Department reserves the right to clarify this Corrective Action Plan at any time, and Blue Star is not entitled to any compensation or fee as a result of any clarification to this Corrective Action Plan by the Department.

Blue Star must provide the Department, with copy to the DLBA, with written confirmation of its intent to comply with the terms of this Corrective Action Plan and identify the selected option by the close of business on Friday, May 11, 2021. If Blue Star fails to confirm its intent to comply by that time, the City and its agencies and authorities reserve the right to move forward with execution of the Corrective Action Plan by other means at Blue Star's full expense, as such costs are the obligation of Blue Star under the applicable Scope of Services.

The City and its agencies and authorities issue this Corrective Action Plan without prejudice to their rights, and the City and its agencies and authorities reserve all rights to require additional corrective actions at these sites and all other sites where Blue Star served as the demolition contractor.

If you have any questions related to this Corrective Action Plan, please contact Hosam Hassanien (hassanienh@detroitmi.gov) with copy to Tom Fett (fettt@detroitmi.gov) and Tim Palazzolo (tpalazzolo@detroitmi.gov). Upon receipt of your question, a response will be provided within three (3) business days.

Respectfully,

LaJuan Counts
Director

Cc: Tammy Daniels, DLBA (tdaniels@detroitlandbank.org)