



GRETCHEN WHITMER  
GOVERNOR

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



LIESL EICHLER CLARK  
DIRECTOR

December 11, 2019

Detroit Bulk  
Mr. Noel Frye, Vice-President Sales  
P.O. Box 600  
Marine City, Michigan 48039

Dear Mr. Frye:

**SUBJECT:** Compliance Communication: Notice of Section 20107a of Part 201 Obligations  
Former Revere Copper and Brass  
5851 West Jefferson, Detroit, Wayne County, Michigan  
EGLE Site ID No. 82000136

The Department of Environment, Great Lakes, and Energy (EGLE) has information that indicates hazardous substances exist in the groundwater and soil, at 5851 West Jefferson, Detroit, Wayne County, Michigan (Property). This Compliance Communication is to request documentation that demonstrates Detroit Bulk 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, 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 and 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 Detroit Bulk is an operator at the Property.

On December 4, 2019, staff of EGLE obtained information regarding a collapse of the cantilevered dock and underlying soils into the Detroit River at the Property. EGLE staff confirmed this information during an inspection of the Property on December 6, 2019. EGLE staff confirmed that contaminated soils, asphalt and aggregate were observed to have entered the Detroit River in an area adjacent to where the cantilevered dock collapsed. Information in the file indicates hazardous substances are present in soils at the Property at levels that may pose a potential unacceptable exposure via contact with those soils. Additionally, as required in the Part 201 Administrative Rules, Rule 1013(1)(b), as property operator, Detroit Bulk is required to undertake response activities as necessary to mitigate off property risks resulting from erosion of surface soils at the property. Due to the exposed

soils at the river's edge, a direct contact risk may be present and a risk from erosion of contaminated soils into the Detroit River is present and needs to be addressed on an expedited basis.

The enclosed brochure provides general information with respect to what "due care" is and the requirements under Part 201. For specific statutory language please refer to Section 20107a of Part 201. In addition to the obligations identified in the statute, an owner and/or operator may also be required to comply with one or more of the Part 10 Rules. All persons who are subject to Section 20107a of Part 201 are required to maintain documentation of compliance with Section 20107a in accordance with Rule 1003(5).

Within 30 days from the date of receipt of this letter, please provide documentation of the evaluation of exposure pathways and the necessary actions Detroit Bulk has taken at the Property to address their due care obligations and comply with both Part 201 and Part 10 Rules.

Copies of the Part 201 Statute and the Part 201 Rules are available from the EGLE Web site: [www.michigan.gov/eglerrd](http://www.michigan.gov/eglerrd).

The files containing the information used to prepare this Compliance Communication are located in EGLE's Warren District Office. If you have any questions regarding this Compliance Communication, please contact me at 586-235-6990 or by email at [owensp@michigan.gov](mailto:owensp@michigan.gov). 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

Sincerely,



Paul Owens, District Supervisor  
Warren District Office  
Remediation and Redevelopment Division

Enclosure

cc: Ms. Beth Vens, EGLE  
Ms. Krista Reed, EGLE  
Mr. Erik Gurshaw, EGLE