

**DUE CARE ANALYSIS AND PLAN
COMMERCIAL PROPERTY
227 EAST MAIN STREET
HART, MICHIGAN**

Prepared For:

City of Hart
407 State Street
Hart, Michigan 49420

Prepared by:

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November 7, 2019

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1.0 INTRODUCTION

Dixon Environmental Consulting, Inc. (DEC) was retained to prepare an initial Due Care Analysis and Plan (DCAP) for the Commercial Property located at 227 East Main Street, Hart, Oceana County, Michigan (hereafter referred as “subject site” or “subject property”). The tax parcel identification number for the 0.65-acre subject site was identified as 64-020-209-005-00. The subject site included a portion of Lot 4, Lot 5, Lot 6 and one-half the ownership interest in Lot 7, Block 4 of the Standard Map of Village of Hart (currently known as the City of Hart). The western portion of the subject site was improved with a commercial building (former restaurant) and an asphalt paved parking area. The eastern portion of the subject site (co-owned with the eastern adjoining property owners, Austin and Brooke Bechtel) was maintained as an unpaved parking area with a small storage shed and a hot tub enclosure/retaining wall. A Project Location Map and a Human Health Risk Exposure Pathway Diagram are included as Figures 1 and 2, respectively.

1.1 Reason for Conducting this Due Care Analysis and Plan

Environmental due diligence activities were previously conducted at the subject site to support a pending property transaction. The due diligence activities identified the subject property was a “facility” or “site” as defined under Part 201 of the Natural Resources and Environmental Protection Act (NREPA), Michigan Public Act 451 of 1994, as amended (Part 201). A Baseline Environmental Assessment (BEA) was completed on November 7, 2019. The BEA identification number was not available as of the completion of this report. The BEA relied upon data presented in an October 22, 2019 Phase II Environmental Site Assessment (ESA). The 2019 Phase II ESA data was also used for characterization and the due care analysis provided in this document. This DCAP was prepared for the City of Hart to support initial compliance and review with Section 324.20107a relating to the documented hazardous substance concentration at the subject site. A brief summation of the obligations is included below.

1.2 Section 324.20107a Obligations

Under the Section 324.20107a, an owner/operator of a “facility” or “site” has an affirmative obligation to conduct all of the following:

- Undertake measures as are necessary to prevent exacerbation of the hazardous substances.
- Exercise due care by undertaking response activity necessary to mitigate unacceptable exposure to hazardous substances, mitigate fire and explosion hazards due to hazardous substances, and allow for the intended use of the facility in a manner that protects the public health and safety.

- Take reasonable precautions against the reasonably foreseeable acts or omissions of a third party and the consequences that foreseeably could result from those acts or omissions.
- Provide reasonable cooperation, assistance, and access to the persons that are authorized to conduct response activities at the facility, including the cooperation and access necessary for the installation, integrity, operation, and maintenance of any complete or partial response activity at the facility. Nothing in this subdivision shall be interpreted to provide any right of access not expressly authorized by law, including access authorized pursuant to a warrant or a court order, or to preclude access allowed pursuant to a voluntary agreement.
- Comply with any land use or resource use restrictions established or relied on in connection with the response activities at the facility.
- Not impede the effectiveness or integrity of any land use or resource use restriction employed at the facility in connection with response activities.

1.3 Part 10 Responsibilities

Rules were established to support compliance with Section 324.20107a. Part 10 - Compliance with Section 324.20107a of Part 201 (Part 10) identifies additional owner/operator obligations. The Part 10 obligations include the following:

- Comply with Section 20107a and other laws and regulations (R299.51003 and R299.51005).
- Comply with Section 20107a(1)(a) - not exacerbate response activity costs (R299.51007).
- Comply with Section 20107a(1)(b) - discarded or abandoned aboveground containers (R299.51009).
- Comply with Section 20107a(1)(b) - belowground containers (R299.510011).
- Evaluate unacceptable exposure and conduct mitigation activities, if necessary (R299.51013).
- Notify the Michigan Department of Environment, Great Lakes and Energy (EGLE) of discarded or abandoned containers (R299.51015).
- Notify the EGLE and affected property owners of migrating contamination (R299.51017).
- Mitigate potential fire/explosion hazards and notify the local fire department (R299.51019).

1.4 Section 324.20120c Obligations

The owner/operator documentation duty relating to relocation of contaminated soil is outlined in Section 324.20120c. If an owner/operator relocates contaminated soil, the following must be documented and also conveyed to any future purchaser or other person to which the facility is transferred:

- The facility from which the soil was relocated.
- The facility to which the soil was relocated.
- The volume of soil relocated.
- A summary of the basis for the owner's or operator's determination that the relocation did not cause any exacerbation under Section 20107a(1).

This DCAP included a review of the Section 324.20107a Obligations, the Part 10 Responsibilities (hereafter collectively referred to as DCOR), site conditions and intended use. Due care compliance is a continuing obligation for an owner/operator of a "facility" and updated documentation and analysis may be necessary. If any additional hazardous substance information is revealed in the future or the site use or plans change, then further due care analysis and documentation may be necessary.

1.5 Reliance

The City of Hart may use and rely on the results and conclusions of this DCAP. No other parties may use or rely on this information without client approval and written authorization from DEC.

2.0 DETAILED CHARACTERISTICS OF THE PROPERTY

2.1 Use of the Subject Site

City of Hart intends to raze and remove the existing building structure after acquiring the subject site. Following the demolition activities, the subject property will be prepared for redevelopment of a mixed use, main-floor retail and upper-level residential building structure, consistent with the uses permitted by the current commercial zoning ordinance.

2.2 Property Characteristics and Historical Use

The rectangular shaped, 0.65-acre subject property is located at 227 East Main Street, Hart, Oceana County, Michigan. More specifically, the subject site is located in the Northeast 1/4 of the Northeast 1/4 of Section 17, Township 15 North, Range 17 West (City of Hart).

