



August 8, 2016

Reference No. 058502

Ms. Joy Brooks
Michigan Department of Environmental Quality
Water Resources Division
401 Ketchum Street, Suite B
Bay City 48708

Transmitted via E mail

Dear Ms. Brooks:

**Re: Joint Permit Application
EPA ID# 041 793 340
RACER Saginaw Nodular Industrial Land – Saginaw, Michigan**

GHD Services Inc. on behalf of Revitalizing Auto Communities Environmental Response (RACER) has prepared the following cover letter to support the Joint Permit Application for the construction of an access road (partially within the 100-year floodplain) to RACER's clay pile which is a portion of RACER's Nodular Industrial Land (Site) in Saginaw, Michigan. The following Attachments are included as part of RACER's application.

Attachment A – Fully executed Joint Permit Application

Attachment B – Maps and Drawings

Attachment C – Photograph log of the North Ditch

Attachment D – Easements and Other Permits

Additional information has been provided for the following sections of the Joint Permit Application to provide additional detail where there is insufficient space in the application.

Section 3 – Project Description

RACER and GHD met with the MDEQ (Joy Brooks and Brian Rudolf) on July 26, 2016 to discuss the proposed work (construction of access road to clay pile). At the conclusion of the meeting, MDEQ indicated that based on the proposed work there would be limited to no impacts to potential wetlands on-Site and as such Section 12 (activities that may impact wetlands) of the application did not need to be filled out. In addition, based on the limited quantity of fill being placed below the 100-year floodplain (<300 cubic yards), MDEQ indicated that there is a one-time exemption for providing a compensating cut and that this would be considered a minor permit.

Section 10A – Projects Requiring Fill

The proposed work involves the construction and maintenance of an access road (approximately 1 foot) ft thick gravel, 15 ft wide, and 1,200 ft long). Maintenance of the access road will likely need to be performed during the course of the project and could occur over the next 3 to 8 months depending upon if work is



completed this year or needs to be completed next construction season. It is difficult to estimate the amount of material that will be required for maintenance in the area below the 100-year floodplain, but is expected to be no more than 50 cubic yards. As identified in Drawing 2, cross-section A-A' there is approximately 183 ft of the 1,200 ft access road that will be constructed below the 100-year floodplain level. This equates to approximately 100 cubic yards of fill material below the 100-year floodplain. One other area was identified during the meeting that may require some grading and fill below the 100-year floodplain, which is identified by cross-section C-C' on Drawing 2. Based on the contours in this area, construction of the access road in this area will be above the 100-year floodplain. Therefore, the total amount of fill to be placed below the 100-year floodplain is approximately 150 cubic yards.

Section 12 – Activities That May Impact Wetlands

During the Site walk on July 26, 2016, MDEQ identified that there were potential wetlands located in the vicinity of the proposed access road, however, impacts if any, to the potential wetlands would be limited and as such Section 12 (activities that may impact wetlands) of the application did not need to be filled out. Efforts will be made to avoid any activity in the potential wetlands.

Section 13 – Floodplain Activities

During the Site walk on July 26, 2016, MDEQ indicated that there is a one-time exemption for providing a compensating cut (<300 cubic yards of fill). GHD/RACER requests an exemption to providing compensating cut for the proposed fill (approximately 150 cubic yards) below the 100-year floodplain.

Should you have any questions on the information provided or require additional information, please do not hesitate to call.

Yours truly,

GHD

A handwritten signature in black ink that reads 'J. Pardys'.

John-eric Pardys

JP/kf/1

Encl.

cc: Dave Favero, RACER
Michael Tomka, GHD Services, Inc.

Attachment A Joint Permit Application



Joint Permit Application

For Work in Inland Lakes and Streams, Great Lakes, Wetlands, Floodplains, Dams,
 High Risk Erosion Areas and Critical Dune Areas

www.mi.gov/jointpermit

<p>What is the purpose of the Joint Permit Application?</p>	<p>This Joint Permit Application was developed to facilitate the state and federal permit application process administered by the Michigan Department of Environmental Quality (DEQ) and the U.S. Army Corps of Engineers (USACE).</p> <p>The Joint Permit Application is a multi-purpose application used to describe and quantify proposed activities regulated by the DEQ and/or the USACE. This application is for those activities regulated by the following Parts of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended by the State of Michigan.</p> <ul style="list-style-type: none"> • Part 301, Inland Lakes and Streams • Part 325, Great Lakes Submerged Lands • Part 303, Wetlands Protection • Floodplain Regulatory Authority found in Part 31, Water Resources Protection • Part 315, Dam Safety • Part 323, Shorelands Protection and Management (High Risk Erosion Areas) • Part 353, Sand Dunes Protection and Management (Critical Dune Areas) <p>The regulated activities are summarized in Appendix D. The statutes and rules are available at www.mi.gov/jointpermit.</p> <p>This application is also for those activities regulated by the USACE within the waters of the United States under Section 10, Rivers and Harbors Act of 1899 (33 U.S.C. 403) and Section 404, Clean Water Act of 1977 (33 U.S.C. 1344).</p> <p><u>Preapplication Meeting:</u> This is an optional service available for activities proposed in inland lakes and streams (Part 301), wetlands (Part 303), and critical dune areas (Part 353). A preapplication meeting can answer many questions regarding whether or not a permit is required and the review process. The application form and fee schedule are available at www.mi.gov/jointpermit.</p>
<p>How do I complete the Joint Permit Application?</p> <p><i>An accurate and complete application package is required for processing; inaccurate or missing information will delay processing.</i></p>	<p>There are three parts to a complete Joint Permit Application package:</p> <ol style="list-style-type: none"> 1. Application Form 2. Maps and Drawings 3. Fee <p>Follow the checklists on the following page for each part of the application package.</p> <p>When you have questions or need assistance in completing the application package refer to the following information on our website www.mi.gov/jointpermit or you may contact the appropriate district office, page iii, or through the website link “Who to Contact.”</p> <ul style="list-style-type: none"> • Joint Permit Application Training Manual • EZ Guides for small projects • Acronyms in Appendix A • Sample drawings in Appendix B • Minor Project and General Permit Categories in Appendix C • Fee schedule in Appendix C • State and Federal Authority and Penalties in Appendix D • Glossary in Appendix E



Application Checklist

The following website will provide township, range, section, latitude and longitude information:

www.mcgi.state.mi.us/wetlands/

www.geocoder.us

In each section check all boxes that apply to your project.

Show and label property lines on the site plan.

Label existing and proposed contours, dimensions, excavation and/or fill on the site plans and cross sections.

Provide tables for multiple impact areas.

1. Application Form

- Complete Sections 1 through 9 of the application form.
- An authorization letter from the property owner if someone other than the property owner is signing the application.
- Complete those Sections 10 through 20 that apply to your project. Follow the instructions at the beginning of each section. For additional information, the instructions for each sample drawing in Appendix B indicate the application sections you will most likely need to complete. Complete the application form as much as possible before adding attachments. Label each attachment with the applicant's name.
- Stake or flag the area for site inspection including the property corners, proposed road or driveway centerlines, and areas of proposed impacts. The site must be flagged when the application is submitted. **A meeting was held on July 26, 2016 to discuss the scope**

2. Maps and Drawings

- All maps and drawings must be black and white, legible, reproducible, and sized to 8.5" x 11". Aerial photographs do not substitute for site plans. If larger drawings or blueprints are required to show adequate detail for review, you may also submit one full size copy. **Attachment B**
- Vicinity Map: A map to the proposed project location that includes ALL streets, roads, intersections, highways, or cross-roads to the project. Do not assume review staff knows your project location. **Attachment B.1**
- Project Site Plan: Overhead drawings to scale or with dimensions, length and width, of the proposed project are required. Show and label property lines on the site plan. **Attachment B.2**
- Cross-section drawings are required. Provide the cross-sections and profile views to scale or with dimensions, length, width, and height. **Attachment B.2**
- Elevation data must include a description of the reference point or benchmark used and its corresponding elevation. For projects on the Great Lakes or Section 10 Waters, elevations must be provided in IGLD 85. For observed Great Lake water elevations in IGLD, visit the USACE website under "water levels". If elevations are from still water, provide the observation date and water elevation. On inland sites, elevations can use NGVD 29, NAVD 88, a local datum or an assumed bench mark.
- Provide descriptive photographs of the proposed work site showing vegetation if wetlands are involved or the shoreline for shore protection projects. All photographs must be labeled with your name and the date of the photograph, indicate what they show, and be referenced to the site plan. Proposed activities or structure(s) may be indicated directly on the photographs using indelible markers or ink pens. Provide aerial photographs 1:400 or larger for major projects. **Attachment C**

