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GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENTAL QUALITY
SAGINAW BAY DISTRICT OFFICE



LIESL EICHLER CLARK
DIRECTOR

April 8, 2019

RACER Trust
Attn: Mr. David Favero
500 Woodward Ave., Ste. 2650
Detroit, Michigan 48226

Dear Mr. Favero:

SUBJECT: Submittal of Draft Declaration of Restrictive Covenants (DRCs), Saginaw Malleable Industrial Land, Green Point Landfill, and Peninsula Properties (SMI), Saginaw, Saginaw County, Michigan, MERA No. 73000014

The Department of Environmental Quality (DEQ), Remediation and Redevelopment Division (RRD), has reviewed your April 3, 2019 email correspondence requesting approval of the DRCs for SMI. Several prior versions of the DRCs have been submitted and reviewed. The DRCs have been modified numerous times to incorporate necessary changes. Based on our review of the final draft versions, included as attachments to your April 3, 2019 email, the DRCs are approved.

In compliance with Section 20121(4)&(6) of Part 201, Environmental Remediation, of the Natural Resources and Environmental Protection Act, P.A. 451, as amended, you may proceed with recording the DRCs with the Saginaw County register of deeds. Upon recording, please provide the DEQ with filed copies.

Determinations presented by the RRD in this letter are based on information currently known to RRD staff. The discovery of new information regarding environmental conditions may result in a request by the RRD for additional response activities or future modifications or additions to the DRCs. Such request(s) will be based on the need to protect the public health, safety, and welfare or the environment. If you have any questions regarding this letter, please contact Amanda Armbruster, Project Manager, at 989-894-6242; armbrustera@michigan.gov; or DEQ, 401 Ketchum Street, Suite B, Bay City, Michigan 48708; or you may contact me.

Sincerely,

Ann M. Person, District Supervisor
Saginaw Bay District Office
Remediation and Redevelopment Division
989-894-6248
persona@michigan.gov

cc: Mr. Scott Clearwater, Arcadis
Mr. Kirk Lapham, DNR
Ms. Amanda Armbruster, DEQ