According to the City of Hart Zoning Map dated June 19, 2017, the subject site is zoned "B-1," which is referenced as "Central Business District." The adjacent properties were utilized for residential or commercial purposes.

On October 1, 2019, Dixon Environmental Consulting, Inc. (DEC) completed a Phase I Environmental Site Assessment (ESA) for the subject property. Based on the information reviewed, the subject site was originally platted as a portion of the Standard Map of the Village of Hart in April 1895. The 1900 fire insurance map depicted two residential houses and two outbuildings on the eastern (Lot 7) and central (Lot 6) portions of the subject site. The western portion of the subject site (Portion of Lot 4/Lot 5) was vacant and no operations were identified. The western portion of the subject site remained vacant until the construction of a poultry market (northern portion of the current building) in 1946.

The west-central portion of the subject site (Lot 5) was purchased by William D. and Barbara A. Walker in May 1964. During the Walker's ownership, the commercial building was renovated and operated as Walker's Restaurant/Fine Dining & Cocktails. The central and eastern portions of the subject site (Lots 6 and 7) were acquired in March 1968 and August 1971, respectively. The historical residential houses and outbuildings were demolished/removed and a paved parking area was constructed on the central portion of the subject site. The eastern portion of the subject site was maintained as an unpaved parking area. In addition, three underground storage tanks (USTs) were installed in the mid-1970's. The USTs were installed on the northeastern portion of the subject site, but were operated by the gasoline filling station/automobile repair facility at the eastern adjoining property. Additional details pertaining to the USTs at the subject site are included

below. One-half of the property interest in Lot 7 was later sold to the owners of the eastern adjoining property, Nicholas and Karol Greiner, in August 1983. The remaining portion of the subject site (eastern six feet of Lot 4) was acquired for the construction of a bar entrance in May 1997. Walker's Restaurant/Fine Dining & Cocktails was operated at the subject site by the Walker Family from the mid-1960's through the early 2000's.

The entire subject site was acquired by Carmbob, LLC in February 2003. During Carmbob, LLC's ownership, the restaurant was operated as Walker's Fine Dining, Inc. The restaurant ultimately closed in 2012 and the subject property was transferred to the current owners, Gene and Luann Moorman. Gail Salazar temporarily acquired the subject site under an unrecorded Land Contract Agreement in December 2012. The restaurant was partially renovated, however, Ms. Salazar defaulted on the Land Contract Agreement and the Moorman's reacquired the subject site in July 2019. At the time of the site reconnaissance, the restaurant was vacant/partially renovated and no operations were conducted.

The one-half ownership interest in Lot 7 (eastern portion of the subject site) was retained by the adjoining property owners, Nicholas and Karol Greiner, through the early 2000's. The Michigan Department of Licensing and Regulatory Affairs, Storage Tank Division (STD) file indicated the three USTs were removed by Boonstra Oil Co., Inc. in the mid or late 1980's. The eastern portion subject site was subsequently maintained as an unpaved parking area. The one-half interest in Lot 7 and the eastern adjoining property were conveyed to Austin and Brooke Bechtel in May 2016. During the Bechtel's ownership, a second level residential addition was constructed above the former gasoline filling station/automobile repair facility at the eastern adjoining property. The unpaved parking area was improved with chipped stone and a hot tub enclosure/retaining wall was installed on the southeastern portion of the subject site.

The Phase I ESA for the subject site revealed no evidence of recognized environmental conditions (RECs) in connection with the subject property, except the following:

- A gasoline filling station was historically operated at the eastern adjoining property. The STD records indicated three USTs were operated by the gasoline filling station. The USTs included a 2,000-gallon gasoline UST, a 1,000-gallon gasoline UST and a 500-gallon gasoline UST. Based on the site observations and interviews, the USTs were installed along the western side of the former filling station, on the northeastern portion of the subject site. The USTs were installed in the mid-1970's and were removed in the mid-1980's or late 1980's. Although the filling station owner at that time (Nicholas Greiner) indicated the USTs were removed, no documentation or confirmation soil/groundwater testing was conducted. Due to the

lack of documentation and sampling, the potential exists for additional USTs to exist and/or residual environmental impact to be present at the subject site. The material threat of abandoned USTs and/or residual environmental impact at the subject site was identified as an REC.

- Based on the historical Sanborn Fire Insurance map review, the operations near the subject site included three automobile repair facilities. The automobile repair facilities were located at the adjoining properties to the northeast, east and northwest. Automobile repair operations involve the use/handling of various hazardous substances including oil, fuels, lubricants and antifreeze. The operations at the northwestern adjoining property included a gasoline UST in the East Main Street right-of-way (located along the northern property boundary of the subject site). The material threat of migrating contamination from the adjoining automobile repair facilities was identified as an REC.

2.3 Land Use Category

A review was conducted of the Michigan Department of Environment, Great Lakes and Energy's Land Use categories to characterize the subject site for exposure assumptions. Based on the subject property's zoning, future intended use, and the zoning and observations of operations at adjoining and nearby properties, the land use of the subject site was Residential. The Residential Risk-Based Screening Levels were applicable, and therefore, were utilized for the due care analysis of the subject site.

3.0 FACILITY DOCUMENTATION AND PATHWAY ANALYSIS

3.1 “Facility” Documentation

Subsurface sampling activities were conducted by Dixon Environmental Consulting, Inc. (DEC) in October 2019 to further assess the soil and groundwater conditions at the subject site. The chemical analysis results were compared to the Residential Part 201 Generic Cleanup Criteria (GRCC) as defined in Part 201 of the Natural Resources and Environmental Protection Act, Michigan Public Act 451 of 1994, as amended (Part 201). The groundwater chemical analysis results identified a volatile organic compound (VOC) that exceeded the GRCC. The soil chemical analysis results did not exceed the GRCC. The soil and groundwater data from the 2019 subsurface investigation was used for this site characterization and due care pathway analysis.

