ENVIRONMENTAL CONSTRUCTION MANAGEMENT PLAN

CHEVY COMMONS
300 NORTH CHEVROLET AVENUE,
306 AND 307 SOUTH STEVENSON STREET
AND
GLENWOOD AVENUE
(BETWEEN KEARSLEY AND NORTH CHEVROLET)
FLINT, MICHIGAN

Genesee County 2005 RLF Cleanup Grant
BF# 96565501

prepared for

CITY OF FLINT
1101 SOUTH SAGINAW STREET
FLINT, MICHIGAN 48502

AND

GENESEE COUNTY LAND BANK AUTHORITY
452 SOUTH SAGINAW STREET, SECOND FLOOR
Flint, Michigan 48502

AKT PEERLESS PROJECT NO. 6163S
SEPTEMBER 30, 2014

AKTPEERLESS

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Standard abbreviations used throughout this Environmental Construction Management Plan shall be as follows:

AKT Peerless:	AKT Peerless Environmental & Energy Services
BGS:	Below Ground Surface
BMP:	Best Management Practices
CSWO:	Certified Storm Water Operator
ECMP:	Environmental Construction Management Plan
EWP:	Evacuation Work Plan
GCC:	Generic Cleanup Criteria
GCLBA:	Genesee County Land Bank Authority
HASP:	Health and Safety Plan
HAZWOPER:	Hazardous Waste Operation and Emergency Response Standard
IDLH:	Immediately Dangerous to Life and Health
MDEQ:	Michigan Department of Environmental Quality
MIOSHA:	Michigan Occupational Safety and Health Act
NAPL:	Non-Aqueous Phase Liquids
NIOSH:	National Institute for Occupational Safety and Health
NREPA:	Natural Resources and Environmental Protection Act
OSHA:	Occupational Safety and Health Administration
PCB:	Polychlorinated Biphenyls
PNAs:	Polynuclear Aromatic Hydrocarbons
PPE:	Personal Protective Equipment
QEP:	Qualified Environmental Professional
RLF:	Revolving Loan Fund
SESC:	Soil Erosion and Sedimentation Control
SHSO:	Site Health and Safety Officer
SVOC:	Semi-Volatile Organic Compound
TCLP:	Toxicity Characteristic Leaching Procedure
USEPA:	United States Environmental Protection Agency
UST:	Underground Storage Tank
VOC:	Volatile Organic Compound

ENVIRONMENTAL CONSTRUCTION MANAGEMENT PLAN

CHEVY COMMONS
FLINT, MICHIGAN

AKT PEERLESS PROJECT NUMBER 6163S

1.0 INTRODUCTION AND DESCRIPTION OF WORK

1.1 INTRODUCTION

AKT Peerless Environmental & Energy Services (AKT Peerless) has prepared this Environmental Construction Management Plan (ECMP) to support environmental cleanup activities and redevelopment activities at Chevy Commons, 300 North Chevrolet Avenue, Glenwood Avenue (between Kearsley and North Chevrolet), and 306 and 307 South Stevenson Street, Flint, Michigan (the "subject property"). Refer to the attached figures for the location and layout of the subject property.

Cleanup activities are conducted in accordance with Genesee County United States Environmental Protection Agency (USEPA) Revolving Loan Fund (RLF) Cleanup grant (BF # 96565501) and AKT Peerless' Professional Services Contract with the Genesee County Land Bank Authority (GCLBA). The USEPA approved the property eligibility for use of RLF cleanup grant at the site on March 5, 2013.

Any excavation or surface penetration associated with subject property shall comply with this ECMP.

This document comprises the due care management plan for the construction phase of the project and the subject property's redevelopment. A copy of the Contractor's Disclosure Statement summarizing the subject property environmental construction requirements is provided in **Appendix A**. Any and all Contractors conducting site work and subsurface activities at the subject property will be required to sign a copy of this disclosure prior to starting work. Additional details regarding site contamination and concentrations can be found in the laboratory data summary tables prepared for the Subject Property.