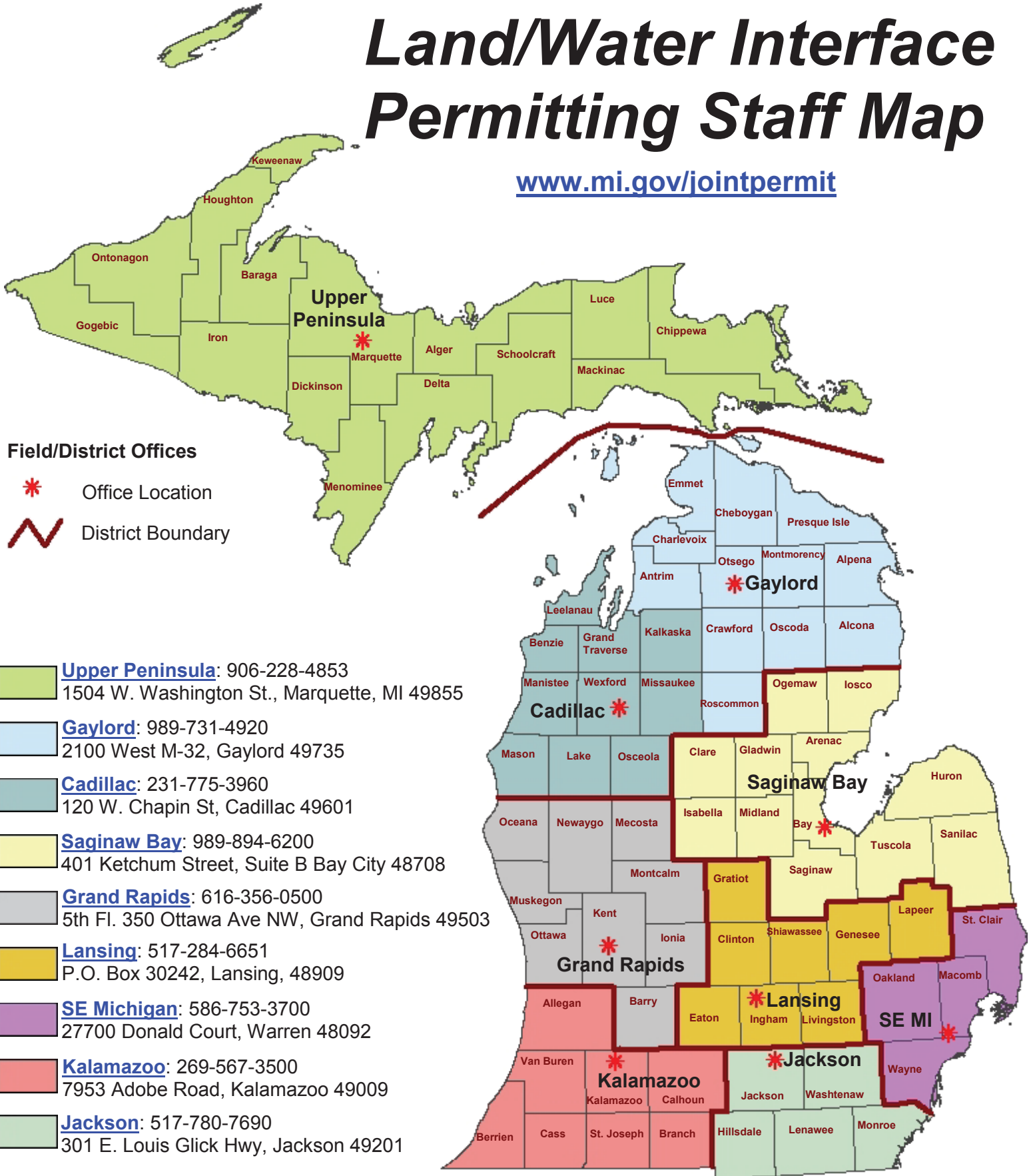
3. Fee

- Payment to the **State of Michigan**. Fees typically range from \$50 to \$4,000 depending on the type of project. Refer to Appendix C of the application and/or visit www.mi.gov/jointpermit to determine the appropriate fee for your project and for directions to pay by credit card or electronic fund transfer payment.
- Applications should be sent directly to the district offices. Please refer to page iii, or refer to www.mi.gov/jointpermit "who to contact" for address and/or phone number. Applications that cross county boundaries should be sent to the district containing the primary work effort.
- Applications for dams regulated under Part 315 or from public agencies eligible to receive federal and/or state transportation funding for a project involving public roadways, non-motorized paths, airports, or related facilities should be mailed to: DEQ, WRD, P.O. BOX 30458, LANSING, MI 48909-7958.



Land/Water Interface Permitting Staff Map

www.mi.gov/jointpermit





APPENDICES

Appendix A: Acronyms and Abbreviations A-1

Appendix B: Sample Drawings

1. General Instructions for all Drawings and Sample Site Location Maps B-1
2. Inland Lake Shore Protection B-2
3. Bulkhead/Seawall B-2
4. Pond Construction B-3
5. Floodplain Fill..... B-3
6. Wetland Boardwalk..... B-4
7. Dredging B-4
8. Driveway Across Wetland..... B-5
9. Residential Wetland Fill and Boardwalk Construction B-5
10. Docks - Piers - Mooring Piles B-6
11. Beach Sanding B-6
12. Pipe/Utility Crossings in a Trench..... B-7
13. Pipe/Utility Crossings using Directional Bore..... B-7
14. Bridge or Culvert (4 drawings)..... B-8
15. Dam Construction B-12
16. Water Intake B-12
17. Great Lakes Shore Protection B-13
18. Maintenance Dredge Channel..... B-13
19. Proposed Residence in a High Risk Erosion Area B-14
20. Proposed Residence in a Critical Dune Area B-14
21. Marina Site Plan B-15
22. Outlet Pipe..... B-16
23. Temporary Logging Road Crossing..... B-16

Appendix C: Fees and Categories for Minor Project and General Permit for Minor Activities C-1

Appendix D: State Authority, Federal Authority, Privacy Act Statement, and State and Federal Penalties D-1

Appendix E: Glossary (listed words are italicized in the application package) E-1

Application status can be viewed on the Water Resources Division (WRD) website at www.deq.state.mi.us/CIWPIS. During the application period, if any information is missing from the application or if any clarification is needed regarding materials provided, the application is incomplete and staff will request the information from the applicant/agent by letter, email, fax or phone call. If a complete response is not provided within 30 days, the application will be closed. Some regulatory parts allow extensions if requested within the 30 day time frame. Once the WRD has received the information necessary for review of the project, including a thoroughly completed application, consistent drawings that have adequate detail for review and the full application fee, the file will be reviewed for final processing. A mailed postcard or a public notice will provide the file number and the telephone number of the office where the application is being processed. The review time to determine if an application is complete for processing ranges from 15 to 30 days. Technical processing times, after the application is administratively complete, may range from 60 to 90 days. Processing times will be longer if a public hearing is held. Staff from your local District/Field Office may visit the project site and may request additional information prior to a decision on the application. Application fees are not refundable or transferable.

If a federal permit will also be required, a copy of the permit application will be sent to the Detroit District Office, USACE, for processing at the federal level. Additional copies of this application form can be downloaded from the WRD website at www.mi.gov/jointpermit or can be photocopied from the original. If you have any questions about the permitting process or if you need to modify your application, you can contact the WRD by phone or fax at the addresses on the previous page, or email at DEQ-WRD-jointpermit@michigan.gov.



AGENCY USE	Previous USACE File Number	Date Received	DEQ File Number
	USACE File Number		Fee received \$

Validate that all parts of this checklist are submitted with the application package. Fill out application and additional pages as needed.

- All items in Sections 1 through 9 are completed.
- Project-specific Sections 10 through 20 are completed.
- Dimensions, volumes, and calculations are provided for all impact areas.
- All information contained in the headings for the appropriate Sections (1-20) are addressed, and identified attachments (➔) are included.
- Map, site plan(s), cross sections; one set must be black and white on 8 ½ by 11 inch paper; photographs.
- Application fee is attached.

1 Project Location Information For Latitude, Longitude, and TRS info anywhere in Michigan see www.mcgi.state.mi.us/wetlands/

Project Address (road, if no street address) Hack and North Outer Drive	Zip Code 48601	Municipality (Township/Village/City) Buena Vista Township	County Saginaw
Property Tax Identification Number(s) 10-12-5-08-1001-001	Latitude 43.4645 N	Township/Range/Section (TRS) T 12 N or S; R 5 E or W;	
Subdivision/Plat and Lot Number	Longitude - 83.89664 W	Sec 8 OR Private Claim # _____	

2 Applicant and Agent Information

Owner/Applicant (individual or corporate name) RACER Properties LLC, c/o Dave Favero	Agent/Contractor (firm name and contact person) GHD Services Inc. c/o John-eric Pardys
Mailing Address 500 Woodward Avenue, Suite 2650	Mailing Address 651 Colby Drive
City Saginaw State MI Zip Code 48601	City Waterloo State ON Zip Code N2V 1C2
Contact Phone Number Fax 734-879-9525	Contact Phone Number Fax 519-884-0510 519-884-0525
Email dfavero@racertrust.org	E-mail john-eric.pardys@ghd.com
<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes Is the applicant the sole owner of all property on which this project is to be constructed and all property involved or impacted by this project? ➔ If no, attach letter(s) of authorization from all property owners including the owner of the disposal site.	
Property Owner's Name (If different from applicant)	Mailing Address
Contact Phone Number	City State Zip Code

3 Project Description

Project Name Nodular clay removal	Preapplication File Number 2GQ - 77TS - 030-P
Name of Water body Saginaw River	Date project staked/flagged Site meeting (July 26, 2016)
The proposed project is on, within, or involves (check all that apply)	
<input type="checkbox"/> an inland lake (5 acres or more) <input type="checkbox"/> a pond (less than 5 acres) <input type="checkbox"/> a stream, river, ditch or drain <input type="checkbox"/> a legally established County Drain Date Drain was established <input type="checkbox"/> a channel/canal <input type="checkbox"/> 500 feet of an existing water body	<input type="checkbox"/> a Great Lake or Section 10 Waters <input type="checkbox"/> a wetland <input checked="" type="checkbox"/> a 100-year floodplain <input type="checkbox"/> a dam <input type="checkbox"/> a designated high risk erosion area <input type="checkbox"/> a designated critical dune area <input type="checkbox"/> a designated environmental area
Project Use	
<input checked="" type="checkbox"/> private <input type="checkbox"/> commercial <input type="checkbox"/> public/government <input type="checkbox"/> project is receiving federal/state transportation funds <input type="checkbox"/> Wetland Restoration <input checked="" type="checkbox"/> other Industrial	

Indicate the type of permit being applied for: General Permit Minor Project Individual (All other projects.) ➔ See Appendix C.

Written Summary of All Proposed Activities **Construct/maintain roadway, requiring fill below the 100-year floodplain, to access clay pile to remove clay.**

Construction Sequence and Methods **Clear and grub vegetation in the area of the proposed roadway, grade areas as necessary for roadway, place gravel as necessary to construct roadway, and perform maintenance on the road as necessary.**



4 Project Purpose, Use and Alternatives <i>Attach additional sheets as necessary.</i>					
Describe the purpose of the project and its intended use; include any new development or expansion of an existing land use. Purpose of the work is to construct a roadway to allow access to the clay pile so that the material from the clay pile can be removed and transported from the property by way of Outer Drive.					
Describe the alternatives considered to avoid or minimize resource impacts. Include factors such as, but not limited to, alternative locations, project layout and design, and construction technologies. For utility crossings include alternative routes and construction methods. Alternatives evaluated included: Alternative 1 - use another source of material and Alternative 2 - use existing access roadway that crosses railroad tracks and then haul road, which may also impact flood plain.					
5 Locating Your Project Site <i>Attach a legible black and white map with a North arrow.</i>					
Names of roads of closest intersection East Washington Road and North Outer Drive					
Directions from main intersection to the project site, with distances from the best and nearest visible landmark and water body Proposed access road to clay pile starts at the end of Outer drive approximately 1.0 mile north of the East Washington and North Outer Drive intersection. The proposed access road is to be directed approximately 1,200 feet southwest towards the clay pile.					
Description of buildings on the site (color; 1 or 2 story, other) None			Description of adjacent landmarks or buildings (address; color; etc) Property is immediately southeast of the GM Landfill and south of the Buena Vista Township Sewer Department		
How can your site be identified if there is no visible address? See figure 1					
6 Easements and Other Permits					
<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes Is there a conservation easement or other easement, deed restriction, lease, or other encumbrance upon the property? ➔ If yes, attach a copy. Provide copies of court orders and legal lake levels if applicable.					
List all other federal, interstate, state, or local agency authorizations including required assurances for Critical Dune Area projects.					
Agency	Type of Approval	Number	Date Applied	Date approved /denied	Reason for denial
MDEQ	TSCA Coordinated Approval (with EPA)		May 2015	Approved: March 29, 2016	
EPA	TSCA Coordinated Approval (with MDEQ)		May 2015	Approved: July 15, 2016	
7 Compliance					
If a permit is issued, when will the activity begin? (M/D/Y) Late Summer 2016			Proposed completion date (M/D/Y) December 2016		
<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes Has any construction activity commenced or been completed in a regulated area? ➔ If Yes, identify the portion(s) underway or completed on drawings or attach project specifications and give completion date(s).					
<input type="checkbox"/> No <input type="checkbox"/> Yes Were the regulated activities conducted under a DEQ and/or USACE permit? ➔ If Yes, list the permit numbers					
<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes Are you aware of any unresolved violations of environmental law or litigation involving the property? ➔ If Yes, attach explanation.					
8 Adjoining Property Owners <i>Provide current mailing addresses. Attach additional sheets/labels for long lists.</i>					
<input type="checkbox"/> Established Lake Board	Contact Person	Mailing Address	City	State and Zip Code	
<input type="checkbox"/> Lake Association					
List all adjoining property owners. If you own the adjoining lot, provide the requested information for the first adjoining parcel that is not owned by you.					
Property Owner's Name	Mailing Address	City	State and Zip Code		
Tri-Cap	2300 Veterans Memorial Parkway	Saginaw	MI, 48601		
Saginaw Wastewater Treatment Plant	2406 Veterans Memorial Parkway	Saginaw	MI, 48601		
Corvus International	HQ - 118 East Maple Road (owner of 2220 Veterans Memorial Parkway)	Birmingham	MI, 48009		
General Motors LLC	300 Renaissance Ctr	Detroit	MI, 48265		
Fahrner Asphalt Sealers	2224 Veterans Memorial Parkway	Saginaw	MI, 48601		
Freeway Property Investment LLC	PO Box 5908	Saginaw	MI, 48603		
Lake State Railway Company	750 North Washington Avenue	Saginaw	MI, 48607		