3.2 Human Health Pathway Analysis

The chemical analysis results were reviewed to assess potential human health exposure pathways to the hazardous substances identified in the subsurface investigation. The hazardous substance human health exposure pathways were identified as the Drinking Water Pathway (DWP), the Dermal Contact/Ingestion Pathway (DCIP), the Volatilization to Indoor Air Pathway (VIAP), the Ambient Air Inhalation Pathway (AAIP) and the Flammability Pathway. More specifically, the detectable soil/groundwater concentrations were compared to the various promulgated Risk-Based Screening Levels (RBSLs) for Residential land use as defined under Part 201. The detectable analytical data were also compared to the Media-Specific Volatilization to Indoor Air Interim Action Screening Levels Recommended Interim Action Screening Levels (RIASLs) for Volatilization to Indoor Air Pathway dated August 2017 established by the Michigan Department of Health and Human Services (MDHHS) and the EGLE. Tables comparing the detectable soil and groundwater data to the various Residential screening levels are included in Appendix A.

The analysis did not identify hazardous substance concentrations that exceed the human health risk pathways. The analysis did, however, identify a single concentration of the VOC, 1,2,4-trimethylbenzene, that exceeded the groundwater surface water interface criteria (GSI). The GSI criteria is not considered a human health risk pathway.

Notification should be provided to third parties conducting subsurface activities at the subject site. A Third Party Environmental Disclosure Form, included as Appendix B, shall be provided to companies engaging in subsurface work activities (i.e., contractors/sub-

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contractors/utility workers/easement holders, etc.) at the subject site. In addition, the owner shall notify any tenants/employees working in the soil/groundwater of the environmental conditions to promote awareness, as a precautionary measure.

4.0 DUE CARE OBLIGATIONS AND RESPONSIBILITIES

The owner/operator of a “facility” or “site” has certain Due Care Obligations and Requirements (DCOR) as outlined in Section 324.20107a of Part 201 of the Natural Resources and Environmental Protection Act, Michigan Public Act 451 of 1994, as amended (Part 201). Compliance with the obligations is further supported with Rules established by the Michigan Department of Environment, Great Lakes and Energy (EGLE) (formerly known as the Michigan Department of Environmental Quality [MDEQ]) Part 10 - Compliance with Section 324.20107a of Part 201 (Part 10). A summation of the DCOR is included in the following sections.

4.1 Obligations defined under Section 324.20107a

The Part 201 rules identified certain obligations for owners/operators of contaminated properties. The obligations are presented in a standard font below and the assessment of each obligation is summarized after the obligation in an *italicized* font.

Undertake measures as are necessary to prevent exacerbation of the hazardous substances.

The activities proposed by the City of Hart to raze the subject building and prepare the subject site for redevelopment will not exacerbate the existing contamination identified at the subject property. The future site redevelopment plans proposed by others, however, should be reviewed by an environmental professional to ensure they do not exacerbate the documented contamination.

Exercise due care by undertaking response activities necessary to mitigate unacceptable exposure to hazardous substances, mitigate fire and explosion hazards due to hazardous substances, and allow for the intended use of the facility in a manner that protects the public health and safety.

A review of the various exposure pathways was conducted. The exposure pathway analysis did not identify complete human health risk pathways based on the intended use, the site conditions and no groundwater use.

Take reasonable precautions against the reasonably foreseeable acts or omissions of a third party and the consequences that foreseeably could result from those acts or omissions.

An owner/operator must consider the protection of tenants/employees, utility workers, contractors and easement holders that may come into contact with the hazardous substances identified in the soil/groundwater at the subject site. A Third Party Environmental Disclosure Form was provided and should be provided to companies engaging in subsurface work activities (i.e., utility workers/contractors) at the subject site, as necessary. In addition, the owner/operator should notify employees/tenants of the environmental conditions to promote awareness, as a precautionary measure. Employees/tenants should refrain from conducting any subsurface work activities without proper awareness and/or health and safety training, as necessary. Companies that engage employees to conduct certain subsurface work can use the notification and this Due Care Analysis and Plan (DCAP) to assess employee's health and safety concerns. Companies may develop and implement a Health and Safety Plan to support compliance with Michigan Occupational Safety and Health Administration (MiOSHA) or Occupational Safety and Health Administration (OSHA) construction standards. The Third Party Environmental Disclosure Sheet is included as Appendix D of this document.

Provide reasonable cooperation, assistance, and access to the persons that are authorized to conduct response activities at the facility, including the cooperation and access necessary for the installation, integrity, operation, and maintenance of any complete or partial response activity at the facility. Nothing in this subdivision shall be interpreted to provide any right of access not expressly authorized by law, including access authorized pursuant to a warrant or a court order, or to preclude access allowed pursuant to a voluntary agreement.

No additional response activities are proposed at the subject site.

Comply with any land use or resource use restrictions established or relied on in connection with the response activities at the facility.

No environmental land use or resource restrictions currently exist or are proposed for the subject site.

Not impede the effectiveness or integrity of any land use or resource use restriction employed at the facility in connection with response activities.

No environmental land use or resource restrictions currently exist or are proposed for the subject site.

4.2 Responsibilities outlined in Part 10 - Compliance with Section 324.20107a of the Act

The EGLE/MDEQ has identified certain responsibilities for owners/operators of contaminated properties to support compliance with Part 201. The responsibilities are identified in a normal font. The assessment of each responsibility is summarized in the following paragraph in an italicized font.

Comply with Section 20107a and other laws and regulations (R299.51003 and R299.51005).

The owner/operator shall undertake appropriate response activities and provide notices to comply with DCOR, as necessary. The owner/operator shall maintain documentation of compliance with DCOR, and shall provide said documentation to the EGLE upon request. The owner/operator shall also comply with laws and regulations applicable to hazardous substance use, storage and management. This includes but is not limited to air pollution control, hazardous waste management, solid waste management, abovegrade storage tank regulations, etc.

Comply with Section 20107a(1)(a) - not exacerbate response activity costs (R299.51007).