1.1.1 Proposed Work

The GCLBA and the City of Flint intend to conduct redevelopment activities, which consist of the construction of naturalized green space cap throughout portions of the subject property. The redeveloped green space will be call "Chevy Commons." This plan was prepared specifically for the implementing the Environmental Cleanup Activities utilizing USEPA Cleanup grant funds and construction of a naturalized cap over the surface of the property.

The site tasks that will be conducted during the redevelopment activities will include some or all of the following: 1) selective demolition of site features; 2) installation of a soil and vegetative cap over the existing surface of the subject property; 3) repair, sealing, and bulk heading of existing storm sewers; 4) grading and compaction of imported fill materials; 5) elimination of safety hazards by filling or covering subsurface features or installing fencing; 6) limited excavation for the installation of subsurface foundations (light poles, fences, signs etc.), and outlet structure, and tree planting; and 7) removal and disposal of contaminated materials. Additional activities may be pursued and the associated due care management responsibilities evaluated as they are identified. No buildings are proposed to be constructed at the subject property.

1.1.2 Purpose

Between 2009 and when the property was acquired in 2013, the City of Flint obtained various liability protections at the state and federal level. These protections allowed the City of Flint to acquire the property without taking over the responsibility to cleanup pre-existing environmental conditions.

The City of Flint agreed to complete certain environmental activities to improve the environmental condition of the property that were deemed to be of substantial public benefit. The activities proposed include voluntary cleanup actions, evaluation of impacts to human health and the environment, and ultimately, compliance with what are called "Due Care" obligations. As part of the due care obligations contamination left in place will be properly managed. Due care also means that a property owner will take measures to prevent unacceptable exposures and prevent the creation of conditions that worsen the contamination.

It was determined that a USEPA RLF Cleanup Grant held by Genesee County would fund the proposed environmental activities. The GCLB was retained to implement the RLF Grant funded activities on behalf of the City of Flint. In addition to the RLF, other federal dollars were procured to contribute to the cleanup including the US Forest Service and environmental settlements with the former General Motors and Delphi.

The USEPA RLF program requires that cleanup activities comply with federal and state laws to ensure that the cleanup protects human health and the environment. In addition, the project must be coordinated with the state response program. The environmental work at Chevy is being conducted with the oversight of the Michigan Department of Environmental Quality (MDEQ) and in compliance with Michigan's Part 201 of PA 451.

This ECMP was prepared to provide guidance to the subject property Owner Representative and the Contractors for the management of contaminated soil, sediments, storm water and groundwater (if encountered) at the subject property. The recommended policies and procedures described herein are meant to ensure that human health and the environment is protected, soil/groundwater is properly managed, and due care responsibilities for the subject property are met during the construction phase of activities.

A variety of residuals (soil, groundwater, construction debris, etc.) could potentially be generated during construction. This ECMP specifies methods for management of these residuals. The procedures and guidelines set forth in this ECMP were developed to ensure that residuals generated during the course of construction will be managed in a manner which: (1) conforms to Federal, State, and local solid waste and environmental response laws; (2) protects workers and the general public from unacceptable exposure to the residuals; and (3) reduces the potential for exacerbation of environmental conditions of the subject property.

As part of the construction activities at the subject property, residuals are anticipated to be generated in each of the following categories:

1) Excess soils/fill materials generated from the following activities:
    a. Installation of sub grade foundation elements for construction of light poles, signs, and fencing
    b. Repair and closure of sub grade utilities, including storm sewers, sanitary sewers, water lines, and related sub grade structures

   c. Rough grading and general earthwork at the site, where no slabs or asphalt is present
   d. Excavation as may be required to provide to complete the above activities

2) Below-ground debris generated from the above activities, potentially including construction or demolition debris, foundations or slabs at or below grade, roots, stumps, as well as vegetative materials. Sub grade utilities and related structures planned to be removed to facilitate construction (e.g., sewer piping).