9 Applicant's Certification *Read carefully before signing.*

I am applying for a permit(s) to authorize the activities described herein. I certify that I am familiar with the information contained in this application; that it is true and accurate; and, to the best of my knowledge, that it is in compliance with the State Coastal Zone Management Program. I understand that there are penalties for submitting false information and that any permit issued pursuant to this application may be revoked if information on this application is untrue. I certify that I have the authority to undertake the activities proposed in this application. By signing this application, I agree to allow representatives of the DEQ, USACE, and/or their agents or contractors to enter upon said property in order to inspect the proposed activity site before and during construction and after the completion of the project. I understand that I must obtain all other necessary local, county, state, or federal permits and that the granting of other permits by local, county, state, or federal agencies does not release me from the requirements of obtaining the permit requested herein before commencing the activity. I understand that the payment of the application fee does not guarantee the issuance of a permit.

<input checked="" type="checkbox"/> Property Owner <input type="checkbox"/> Agent/Contractor <input type="checkbox"/> Corp. or Public Agency / Title	Printed Name Dave Favero	Signature 	Date August 8, 2016
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**10 Projects Impacting Inland Lakes, Streams, Great Lakes, Wetlands or Floodplains**

- Complete only those sections A through M applicable to your project.
- If your project impacts wetlands also complete Section 12. If your project impacts regulated floodplains also complete Section 13.
- To calculate volume in cubic yards (cu yd), multiply the average length in feet (ft) times the average width (ft) times the average depth (ft) and divide by 27. Example: (25 ft long x 10 ft wide x 2 feet deep) / 27 = 18.5 cubic yards
- Some projects on the Great Lakes require an application for conveyance prior to Joint Permit Application completeness.
 - ➔ Provide a black and white overall site plan, with cross-section and profile drawings. Show existing lakes, streams, wetlands, and other water features; existing structures; and the location of all proposed structures, land change activities and soil erosion and sedimentation control measures. Review Appendix B and EZ Guides for aid in providing complete site-specific drawings.
 - ➔ Provide tables for multiple impact areas or multiple activities such as multiple fill areas or multiple culverts. Include your calculations.

Water Level Elevation

On inland waters NGVD 29 NAVD 88 other Observed water elevation (ft) **NA** date of observation (M/D/Y) **NA**
 On a Great Lake IGLD 85 surveyed converted from observed still water elevation.

 A. PROJECTS REQUIRING FILL (See All Sample Drawings)

- ➔ Attach a site plan and cross-section views to scale showing maximum and average fill dimensions with calculations.
- ➔ For multiple impact areas on a site provide a table with location, dimensions and volumes for each fill area.

Purpose bioengineered shore protection boat ramp boat well bridge or culvert crib dock
 riprap seawall swim area other **road construction**

Dimensions of fill (ft) Length 1,200ft Width 15ft Maximum Depth 1ft	Total volume (cubic yards) 670	Volume below OHWM (cubic yards) 150 (below 100-year floodplain)
Maximum water depth in fill area (ft) NA	Area filled (sq ft) 18,000 (2,800 below 100-year floodplain)	Will filter fabric be used under proposed fill? <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes (If Yes, type) geotextile

Fill will extend **NA** feet into the water from the shoreline and upland **NA** feet out of the water.

Type of clean fill peastone % sand % gravel **100%** other

Source of clean fill commercial on-site ➔ If on-site, show location on site plan.
 other ➔ If other, attach description of location.

 B. PROJECTS REQUIRING DREDGING OR EXCAVATION (See Sample Drawings)

- Refer to www.mi.gov/jointpermit for spoils disposal and authorization requirements.
- ➔ Attach a site plan and cross-section views to scale showing maximum and average dredge or excavation dimensions with calculations.
- ➔ For multiple impact areas on a site provide a table with location, dimensions and volumes for each dredge/excavation area.

Purpose boat ramp boat well bridge or culvert maintenance dredge
 navigation pond/basin other

Dimensions (ft) Length Width Maximum Depth	Total volume (cu yds)	Volume below OHWM (cu yds)
Has this same area been previously dredged? <input type="checkbox"/> No <input type="checkbox"/> Yes	If Yes, provide date and permit number:	
Will the previously dredged area be enlarged? <input type="checkbox"/> No <input type="checkbox"/> Yes	If Yes, when and how much?	
Is long-term maintenance dredging planned? <input type="checkbox"/> No <input type="checkbox"/> Yes	If Yes, how often?	

Dredge or Excavation Method Hydraulic Mechanical other

Spoils Disposal
 Dredged or excavated spoils will be placed on-site landfill USACE confined disposal facility other upland off-site
 For disposal, provide a ➔ Detailed spoils disposal area location map and site plan with property lines.
 ➔ Letter of authorization from property owner of spoils disposal site, if disposed off-site.
 For volumes less than 5,000 cu yards, has proposed dredge material been tested for contaminants within the past 10 years?
 No Yes ➔ If Yes, provide test results with a map of sampling locations.

 C. PROJECTS REQUIRING RIPRAP (See Sample Drawings 2, 3, 8, 12, 14, 22, and 23)

Riprap water ward of the ordinary high water mark: dimensions (ft) length width depth	Volume(cu yd)
Riprap landward of the ordinary high water mark: dimensions (ft) length width depth	Volume(cu yd)
Type and size of riprap (inches) <input type="checkbox"/> field stone <input type="checkbox"/> angular rock <input type="checkbox"/> other	Will filter fabric or pea stone be used under proposed riprap? <input type="checkbox"/> No <input type="checkbox"/> Yes, Type



<input type="checkbox"/> D. SHORE PROTECTION PROJECTS (See EZ Guides and Sample Drawings 2, 3, and 17. Complete Sections 10A, B, and/or C.)			
➔ For bioengineering projects include the list of native plants/seeds, if available.			
Type and length (ft)	<input type="checkbox"/> bioengineering (ft)	<input type="checkbox"/> revetment (ft)	<input type="checkbox"/> riprap (ft) <input type="checkbox"/> seawall/bulkhead (ft)
Structure is	<input type="checkbox"/> new <input type="checkbox"/> repair <input type="checkbox"/> replacement of an existing structure	Will the existing structure be removed? <input type="checkbox"/> No <input type="checkbox"/> Yes	
Proposed Toe Stone (linear feet)		Distance of project from adjacent property lines (ft)	
Distance of project from an obvious fixed structure (example - 50 ft from SW corner of house)			
For bioengineering projects indicate the structure type <input type="checkbox"/> brush bundles <input type="checkbox"/> coir log <input type="checkbox"/> live stakes <input type="checkbox"/> tree revetment <input type="checkbox"/> other			
<input type="checkbox"/> E. DOCK - PIER – MOORING PILINGS (See Sample Drawing 10)			
➔ Attach a copy of the property legal description, mortgage survey, or a property boundary survey report.			
Dock Type	<input type="checkbox"/> open pile <input type="checkbox"/> filled <input type="checkbox"/> crib <input type="checkbox"/> floating <input type="checkbox"/> cantilevered <input type="checkbox"/> spring piles <input type="checkbox"/> piling clusters <input type="checkbox"/> other		
Is the structure within the applicant's riparian area interest area? <input type="checkbox"/> No <input type="checkbox"/> Yes ➔ Show parcel property lines on the site plan.			
Proposed structure dimensions (ft)	length	width	Use <input type="checkbox"/> private <input type="checkbox"/> public <input type="checkbox"/> commercial
Dimensions of nearest adjacent structures (ft)	length	width	Distance of dock from adjacent property lines (ft)
<input type="checkbox"/> F. BOAT WELL (See EZ Guide. Complete Sections 10A and 10B)			
Dimensions (ft)	length	width	depth
Type of sidewall stabilization		<input type="checkbox"/> concrete <input type="checkbox"/> riprap <input type="checkbox"/> steel <input type="checkbox"/> vinyl <input type="checkbox"/> wood <input type="checkbox"/> other	
Volume of backfill behind sidewall stabilization (cu yd)		Distance of boat well from adjacent property lines (ft)	
<input type="checkbox"/> G. BOAT RAMP (See EZ Guide. Complete sections 10A, 10B, and 10C for mattress and pavement fill, dredge, and riprap)			
Type	<input type="checkbox"/> new <input type="checkbox"/> existing <input type="checkbox"/> maintenance/improvement		Use <input type="checkbox"/> private <input type="checkbox"/> public <input type="checkbox"/> commercial
Existing overall boat ramp dimensions (ft)	length		Type of construction material
	width	depth	<input type="checkbox"/> concrete <input type="checkbox"/> wood <input type="checkbox"/> stone <input type="checkbox"/> other
Proposed overall ramp dimensions (ft)	Proposed ramp dimensions (ft) below ordinary high water mark		
	length	width	depth
Number of proposed skid piers	Proposed skid pier dimensions (ft)		Distance of ramp from adjacent property lines (ft)
	length	width	
<input type="checkbox"/> H. BOAT HOIST – ROOFS (See EZ Guide)			
Type	<input type="checkbox"/> cradle <input type="checkbox"/> side lifter <input type="checkbox"/> other		Located on <input type="checkbox"/> seawall <input type="checkbox"/> dock <input type="checkbox"/> bottomlands
Hoist dimensions, including catwalks (ft) length			
Area occupied, including cat walks (sq ft)		Distance of hoist from adjacent property lines (ft)	
Permanent Roof	<input type="checkbox"/> No <input type="checkbox"/> Yes		Maximum Roof Dimensions (ft): length
	➔ If Yes, how is the roof supported?		width
			height
<input type="checkbox"/> I. BOARDWALKS and DECKS in WETLANDS or FLOODPLAINS (See Sample Drawings 5 and 6. Complete Sections 12 and/or 13)			
➔ Provide a table for multiple boardwalks and decks proposed in one project; include locations and dimensions.			
Wetlands		Floodplains	
Boardwalk <input type="checkbox"/> on pilings <input type="checkbox"/> on fill	Deck <input type="checkbox"/> on pilings <input type="checkbox"/> on fill	Boardwalk <input type="checkbox"/> on pilings <input type="checkbox"/> on fill	Deck <input type="checkbox"/> on pilings <input type="checkbox"/> on fill
Dimensions (ft)	Dimensions (ft)	Dimensions (ft)	Dimensions (ft)
length	length	length	length
width	width	width	width
<input type="checkbox"/> J. INTAKE PIPES (See Sample Drawing 16) or OUTLET PIPES (See Sample Drawing 22)			
If outlet pipe, discharge is to <input type="checkbox"/> inland lake <input type="checkbox"/> stream, drain or river <input type="checkbox"/> overland flow <input type="checkbox"/> Great Lake <input type="checkbox"/> wetland <input type="checkbox"/> other			
Number of pipes	Pipe diameters and invert elevations	Does pipe discharge below the OHWM?	<input type="checkbox"/> No <input type="checkbox"/> Yes
		Is the water treated before discharge?	<input type="checkbox"/> No <input type="checkbox"/> Yes
Type	Dimensions of headwall OR end section (ft)		
<input type="checkbox"/> headwall <input checked="" type="checkbox"/> end section <input type="checkbox"/> other	length	width	height