The intended use of the subject site will not exacerbate response activity costs. If redevelopment plans are proposed, or the site uses change, the plans should be reviewed by an environmental professional to document exacerbation principles are considered and addressed relating to the proposed changes.

Comply with Section 20107a(1)(b) - discarded or abandoned aboveground containers (R299.51009 and R299.51015).

No discarded or abandoned aboveground containers (as defined under the Part 201 Rules) were identified or known to exist at the subject property.

Comply with Section 20107a(1)(b) - belowground containers (R299.510011).

A Ground Penetrating Radar (GPR) survey was conducted on October 10, 2019 by Diamond Concrete Sawing of Grand Rapids, Michigan. Based on the results of the GPR Survey, no regulated belowground containers or underground storage tanks (USTs), as

defined by Part 211 or 201, exist on the subject property. The GPR Survey area is depicted on Figure 2.

Evaluate unacceptable exposure and conduct mitigation activities, if necessary (R299.51013).

A review of the various exposure pathways, site operations and natural resource use were conducted. The chemical analytical results did not identify hazardous substances concentrations that exceeded the human health risk pathways.

Notify the EGLE and affected property owners of migrating contamination (R299.51017).

Based on the current information and analysis, no notification to adjoining property owners or the EGLE is required.

Mitigate potential fire/explosion hazards and notify the local fire department (R299.51019).

Based on the chemical analysis results, no flammable or explosive conditions were identified. No notification to the local fire department is required.

4.3 Compliance with Section 324.20120c

Section 324.20120c of the Part 201 relates to documentation duties for the relocation of contaminated soil. More specifically, Section 324.20120c requires that the owner/operator document: 1) the facility from which the soil was relocated, 2) the facility to which the soil was relocated, 3) the volume of soil relocated and 4) a summary of the basis for the owner's/operator's determination that the relocation did not cause any exacerbation under Section 20107a(1).

The western portion of the subject site was improved with a commercial building (former restaurant) and an asphalt paved parking area. The eastern portion of the subject site was maintained as an unpaved parking area with a small storage shed and a hot tub enclosure/retaining wall. The City of Hart intends to raze the existing building structure and prepare the site for mixed use redevelopment. If soil relocation work is required as part of the redevelopment activities, the owner/operators are advised that certain documentation duties are required. The date of the relocation activities, contractor conducting the work, person documenting the excavation activities, equipment used, source location, deposition

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location and the volume shall be documented and maintained with this DCAP. A Soil Relocation Documentation Form is included as Appendix C. If the plans change and off-site soil relocation work is required, an environmental profession should review the proposed plans to verify compliance with the due care duties outlined with Section 324.20120c of Part 201.

5.0 SUMMARY AND CONCLUSIONS

A subsurface investigation was previously conducted and qualified the subject site as a “facility” or “site” under Part 201 of the Natural Resources and Environmental Protection Act, Michigan Public Act 451 of 1994, as amended (Part 201). The owner/operator of a “facility” or “site” has an affirmative obligation to comply with the due care responsibilities outlined in Section 324.20107a and the Due Care Rules associated with Part 201 (Compliance with Section 324.20107a of the Act [Part 10]). This Due Care Analysis and Plan (DCAP) was prepared to support the initial requirements of Part 201 and Part 10. This DCAP included the review and presentation of the existing environmental information, the development plans, an analysis of the appropriate land use category (based on the intended use of the subject site and adjoining properties) and correlation with the requirements specified in Part 201. A summation of the owner’s responsibilities is included below.

5.1 Exposure Pathway Summary and Notification

A human health exposure analysis was conducted. The analysis included a comparison of the chemical analytical results to the various promulgated Risk-Based Screening Levels (RBSLs) for Residential land use as defined under Part 201 of the Natural Resources and Environmental Protection Act (NREPA), Michigan Public Act 451 of 1994, as amended (Part 201) and the Michigan Department of Environment, Great Lakes and Energy (EGLE) (formerly known as the Michigan Department of Environmental Quality [MDEQ])/Department of Health and Human Services Media-Specific Volatilization to Indoor Air Interim Action Screening Levels (Recommended Interim Action Screening Levels) for the Volatilization to Indoor Air Pathway. In addition, a review of the proposed site uses, availability of the municipal water system and professional judgement were also conducted. **Based on the analysis/review, no unacceptable human health risk exposure pathways currently exist at the subject site.**

An owner/operator must consider the protection of tenants, employees, utility workers, contractors and easement holders that may come into contact with the hazardous substances identified in the soil/groundwater at the subject site. Although no subsurface work is currently planned, a Third Party Environmental Disclosure Form shall be provided to companies engaging in subsurface work activities (i.e., utility workers/contractors) at the subject site. In addition, the owner shall notify employees/tenants of the environmental conditions to promote awareness, as a precautionary measure. Employees/tenants shall refrain from conducting any subsurface work activities without proper awareness training and/or health and safety. Companies that engage employees to conduct certain

subsurface work can use the notification and the DCAP to assess employee's health and safety concerns. Companies may develop and implement a Health and Safety Plan to support compliance with Michigan Occupational Safety and Health Administration (MiOSHA) and/or Occupational Safety and Health Administration (OSHA) construction standards. This document is not intended to provide compliance objectives for rules/laws that may be applicable under MiOSHA and/or OSHA. The Third Party Environmental Disclosure Sheet is included as Appendix B of this document.

5.2 Additional Due Care Considerations

Based on future redevelopment plans, soil may be proposed for relocation off the subject site. The specific details pertaining to the redevelopment were not available as of the completion of this report. The owner/operators are advised that certain documentation duties are required if conducting such activities (See Section 4.3 for additional details). The relocation documentation, if necessary, shall be maintained with this DCAP. A Soil Relocation Documentation Form is included as Appendix C. If off-site soil relocation work is required, an environmental professional should review the proposed plans to verify compliance with the due care duties outlined with Section 324.20120c of Part 201.

