Interim Due Care Disclosure Statement

215 S. Broadway Street
Lake Orion, Michigan
August 16, 2024

Various metals, semi-volatile organic compounds [SVOCs; principally polynuclear aromatic hydrocarbons (PNAs)], and volatile organic compounds (VOCs) have been detected in soil and/or groundwater samples collected from the subject property at concentrations exceeding Part 201 Generic Residential Cleanup Criteria (RCC) and Non-Residential Cleanup Criteria (NRCC). In addition, soil analytical results indicate that petroleum compounds may be present in shallow subsurface soil on Parcel B of the subject property at concentrations that could pose potentially unacceptable exposure risks. The measures outlined in this interim Due Care Disclosure Statement should be taken to minimize the risks to public health and the environment.

The subject property is currently improved with one 1,408-square foot commercial building (Subject Building 1), most recently used as the Lake Orion Lumber office, and one 1,280-square foot storage building (Subject Building 2). Additionally, seven outbuildings are present on the subject property, most recently used for lumber and equipment storage. The exterior of the subject property consists of gravel parking areas and vegetated areas.

The Village of Lake Orion Downtown Development Authority's (DDA; subject property owner) intended future use of the subject property may include the construction of public recreational space, commercial space, and surface parking lot(s) on the subject property. This may entail the partial or complete demolition of one or more of the subject buildings and outbuildings, the reoccupation of preserved/renovated portions of the subject buildings or outbuildings, and/or the construction of new gravel and/or paved driveways and parking areas. Should activities arise that involve the disturbance of subsurface soils during site demolition and construction activities, the following measures should be considered to minimize risks to public health and the environment:

- Any employee, contractor, or site visitor who has not been certified as having received health and safety training in conformance with 29 CFR 1910.120(e) is prohibited from working in the exclusion and contamination reduction zones, or from engaging in any on-site work activities that may involve exposure to contaminated subsurface soil or groundwater.
- An environmental consultant should be retained to provide oversight during any activities that may disturb any potentially contaminated subsurface soil to ensure that proper soil management, waste characterization, manifesting, and disposal protocols are being followed.
- Excavation in the areas of impact should be restricted except for the purpose of construction, utility installation/repair, property maintenance or other necessary activities. Excavation activities must be conducted under a site-specific Health and Safety Plan (HASP). Any contractors working with contaminated soil or groundwater must prepare a site-specific HASP, which should include, at a minimum, emergency contact numbers, hospital locations, descriptions of appropriate personal protective equipment (PPE), and decontamination procedures. HASPs prepared for this work must be reviewed by all workers assigned to the project.

- Subsurface soil disturbance activities (i.e., grubbing, grading, land-balancing, excavations, etc.) should only commence upon the implementation of soil erosion controls, as required by local, state and/or federal agencies. Soil cannot be removed from the subject property unless it is characterized to determine if it can be relocated without posing a threat to the public health, safety, welfare, or the environment at the new location. Excavated soil may be returned to the excavation on the subject property after completion of subsurface work. During excavation, the soil should be segregated to ensure no contaminated soil is mixed with non-impacted surficial soil or left on the ground surface. When excavated soil cannot be returned to the excavation, the soil must be properly characterized and disposed at a licensed disposal facility (e.g., a Type II landfill) in accordance with local, State and Federal regulations. Proper disposal arrangements should be made prior to initiating work to avoid stockpiling contaminated soil on the subject property. Contractors disposing of soil off-site shall notify the Michigan Department of Environment, Great Lakes, and Energy (EGLE) Remediation and Redevelopment Division (RRD) of the activity within 14 days of the removal of the soil, if and as required by MCL 324.20120c.
- Open excavations must be properly maintained and barricaded when excavated soil cannot be immediately returned to the excavation. Promptly fill excavations, below grade areas or voids from construction activities to ensure that groundwater and/or surface runoff does not collect within them.
- If groundwater is encountered and must be removed from excavations, it must be properly characterized and/or disposed of in accordance with applicable rules and regulations. It is generally not permissible to pump groundwater to storm or sanitary sewers without proper permits and monitoring required by the local unit of government and/or the State. It is also not generally permissible to pump groundwater onto the ground surface of the subject property. In the event that excavations require dewatering, the groundwater must be containerized and characterized for off-site disposal or a permit for pretreating and discharge to the sanitary sewer should be obtained (if necessary).

I have read and understand this Disclosure Statement.

_____

Signature

_____

Printed Name

_____

Company

_____

Date