<input type="checkbox"/> K. MOORING and NAVIGATION BUOYS (See EZ Guide for Sample Drawing)			
<ul style="list-style-type: none"> ➔ Provide a site plan showing the distances between each buoy and from the shore to each buoy, and depth (ft) of water at each location. ➔ Provide cross-section drawing(s) showing anchoring system(s) and dimensions. 			
Purpose of buoy <input type="checkbox"/> mooring <input type="checkbox"/> navigation <input type="checkbox"/> scientific structures <input type="checkbox"/> swimming <input type="checkbox"/> other			
Number of buoys	Dimensions of buoys (ft)		Boat Lengths
	width	height	swing radius
			chain length
Buoy Location: Latitude . N Longitude -- . W. ➔ Provide a table for multiple buoys.			
Do you own the property along the shoreline?		<input type="checkbox"/> No <input type="checkbox"/> Yes	➔ If No, attach an authorization letter from the property owner(s).
Do you own the bottomlands?		<input type="checkbox"/> No <input type="checkbox"/> Yes	➔ If No, attach an authorization letter from the property owner(s).
<input type="checkbox"/> L. FENCES			
<ul style="list-style-type: none"> ➔ Provide an overall site plan showing the proposed fencing through streams, wetlands or floodplains. ➔ Provide a drawing of fence profile showing the design, dimension, post spacing, mesh, and distance from ground to bottom of fence. 			
Purpose of fence <input type="checkbox"/> Airport <input type="checkbox"/> Cervidae <input type="checkbox"/> Livestock <input type="checkbox"/> Residential <input type="checkbox"/> Security <input type="checkbox"/> Other			
Total length (ft) of fence through		Fence height (ft)	Fence type and material
streams	wetlands	floodplains	
<input type="checkbox"/> M. OTHER - e.g., structure removal, maintenance or repair, aerator, dry fire hydrant, gold prospecting, habitat structures, scientific measuring devices, soil borings, or survey activities.			
Structure description, dimensions and volumes. Complete Sections 10A-C as applicable.			
11 Expansion of an Existing or Construction of a New Lake or Pond (See Sample Drawings 4 and 15)			
<ul style="list-style-type: none"> ➔ Complete Section 10J for outlets and Section 17 for water control structures. ➔ Provide elevations, cross-sections and profiles of outlets, dams, dikes, water control structures and emergency spillways to nearest water bodies. 			
Which best describes your proposed water body use (check all that apply)			
<input type="checkbox"/> mining <input type="checkbox"/> recreation <input type="checkbox"/> storm water retention basin <input type="checkbox"/> wastewater basin <input type="checkbox"/> wildlife <input type="checkbox"/> other			
Water source for lake/pond			
<input type="checkbox"/> groundwater <input type="checkbox"/> natural springs <input type="checkbox"/> Inland Lake or Stream <input type="checkbox"/> storm water runoff <input type="checkbox"/> pump <input type="checkbox"/> sewage <input type="checkbox"/> other			
Location of the lake/basin/pond <input type="checkbox"/> floodplain <input type="checkbox"/> wetland <input type="checkbox"/> stream (inline) <input type="checkbox"/> upland			
Maximum dimensions (ft)		Maximum Area: <input type="checkbox"/> acres <input type="checkbox"/> sq ft	
length	width	depth	
Has the there been a hydrologic study performed on the site?		<input type="checkbox"/> No <input type="checkbox"/> Yes	➔ If Yes, provide a copy.
Has the DEQ conducted a wetland assessment for this parcel?		<input type="checkbox"/> No <input type="checkbox"/> Yes	➔ If Yes, provide a copy or WIP number:
Has a professional wetland delineation been conducted for this parcel?		<input type="checkbox"/> No <input type="checkbox"/> Yes	➔ If Yes, provide a copy with data sheets.
Spoils Disposal	Dredged or excavated spoils will be placed <input type="checkbox"/> on-site <input type="checkbox"/> landfill <input type="checkbox"/> USACE confined disposal facility <input type="checkbox"/> other upland off-site		
	For disposal, provide a ➔ Detailed spoils disposal area location map and site plan with property lines. ➔ Letter of authorization from property owner of spoils disposal site, if disposed off-site.		



12 Activities That May Impact Wetlands (See Sample Drawings 8 & 9). Complete other Sections as applicable.

- Locate your site and wetland information with the DEQ Wetlands Map Viewer at www.mcqi.state.mi.us/wetlands/
- For information on the DEQ's Wetland Identification Program (WIP) visit www.mi.gov/wetlands.
 - ➔ Provide a detailed site plan with labeled property lines, upland and wetland areas, and dimensions and volumes of wetland impacts.
 - ➔ Complete the wetland dredge and wetland fill dimension information below for each impacted wetland area.
 - ➔ Attach tables for multiple impact areas or activities.
 - ➔ Attach at least one cross-section for each wetland dredge and/or fill area; show wetland and upland boundaries on the cross-section.

Has the DEQ conducted a wetland assessment for this parcel?	<input type="checkbox"/> No <input type="checkbox"/> Yes	➔ If Yes, provide a copy or WIP number:
Has a professional wetland delineation been conducted for this parcel?	<input type="checkbox"/> No <input type="checkbox"/> Yes	➔ If Yes, provide a copy with data sheets
Is there a recorded DEQ easement on the property?	<input type="checkbox"/> No <input type="checkbox"/> Yes	➔ If Yes, provide the easement number
Did the applicant purchase the property before October 1, 1980?	<input type="checkbox"/> No <input type="checkbox"/> Yes	➔ If Yes, provide documentation.
Is any grading or mechanized land clearing proposed?	<input type="checkbox"/> No <input type="checkbox"/> Yes	➔ If Yes, label the locations on the site plan.
Has any of the proposed grading or mechanized land clearing been completed?	<input type="checkbox"/> No <input type="checkbox"/> Yes	➔ If Yes, label the locations on the site plan

Proposed Activity	<input type="checkbox"/> boardwalk or deck (Section 10I)	<input type="checkbox"/> bridges and culverts (Section 14)	<input type="checkbox"/> designated environmental area
	<input type="checkbox"/> dewatering	<input type="checkbox"/> draining surface water	<input type="checkbox"/> driveway / road
	<input type="checkbox"/> fences (Section 10L)	<input type="checkbox"/> fill or dredge	<input type="checkbox"/> restoration
	<input type="checkbox"/> septic system	<input type="checkbox"/> stormwater discharge (Section 10J)	<input type="checkbox"/> other

FILL	Dimensions maximum length (ft) maximum width (ft)	Area <input type="checkbox"/> acres <input type="checkbox"/> sq ft	Average depth (ft)	Volume (cu yd)
DREDGE	Dimensions maximum length (ft) maximum width (ft)	Area <input type="checkbox"/> acres <input type="checkbox"/> sq ft	Average depth (ft)	Volume (cu yd)

Spoils Disposal	Dredged or excavated spoils will be placed <input type="checkbox"/> on-site <input type="checkbox"/> landfill <input type="checkbox"/> USACE confined disposal facility <input type="checkbox"/> other upland off-site
	For disposal, provide a ➔ Detailed spoils disposal area location map and site plan with property lines. ➔ Letter of authorization from property owner of spoils disposal site, if disposed off-site.

Septic System	The proposed project will be serviced by: <input type="checkbox"/> public sewer <input type="checkbox"/> private septic system ➔ Show system on plans.	If a private septic system is proposed, has an application for a permit been made to the County Health Department? <input type="checkbox"/> No <input type="checkbox"/> Yes If Yes, has a permit been issued? <input type="checkbox"/> No <input type="checkbox"/> Yes ➔ Provide a copy of the permit.
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Describe the wetland impacts, the proposed use or development, and the alternatives considered:

Does the project impact more than 1/3 acre of wetland? No Yes
 ➔ If Yes, submit a Mitigation Plan with the type and amount of mitigation proposed. For more information go to www.mi.gov/wetlands

Describe how impacts to waters of the United States will be avoided and minimized:

Describe how the impact to waters of the United States will be compensated. OR Explain why compensatory mitigation should not be required for the proposed impacts.

**13 Floodplain Activities** (See Sample Drawing 5 and others. Complete other applicable sections.)

- For more information go to www.mi.gov/floodplainmanagement. This site also lists the projects and requirements for an expedited floodplain review under "Expedited Review Information for Minor Floodplain Projects."
- Examples of projects proposed within the non-floodway portions of the 100-year-floodplain which may qualify for an expedited review: Open pile decks and boardwalks; residences, commercial/industrial facilities, garages and accessory structures; parking lots; pavilions, gazebos, large community playground structures; residential swimming pools
- Examples of projects proposed within the floodway portions of the floodplain which may qualify for an expedited review: Open pile decks and boardwalks, (non-enclosed) that are anchored to prevent floatation and that do not extend over the bed and bank of a watercourse; parking lots constructed at grade or resurfacing that is no more than 4 inches above the existing grade; dry hydrants that do not require fill placement; scientific structure such as staff gauges, water monitoring devices, water quality testing devices, and core sampling devices which meet specific design criteria and fish structures that meet specific design criteria.
- For expedited review include:
 - Photographs of the work site labeled to identify what is being shown and with the direction of the photo clearly indicated. Include photographs of any river or stream adjacent to the project.
 - A letter or statement from the local unit of government acknowledging your proposed application. See the website for sample wording.
- A hydraulic analysis or hydrologic analysis may be required to fully assess floodplain impacts.
- The state building code requires an Elevation Certificate for any building construction or addition in a floodplain. A sample form can be found at www.fema.gov/nfip/elvinst.shtm.
 - Attach additional sheets or tables for multiple proposed floodplain activities and provide hydraulic calculations.
 - Show reference datum used on plans.