Precautionary measures and special considerations were reviewed to support general due care duties relating to the impacted media at the subject site. The owner/operator maintains a duty to not exacerbate the existing contamination documented at the subject property. As such, any future redevelopment activities and/or soil relocation activities should be reviewed by an environmental professional. The plans should take careful consideration not to exacerbate the existing contamination. In addition, if any future redevelopment plans include soil relocation, the activities should be reviewed and shall comply with Section 324.20120c of Part 201.

This DCAP is an initial review of the site conditions and intended use of the subject property. The DCAP is considered a "living document." If any additional hazardous substance information is revealed in the future or the site use or plans change, then further due care analysis and documentation may be necessary. The DCAP can be reviewed and amended with the additional information, as necessary. In addition, the DCAP document shall be maintained and available upon request to the EGLE/MDEQ.

If you have any questions or comments regarding this project, please contact us at (616) 742-5511.

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November 7, 2019*

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James E. Dixon, P.E.
Principal Engineer

6.0 REFERENCES

Instructions for Preparing and Disclosing Baseline Environmental Assessments and Section 7a Compliance Analysis to the Michigan Department of Environmental Quality dated March 11, 1999.

Administrative Rules for Part 201 of the Natural Resources and Environmental Protection Act 1994 PA 451, as amended.

Remediation and Redevelopment Division (RRD) Cleanup Criteria Requirements for Response Activity effective June 25, 2018.

Michigan Department of Environment, Great Lakes and Energy (formerly known as the Michigan Department of Environmental Quality) Department of Health and Human Services Media-Specific Volatilization to Indoor Air Interim Action Screening Levels (Recommended Interim Action Screening Levels) (dated August 2017).

Information available from the Department of Environment, Great Lakes and Energy (Formerly Michigan Department of Environmental Quality [MDEQ]), Remediation and Redevelopment Division Freedom of Information Act Request.

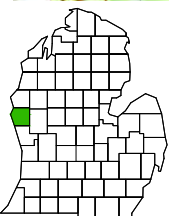
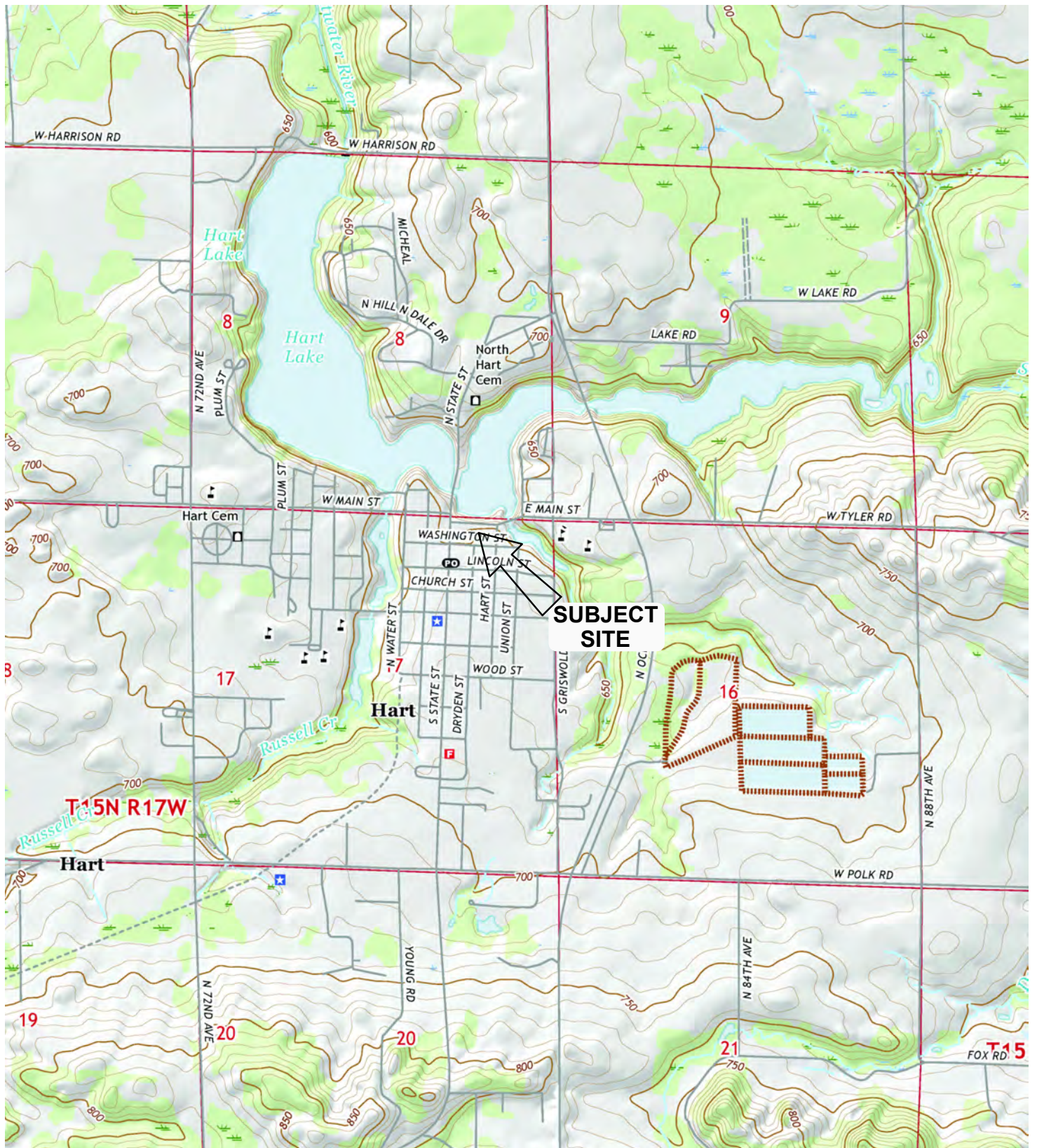
Phase I Environmental Site Assessment, Commercial Property, 227 East Main Street, Hart, Michigan, completed by Dixon Environmental Consulting, Inc. on October 1, 2019.

