



GRETCHEN WHITMER  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF  
ENVIRONMENT, GREAT LAKES, AND ENERGY  
WARREN DISTRICT OFFICE



LIESL EICHLER CLARK  
DIRECTOR

February 14, 2020

CERTIFIED MAIL – 7019 1120 0001 7762 4778  
RETURN RECEIPT REQUESTED

Revere Dock, LLC  
Resident Agent: Mr. Steven Erickson  
2217 Lake Avenue  
North Muskegon, Michigan 49445

Dear Mr. Erickson:

SUBJECT: Compliance Communication:  
Notice of Section 20107a of Part 201 Obligations  
Former Revere Copper and Brass  
5851 West Jefferson, Detroit, Wayne County, Michigan 48209  
EGLE Site ID Number: 82000136

The Department of Environment, Great Lakes, and Energy (EGLE), Remediation and Redevelopment Division (RRD) has received your "Bank Failure Area Aggregate Removal and Visual Stability Evaluation Summary" submitted February 5, 2020 and the "Response to January 31, 2020, Compliance Communication" (CC) submitted February 7, 2020, submitted on your behalf from PM Environmental in response to EGLE's CC dated January 31, 2020, for property located at 5851 West Jefferson, Detroit, Wayne County, Michigan (Property). The CC requested documentation that demonstrated Revere Dock, LLC is in compliance with their obligations with respect to the hazardous substances and the environmental conditions present at the Property that are regulated under Section 20107a of Part 201, Environmental Remediation, of the Natural Resources and Environmental Protection Act, 1994 PA 451 (NREPA), as amended.

Pursuant to Section 20107a of Part 201 and Part 10 of the Part 201 Administrative Rules (collectively, commonly referred to as "due care"), a person who owns or operates property that he or she has knowledge is contaminated is required to undertake measures to protect the public health, safety, and welfare (i.e., due care) with respect to hazardous substances present in groundwater, soil, and vapor at the Property. This includes having gathered sufficient information to evaluate and determine the exposure pathways that may pose an unacceptable risk at the Property, as well as, sufficient information that demonstrates and documents that necessary response activities have been undertaken to prevent or mitigate all unacceptable exposures. In accordance with 20107a (1) persons who are owners or operators of contaminated property are required to comply with the requirements of 20107a(1)(a-f). EGLE records indicate Revere Dock, LLC has been the owner of the Property since October 23, 2015.

Revere Dock, LLC was requested to undertake response activities as necessary to mitigate off property risks resulting from erosion of surface soils at the property as required in the Part 201 Administrative Rules, Rule 1013(1)(b). In addition, due to the exposed soils at the river's edge,

the potential direct contact risk resulting from the erosion of contaminated soils into the Detroit River was requested to be evaluated and addressed on an expedited basis. Due care actions to address the direct contact risks are adequate and EGLE does not have any comments to provide at this time.

The CC's stated that the 300-lineal feet of a five-foot curtain that has been placed which surround the bank failure area will be inspected on a daily basis and repaired within 72 hours as repairs are needed. EGLE recommends repairing the five-foot curtain within 48 hours whenever possible. The 20-foot curtain was not performing satisfactorily and has been removed. For the five-foot curtains to be effective the curtains must remain vertical through the water column and inspection to assure this should be included in the daily inspection.

It was proposed that erosion control blanketing be installed along the boundary of the bank failure area and that visual daily inspections be performed. The specifications for the erosion control blanket should be submitted to EGLE for review along with a technical analysis if the erosion control blanket can withstand the expected wave and ice action within the Detroit River. When boating traffic returns to the Detroit River, significant additional wave actions will occur, and the five-foot curtains and erosion control blankets may not be adequate to prevent additional erosion into the Detroit River. This future use should be evaluated and an analysis for future required actions should be conducted. Describe if the erosion control blanket extends into the Detroit River, and if so, to what depth.

Provide information detailing how erosion to the river is being evaluated. What is the trigger for determining if erosion controls aren't working? Visual? Turbidity? Curtains failing, etc.?

