

6 MAINTENANCE PLAN (40CFR 264.228(B), 264.228(C)(1)(II), 264.258(B), 264.258(C)(1)(II))

As stated in Section 4 of this Plan, inspections of the closed hazardous waste landfill and the RMA will be performed quarterly, by qualified RACER personnel and/or a designee. A thorough walking inspection will be made over each landfill cell (A-F), the berm surrounding the landfill and the RMA.

A natural vegetative cover was allowed to grow on the landfill to overtake the clover which attracts various wildlife for grazing, the main cause of damage to the vegetation and the landfill cover. This approach, on a trial basis, was approved by the MDEQ in a letter dated January 24, 2001. As part of the continued operation and maintenance of the landfill cap, brush and woody stemmed weeds will be controlled through regular inspections and selective cutting/removal/herbicide treatment. This should keep this vegetation from establishing a deep root system. Mowing of the landfill vegetative cover will continue along access routes, as well as around the control equipment and leachate accumulation facility. The request to allow the landfill cap to remain in a natural field state on a permanent basis was approved by the MDEQ in a letter dated February 4, 2003.

The leak detection system will be monitored as stated in Section 4 of this Plan. Malfunctions will be noted on the inspection log sheet and communicated to the post-closure contact who will dispatch the required personnel for repairs.

Beginning in 2011, the rip rap from the swale will be removed in areas where sediment has collected and is supporting vegetation, to allow the swale to simply be a vegetated drainage ditch, rather than a rip rap lined drainage ditch. Documentation of the repaired areas, including photos, will be provided in the annual inspection reports for the site.

Maintenance activities, if necessary, performed to correct erosion damage, cover settlement, and run-on/run-off structures will be certified by a licensed Professional Engineer. These activities will be performed by either RACER or contracted personnel. The Professional Engineer will prepare a report detailing the corrective action, and this report would be included with the Coldwater Road Landfill Facility annual report submitted to the MDEQ.

Pumps and float-switches in the leachate collection sumps will be cleaned and inspected annually. Worn parts will be replaced as necessary. Additional repairs will be conducted on an as-needed basis. Decisions on replacement of pumps will take into account the cost of repairs and the age of the defective pump. Based on prior experience, it is expected that an average of one pump will require replacement every three years. If a pump is to be replaced, a standby pump stored inside the leachate accumulation facility, will be installed and the defective pump will be sent out for repair diagnosis. Should the repair costs exceed new pump costs, a new pump will be purchased. The new pump will be stored inside the leachate accumulation facility and will be considered the standby pump for the next replacement event.

Above ground electrical equipment associated with each cell will be inspected monthly during a dewatering event. Inspections will determine whether the pumps and float-switches operate properly. Repairs to these items will be conducted on an as-needed basis.

7 PERSONNEL TRAINING (40CFR 270.14(B)(12) AND R229.9613(1))

Inspection and routine maintenance procedures will be carried out by qualified personnel.

Groundwater sampling and final cover maintenance will be performed by qualified RACER and/or contractor personnel. It is currently anticipated that post-closure activities will be handled by contract personnel. Required training for contracted personnel will depend upon the activities performed. Personnel which may potentially come in contact with landfill materials or landfill leachate will be required to meet the training requirements of 29 CFR 1910.120 (e) for safety and health at hazardous waste operations.

8 POST-CLOSURE COST ESTIMATE (40CFR 264.144 AND R229.9702)

The Post-Closure Cost Estimate for the landfill is presented in the August 2010 Remediation Cost Estimate Summary (RCES) for the site, which was approved by the MDEQ at that time. Table 6 provides a copy of the Post-Closure Cost Estimate, which established the Cost Breakdown for Initial Site Funding Accounts in the Settlement Agreement. Per the Settlement Agreement, the funding established for this site is dedicated to this site unless specific requirements of the Settlement Agreement are met. In addition, the Settlement Agreement provides for other funding (i.e., Cushion Funding Account and transfer from other Michigan sites), should certain provisions of the Settlement Agreement be met.

9 SURROUNDING LAND USE

The site is located at the northeast corner of Horton Street and Morris Hills Parkway in Flint, Michigan. A Site Zoning Map is included as Figure 8. The site is bounded by single-family residential and light industrial property to the north, light industrial property to the south, multiple-family residential property to the east, and single-family residential property to the west.

