



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENTAL QUALITY
SAGINAW BAY DISTRICT OFFICE



DAN WYANT
DIRECTOR

May 15, 2015

Mr. Dave Favero
Deputy Clean-Up Manager
RACER Trust
500 Woodward Avenue, Suite 1510
Detroit, Michigan 48226

Dear Mr. Favero:

SUBJECT: Approval of Risk Based Disposal Work Plan for PCB Impacted Material, RACER Trust Saginaw Malleable Industrial Land- MID0053566696 (Former General Motors Saginaw Malleable Iron Facility), 77 West Center Street, Saginaw, Saginaw County, Michigan

RACER Trust has formally requested approval for the Saginaw Malleable Industrial Land from the Michigan Department of Environmental Quality (MDEQ) for response activities, outlined in the Risk Based Disposal Work Plan for PCB Impacted Material, (Work Plan), dated May 8, 2015. The MDEQ has completed its technical review of the Work Plan pursuant to Part 111, Hazardous Waste Management, of the Michigan Natural Resources and Environmental Protection Act, 1994 PA 451, as amended (NREPA), Michigan Compiled Laws (MCL) §§324.11101 et seq. (Part 111) including the environmental protection or cleanup standards and associated requirements pursuant to Part 201, Environmental Remediation, of the NREPA, MCL §§324.20101 et seq. (Part 201) and the resource federal Conservation and Recovery Act of 1976 (RCRA), Subtitle C, corrective action requirements of Title 42 of the United States Code §6901 et seq.

On May 15, the MDEQ formally requested Toxic Substances Control Act of 1976 (TSCA) Coordinated Approval for the Work Plan from the U.S. Environmental Protection Agency (EPA), Region 5, under the amended final rules for Disposal of PCBs effective August 28, 1998, Title 40 of the Code of Federal Regulations (CFR), Parts 750 and 761, specifically 761.77(3)(c). That letter (copy enclosed) described the basis for the request and provided additional details regarding the regulatory framework and background for the corrective action conducted at the facility to date. RACER Trust formally requested Coordinated Approval from the EPA for the Work Plan for the Saginaw Malleable Industrial Land on May 8, 2015.

Upon consultation with the EPA, the MDEQ has determined that the Work Plan will comply with the corrective action objectives of Part 111/RCRA, including the environmental protection standards and associated requirements pursuant to Part 31 and Part 201.

This approval is based in part on other interim response work that has been completed to address the environmental conditions at the site, including, but not limited to, contaminated soil excavation, Non-Aqueous Phase Liquid (NAPL) recovery, and sewer work and the imposition of land use restrictions, engineering controls, and long-term monitoring and maintenance across the site. The MDEQ expects that RACER Trust for Saginaw Malleable Industrial Land will apply

land use restrictions and engineering controls that are approvable and satisfy the requirements of TSCA for PCBs that exceed the applicable cleanup criteria and are left in place. It is the MDEQ's expectation that a restrictive covenant intended to maintain nonresidential use and any engineering controls that are necessary would list the contaminants that are remaining on the property at levels above residential criteria. If total PCBs are left in place above the applicable residential or high occupancy criteria, PCBs will be included as contaminants of concern as part of the restrictive covenant.

This approval of the Work Plan is based upon the representations and information contained in the submittal; therefore, the MDEQ expresses no opinion as to whether other conditions that may exist will be adequately addressed by the response activities that are proposed. Notwithstanding this approval, if environmental contamination is found to exist that is not addressed by this Work Plan, additional corrective action may be necessary.

Should you require further information please contact me.

Sincerely,

Sue Kaelber-Matlock, Senior Geologist
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Remediation and Redevelopment Division
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Enclosure

cc: Mr. Joe Cisneros, EPA
Mr. Peter Ramanauskas, EPA
Ms. Jean Greensley, EPA
Ms. Rhonda Klann, MDEQ
Dr. Deb MacKenzie-Taylor, MDEQ
Corrective Action File