Phase II Environmental Site Assessment, Commercial Property, 227 East Main Street, Hart, Michigan, completed by Dixon Environmental Consulting, Inc. on October 22, 2019.

Baseline Environmental Assessment, Commercial Property, 227 East Main Street, Hart, Michigan, , Michigan, Completed by Dixon Environmental Consulting, Inc. on November 7, 2019 (Identification number was not available as of the completion of this report).

FIGURES

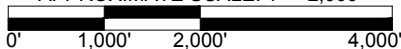
PROJECT LOCATION MAP
HUMAN HEALTH RISK EXPOSURE PATHWAY DIAGRAM



OCEANA COUNTY, MICHIGAN

PROJECT NUMBER: 19-08-008D DATE: 11/7/2019

APPROXIMATE SCALE: 1" = 2,000'



USGS 7.5 MINUTE QUADRANGLE MAPS: HART, MICHIGAN AND MEARS, MICHIGAN

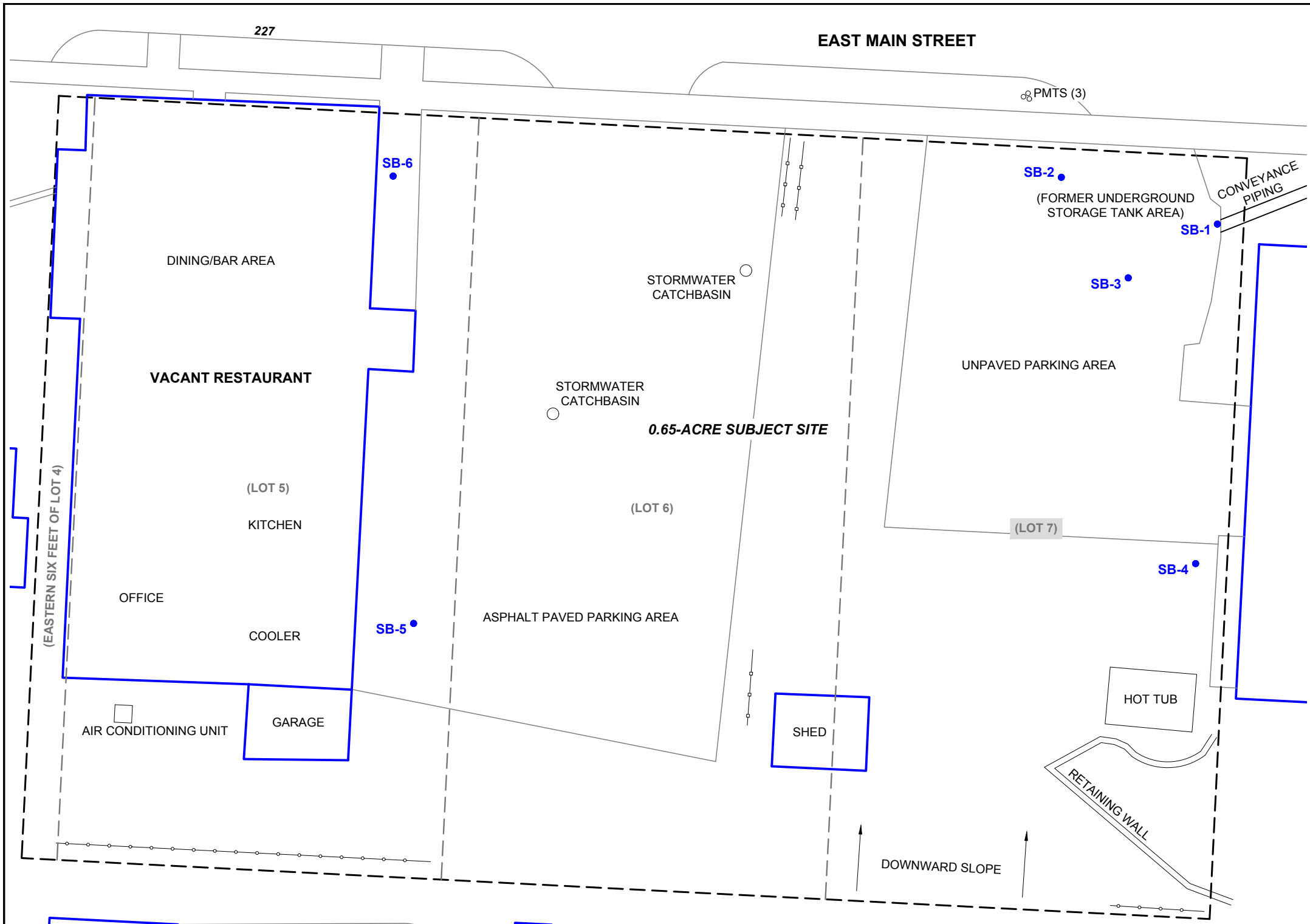


DUE CARE ANALYSIS AND PLAN

FIGURE 1 - PROJECT LOCATION MAP



COMMERCIAL PROPERTY
 227 EAST MAIN STREET
 PARCEL NUMBER: 64-020-209-005-00
 HART, MICHIGAN



DUE CARE NOTES:

THE RESULTS OF THE DUE CARE ANALYSIS AND PLAN DID NOT IDENTIFY POTENTIALLY COMPLETE OR COMPLETE HUMAN HEALTH RISK PATHWAYS BASED ON THE ANALYTICAL RESULTS FROM THE SOIL AND GROUNDWATER SAMPLES COLLECTED FROM THE SUBJECT SITE.

THE SUBJECT PROPERTY, HOWEVER, IS A "FACILITY" OR "SITE" AS DEFINED UNDER PART 201 OF THE NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION ACT, MICHIGAN PUBLIC ACT 451 OF 1994, AS AMENDED (PART 201).