10 CLIMATE AND PRECIPITATION

The average monthly precipitation levels and average monthly temperatures for the site area are provided in Table 7, and a wind rose diagram for Genesee County is provided in Figure 9.

The site area receives approximately 30 inches of rainfall annually, with May being the wettest (about 3.3 inches of rainfall) and December through February being the driest months of the year (less than 2 inches of rainfall during each of these months). The average annual temperature for the site area is approximately 47.4 degrees Fahrenheit with January being the coldest month of the year (average temperature of 22.6 degrees Fahrenheit) and July being the warmest (average temperature of 71.3 degrees Fahrenheit).

The wind rose diagram for the site area indicates that winds are predominantly from the south-southwest followed by southwest and west winds. The strongest winds are gusts of greater than or equal to 22 Knots predominately from the west. Calm conditions (less than 4 Knots) only occur about 10% of the time in the site area with 7 to 11 Knot winds being the most prevalent, occurring about 37% of the time.

11 POST-CLOSURE PROPERTY USE (40CFR 265.117, R299.9601.3)

In accordance with the approved Closure Plan, a notification was placed on the deed of the property that informs future landowners of conditions or considerations of soil restrictions or soil relocation. Such a notification is identified in Part 201, Environmental Remediation, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended, as a "*Notice of Approved Environmental Remediation*." This notification (MDEQ Reference No.: NAER-WHMD-111-05-001) is not a restrictive covenant; however, it is a mechanism that identifies potential site restrictions. This notification was filed with the deed for the purpose of protecting public health, safety and welfare and the environment.

In addition, a Declaration of Restrictive Covenant (MDEQ Reference No.: RC-WHMD-111-05-002) was also placed on the deed of the property pursuant to Part 201 of the NREPA, 1994 PA 451 and the facility's consent order to protect public health, safety, and welfare, and the environment by prohibiting or restricting activities that could result in unacceptable exposure to environmental contamination present at the property. The Notice of Approved Environmental Remediation form and Declaration of Restrictive Covenant form were filed with the Genesee County Register of Deeds on June 24, 2005. These forms are included in Appendix E. In accordance with the Declaration of Restrictive Covenant form, an MDEQ-approved permanent marker plaque was installed just inside the Horton Street gate on August 23, 2005. RACER will maintain the area around the permanent marker to prevent vegetative growth from obscuring the brass plaque.

The Notice of Approved Environmental Remediation form includes language indicating notification and approval is required prior to relocating soils from the RMA.

In addition to the Declaration of Restrictive Covenant, a Notice Regarding Statutory Obligations Applicable to Property was also filed for the site (see Appendix F) as required by Rule 525 of Part 111, 1994 P.A. 451, as amended (*a.k.a.*, a Rule 525 Notice). The Rule 525 Notice indicates that the property has been used to manage hazardous waste and is subject to the corrective action requirements of Part 111, 1994 P.A. 451 and the Resource Conservation and Recovery Act (RCRA).

12 AMENDMENT OF POST-CLOSURE CARE PLAN (40CFR 265.118(D))

In the event site conditions differ substantially from those anticipated or if other unforeseen circumstances warrant, this Plan will be modified according to the section of RCRA referenced above.

13 FINANCIAL ASSURANCE MECHANISM FOR POST-CLOSURE (40 CFR 264.145, 264.151, R299.9703, AND R299.9709)

As part of the bankruptcy settlement process that resulted in the Settlement Agreement, MDEQ approved the creation of RACER with initial site funding account amounts to fund the post-closure care and remaining remediation of the site. These amounts are presented in Table 6 (as presented in Section 8). Per the Settlement Agreement these funds are designated for use for only the Coldwater Road Landfill site. In addition, the Settlement Agreement included an overall Cushion Funding Account and the ability to transfer funds from other Michigan sites if certain criteria included in the Settlement Agreement were met.

Appendix G contains the current, as of November 30, 2013, Property Funding Accounts Balances for the site. A comparison of the amounts provided in Appendix G and Table 6 indicates the current funding balances are greater than the original projected remaining funding balances for 2013. Per the Settlement Agreement, RACER is required to obtain approval from MDEQ of annual budgets needed to complete necessary and required activity at the site.