3) Residuals from decontamination of personnel and equipment, including:
   a. Used personal protective equipment
   b. Solids derived from decontamination of personnel and equipment
   c. Liquid wastes derived from decontamination of personnel and equipment

4) Other residuals from the overall site development and construction process, potentially including the following:
   a. Used silt fencing and related erosion control materials used to mitigate soil erosion in the course of construction
   b. Handling of environmentally contaminated soils or water

Construction activities to be performed in response to management of the residual materials at the subject property include a range of tasks to be performed by Contractors and subcontractors. Work tasks to be completed under this ECMP include, but are not limited to:

1. Stockpiling, transportation, and on-site relocation and/or off-site disposal of soil as necessary; and subsequent to characterization results of soils and fill materials derived from construction;
2. Stockpiling, transportation and on-site recycling and use or off-site disposal of construction debris and other materials derived from construction activities; based on characterization results;
3. Containerization and on-site storage of aqueous wastes (if encountered or developed) derived from construction, if necessary, including water derived from decontamination of personnel and equipment; and,
4. Containerization, transportation and off-site disposal of other residuals generated from the site development process, if necessary, subsequent to characterization.

The intent of this ECMP is to require that all residuals generated from construction activities on the subject property be managed either via: (1) redistribution on the property in a manner that is compliant with the City of Flint's due care responsibilities and in accordance with direction from the Qualified Environmental Professional (QEP); or (2) removal from the property to an appropriately licensed, approved disposal facility.

Management of soil, possibly storm water and groundwater, debris and all other construction residual materials shall be performed concurrently with other aspects of subject property development. Thus, all activities outlined in this ECMP shall be carefully coordinated with other subject property development activities, the Construction Manager, QEP and Owner Representative.

Environmental Best Management Practices (BMPs) will be used on this project where applicable and appropriate, unless otherwise determined by the QEP.

To address these needs, this ECMP includes three plans: (1) an Engineering and Institutional Control Plan for implementation and management of Engineering and Institutional Controls, (2) a Monitoring Plan for implementation of Site Monitoring, and (3) an Excavation Work Plan for management of soil and groundwater encountered during excavation activities.

1.1.3 Conflicts, Ambiguity, or Discrepancy

Before undertaking each part of the work, Contractor shall carefully study and compare the ECMP and the Contract Documents and check and verify pertinent information is shown and described.

If, during the performance of the Work, Contractor discovers any conflict, error, ambiguity or discrepancy within the ECMP or Contract Documents or between the ECMP and Contract Documents and/or any provision of any such Law or Regulation applicable to the performance of the work or of any such standard, specification, manual or code or of any instruction of any supplier; Contractor shall report it to the Construction Manager in writing at once, and Contractor shall not proceed with the Work affected thereby (except in an emergency) until an amendment or supplement to the ECMP or Contract Documents has been issued.

For any inconsistency between the Construction Specifications and the ECMP, it should be anticipated that the more conservative instruction protection of human health, safety, and the environment will be adopted.

1.2 CONSTRUCTION MANAGEMENT ROLES, QUALIFICATIONS, AND TRAINING

For the purposes of this ECMP, the roles and responsibilities for environmental construction due care planning and management activities are as follows.

1.2.1 Program Manager / Owner Representative

The subject property is currently owned by the City of Flint; however, the **Genesee County Land Bank Authority (GCLBA)** is the Program Manager and Owner Representative implementing the Environmental Cleanup Activities, Phase I Cap Construction, and management of USEPA Cleanup funds.

The GCLBA has designated personnel responsible for the management of the EPA funded activities and oversight of the environmental management roles described in the following sections.

1.2.2 Construction Manager

The Construction Manager is the appointed representative in charge of the oversight of all construction activities at the subject property. It is the Construction Manager's day-to-day responsibility to oversee and enforce the implementation of this ECMP.

AKT Peerless is the appointed Construction Manager for the project.

1.2.3 Qualified Environmental Professional

The QEP is the qualified individual retained by the Program Manager/Owner Representative to ensure that all environmental due care obligations are being met during construction. In this context, a "qualified individual" is a person that: 1) has at least 2 years of experience in the management and implementation of environmental construction management plans; 2) has at least 2 years' experience in the identification and management of environmental contamination and hazardous materials; 3) has a Bachelors degree or higher in engineering, geology, or other science-related discipline, or has

demonstrated sufficient ability through past performance; and 4) possesses current 40-hour certification under the Hazardous Waste Operation and Emergency Response Standard (HAZWOPER), (Michigan Occupational Safety and Health Act (MIOSHA) -STD-1216 and 29 CFR 1910.120).