Proposed Activity fill excavation or cut
 other

100-year floodplain elevation (ft) (if known) **589.3**
Datum NGVD 29 NAVD 88 other

Site is **NA** feet above ordinary high water mark (OHWM) OR observed water level. Date of observation (M/D/Y)

Fill volume below the 100-year floodplain elevation
(cu yds) **Total Fill - 670 cy, Fill below 100-year floodplain (150cy)**

Compensating cut volume below the 100-year floodplain elevation
(cu yds) -

Buildings and/or Additions

Type of construction is residential garage/pole barn non residential other

Construction is new addition AND Serviced by public sewer private septic other

Lowest adjacent grade (ft): existing proposed
datum NGVD 29 NAVD 88 other

Existing Structure Information**Proposed Structure Information**

Foundation type basement
 concrete slab on grade pilings
 crawl space other

Foundation type basement
 concrete slab on grade pilings
 crawl space other

Foundation floor elevation (ft)

Foundation floor elevation (ft)

Height of crawl space/basement from finished foundation floor to bottom of floor joists (ft)

Height of crawl space/basement from finished foundation floor to bottom of floor joists (ft)

Elevation of 1st floor above basement floor/crawl space (ft)

Elevation of 1st floor above basement floor/crawl space (ft)

For enclosed areas below the flood elevation, such as a crawl space, garages and accessory structures:

Area of proposed foundation (sq ft)

Elevation of proposed enclosed area (ft) datum NGVD 29 NAVD 88 other

Number of flood vents net opening of each vent (sq inches) lowest elevation of flood vents (ft)



Stream Information	The site has a high water elevation (ft) <input type="checkbox"/> above or <input type="checkbox"/> below the Reference Point of _____ Date observed _____				
	Reference datum used <input type="checkbox"/> NGVD 29 <input type="checkbox"/> NAVD 88 <input type="checkbox"/> IGLD 85 (Great Lakes coastal areas) <input type="checkbox"/> other				
	Average stream width (ft) at the ordinary high water mark (OHWM) outside the influence of any ponding or scour holes around the structure		Upstream _____ Downstream _____		
	Cross-sectional area of primary channel (sq ft) _____ (See Sample Drawing 14C for more information)				
	The width of the stream where the water begins to overflow its banks. Bankfull width (ft)				
	The invert of the stream 100-feet from structure (ft)		Upstream _____ Downstream _____		
	Is the existing culvert perched? <input type="checkbox"/> No <input type="checkbox"/> Yes If Yes, provide a profile of the channel bottom at the high and low points for a distance of 200 feet upstream and downstream of the culvert.				
Complete this form for each bridge / culvert location.			Existing	Proposed	
Bridge	Number of bridge spans				
	Bridge type (concrete box beam, concrete I-beam, timber, etc.)				
	Bridge span (length perpendicular to stream) (ft)				
	Bridge width (parallel to stream) (ft)				
	Bottom of bridge beam (ft)		Upstream _____ Downstream _____		
	Stream invert elevation at bridge (ft)		Upstream _____ Downstream _____		
	Bridge rise from bottom of beam to streambed (ft)				
	Culvert	Number of culverts			
Culvert type (arch, bottomless, box, circular, elliptical, etc.)					
Culvert material (concrete, corrugated metal, plastic, etc.)					
Culvert length (ft)					
Culvert <input type="checkbox"/> width <input type="checkbox"/> diameter (ft)					
Culvert height prior to any burying (ft)					
Depth culvert will be buried (ft)					
Elevation of culvert crown (ft)		Upstream _____ Downstream _____			
Higher elevation of <input type="checkbox"/> culvert invert OR <input type="checkbox"/> streambed within culvert (ft)		Upstream _____ Downstream _____			
Complete for both Bridges and Culverts		Entrance design (mitered, projecting, wingwalls, etc.)			
	Total structure waterway opening above streambed (sq ft)				
	Total structure waterway area below the 100-year elevation (sq ft) (if known)				
	Elevation of road grade at structure (ft)				
	Elevation of low point in road (ft)				
	Distance from low point of road to mid-point of bridge crossing (ft)				
	Length of approach fill from edge of bridge/culvert to existing grade (ft)				
	<p>A Licensed Professional Engineer may certify that your project will not cause a harmful interference for a range of flood discharges up to and including the 100-year flood discharge. The "Required Certification Language" is found under "forms" on the "maps, forms and documents" link from the www.mi.gov/jointpermit page or a copy may be requested by phone, email, or mail. A hydraulic report supporting this certification may also be required.</p> <p>Is Certification Language attached? <input type="checkbox"/> No <input type="checkbox"/> Yes</p>				



15 Stream, River, or Drain Construction , Relocation and Enclosure Activities

- Complete Section 10C for riprap activities.
- If side casting or other proposed activities will impact wetlands or floodplains, complete Sections 12 and 13, respectively.
 - ➔ Provide a scaled overall site plan showing existing lakes, streams, wetlands, and other water features; existing structures; and the location of all proposed structures and land change activities.
 - ➔ Provide scaled cross-section (elevation) drawings necessary to clearly show existing and proposed conditions.
 - ➔ For activities on legally established county drains, provide original design and proposed dimensions and elevations.

Stream Information	Water elevation (ft) datum <input type="checkbox"/> NGVD 29 <input type="checkbox"/> NAVD 88 <input type="checkbox"/> IGLD 85 (Great Lakes coastal areas) <input type="checkbox"/> other	
	➔ Show elevation on plans with description.	
	Dimensions (ft) of existing stream/drain channel (ft)	length width depth
Existing channel average water depth in a normal year (ft)		
Proposed Activity <input type="checkbox"/> enclosure <input type="checkbox"/> improvement <input type="checkbox"/> maintenance <input type="checkbox"/> new drain <input type="checkbox"/> relocation <input type="checkbox"/> wetlands <input type="checkbox"/> other		
If an enclosed structure is proposed, check material type <input type="checkbox"/> concrete <input type="checkbox"/> corrugated metal <input type="checkbox"/> plastic <input type="checkbox"/> other		
Dimensions (ft) of the structure: diameter length		Volume of fill (cu yds)
Will old/enclosed stream channel be backfilled to top of bank grade? <input type="checkbox"/> No <input type="checkbox"/> Yes		
Length of channel to be abandoned (ft)		Volume of fill (cu yds)
Dimensions (ft) of improved, maintained, new, relocated or wetland stream/drain channel. length width depth		Volume of dredge/excavation (cu yds)
How will slopes and bottom be stabilized?		Proposed side slopes (vertical / horizontal)
Spoils Disposal	Dredged or excavated spoils will be placed <input type="checkbox"/> on-site <input type="checkbox"/> landfill <input type="checkbox"/> USACE confined disposal facility <input type="checkbox"/> other upland off-site	
	For disposal, provide a ➔ Detailed spoils disposal area location map and site plan with property lines. ➔ Letter of authorization from property owner of spoils disposal site, if disposed off-site.	

16 Drawdown of an Impoundment

- If wetlands will be impacted, complete Section 12.

Type of drawdown <input type="checkbox"/> over winter <input type="checkbox"/> temporary <input type="checkbox"/> one-time event <input type="checkbox"/> annual event <input type="checkbox"/> permanent (dam removal) <input type="checkbox"/> other		
Reason for drawdown		
Has there been a previous drawdown? <input type="checkbox"/> No <input type="checkbox"/> Yes If Yes, provide date (M/D/Y)		Previous DEQ permit number, if known
Does waterbody have established legal lake level? <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> Not Sure		Dam ID Number, if known
Extent of vertical drawdown (ft)	Impoundment design head (ft)	Number of adjoining or impacted property owners
Date drawdown would start (M/D/Y)	Date drawdown would stop (M/D/Y)	Rate of drawdown (ft/day)
Date refilling would start (M/D/Y)	Date refill would end (M/D/Y)	Rate of refill (ft/day)
Type of outlet discharge structure to be used <input type="checkbox"/> surface <input type="checkbox"/> bottom <input type="checkbox"/> mid-depth	Impoundment area at normal water level (acres)	Sediment depth behind impoundment discharge structure (ft)

**17 Dam, Embankment, Dike, Spillway, or Control Structure Activities** (See Sample Drawing 15)

- For more information go to www.mi.gov/damsafety. If wetlands will be impacted, complete Section 12.
- Information on removing a dam is available at www.mi.gov/damsafety and following the Related Link –Dam Management.
 - ➔ Attach detailed signed and sealed engineering plans for a Part 315 dam repair, dam alteration, dam abandonment, or dam removal.
 - ➔ Part 315 Dam Safety application fees are added to all other application fees.
 - ➔ Mail applications for dams regulated under Part 315 to DEQ, WRD, P.O. BOX 30458, LANSING, MI 48909-7958, attention Dam Safety.

Proposed Activity	<input type="checkbox"/> abandonment	<input type="checkbox"/> alteration	<input type="checkbox"/> enlargement of an existing dam
	<input type="checkbox"/> removal	<input type="checkbox"/> repair	<input type="checkbox"/> reconstruction of a failed dam
	<input type="checkbox"/> new dam construction	<input type="checkbox"/> other	

Dam ID Number, if known	Type of outlet discharge structure <input type="checkbox"/> surface <input type="checkbox"/> bottom <input type="checkbox"/> mid-depth
-------------------------	--

Will proposed activities require a drawdown of the waterbody to complete the work? No Yes ➔ If Yes, complete Section 16.

Structural height (difference between embankment top elevation and streambed elevation at downstream embankment toe) (ft) _____

Hydraulic Height (difference between design flood elevation and streambed elevation at downstream embankment toe) (ft) _____	Impoundment size at design flood elevation (acres)
--	--

Does dam meet the criteria for regulation under Part 315? (i.e. hydraulic height of 6 feet or more and an impoundment size at the design flood of 5 surface acres or more) No Yes

Dredging/excavation volume (cu yd)	Fill volume (cu yd)	Riprap volume (cu yd)
------------------------------------	---------------------	-----------------------

Will a water diversion during construction be required? No Yes

If Yes, describe how the stream flow will be controlled through the dam construction area during the proposed project activities:

Complete the following for a new dam, reconstruction of a failed dam or enlargement of an existing dam

For Part 315 regulated dams, the following must be attached:

- ➔ Site-specific conceptual plans of the dam for resource impact review (An engineering report and detailed engineering plans are not required until the project has been determined to be permissible).
- ➔ A description and evaluation of the loss of natural resources associated with the project.
- ➔ A description of the natural resources that are associated with or created by the impoundment and how they offset the natural resources lost by the creation of the impoundment.
- ➔ An assessment of all known existing and potential adverse effects within the scope of the project.

Embankment dimensions	length (ft)	top width (ft)	bottom width (ft)	slopes (vertical / horizontal)	Upstream Downstream
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Have soil borings been taken at dam location? No Yes ➔ If Yes, attach results.

Do you have flowage rights to all proposed flooded property at the design flood elevation? No Yes ➔ If No, provide a letter of authorization from the property owner.

Applications for Part 315 regulated dam removal projects must also include the following:

- An evaluation of the capacity of the remaining structure to pass flood flows.
- An evaluation of the quantity and quality of the sediments behind the impoundment.
- A description of the methods to be employed to control sediments.
- An assessment of all known existing and potential adverse impacts within the scope of the project.



18 Utility Crossings (See Sample Drawings 12 and 13, and EZ Guide)

- If side casting is proposed, complete Sections 10A and 10B. If spoils will be placed in or impact wetlands, complete Section 12.
 - ➔ Attach additional sheets or tables with the requested information as needed for multiple crossings.
 - ➔ For wetland crossings using the open trench method show clay plugs at the wetland/upland boundaries on the plans.

