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April 23, 2026

ELECTRONIC MAIL
RETURN RECEIPT REQUESTED

Mr. Brendan Mullen
Cleanup Manager for Michigan
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Mr. Dave Favero
RACER Trust
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Re: Former Fiero Parking Lot Historical Summary Memorandum and Request for Determination for Property Not Being Regulated Under RCRA, Including Corrective Action, and Not Being Covered Under Administrative Order on Consent RCRA-05-2011-00019
RACER Trust Pontiac North Campus
Pontiac, Michigan

Dear Mr. Mullen and Mr. Favero:

I am writing in response to the January 2, 2026 *RACER Pontiac North Campus Former Fiero Parking Lot Historical Summary Memorandum and Request for Determination for Property not Being Regulated Under RCRA, including Corrective Action, and Not Being Covered Under Administrative Order on Consent RCRA-05-2011-00019* (Memo), submitted on behalf of the Revitalizing Auto Communities Environmental Response Trust (RACER Trust or RACER) by Arcadis of Michigan, LLC (Arcadis). The purpose of the Memo is to request that the U.S. Environmental Protection Agency (EPA) provide a determination that the Property consisting of Parcel # 14-17-384-003 and Parcel # 14-20-130-018:

- Is not subject to regulation under the Resource Conservation and Recovery Act (RCRA), including RCRA Corrective Action (i.e., the Property is not part of the Pontiac North Campus RCRA Facility with EPA ID No. MID 005356910, formerly owned by various units of the former General Motors Corporation [GMC] including Chevrolet-Pontiac-Canada Group [CPC] and GMC Fisher Body Division), and

- Is not subject to Administrative Order on Consent (AOC) RCRA-05-2011-0019, executed by the EPA on September 29, 2011.

The Memo indicates that RACER Trust will still complete Environmental Action at this property in accordance with the terms of the Environmental Response Trust Consent Decree and Settlement Agreement, Chapter 11, Case No. 09-50026 (Agreement).

The Former Fiero Parking Lot Property (Property) consists of two vacant parcels that are both located along Baldwin Avenue in Pontiac, Michigan: a northern parcel that is approximately 9.5 acres (Parcel 14-17-384-003) and a southern parcel that is approximately 3.3 acres (Parcel 14-20-130-018). The parcels were both formerly owned by the General Motors Corporation (GMC), which operated the adjacent GMC Pontiac North Campus (PNC) manufacturing facility. The Property was transferred to RACER Trust together with portions of the PNC facility through the settlement of GMC's bankruptcy in 2011.

RACER Trust reviewed historical information related to the Property including aerial photographs and Sanborn maps. Based on the available information reviewed, the Memo concludes that there is no indication that former GMC PNC manufacturing operations were conducted at either parcel. The EPA reviewed the available information provided by RACER, consulted with the Michigan Department of Environment, Great Lakes, and Energy (EGLE), and determined that the two parcels comprising the Property were not included as part of the former GMC PNC facility and would not appear to be subject to RCRA.

It is noted that RACER has conducted environmental investigation activities at the two parcels that comprise the Property and plans to implement deed restrictions as a corrective measure in the form of a Declaration of Restrictive Covenant. The deed restrictions will include, but are not limited to, the following:

- Limiting the use of the property to commercial or industrial uses (non-residential),
- Limiting the ability to excavate or construct any sub-grade structures without properly managing/disposing of excavated material and implementing appropriate health and safety procedures as required by EGLE soil management requirements and OSHA,
- Prohibiting extraction or use of groundwater from the property, and
- Soil vapor management.

In addition to the deed restrictions identified in the Memo, RACER must also include a requirement to maintain a cover over the area around BF17-09 to prevent exposure to soils with a manganese concentration above the Nonresidential Particulate Soil Inhalation Criteria.

Upon receipt from RACER, the EPA will review and provide comments on the Declaration of Restrictive Covenant. The EPA will coordinate with EGLE's Part 201 and Part 213 Natural Resources and Environmental Protection Act (1994 P.A. 451, as amended [Act 451]) programs if environmental contamination is discovered on the parcels that requires remedial work. The EPA understands that RACER is budgeting the work at these parcels within the funding allotted to the RACER-owned PNC parcels under the Agreement and the EPA approved RACER PNC budget.

This letter does not preclude the EPA from undertaking any action at the facility if the EPA obtains information indicating that such action is necessary to protect human health or the environment. This letter does not apply to any future entity that engages in the treatment, storage, and disposal of RCRA hazardous waste on the Property. Finally, this letter only addresses our intentions under the RCRA Subtitle C program, and not the Comprehensive Environmental Response, Compensation, and Liability Act.

This letter does not in any way constrain the State of Michigan with respect to any potential requirements that the State might deem appropriate at the parcels.

If you have any additional questions or wish to discuss this information, please feel free to contact me at (312) 886-8121 or Jennifer Stanhope of my staff at (312) 886-0681.

Sincerely,

D. Scott Ireland
Acting Director
Land, Chemicals, & Redevelopment Division

cc: Kimberly Tyson, EGLE
Mark Koller, Region 5 Office of Regional Counsel
Jennifer Stanhope, Region 5 Land, Chemicals, & Redevelopment Division