AKT Peerless is the Qualified Environmental Professional retained for the project.

QEP Responsibilities

The QEP's responsibilities shall include general oversight of construction activities to assess and verify consistency of the construction activities with the City of Flint's "due care" obligations under Section 20107a of Part 201. This will include:

1. Oversight, as necessary, of the Contractor's invasive construction activities and field screening of excavated soils that result there from
2. Completion of ambient air monitoring (independent from Contractor), if necessary, in the vicinity of open excavations to assess the potential for exposure
3. Providing direction, as necessary, to the Contactor regarding materials and methods for stockpiling of contaminated soils, fill materials and other residuals that must be temporarily stored on the property during construction
4. Coordination and monitoring, of redistribution of soils/fill materials on the property (if necessary)
5. Visual monitoring of ambient air, as necessary, to verify that particulate emissions from the site are appropriately minimized through dust suppression techniques implemented by the Contractor
6. Visual monitoring, as necessary, of the effectiveness of soil erosion and sedimentation control (SESC) measures and vehicle track-out measures to prevent public nuisance

1.2.4 Contractor(s)

The Contractors are those companies designated by the Owner Representative and/or the Construction Manager that have responsibility for the implementation for specific work activities. These work activities will be identified by the Owner Representative and the Construction Manager. The Contractor is responsible for the procedures described in this ECMP for each designated activity.

The Contractor must have a Qualified Individual on-site during all work activities. In this context, the "Contractor Qualified Individual" is a person that: 1) is responsible to the employer; 2) has the authority to commit contractor resources and direct on-site personnel; 3) has at least 5 years of experience in the management and implementation of environmental construction activities and plans; 4) has at least 5 years' experience in the identification and management of environmental contamination and hazardous materials; 5) has at least 5 years' experience conducting construction activities and/or environmental cleanup at contaminated properties; 6) has demonstrated sufficient ability to supervise construction activities on contaminated properties through past performance; and 7) possesses current 40-hour certification under the HAZWOPER, MIOSHA-STD-1216 and 29 CFR 1910.120.

All subsurface work including penetrating or disturbing the existing surfaces, work with subsurface infrastructure, opening monitoring wells or sewers, handling of existing soil, sediments or groundwater, or any other site activity with the reasonable potential for exposure must be conducted by currently certified HAZWOPER personnel, (MIOSHA-STD-1216 and 29 CFR 1910.120).

Documentation of the above qualifications for on-site workers must be provided to the Construction Manager in advance of any on-site activity.

1.3 SUBJECT PROPERTY BACKGROUND

1.3.1 Subject Property Location and Description

The subject property commonly known as "Chevy in the Hole" is located at 300 North Chevrolet Avenue, 306 & 307 Stevenson Street, and along Glenwood Avenue (between West Kearsley and North Chevrolet) in Flint, Michigan (subject property). See Figure 1 for a topographic location map, Figure 2 for a site map – aerial photograph, and Figure 3 for a subject property map.

The subject property is owned by the City of Flint and consists of five parcels of land totaling approximately 60 acres. The following table summarizes the parcels comprising the subject property:

Parcel	Address on Assessment Records	Tax Identification Number	Current Owner
A	North Chevrolet Avenue	40-13-301-005	City of Flint
B	306 South Stevenson Street	40-13-176-002	City of Flint
C	Glenwood Avenue	40-13-326-005	City of Flint
D	307 South Stevenson Street	40-13-251-004	City of Flint
E	300 North Chevrolet Avenue	40-13-251-011	City of Flint

The subject property formerly operated as part of a large automotive manufacturing complex. There are no buildings currently located on the subject property. Over time, several environmental investigations have been conducted on the site. Soil and groundwater sampling conducted has identified contamination exceeding the Michigan Residential and Non-Residential Generic Cleanup Criteria (GCC) as defined by Part 201 of the Natural Resources and Environmental Protection Act (NREPA), Michigan Public Act (PA) 451, 1994, as amended.