Crossing of Inland Lake or Stream floodplain Great Lake wetlands (also complete Section 12)

What method will be used to construct the crossings? directional boring jack and bore open trench plow / knife flume

Utility Type	Number of lake or stream crossings	Number of wetland crossings	Pipe diameter with casing (in)	Pipe length per crossing (ft)	Distance below streambed or wetland (in)	Trench width (ft)
<input type="checkbox"/> sanitary sewer						
<input type="checkbox"/> storm sewer						
<input type="checkbox"/> watermain						
<input type="checkbox"/> cable						
<input type="checkbox"/> electric						
<input type="checkbox"/> fiber optic cable						
<input type="checkbox"/> oil/gas pipeline						

19 Marina Construction, Expansion and Reconfiguration (See Sample Drawing 21)

- For more information go to www.mi.gov/marinas
- Marinas located on the Great Lakes, including Lake St. Clair, may be required to secure leases or conveyances from the state of Michigan to place structures on the bottomlands. If a conveyance is necessary, an application must be submitted before the Joint Permit Application can be determined complete.
 - ➔ Fully complete Section 10 E. For multiple structures provide a table with the requested information.
 - ➔ Enclose a copy of any current pump-out agreement with another marina facility, if on-site sanitary pump out facilities are not available.
 - ➔ Attach a copy of the property legal description, mortgage survey, or a property boundary survey to your application.
 - ➔ The WRD may require a riparian interest area (RIA) estimate survey, sealed by a licensed surveyor, in order to determine whether the proposed project will adversely impact riparian rights. Include any available sealed RIA estimate survey and/or written authorizations from affected adjoining riparian owners with your application.

Proposed Marina Activity New construction Expansion Reconfiguration

Do you have an existing Great Lake Conveyance? No Yes For more information visit www.mi.gov/deqgreatlakes.

Are sanitary pump-out facilities available? No Yes Is there a pump out agreement? No Yes If Yes, provide a copy.

Marina Description	Current Count	Final Count
Number of boat slips/wells (do not include broadside dockage or mooring buoys)		
Lineal feet of broadside dockage		
Maximum number of boats at broadside dockage		
Number of mooring buoys		
Number of launch ramps/lanes		



20 Critical Dune Areas and High Risk Erosion Areas (See Sample Drawings 19 and 20)

Critical Dune Areas (See Sample Drawing 20)

- Although not required, submitting **PHOTOGRAPHS** of the site may provide for a faster application review.
- For more information go to www.mi.gov/jointpermit, select "Sand Dune Protection" under "Related Links."
- All property boundaries and proposed structure corners, including decks, septic systems, water wells, driveways, grading, and terrain alteration locations must be staked before the WRD site inspection.
- Scaled overhead and cross-section plans must include all property boundaries, locations, and dimensions of all existing structures and impacted areas, and all proposed structures, terrain alterations, and construction access. Cross-sections must show existing and proposed grades, including foundations.
- Construction in critical dune areas on slopes greater than 33 percent (1 vertical: 3 horizontal) is prohibited without a special exception.
- Construction in critical dune areas on slopes that measure from 25 percent (1 vertical: 4 horizontal) to less than 33 percent requires sealed plans prepared by a registered architect or licensed professional engineer.

High Risk Erosion Areas (See Sample Drawing 19)

- For more information go to www.mi.gov/jointpermit, select "HREA" under "Related Links."
- All property boundaries, proposed structure corners, and septic system locations must be staked before the WRD site inspection.
- Scaled overhead plans must include all property boundaries, and the location and dimensions of all structures and septic systems must be included.
- Additional information, including the building construction plans, may be required to complete the application review.

Critical Dune Areas	Parcel dimensions (ft) width depth		Date project staked (M/D/Y)	
	Property is a <input type="checkbox"/> platted lot <input type="checkbox"/> unplatted parcel		Year current property boundaries created	
	Dune habitat present in Building Site and access route (check all that apply): <input type="checkbox"/> Wooded <input type="checkbox"/> Open Dune <input type="checkbox"/> Shrubs <input type="checkbox"/> Bare Sand <input type="checkbox"/> Lakefront Lot <input type="checkbox"/> MNFI Community if known: _____			
	Type of construction activities <input type="checkbox"/> addition <input type="checkbox"/> driveway <input type="checkbox"/> garage <input type="checkbox"/> new home <input type="checkbox"/> renovation <input type="checkbox"/> septic <input type="checkbox"/> deck(s) <input type="checkbox"/> other			
	<input type="checkbox"/> Provide a sand relocation plan with location and dimensions of disposal area. Indicate <input type="checkbox"/> on-site OR <input type="checkbox"/> off-site If on-site show location and how the disposal site will be accessed on the plans. Indicate the depth of the disposed sand on the plans.			
	<input type="checkbox"/> Provide the permit or letter from the County Enforcing Agent stating the project complies with Part 91 (Soil Erosion and Sedimentation Control).			
	The proposed project will be serviced by <input type="checkbox"/> public sewer <input type="checkbox"/> private septic system. ➔ On the plans, show the location and dimensions of the private septic system. If a private septic system is proposed, has a permit been issued by the health department? <input type="checkbox"/> No <input type="checkbox"/> Yes ➔ If Yes, provide a copy of the permit for all Critical Dune Area projects.			
	<input type="checkbox"/> Provide a copy of the vegetation assurance letter. <input type="checkbox"/> Provide a re-vegetation plan, including # _____ of trees to be removed and # _____ of trees to be replanted.			
	Proposed Utility Installation		Proposed New Construction	
	Utility Installation Method <input type="checkbox"/> directional bore <input type="checkbox"/> plowing in <input type="checkbox"/> open trench <input type="checkbox"/> other		Foundation type <input type="checkbox"/> concrete slab <input type="checkbox"/> pilings <input type="checkbox"/> crawl space <input type="checkbox"/> other	
➔ Show utility locations and dimensions on the site plan.		Area of existing structure (sq ft)		
➔ Show construction access route on the site plan.		Area of proposed structure (sq ft)		
➔ Show existing and proposed grades on the cross-section.		Area of existing deck (sq ft)		
➔ Show locations of vegetation to be removed on the site plan.		Area of proposed deck (sq ft)		
Provide the following information for special use projects: (a) Lot size, width, density, and front and side setbacks. (b) Storm water drainage that provides for disposal of drainage water without serious erosion. (c) Methods for controlling erosion from wind and water. (d) Re-stabilization plan. (e) Environmental Impact Statement.				



High Risk Erosion Areas	Parcel dimensions (ft) width depth		Date project staked (M/D/Y)	
	Existing Structure Information		Proposed New Construction	
	Foundation type <input type="checkbox"/> basement <input type="checkbox"/> concrete slab <input type="checkbox"/> pilings <input type="checkbox"/> crawl space <input type="checkbox"/> other		Foundation type <input type="checkbox"/> basement <input type="checkbox"/> concrete slab <input type="checkbox"/> pilings <input type="checkbox"/> crawl space <input type="checkbox"/> other	
	Material above foundation wall <input type="checkbox"/> block <input type="checkbox"/> log <input type="checkbox"/> stud frame <input type="checkbox"/> other		Material above foundation wall <input type="checkbox"/> block <input type="checkbox"/> log <input type="checkbox"/> stud frame <input type="checkbox"/> other	
	Siding material <input type="checkbox"/> block <input type="checkbox"/> vinyl <input type="checkbox"/> wood <input type="checkbox"/> other		Siding material <input type="checkbox"/> block <input type="checkbox"/> vinyl <input type="checkbox"/> wood <input type="checkbox"/> other	
	Area of the foundation, excluding attached garage (sq ft)		Area of the foundation, excluding attached garage (sq ft)	
	Area of the garage foundation (sq ft)		Area of the garage foundation (sq ft)	
	If renovating or restoring an existing structure, indicate the renovation or restoration cost \$			
	Current structure replacement value \$			
	Tax assessed value of existing structure excluding land value \$		Assessment Year	
Provide the number of individual living units in the proposed building				

Attachment B Maps and Drawings

Attachment C

Photo Log of North Ditch



Photo 1 - View of Site facing south (towards clay pile) 07-26-2016



Photo 2 - View of Site facing north (towards Hack Road) 07-26-2016
- Area below 100-year floodplain



Attachment C Site Photographs

Attachment D Easements and Other Permits



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENTAL QUALITY
SAGINAW BAY DISTRICT OFFICE



KEITH CREAGH
DIRECTOR

March 29, 2016

Mr. Jose Cisneros, Chief
Waste Management Branch
Land and Chemicals Division
U.S. Environmental Protection Agency, Region 5
77 West Jackson Boulevard LU-9J
Chicago, Illinois 60604-3507

Dear Mr. Cisneros:

SUBJECT: Coordinated Approval for Cleanup of Polychlorinated Biphenyls (PCBs) at the RACER Trust Saginaw Malleable Industrial Land – MID0053566696, 77 West Center Street, Saginaw, Saginaw County, Michigan

The Michigan Department of Environmental Quality (MDEQ), Office of Waste Management and Radiological Protection (OWMRP), and Remediation and Redevelopment Division (RRD) is requesting concurrence from the U.S. Environmental Protection Agency, Region 5 (EPA Region 5), for a coordinated approval for the **Risk Based Disposal Work Plan for PCB Impacted Material (Work Plan)**, dated May 8, 2015, for PCB cleanup and disposal at the **Wayne Disposal Inc. Site #2 Landfill, 49350 N. I-94 Service Drive, Belleville, Michigan 48111, EPA ID# MID 00072483** under the Toxic Substances Control Act (TSCA), Title 40 of the Code of Federal Regulations (CFR), Part 761, February 17, 1978, as amended. The MDEQ is making this request under the amended final rules for Disposal of Polychlorinated Biphenyls (PCBs) effective August 28, 1998, 40 CFR Parts 750 and 761. This letter was prepared in consultation with Dr. Deb MacKenzie-Taylor, the MDEQ's TSCA liaison. Dr. MacKenzie-Taylor can be reached by telephone at 517-614-7333 or via e-mail at mackenzie-taylor@michigan.gov.

The Revitalizing Auto Communities Environmental Response (RACER) Trust has formally requested approval of the Work Plan from the MDEQ. In a letter dated May 8, 2015, to Mr. Peter Ramanaukas, RACER Trust formally requested Coordinated Approval for the Work Plan from the EPA Region 5 pursuant to 40 CFR Section 761.77(c).

The Saginaw Malleable Industrial Land, formerly General Motors Saginaw Malleable Iron facility, is subject to the Resource Conservation and Recovery Act of 1976 (RCRA) Subtitle C Corrective Action (CA) requirements, at Title 42 of the United States Code (U.S.C.), Section 6901 et seq. and has committed to timely implementation of CA requirements, including meeting the federal Government Performance Results Act (GPRA) implementation schedule and completion of final remedies. The MDEQ is the lead agency in facilitation, oversight, and approval authority for CA obligations at the Saginaw Malleable Iron Facility under its authority as a state authorized to implement RCRA, 42 U.S.C., Section 6926, and in furtherance of its statutory and regulatory responsibilities pursuant to Part 111, Hazardous Waste Management, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended (NREPA), Michigan Compiled Laws (MCL) 324.11101 et seq. and including the environmental protection or cleanup standards and associated requirements pursuant to Part 201, Environmental Remediation, of the NREPA, MCL 324.20101 et seq.

The MDEQ supports approval of the proposed Work Plan and verifies that work completed to address PCBs and the work proposed for completion in the Work Plan satisfies the requirements of Part 111 and Part 201 for PCB remediation. With this determination, the MDEQ submits this notice of intent to approve pursuant to Part 111 and recommendation that the EPA Region 5 concur with a coordinated approval pursuant to 40 CFR Section 761.77(c)(1)(ii).

These PCB related activities are part of other response activities at the Saginaw Malleable Industrial Land. The other response activities are briefly described below for consideration of how the PCB related activities within this Work Plan are part of the overall remediation of this site.