SINCE THE PROPERTY IS A "FACILITY" OR "SITE", NOTIFICATION SHALL BE PROVIDED TO CONTRACTORS, UTILITY WORKERS, OR OTHER PERSONS WORKING IN SUBSURFACE SOIL/GROUNDWATER TO ADVISE THAT ADDITIONAL CONSIDERATION MAY BE NECESSARY TO MAINTAIN COMPLIANCE WITH MICHIGAN OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION (MIOSHA) AND/OR OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION (OSHA) CONSTRUCTION STANDARDS. THE INFORMATION PRESENTED IN THIS DISCLOSURE MAY ASSIST IN DEVELOPING SUCH A PLAN, HOWEVER, THIS DOCUMENTATION IS NOT A SITE SPECIFIC HEALTH AND SAFETY PLAN.

NO SOIL SHALL BE EXCAVATED AND RELOCATED OR REMOVED FROM THE PROPERTY WITHOUT PROPERTY OWNER'S PRIOR REVIEW AND APPROVAL. RELOCATION IS NOT DEFINED AS AN ACTIVITY WHERE THE EXCAVATED MATERIAL IS RETURNED TO THE SAME EXCAVATION/TRENCH AS BACKFILL. RELOCATED SOIL SHOULD BE DOCUMENTED ON THE SOIL RELOCATION DOCUMENTATION FORM INCLUDED AS APPENDIX C OF THE DUE CARE ANALYSIS AND PLAN.

NO DEWATERING ACTIVITIES SHALL BE CONDUCTED WITHOUT PROPERTY OWNER'S PRIOR REVIEW AND APPROVAL.

LEGEND

- SB-1 ● BORING LOCATION (10/15/2019) [ANALYTICAL RESULTS DID NOT EXCEED A HUMAN HEALTH RISK PATHWAY]
- - - SUBJECT SITE BOUNDARY
- - - LOT LINE
- BUILDING STRUCTURE
- GUARD RAIL
- FENCE

DIAGRAM NOTES:

THIS DIAGRAM IS NOT A LEGAL SURVEY.
 THE DETAILS DEPICTED ON THIS DIAGRAM ARE APPROXIMATE LOCATIONS BASED ON THE AVAILABLE AERIAL PHOTOGRAPHS, STANDARD HISTORICAL RESOURCES AND/OR FIELD OBSERVATIONS.

PROJECT NUMBER: 19-08-008D | DATE: 11/7/2019
 APPROXIMATE SCALE: 1" = 20'



DUE CARE ANALYSIS AND PLAN

FIGURE 2 - HUMAN HEALTH RISK EXPOSURE PATHWAY DIAGRAM

NORTH

COMMERCIAL PROPERTY
 227 EAST MAIN STREET
 PARCEL NUMBER: 64-020-209-005-00
 HART, MICHIGAN

APPENDIX A

**SOIL/GROUNDWATER DATA COMPARED TO THE
RESIDENTIAL PART 201 GENERIC CLEANUP CRITERIA &
SCREENING LEVELS/PART 213 RISK-BASED SCREENING
LEVELS AND THE RECOMMENDED INTERIM ACTION
SCREENING LEVELS FOR THE VOLATILIZATION TO INDOOR
AIR PATHWAY**

Due Care Analysis and Plan		
Soil Data Compared to the Residential Part 201 Generic Cleanup Criteria and Screening Levels/ Part 213 Risk-Based Screening Levels and the Recommended Interim Action Screening Levels for the Volatilization to Indoor Air Pathway 227 East Main Street, Hart, Michigan		
Constituent	Inorganic Metallic Constituent	
	lead	
CAS Number	7439921	
Human Health Risk Pathways		
EGLE Part 201 Document		
Drinking Water Protection Criteria	7.00E+05	
Direct Contact Criteria	4.00E+05	
Particulate Soil Inhalation Criteria	1.00E+08	
Infinite Source Volatile Soil Inhalation Criteria (VSIC)	NLV	
Finite VSIC for 5 Meter Source Thickness	NLV	
Finite VSIC for 2 Meter Source Thickness	NLV	
Soil Volatilization to Indoor Air Inhalation Criteria	NLV	
MDHHS/EGLE Volatilization to Indoor Air Pathway		
Recommended Interim Action Screening Levels	NA	
Non-Human Health Risk Pathways		
EGLE Part 201 Document		
Statewide Default Background Levels	21,000	
Groundwater Surface Water Interface Protection Criteria	2.50E+06*	
Soil Saturation Concentration Screening Levels	NA	
Sample ID (Interval or Depth)	Date Sampled	
SB-1 (11.0-11.5')	10/15/2019	5,000
SB-2 (11.0-11.5')		3,600

Notes:

NLV - Not Likely to Volatilize.

NA - Not Applicable/Not chemically analyzed for specified parameter.

Results in compared to the Michigan Department of the Environment, Great Lakes and Energy (EGLE) (Formerly known as the Michigan Department of Environmental Quality) Residential Land Use Exposure Pathway Cleanup Criteria as outlined in the Remediation and Redevelopment Division (RRD): Residential and Nonresidential Part 201 Generic Cleanup Criteria and Screening Levels/Part 213 Risk-Based Screening Levels, tables last updated June 25, 2018 (Part 201) [EGLE Part 201 Document] or the Recommended Interim Action Screening Levels (RIASL) for Volatilization to Indoor Air Pathway (VIAP) dated August 2017 established by the Michigan Department of Health and Human Services (MDHHS) and the EGLE.

* - GSI-Acute chemical specific values derived from calculations involving the receiving surface water body quality parameters, hardness 150mg/L and pH 7.0. See RRD Operational Memorandum No. 5.

No detectable concentrations of polynuclear aromatic hydrocarbons or volatile organic compounds were encountered in the soil samples.

Samples collected by Dixon Environmental Consulting, Inc.

