

Due Care Considerations for the Bay City Maritime Heritage Center

Prepared by Rhonda Klann, 10-9-2008

In addition to the due care issues discussed in the Brownfield Redevelopment Assessment Report dated September 18, 2008 (in the executive summary and on pages 20 and 21) the following items should be considered:

SB-13 Area: It is highly recommended that this area be further evaluated to define the extent of VOC contamination. Once identified, we recommend that the highly contaminated soils be excavated and properly disposed. Leaving these soils in place will result in long term due care obligations for indoor air exposures in future buildings or manholes, ambient air issues for persons walking in this area, long term monitoring for indoor and/or ambient air issues, soil movement and handling issues, etc. Removal of these soils may eliminate the need for these long term due care actions.

Soil Concerns: Soils removed from the property during construction should be assumed to have some level of contamination and therefore must be disposed at a landfill in accordance with state, federal, and local regulations. Care should also be taken when moving soil within the property (for surface grading perhaps) to ensure that higher contaminated soils are not moved to areas with lower or minimal contaminant levels. For example, during utility installation or foundation construction, avoid spreading deeper soils with higher levels of contamination onto the surface. Persons involved in soil handling must take proper precautions to limit skin contact exposures and track out of contaminated soils. The final plans for the Maritime Heritage Center must include a protective surface barrier to prevent people from coming in contact with the deeper soils. Parking lots, building floors, streets, landscaped areas with sufficient clean cover soils, etc., can all be part of the protective barrier.

Groundwater concerns: As the Brownfield report indicates, the groundwater at this property is not a suitable source for domestic drinking water. This shouldn't be a problem as municipal water is supplied to this area. An ordinance prohibiting using the groundwater at this property for drinking water is not necessary for compliance with due care. Simply not using the groundwater for drinking water is an adequate due care action. Due to the low levels of contaminants, it is also recommended that the groundwater not be used for any other uses either, such as irrigation or production uses associated with the future maritime exhibits. If dewatering is needed during construction, groundwater should be contained and properly disposed, or you may consider asking the Bay City POTW if it could directly discharged into the sanitary sewer.

Notifications and Reasonable Precautions: You must provide notification to contractors, utility companies, and others accessing the property that may come in contact with contaminated soils or groundwater so that they may take their own precautions to prevent unacceptable exposures.

Exacerbation: You must take care to ensure that your actions or the actions of your contractors do not cause the contamination to spread beyond the property boundary. For example, if a storm sewer were installed that discharges to the Saginaw River, it may create a conduit for contaminated groundwater to vent to the River.