1. Several phases of Remedial Investigation, a Feasibility Study, a Human Health Risk Assessment, an Ecological Risk Assessment, and a Remedial Action Plan were completed under Part 201 and have been approved for the Saginaw Malleable facility. These plans included many interim response activities, such as Non-Aqueous Phase Liquid (NAPL) recovery, soil excavation, groundwater treatment, vegetative cover, and sewer work, which addressed the environmental conditions at the site. The contaminants at the site have included PCBs in NAPL and soil, total metals in soil, and low level volatile organic compounds and PCBs in groundwater. Land use restrictions, engineering controls, and long term monitoring and maintenance have also been proposed.
2. The Risk Based Disposal Work Plan for PCB Impacted Material addresses PCBs in soil and concrete that will be removed from some areas of the site and properly disposed. In other areas of the site, PCBs, with controls, will be left on-site and covered with a soil cap. For a more detailed description of proposed work to address the remaining PCBs onsite, please see the Work Plan.
3. Regarding the Saginaw Malleable facility, Consent Judgment No. 98-22686-CE-2 was entered on March 16, 1998 between the Department of Attorney General, MDEQ, and General Motors. This Consent Judgment, with specific modifications, was approved as the Legally Enforceable Agreement with the approval of the Remedial Action Plan on February 27, 2009. It is understood by the MDEQ and RACER Trust that the Saginaw Malleable Iron Legally Enforceable Agreement will serve as the technical and legal basis of the TSCA PCB Coordinated Approval and all requirements, conditions, and limitation of the Legally Enforceable Agreement will be conditions of the TSCA PCB Coordinated Approval, as well as RCRA corrective action.

The MDEQ determined that the PCB concentrations found at the Saginaw Malleable Industrial Land in excess of the Part 201 cleanup criteria for PCBs present an unreasonable risk to human health and the environment and required further response activities. The MDEQ recognizes that the EPA Regional Administrator has no authority under TSCA over PCB waste disposed prior to April 18, 1978, which does not currently exceed 50 parts per million (ppm); however, for ease of implementation, concentrations of PCBs in environmental media at the Saginaw Malleable Industrial Land that exceed the Part 201 generic cleanup criteria are assumed to constitute an unreasonable risk of injury to human health or the environment and are, therefore, subject to regulation under Part 111, which includes the cleanup standards under Part 201, regardless of when the contamination occurred.

The MDEQ evaluated the Work Plan for compliance with Part 201 cleanup criteria and risk-based processes to assess risk from exposure to PCB contamination at the Saginaw Malleable Industrial Land and considered response actions, land use, engineering, and/or exposure controls as allowed under Part 111 and Part 201, as appropriate, (and TSCA §761.61(a)) and consistent with the goals of RCRA corrective action.

Consistent with these goals, the MDEQ is specifically requesting the following with regard to PCB remediation activities at the Saginaw Malleable Industrial Land:

1. That the EPA Regional Administrator make a determination under §761.77(c)(1)(ii) that Part 111 requires management of PCB contamination that is no less stringent than the applicable TSCA PCB requirements found at §761.61(c) or §761.62(c). For background information on the Part 111 corrective action requirements including Part 201 cleanup criteria, see the attachment;
2. That the EPA Regional Administrator make a determination that the MDEQ-approved Work Plan, constitutes a "PCB decision or enforcement document" that conforms to the requirements of the TSCA PCB requirements found at §761.77(c); and
3. That the EPA Regional Administrator grant a TSCA PCB Coordinated Approval.

The MDEQ is asking that the EPA Region 5 provide formal, documented concurrence for approval under TSCA PCB coordinated approval at 40 CFR, Section 761.77(c) after expeditious review of the Work Plan for response activity under Part 111 to address the PCB contaminated property. The MDEQ agrees to the following to expedite formal approval by the MDEQ and EPA Region 5 of the Work Plan to address PCB contaminated soils at the Saginaw Malleable Industrial Land to achieve protection of human health, safety, welfare, and the environment; and facilitate the timely implementation of GPRA requirements.

1. As soon as the EPA Region 5 issues a letter of intent to grant approval, the MDEQ will expeditiously (within 14 days) issue a formal approval that is an enforceable document, including any conditions the EPA Region 5 indicates are necessary to prevent unreasonable injury to human health or the environment.
2. The MDEQ will monitor compliance with the approved PCB remediation measures and will notify the EPA Region 5 of changes relating to PCB remediation requirements and/or changes in facility ownership.

This process in no way supersedes or eliminates the PCB remediation and disposal options available to the RACER Trust for the Saginaw Malleable Industrial Land at any time under 40 CFR, Section 761.61.

Thank you for consideration for coordinated approval of this Work Plan for PCB remediation activities at the Saginaw Malleable Industrial Land. The MDEQ is confident that Michigan's Part 111 Program, which adopts the Part 201 cleanup standards, meets the requirements at 40 CFR, Section 761.77(c)(1)(ii) for a TSCA PCB coordinated approval (see Attachment) and with reference the Corrective Action Memorandum of Understanding entered into by the EPA and the MDEQ on November 3, 2000, and the addendum letter dated April 15, 2002; see [http://www.michigan.gov/deq/0,1607,7-135-3312_4118_4240-56396--,\).html](http://www.michigan.gov/deq/0,1607,7-135-3312_4118_4240-56396--,).html).

The MDEQ is looking forward to receiving a letter of concurrence from the EPA Region 5.

We appreciate your willingness to work with the MDEQ on this TSCA PCB Coordinated Approval process. Enclosed is our approval letter. Should you require further information, please contact me, Sue Kaelber-Matlock, at 989-894-6249, matlocks@michigan.gov, or by mail at 401 Ketchum Street, Bay City, Michigan 48708. You may also contact Dr. Deb MacKenzie-Taylor at 517-614-7333; or mackenzie-taylor@michigan.gov.

Sincerely,



Sue Kaelber-Matlock, Senior Geologist
Saginaw Bay District Office
Remediation and Redevelopment Division
989-894-6249
matlocks@michigan.gov

Enclosures

cc/enc: Mr. Peter Ramanauskas, EPA, Region 5
Mr. Dave Favero, RACER Trust
Ms. Virginia Himich, MDEQ
Dr. Deb MacKenzie-Taylor, MDEQ
Ms. Rhonda Klann, MDEQ



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENTAL QUALITY
SAGINAW BAY DISTRICT OFFICE



KEITH CREAGH
DIRECTOR

March 29, 2016

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, 2015, 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.

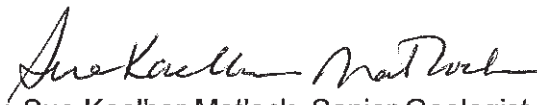
This approval is based in part on other interim response work that has been completed to address the environmental conditions at the site, including, but not limited to, contaminated soil excavation, Non-Aqueous Phase Liquid (NAPL) recovery, and sewer work and the imposition of land use restrictions, 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 at the number below.

Sincerely,



Sue Kaelber-Matlock, Senior Geologist
Saginaw Bay District Office
Remediation and Redevelopment Division
989-894-6249
matlocks@michigan.gov

Enclosure

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

Attachment
**Background Information on the Part 111 Corrective Action, including the Part 201
Environmental Protection Standards in Support of Toxic Substances Control Act (TSCA)
Polychlorinated Biphenyls (PCBs) Coordinated Approvals in Michigan**

Background: Part 111 Corrective Action and the Use of Part 201 Environmental Protection Standards

The Michigan Department of Environmental Quality (MDEQ) has facilitation, oversight and approval authority for corrective action obligations as a state authorized to implement the Resource Conservation and Recovery Act of 1976 (RCRA), as amended, Subtitle C Hazardous Waste Management Program, at Title 42 of the United States Code (U.S.C.), §6901 *et seq.* Michigan implements its State Hazardous Waste Program, including corrective action obligations, under Part 111, Hazardous Waste Management, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended (NREPA), §324.1101 *et seq.* In accordance with the Michigan Administrative Code (MAC) R 299.9629(3)(a)(ii), (iii), (b)(ii), and (iii), corrective action requirements include the groundwater protection standards and environmental protection standards for other media established pursuant to Part 201, Environmental Remediation, of the NREPA. The United States Environmental Protection Agency (EPA) Region 5 has concurred with the use of the Part 201 cleanup criteria for corrective action in Michigan with a Corrective Action Memorandum of Understanding entered into by the EPA and the MDEQ on November 3, 2000, and the addendum letter dated April 15, 2002; see [http://www.michigan.gov/deq/0,1607,7-135-3312_4118_4240-56396--\).html](http://www.michigan.gov/deq/0,1607,7-135-3312_4118_4240-56396--).html).

Background: Part 201 Cleanup Program

Michigan has a comprehensive environmental cleanup program that is governed by Part 201. Part 201 provides for the identification, risk assessment, evaluation, and cleanup of sites of environmental contamination in Michigan. Part 201 is administered by the MDEQ, Redevelopment and Remediation Division (RRD), which also oversees Michigan's participation in the federal Superfund Program.

Under Part 201, the MDEQ is authorized to establish environmental protection standards (generic cleanup criteria) in land-use based categories. The generic categories for cleanup criteria are residential and nonresidential. Generic exposure assumptions based on land use are used to calculate generic cleanup criteria for each category. To date, generic cleanup criteria have been developed for residential and nonresidential land use. Due to the wide spectrum of possible activities and land uses, recreational sites are currently considered on a case-by-case basis. The categorical cleanup standards require that land use and/or resource use restrictions be imposed at sites that do not comply with residential criteria. These use restrictions assure that land and resource use at a site match the assumptions applied in calculating the cleanup criteria. For example, if a site complies with industrial criteria but exceeds residential criteria, use of the property must be restricted to industrial purposes unless further evaluation and/or remediation are done. A restrictive covenant is recorded on the property deed for generic nonresidential land use category properties to ensure that future use will be consistent with the closure assumptions. No notice is required under the generic residential category because sites closed under this category are appropriate for unrestricted use.

Part 201 also provides for "limited" categories for each land use. Site closures under the limited categories are used when an exposure barrier/control, land use, and/or resource use restriction will prevent contact with environmental media impacted at concentrations above the generic cleanup criteria. For example, if soil concentrations exceed generic criteria for the intended land use, pavement and/or clean cover may be used to prevent future exposures to soil with land use restrictions requiring routine inspection and maintenance of the cover, dig restrictions, and institutional controls for handling

any future excavation in the restricted area. Land use restrictions may also be used to prevent the use of impacted groundwater as a source of drinking water.

In addition, site-specific risk assessments and cleanups are possible under Part 201. Site-specific cleanups are used when the anticipated conditions, activities, and exposures (e.g., soil characteristics, exposure duration, or frequency) for a site differ from those assumed for the generic categories. Limited and many site-specific cleanups require that land use restrictions and/or exposure barriers be described in a restrictive covenant, a legally enforceable document, to be recorded on the deed to the property. Additionally, permanent markers may be required at the site.

Both a notice of MDEQ-approved environmental remediation and a restrictive covenant run with the land and are binding on the owner's successors, assigns, and lessees.

