

From: James Innes
To: MOSIERR@DEQ-SC.DEQ-Shiawassee, SHIREYK@DEQ-SC.DEQ-...
Date: Mon, Jan 11, 1999 10:36 am
Subject: Linden Road Landfill -Reply

Morning Brad,

Sorry it's taken this long to get back to you. Below are answers to the questions you posed in your December 21, 1998 GroupWise note (attached).

1. A risk assessment was submitted March 1992 as part of the Interim Remedial Measures Evaluation. It was also included as Section 6 of the RAP. As with all the documentation referred to in this note, I can forward you a copy if you wish.
2. There was ONE public comment that came in during the public comment period in the form of a log letter. GM received one public comment, a letter from a church asking if the soccer fields could be used by groups other than the AYSO.
3. Approval form, those items marked "C"

Permanent marker: Design has been approved. A copy of the design was included in the package I sent to you on June 5, 1998. The site will have a single entrance, so it is assumed the permanent marker would be located at the entrance.

GW/Methane Monitoring: Table 5-1 of the RAP. Will be approved with approval of the RAP

Abandonment of off site monitoring wells: This has been completed/ workplan approved 11/16/1998.

Restrictive Covenant: C&E issue

Legally Enforceable Agreement: C&E issue

4. Groundwater leaving the site is not contaminated above GRCC. A single sample of MW-09s had lead at 6 ppb (4 ppb is max for soil above 400 ppm), but soils in the area are well below the 376-385 ppm allowed for this GW value. A groundwater waver does not appear necessary.
5. I have contacted Bob Metcalf at GM and requested a further breakdown of the O&M costs as it relates to the Present Worth of Future Value. I will forward this information to you as soon as I get it.
6. I have a copy of a Flint Township zoning map that shows the landfill zoned as R1B. The description of R1B submitted by GM with the map is "residential/recreational". A call to the Flint Township Building Department revealed the designation R1B is for single family residential. Moreover, Flint Township does NOT have a recreational zoning designation. It appears the RAP will end up being a Site Specific.
7. Permanent marker issues addressed in point 3.

8. My mistake. According to the RAP (table 5-1) first year inspections are quarterly, not monthly as I stated in the Approval Tracking Form.

In an effort to finalize this RAP, I strongly suggest that a meeting be held between all the 'players' (GM included) to identify any outstanding issues, and assign resolution of these issues to particular individuals.

As always, I remain available to provide any assistance I can.

Jim Innes
Michigan Department of Environmental Quality
Environmental Response Division
Shiawassee District Office
TX/517-625-4693 FX/517-625-5000
innesj@state.mi.us

>>> Bradley Ermisch Dec 21, 1998 2:40 pm >>>

As you are probably aware, the current six-month deadline date for the Linden Rd. Landfill facility is December 23, 1998.

As I was running the legal agreement, restrictive covenant (RC) and O&M Plan, etc. up the chain for review, Pat McKay wanted me to run a couple things by Dave Bartley regarding the RC. Dave was concerned that the legal agreement was called a Limited Recreational and asked if there was a risk assessment done. We went to ask Lynelle if a risk assessment was required and if we had to change the name of the RAP to a Site Specific. These questions generated more questions which are listed below as follows:

1. Since there are no recreational criteria (and the RAP is a Limited Recreational), these types of RAPs are normally handled via site specific RAP criteria as is explained in 20(a)2. Lynelle says we can handle this RAP as a Limited Recreational IF zoning is appropriate and the nature of the presumptive remedy is protective. For site specific RAPs there is normally a Risk Assessment (RA) done as part of the RAP or it is decided by the Lansing QRT team that due to the presumptive nature of the proposed RAP the RA is not required. Was there a RA done?
2. Was there any public comment during the public comment period? If so, could we get a copy of the Responsiveness Summary?
3. On the "APPROVAL AND TRACKING FORM-DISTRICT QRT MEETING" how were the issues marked "C" resolved?
4. Due to the groundwater conditions at the site, it appears that there should be a groundwater waiver required. Why is there no groundwater waiver included in the RAP package?
5. Do you agree with the estimates in the "Operation and Maintenance Costs" for Linden Road Landfill (specifically the annual estimates for the 6-30 year time frame)? Please re-review the material regarding the estimate of costs for the work.

6. According to Jim Innes' note of 7/28/98 the property is zoned residential/recreational. What documentation do we have to substantiate zoning other than the insufficient information we have seen to date?

7. Have we approved the permanent marker language and specifications on where they should be located, etc.? This language should be in the RAP or in a letter from GM supplementing the RAP.

8. Does the language in the RAP include schedules for site inspection frequency as described in the QRT FORM (mentioned in #2 above)? For instance the QRT form calls for monthly cap inspection until the vegetation is established, etc. - yet I couldn't find this language in the O&M Plan or anywhere else.

I apologize in advance for any of the above questions that you may have already provided answers to.

This RAP needs DEQ management sign off to be finalized. They will not sign off on the RAP without a proper review of its components. It is my understanding that Lynelle believes that this RAP must be taken through the formal review process of the Field Operations QRT.

With the above questions pending and with the fate of the Linden Road Landfill QRT meeting hanging ominously overhead I realized that the December 23rd deadline to review the RAP was not going to work (not to mention it is only two days away!). However as I stated in a GroupWise note to Jim Innes and Lynelle Marolf on July 29th the six-month deadline never should have begun because they never submitted a FAM. They finally submitted one to our office on October 14, 1998, so I would argue that would be the day the six-month time period began. I believe that Lynelle and Dave agree with me. This would allow us more than enough time to get this RAP wrapped up.

We do need to inform GM of this decision to extend or I should say correct the deadline date. Please find attached a letter that I believe would satisfy that need.

P.S. KEEP IN MIND THAT WE SHOULD GET BACK TO THEM PRIOR TO THE DEADLINE OF DECEMBER 23rd (or if we don't, it would "put us behind the eight ball" as Robert Metcalf says).

P.P.S. Lynelle suggests that a letter similar to the attached be sent A.S.A.P.

As always, thanks for putting up with Lansing! HA!
Brad Ermisch
DEQ-ERD
(517) 373-0269

CC: MAROLFL@DEQ-SC.DEQ-ERD,