



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 5

77 WEST JACKSON BOULEVARD  
CHICAGO, IL 60604-3590

REPLY TO THE ATTENTION OF: LU-16J

Mr. Grant Trigger  
Michigan Cleanup Manager  
RACER Trust  
1505 Woodward Avenue, Suite 200  
Detroit, MI 48226

RE: Interim Measures Work Plan - 40 CFR §761.61(c) Approval  
Investigative Unit G PCB-Impacted Soil Removal  
RACER Former Nodular Industrial Lands, Saginaw, Michigan

Dear Mr. Trigger:

On July 9<sup>th</sup>, 2020, GHD, on behalf of the Revitalizing Auto Communities Environmental Response Trust (RACER), requested that the U.S. Environmental Protection Agency Regional Administrator approve its July 9<sup>th</sup>, 2020 Interim Measures Work Plan (IMWP), including the proposed disposal under the risk-based disposal provisions of the polychlorinated biphenyl (PCB) regulations at 40 Code of Federal Regulations (CFR) §761.61(c). The IMWP included a written certification consistent with 40 CFR §761.61 (a)(3)(E). Under the Toxic Substances Control Act (TSCA) delegation 12-5, the Regional Administrator has redelegated his authority to approve risk-based disposal of PCB remediation waste to the Director of the Land, Chemicals and Redevelopment Division.

The IMWP addresses the excavation, sampling and off-site disposal activities of soils contaminated with PCBs at Investigative Unit (IU) G, the former Nodular Iron Plant at the RACER property located at 2100 Veterans Memorial Parkway, Saginaw, Michigan. RACER is conducting the PCB cleanup and corrective action measures under a Resource Conservation and Recovery Act (RCRA) Administrative Order on Consent (RCRA-05-2011-0023).

RACER previously performed an ecological risk assessment at IU G, as the PCB-impacted area within IU G is currently inundated and has been determined to be a wetland by the State of Michigan. Because the activities may include sediments that are not eligible for the self-implementing procedures in 40 C.F.R. § 761.61(a), EPA is reviewing the proposal for sampling, cleanup, and disposal of PCB remediation waste under the risk-based disposal approval provisions of 40 CFR § 761.61(c). EPA has determined that the proposed cleanup measures, and the nature of any post-removal, residual PCB concentrations will not present unreasonable risk of

injury to ecological health or the environment and is approving RACER's cleanup and disposal of these PCB Remediation Wastes under 40 CFR § 761.61(c) with the following conditions:

- 1) RACER will remove IU G PCB impacted soils for off-site disposal in accordance with Sections 3.1.5 and 3.1.7, Figures 1.2 and 2.1 of the IMWP.
- 2) PCB remediation waste, previously characterized and shown to be at concentrations of < 50 mg/kg PCB, will be disposed of off-site based on in-situ concentrations in accordance with 40 CFR § 761.61(a)(5)(i)(B)(2)(ii) and (a)(5)(v)(A).
- 3) The excavated area will be backfilled with clean material and re-seeded per Section 3.1.9 of the IWMP.

RACER is responsible for ensuring continued compliance with this approval, all applicable provisions of TSCA and the federal PCB regulations. Any departure from the conditions set forth in this letter or the sections of the July 9, 2020 IWMP, referenced above, must receive prior written authorization from the Remediation Branch of the Land, Chemicals, and Redevelopment Division. This Approval does not constitute a determination by EPA that the transporters or disposal facilities selected by RACER are authorized to conduct the activities set forth in the IMWP. RACER is responsible for ensuring that it has selected transporters and disposal facilities that are authorized to conduct these activities in accordance with all applicable federal, state, and local statutes and regulations. This letter does not relieve RACER from compliance with any other federal, state or local regulation and does not preclude EPA from initiating any enforcement action, including an action seeking civil penalties for any violation of federal regulations.

If you have any questions regarding this matter, please contact Zachary Sasnow of my staff at (312) 886-0258.

Sincerely,

 9/2/2020

Edward Nam  
Director  
Land, Chemicals and Redevelopment Division