Part 201 Screening Level Risk Assessment for PCBs

The methodology for calculation of Part 201 generic criteria is consistent with that presented in the U.S. Environmental Protection Agency's (EPA) *Soil Screening Guidance: Technical Background Document* (May 1996) and the *Risk Assessment Guidance for Superfund* (1989). The Part 201 cleanup criteria and methodologies were promulgated into the Part 201 administrative rules in December 2002 (R 299.5101 *et seq.*). Part 201 criteria are back-calculated from a target cancer risk for carcinogens or a hazard quotient for noncarcinogens. The statutory target cancer risk under Part 201 is 1 additional cancer above the background cancer rate for 100,000 individuals. A hazard quotient of 1 is used to derive criteria for noncarcinogenic compounds. Criteria are developed based on generic assumptions that characterize patterns of human exposure associated with a specific land use category. Consistent with the EPA guidance, a mix of upper bound and average values are chosen to represent a reasonable maximum exposure for a human receptor identified to represent the pattern of activity for each land use. Therefore, if site concentrations do not exceed criteria, it may be assumed that exposure to contaminants will not result in an unacceptable risk. Conversely, concentrations that exceed criteria indicate that exposure to site contaminants may result in an unacceptable risk of adverse health effects.

Criteria for groundwater and soil have been calculated for several human exposure pathways including drinking water ingestion, soil leaching to groundwater, dermal contact with groundwater in an excavation, incidental ingestion and dermal contact with soil, volatile and particulate releases to ambient air, and groundwater and soil volatilization to indoor air. Additional criteria for the protection of aquatic species, terrestrial wildlife, and human secondary exposures are applicable to groundwater that vents to surface water bodies. At sites of environmental contamination where multiple pathways are relevant, the most restrictive criterion for each media is chosen as the applicable cleanup goal.

While the Part 201 Program relies heavily on the generic cleanup criteria to evaluate sites of environmental contamination, professional judgment is also used to identify those situations that require more restrictive cleanup. For example, if site conditions result in overland runoff of soil contaminants to surface waters, response action may be required even where soil concentrations do not exceed the applicable generic criteria.

For PCBs in soil, the Part 201 direct contact pathway results in the most restrictive generic cleanup criteria. The Part 201 generic direct contact criteria (DCC) consider both incidental ingestion of soil and direct dermal contact with soil. The following table presents the DCC for PCBs for each land use category. Compliance with the DCC is required throughout the soil profile, including soils at depth, since it is assumed that subsurface soils may be brought to the surface in the future.

Land Use Category	Part 201 DCC in parts per million (ppm) or milligrams per kilogram (mg/kg)
Residential	4.0 (1.0 to be no less stringent than TSCA when applicable)
Nonresidential	16

Part 201 requires that a State Drinking Water Standard, if available, be used as the cleanup criterion for groundwater used as a source of drinking water. The Michigan standard is identical to the federal maximum contaminant level (MCL) for PCBs of 0.5 parts per billion (ppb) or micrograms per liter ($\mu\text{g/L}$). If groundwater is currently venting to surface water or may vent to surface water in the future, the water quality standard for protection of surface water is 0.2 ppb ($\mu\text{g/L}$) for PCBs.

Title 40 Code of the Federal Regulations (CFR), §761.50 Applicability - Pre-1978

Disposals

40 CFR, §761.50(b)(3)(i) gives the EPA Regional Administrator the authority to direct "any person responsible for PCB waste at concentrations ≥ 50 ppm placed in a land disposal facility, spilled, or otherwise released into the environment prior to April 18, 1978" to characterize and/or cleanup PCB remediation wastes. Cleanup may be directed if the EPA Regional Administrator makes a finding that an unreasonable risk of injury to health or the environment from exposure to PCBs exists at the site. The screening level risk assessment presented above is used to generate the cleanup criteria based on a set of exposure assumptions for each land use category provided for in Part 201. As such, if PCB concentrations at a site exceed the risk-based criteria, it may be assumed that an unreasonable risk of injury to health or the environment may exist for this site. The MDEQ is requesting that the EPA Regional Administrator make a finding that concentrations that exceed the Michigan generic Part 201 cleanup criteria for PCBs constitute an unreasonable risk of injury to health and/or the environment.

40 CFR, §761.77 Coordinated Approval

40 CFR, §761.77 gives the EPA Regional Administrator the authority to issue a TSCA PCB Coordinated Approval and details the requirements for such an approval. Approval may be granted under 40 CFR, §761.77(c)(1)(ii) if the EPA Regional Administrator determines (1) that the activity will not pose an unreasonable **risk of injury** to health and the environment and (2) if a person requesting the approval has a **permit or other decision or enforcement document** issued by a State Director pursuant to a State program that has been approved by EPA, which exercises control over the management of PCB wastes and the person is in compliance with all terms and conditions of that document. The state program may be **no less stringent** in protection of health or the environment than the applicable TSCA requirements.

"Risk of Injury" – A screening level risk assessment is used to generate the generic cleanup criteria based on a set of exposure assumptions for each land use category provided for in Part 201. As such, if PCB concentrations at a site **do not** exceed the generic risk-based criteria developed for each cleanup category, it may be assumed that an unreasonable risk of injury to health or the environment **does not** exist for this site providing that future site activities remain consistent with the closure assumptions.

"PCB Waste Management Permit or Other Decision or Enforcement Document" – Part 111, §324.11115a(2) requires corrective action to be conducted under a license, permit, or order. "Enforceable document" is defined under MAC R 299.9103(e) and includes a postclosure plan, corrective action order, or other document issued by the MDEQ in lieu of an operating license. Any

work plans approved under a license, postclosure plan, corrective action order, or consent judgment pursuant to Part 111, become an enforceable document once approved by the MDEQ.

Part 201, §324.20118 provides the MDEQ with the authority to undertake response activity, or to approve response activity proposed by a person, consistent with Part 201 and the rules promulgated thereunder. Response activity undertaken under Part 201 must (1) assure protection of the public health, safety, and welfare, and the environment; (2) attain a degree of cleanup and control of hazardous substances that complies with all applicable or relevant and appropriate requirements, rules, criteria, limitations, and standards of state and federal law; and (3) be consistent with any cleanup criteria incorporated in the Part 201 Rules but not less stringent than TSCA. An interim response activity plan must be submitted and approved if (1) the person proposing the plan wishes to document MDEQ approval of the plan. An interim response activity plan approved by MDEQ via this process constitutes both a decision and, in some cases, an enforceable document issued by a State Director pursuant to a State PCB Waste Management Program. Therefore, the MDEQ is requesting that the EPA Regional Administrator make a determination that a MDEQ approved interim response activity plan that complies with Part 201 constitutes a "PCB decision or enforcement document" that conforms to the requirements of the TSCA PCB requirements found at 40 CFR, §761.77(b).

"No Less Stringent" – 40 CFR, §761.61(c) and §761.62(c) provide for risk-based disposal approval for PCB remediation waste and bulk product waste, respectively. The Part 201 screening level risk assessment used to generate the generic cleanup criteria is consistent with the risk assessment methods presented in the EPA's Risk Assessment Guidance for Superfund (1989) and Soil Screening Guidance: Technical Background Document (1994). Environmental PCB concentrations below Part 201 risk-based criteria may be assumed to not pose an unreasonable risk of injury to human health or the environment. Site closures under Part 201 limited categories are also consistent with the risk assessment methods presented in the EPA's Risk Assessment Guidance for Superfund (1989). Land use restrictions and/or exposure barriers approved under limited category cleanups render human exposure pathways incomplete. Since exposure to impacted media is prevented, a site-specific risk assessment will indicate no unacceptable risk to human receptors. Environmental impacts of PCB contamination must also be considered within limited and some site-specific cleanups, and additional cleanup activities may be required as necessary to protect the environment. As such, Part 201 provides for management of PCB waste within generic, limited, and site-specific cleanups that is no less stringent in protection of human health or the environment than the applicable TSCA requirements in 40 CFR, §761.61(c) and §761.62(c).



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

JUL 15 2016

REPLY TO THE ATTENTION OF:

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

RE: U.S. EPA Coordinated Approval
RACER Trust Saginaw Malleable Industrial Land - MID0053566696
Former General Motors Saginaw Malleable Iron Facility
77 West Center Street, Saginaw, Saginaw County, Michigan

Dear Mr. Favero:

This letter is a Toxic Substances Control Act (TSCA) Polychlorinated Biphenyl (PCB) Coordinated Approval of your May 8, 2015 request for remediation and disposal of PCB impacted concrete and soil at the former General Motors Saginaw Malleable Iron facility in Saginaw, Michigan. This approval is granted in accordance with TSCA Section 6(e) and the Federal PCB regulations at 40 Code of Federal Regulations (CFR) §761.77.

The Saginaw Malleable Iron facility is subject to the Resource Conservation and Recovery Act of 1976 (RCRA) Subtitle C Corrective Action (CA) requirements. The Michigan Department of Environmental Quality (MDEQ) is the lead agency in oversight of RCRA CA obligations at the Saginaw Malleable Iron Facility under its authority as a state authorized to implement RCRA, 42 U.S.C., Section 6926, and in furtherance of its statutory and regulatory responsibilities pursuant to Part 111, Hazardous Waste Management, and Part 201, Environmental Remediation, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended (NREPA), Michigan Compiled Laws (MCL) 324.1101 *et seq.* and MCL 324.20101 *et seq.*

RACER Trust requested approval from the MDEQ of response activities outlined in the May 2015 Remediation Plan which includes the excavation and off-site disposal of PCBs in soil and concrete and the on-site management of residual PCB impacted soil under a soil covered concrete cap. MDEQ approved the plan on March 31, 2016. Per EPA request, RACER amended the cover for the residual PCB impacted soil. The residual PCB impacted soil will be covered by a geo-fabric demarcation layer and up to 54 inches of fill overlain by two feet of clay and a two inch layer of topsoil.

The MDEQ-approved Work Plan for the Saginaw Malleable Iron facility constitutes a "decision and enforcement document issued by an authorized State Director for a State Program that has been approved by the EPA" that serves as the technical and legal basis of the TSCA PCB Coordinated Approval pursuant to 40 CFR §761.77(c)(1)(i). Under this TSCA Coordinated Approval, EPA finds that PCB remediation activities conducted in accordance with the PCB Remediation Plan, the amended cover design for the residual PCB impacted soil and the sidewall verification sampling and restrictive covenant conditions required by this Coordinated Approval, will not present unreasonable risk of injury to health or the environment.

RACER Trust must abide by the conditions identified in the MDEQ approval letter for remediation and disposal of PCB Remediation Waste generated under the PCB Remediation Plan. In addition, RACER Trust must use the amended cover design over the residual PCB impacted soil and conduct verification sidewall sampling where the excavation depth of the PCB contaminated soil exceeds one foot. You must conduct the sampling in accordance with Subpart O of the PCB regulations. The restrictive covenant you establish for this site must include a statement stipulating that the cover over the residual PCB impacted soil at the site must be maintained in perpetuity.

In accordance with 40 CFR §761.77(a)(3), you must notify EPA in writing within 5 calendar days of any changes relating to PCB waste management requirements in the approved PCB Remediation Plan.

This letter does not relieve the site owner 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 further questions regarding this matter, please feel free to contact me or Jean Greensley of my staff at (312) 353-1171 or greensley.jean@epa.gov.

Sincerely,

Michael D. Harris

M.G.

Margaret M. Guerriero
Director
Land and Chemicals Division

cc: Rhonda Klann, MDEQ (email)
Amanda Armbruster, MDEQ (email)
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