Due Care Analysis and Plan

**Groundwater Data Compared to the Residential Part 201 Generic Cleanup Criteria and Screening Levels/Part 213 Risk-Based Screening Levels
and the Recommended Interim Action Screening Levels for the Volatilization to Indoor Air Pathway**
227 East Main Street, Hart, Michigan

Hazardous Substance	Chemical Abstract Service Number	Human Health Risk Pathways			Non-Human Health Risk Pathways			Sample Collection Dates					
		EGLE Part 201 Human Health Risk Pathways			MDHHS/EGLE VIAP	EGLE Part 201 Pathways		10/15/19	10/15/19	10/15/19	10/15/19	10/15/19	10/15/19
		Drinking Water Criteria	Groundwater Volatilization to Indoor Air Inhalation Criteria	Flammability and Explosivity Screening Level	Groundwater RIASL	Groundwater Surface Water Interface Criteria	Water Solubility	Sample Identification (Sample Interval)					
								SB-1 (12.6')	SB-2 (12.8')	SB-3 (12.7')	SB-4 (11.9')	SB-5 (11.5')	SB-6 (13.2')
Inorganic Metallic Constituents (µg/L)													
cadmium	7440439	5.0	NLV	ID	NA	2.5*	NA	< 1.0	< 1.0	< 1.0	< 1.0	< 1.0	< 1.0
chromium (total)~	varies	100	NLV	ID	NA	11	NA	< 10	< 10	< 10	< 10	< 10	< 10
lead	7439921	4.0	NLV	ID	NA	14*	NA	< 3.0	< 3.0	< 3.0	< 3.0	< 3.0	< 3.0
Polynuclear Aromatic Hydrocarbons (PNAs) (µg/L)													
PNAs	-	-	-	-	-	-	-	BDL	BDL	BDL	BDL	BDL	BDL
Volatile Organic Compounds (VOCs) (µg/L)													
1,2,4-trimethylbenzene	95636	63	56,000	56,000	440	17	55,890	< 1.0	37	< 1.0	< 1.0	< 1.0	< 1.0
1,3,5-trimethylbenzene	108678	72	61,000	ID	310	45	61,150	< 1.0	14	< 1.0	< 1.0	< 1.0	< 1.0
Remaining VOCs	-	-	-	-	-	-	-	BDL	BDL	BDL	BDL	BDL	BDL

Notes: BDL - Below the respective method detection limits. NLV - Not Likely to Volatilize. ID - Insufficient data to develop criterion. NA - Not Applicable/Not chemically analyzed for specified parameter. VIAP - Volatilization to Indoor Air Pathway. ~ - Chromium (total) results were compared to the hexavalent chromium cleanup criteria. Samples collected by Dixon Environmental Consulting, Inc.

Results in bold Exceed a Michigan Department of the Environment, Great Lakes and Energy (EGLE) (Formerly known as the Michigan Department of Environmental Quality) Residential Land Use Exposure Pathway Cleanup Criteria as outlined in the Remediation and Redevelopment Division (RRD): Residential and Nonresidential Part 201 Generic Cleanup Criteria and Screening Levels/Part 213 Risk-Based Screening Levels, tables last updated June 25, 2018 (Part 201) [EGLE Part 201 Document] or the Recommended Interim Action Screening Levels (RIASL) for Volatilization to Indoor Air Pathway dated August 2017 established by the Michigan Department of Health and Human Services (MDHHS) and the EGLE. * - GSI-Acute chemical specific values derived from calculations involving the receiving surface water body quality parameters, hardness 150mg/L and pH 7.0. See RRD Operational Memorandum No. 5. Blue Box indicates that Analytical Results Exceeded the Nonresidential Exposure Pathway Criteria.

APPENDIX B

THIRD PARTY ENVIRONMENTAL DISCLOSURE SHEET

Third Party Environmental Disclosure Sheet
Commercial Property
227 East Main Street
Hart, Michigan

The subject property is a “facility” or “site” under Part 201 of the Natural Resources and Environmental Protection Act, Michigan Public Act 451 of 1994, as amended (Part 201).

A subsurface investigation was conducted in October 2019. The analytical data identified a concentration of the volatile organic compound, 1,2,4-trimethylbenzene, exceeding a residential risk-based screening level as defined in Part 201. Specifically, 1,2,4-trimethylbenzene exceeded the groundwater surface water interface criteria. A general characterization of environmental conditions and potential human exposure pathways is discussed in a Due Care Analysis and Plan (DCAP), which can be made available upon request.

The review concluded that no unacceptable human health risk exposure pathways exist under the current site conditions/use. However, there exists some potential human health exposure pathway risk relating to subsurface contractors/sub-contractors/utility workers, etc. working during the redevelopment activities. Parties conducting subsurface work activities (e.g., excavation/soil relocation/dewatering) should review/verify the scope of any subsurface soil/groundwater disturbance project with the owner and be advised of the following:

- No soil shall be relocated or removed from the property without property owner’s prior review and approval. Relocation is not defined as an activity where the excavated material is returned to the same excavation/trench as backfill.
- No dewatering activities shall be conducted without property owner’s prior review and approval. Dewatering activities should be reviewed and avoided, if possible.
- Contractors, utility workers, or other persons working in subsurface soil/groundwater are advised that additional consideration may be necessary to maintain compliance with Michigan Occupational Safety and Health Administration (MiOSHA) and/or Occupational Safety and Health Administration (OSHA) construction standards. The information presented in this disclosure may help in developing such a plan, however, this documentation is not a site specific Health and Safety Plan.

APPENDIX C

SOIL RELOCATION DOCUMENTATION FORM

Soil Relocation Documentation Form

Date:

Person Observing Relocation Activities:

Contractor Conducting Work Activities:

Equipment Used:

Soil Type (i.e., sand, clay, gravel, etc.):

Source Area

(location, volume, surface area and depth and attach map/diagram as necessary):

Deposition Area or Landfill * (Owners approval is necessary prior to conducting.)
(Landfill utilized and tons deposited):

Unusual Odors or Visual Indications of Environmental Impact

(i.e., color, debris, sheen, staining, etc.):