It was proposed as a contingency action that if additional erosion control measures are unsuccessful that a temporary sheet piling be installed. The placement of this proposed temporary sheet piling wall should be indicated on a site map and submitted to EGLE. Water Resources Unit recommends that plans for the temporary sheet piling be submitted for their immediate review so valuable input can be provided. The collapsed material within the Detroit River may make placement of temporary sheet piling challenging and the exact location will be important for Water Resources Unit to provide feedback on.

It was proposed as a contingency action that an additional gravel cover of a minimum of six inches be placed in localized affected areas. Please provide your technical analysis showing how the six-inch depth was determined, the size of the gravel, the method that will be utilized to place the gravel, and how far out this would go into the Detroit River.

It was stated that between November 29, 2019, and December 5, 2019, and between December 11, 2019, and December 13, 2019, that aggregate materials were removed within the area where the pond (potential sinkhole) has developed. It was stated in the February 5, 2020, CC that the excavation was dug to a depth of 20-feet. Previous submittals from Revere Dock, LLC stated that "the area where the aggregate pile was removed extends several feet below the surface grade of the surrounding area and subsequently filled with water forming a pond". Additionally, EGLE field activities, conducted on January 28, 2020, determined the maximum depth of the pond to be roughly 12 feet deep. This is a significant difference in estimated depths and an explanation should be provided for the conflicting information provided. Additionally, please provide additional information if depths are varying within the pond.

Previous EGLE correspondence, dated January 16 and January 31, 2020, stated that staff had noted the presence of a pond adjacent to the area of the collapse that was developing in size.

EGLE expressed concerns that the pond was allowing additional materials from the Property, including aggregate and contaminated soils, to enter the Detroit River and that the pond may ultimately collapse and allow for additional aggregate and contaminated soils to enter the Detroit River. EGLE had requested that an evaluation of the pond be conducted and that a plan be provided to prevent further discharges of contaminated soils and aggregate into the Detroit River. The CC's provided an assessment of the volume of water in the pond on December 13, 2019, January 17, 2020, and January 21, 2020. The assessment shows a decrease in the volume of the water, however, due to the movement of gravel and fill activities that were conducted between December 13, 2019, and January 17, 2020, as noted in the G2 engineering assessment, it is difficult to determine if the analysis concludes additional settling did not occur during this time period. Additionally, an analysis of any settling prior to December 13, 2019, has not been conducted. Additional analysis of the pond should be conducted. This analysis needs to include an explanation of the mechanism and process that caused the collapse and how this mechanism affects the potential for future collapse. If it is determined that additional settling is not occurring, monitoring should be continued to ensure additional settling does not occur, and if it does, that actions are quickly taken to prevent additional aggregate and contaminated soils from entering the Detroit River.

As previously requested, a progress report detailing activities conducted and including the additional geotechnical investigation results should be submitted to EGLE by February 29, 2020. The weekly progress reports should include specific information on the additional erosion control measures and an assessment of their effectiveness and description of any repairs or adjustments made.

The files containing the information used to prepare this CC are located in EGLE's Warren District Office. All correspondence and reports regarding this matter should be sent to my attention at the EGLE-RRD Warren District Office at 27700 Donald Court, Warren, Michigan 48092-2793. If you have any questions regarding this CC, please contact me.

Sincerely,



Paul Owens, District Supervisor  
Warren District Office  
Remediation and Redevelopment Division  
586-235-6990  
owensp@michigan.gov

cc: Mr. Don Reinke, US Army Corps of Engineers  
Ms. Rose Ellison, USEPA  
Mr. Sam Noffke, EGLE  
Mr. Noel Frye, Detroit Bulk Storage, Inc.  
Mr. Andrew Hartz, EGLE  
Ms. Beth Vens, EGLE  
Mr. Joshua Scheels, EGLE  
Mr. Erik Gurshaw, EGLE  
Ms. Krista Reed, EGLE