



RICK SNYDER  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF ENVIRONMENTAL QUALITY  
LANSING



C. HEIDI GRETHUR  
DIRECTOR

February 1, 2018

Mr. David Favero  
Deputy Cleanup Manager-Michigan  
RACER Trust  
500 Woodward Avenue  
Suite 2650  
Detroit, Michigan 48226

RECEIVED FEB 12 2018

Dear Mr. Favero:

SUBJECT: Corrective Action Liability for the Peninsula Property;  
RACER Saginaw Malleable Iron, MID 005 356 696

You contacted Michigan Department of Environmental Quality (MDEQ), Waste Management and Radiological Protection Division (WMRPD) staff with a question as to whether or not the parcel in the city of Saginaw, identified as the Peninsula Property and currently owned by the RACER Trust, is subject to corrective action liability under the Hazardous Waste Provisions of the Federal Resource Conservation and Recovery Act of 1976, as amended (RCRA), and Part 111, Hazardous Waste Management, of Michigan's Natural Resources and Environmental Protection Act, 1994 PA 451, as amended. Your concern is based on the fact that the Peninsula Property is under the same ownership, and adjacent to, a former RCRA hazardous waste treatment, storage and disposal facility (TSDF), which is subject to corrective action. It is our opinion that the Peninsula Property is not subject to RCRA/Part 111 corrective action liability. This determination is based on two factors:

- 1) The Peninsula Property was not included in the original Part A Notice of Hazardous Waste Activity, filed by GM for the Saginaw Malleable Iron facility in November 1980.
- 2) The Peninsula Property was not acquired by REALM (a GM subsidiary) from Delphi (its owner at the time the Part A for Saginaw Malleable Iron was filed) until 1999. The RCRA/Part 111 regulated unit at Saginaw Malleable Iron was closed in 1991. Since no activity requiring a RCRA/Part 111 Hazardous Waste Permit occurred on the Saginaw Malleable Iron property from that point on, there is no RCRA/Part 111 corrective action liability for contamination at the Peninsula Property; even though, currently, the properties are adjacent and have the same owner.

Contamination at, or from the Peninsula Property, that did not migrate from the adjacent TSDF, will be regulated under Part 201, Part 213, or other applicable statutes.

Figures identifying the Former GM Saginaw Malleable Iron facility, as identified in the original Part A Notice and the Tax Parcels that make up the Former GM Saginaw Malleable Iron facility and the Peninsula Property, are enclosed.

If you have further questions about this determination, please contact Mr. John McCabe, Senior Environmental Quality Analyst, Hazardous Waste Section, WMRPD, at 517-284-6564; [mccabej@michigan.gov](mailto:mccabej@michigan.gov); or MDEQ, WMRPD, P.O. Box 30241, Lansing, Michigan 48909-7741; or you may contact me.

Sincerely,

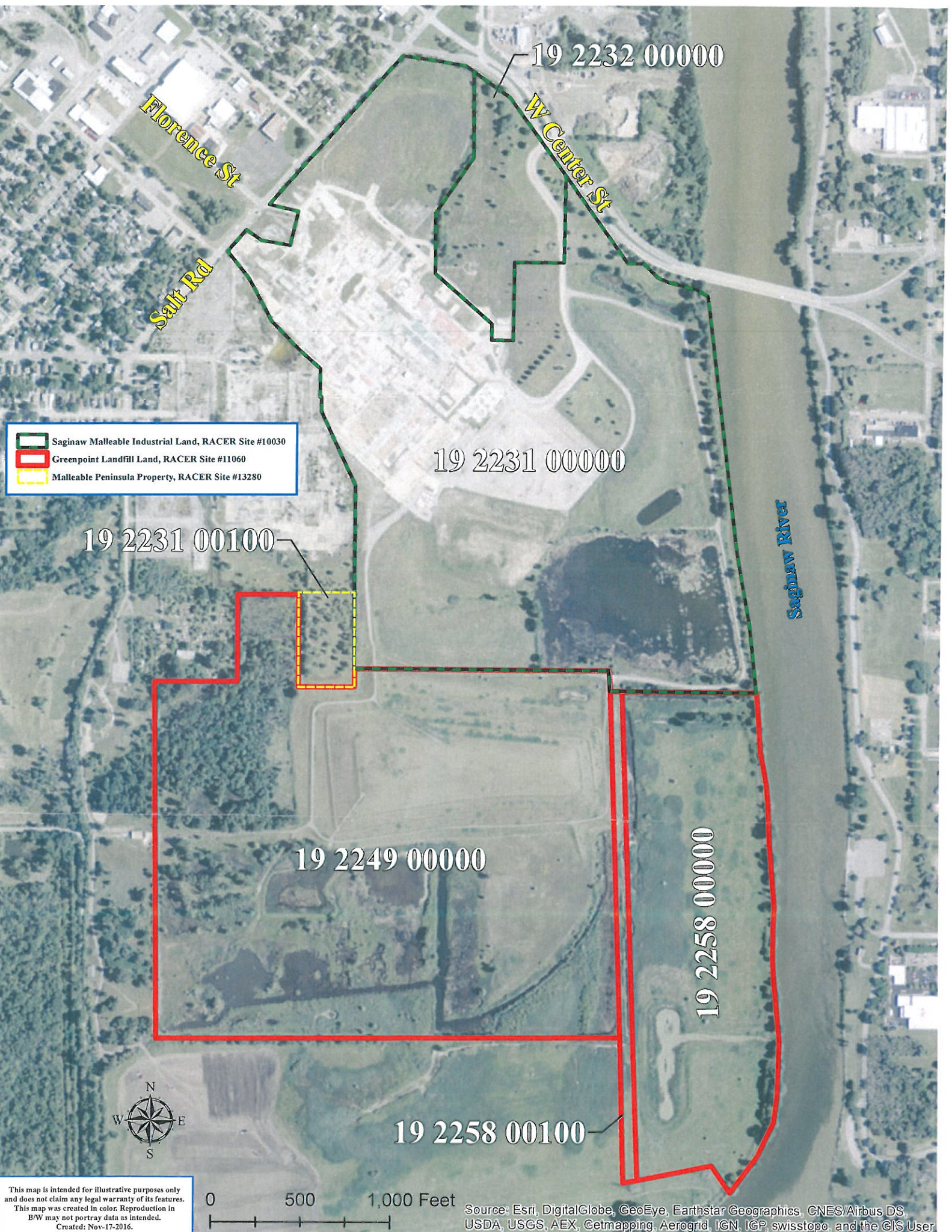


Allan B. Taylor, Manager  
Hazardous Waste Program Section  
Waste Management and Radiological  
Protection Division  
517-614-7335

Enclosures

cc: Ms. Amanda Armbruster, DEQ  
Ms. Ann Person, DEQ  
Mr. John McCabe, DEQ  
Base File





19 2232 00000

Florence St

W Center St

Salt Rd

- Saginaw Malleable Industrial Land, RACER Site #10030
- Greenpoint Landfill Land, RACER Site #11060
- Malleable Peninsula Property, RACER Site #13280

19 2231 00000

19 2231 00100

Saginaw River

19 2249 00000

19 2258 00000

19 2258 00100



0 500 1,000 Feet

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