



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENTAL QUALITY
LANSING DISTRICT OFFICE



C. HEIDI GRETHUR
DIRECTOR

August 9, 2017

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

RECEIVED AUG 17 2017

Dear Mr. Favero:

SUBJECT: Notice of Approval of No Further Action Report for the Davison Road Industrial Land, Burton, Genesee County, Michigan, All Media and Pathways Except Groundwater Surface Water Interface;
Facility ID No.: 25000447

The Department of Environmental Quality (DEQ), Remediation and Redevelopment Division (RRD), has reviewed the No Further Action (NFA) Report submitted by RACER Trust on May 5, 2017. The NFA Report was submitted under Section 20114d of Part 201, Environmental Remediation, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended (NREPA). Based on this review, the NFA Report has been approved.

The DEQ has determined that the remedial action described in the NFA Report satisfies the requirement of Part 201 for the nonresidential restricted cleanup category as provided for in Section 20120a(1) of the NREPA. Therefore, the NFA Report is approved for the all media and pathways except groundwater surface water interface, and this correspondence serves as the No Further Action Letter as defined by Section 20101(1)(gg) of the NREPA.

As provided in Section 20126(4)(e) of the NREPA, a person with an approved NFA Report has an exemption to liability for the environmental contamination addressed in the NFA Report, but may be subject to liability for environmental conditions under the circumstances described in that subparagraph.

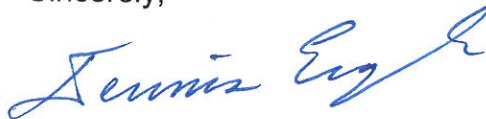
The DEQ's approval is based upon representations and information contained in the NFA Report for the facility. There are known conditions or hazardous substances present within the area covered by the NFA Report that have not been addressed by the remedial action that may cause an exposure risk to those persons present within the area described in the NFA Report. Additional response activities or actions to comply with Section 20107a of the NREPA may need to be performed to assure the protection of persons using the Gilkey Creek for any purpose. Further information regarding these conditions can be obtained from the RRD files located in the Lansing District Office, at the DEQ, 525 West Allegan Street, Lansing, Michigan 48909.

The DEQ expresses no opinion as to other contaminants or areas beyond those identified and addressed as described in the NFA Report. The DEQ makes no warranty as to the fitness of this facility for any general or specific use, and prospective purchasers or users are advised to use due diligence prior to acquiring any interest in or using this facility. The State reserves the right to take an action against RACER Trust if it discovers at any time that any material information provided by RACER Trust in the NFA Report was false or misleading.

All documents and data prepared, acquired, or relied upon in connection with this NFA Report must be maintained for not less than ten years after this approval pursuant to Section 20114d(7) of the NREPA, and shall be made available to the DEQ upon request.

If you have additional questions regarding this matter, please contact Jim Innes, Project Manager, at 517-284-5115; innesj@michigan.gov; or Department of Environmental Quality, Remediation and Redevelopment Division, Lansing District Office, P.O. Box 30242, Lansing, Michigan 48909; or you may contact me.

Sincerely,



Dennis Eagle, District Supervisor
Lansing District Office
Remediation and Redevelopment Division
517-284-5089
eagled@michigan.gov

cc: Ms. Susan Graves, Environmental Resources Group
Mr. Jim Innes, DEQ