Chevy in the Hole is named for its topographic location within the Flint River valley at the confluence of Swartz Creek. The site generally slopes from south to north with an elevation drop of approximately 30-feet. The site is proximate to several residential neighborhoods, near educational institutions, and adjacent to downtown Flint.

The 60+ acre property consist of a mixture of surface covers including abandoned factory floors, paved parking areas, and rail lines, as wells as gravel covered and vegetated areas.

1.4 SUBJECT PROPERTY HISTORY

According to historical sources reviewed, portions of the subject property have been industrially developed since at least 1886. The subject property began automobile manufacturing operations in at least 1909. Automobile manufacturing activities continued until 2004 when the last building was demolished. Demolition of structures on the subject property began in 1995. The following timeline is a summary of the industrial operations at the property:

1880s – Lumber Mills, Brick and Tile Manufacturing, Flint Wagon Works
1904 – Start of On-site Automobile Manufacturing, Buick Motor Company
1936 – Sit-Down Strike

1950s – Approximately 14,000 People Employed at Overall Chevy Motors Complex
1990s – Renamed Delphi West and Plants Start Closing
2004 – Last Building Demolished
2005 – Delphi Bankruptcy
2013 – Property Acquired by City of Flint

1.5 SUBJECT PROPERTY GEOLOGY AND HYDROGEOLOGY

Borings have been completed throughout much of the subject property. Paved surfaces vary from 3-inches to over 2-feet in thickness. Shallow soils vary across the subject property, but mainly include unconsolidated fill materials with some mixed clay.

Subsurface investigations at the property revealed the following soil types:

Fill material: Fill material is present beneath most portions of the property due to backfilling of the subject property area to grade for development purposes. The fill material typically consists of sandy deposits with cobbles, trace clay, brick, glass, coal materials, brick and wood debris. The fill material may be absent entirely in some areas.

Silty Clay: A silty clay glacial deposit underlies the fill material at the site. The silty clay grades to clayey silt in some areas and contains discontinuous sand seams and lenses. The estimated thickness of the glacial till in the area of the property can range from 60 to 80 feet.

Groundwater, which is located between 6 and 50-feet below ground surface (bgs), generally flows to the north and west towards the Flint River. However, groundwater in localized areas may be influenced by subsurface conditions such as imported fill, utility corridors, and/or other anthropogenic features.

The Flint River, which flows to the west, adjoins the subject property to the north, and Swartz Creek, which flows to the north into the Flint River, adjoins the subject property to the east.

The Flint River channel was constructed along the subject property between 1967 and 1970 by the U.S. Army Corps of Engineers. The base of the channel measures 120-feet wide, with each sloping bank extending from the bottom. The top of the banks span 300-feet across, with a maximum depth of 30-feet bgs. The channel was constructed to move water quickly and efficiently through the area to eliminate flooding threats. The concrete channel along the Flint River may also affect groundwater flow direction on the subject property.

Groundwater from the area of the subject property does not serve as the primary drinking water source for properties in the City of Flint, which currently obtains its municipal water from the Flint River (upstream of the subject property). The City of Flint will eventually obtain its water from Lake Huron. Public sources of information do not identify main aquifers below the subject property.

According to the Michigan Geological Survey Division's publication, *Quaternary Geology of Southern Michigan*, soils in the area are described as medium textured glacial till. These soils are described as gray, grayish brown or reddish brown, non-sorted glacial debris; matrix is dominantly loam and silt loam texture, with variable amounts of cobbles and boulders. These soils occur as ground moraine, till plain, or undifferentiated ground moraine-end moraine complexes, and includes areas of coarser or finer-textured tills, as well as small areas of outwash. The thickness of the soil ranges from 60 to 90 feet. The Saginaw Formation of bedrock is reported to be located beneath the unconsolidated glacial drift in the area of the subject property at depths of 60 to 80 feet.

1.6 SUBJECT PROPERTY ENVIRONMENTAL CONDITIONS

Soil and groundwater throughout the site has been contaminated as a result of multiple releases of hazardous substances associated with the former industrial operations. Contamination includes metals (e.g. arsenic, chromium, mercury, lead, etc.), ammonia, sodium and chloride, volatile organic compounds (VOCs), polynuclear aromatics (PNAs) including petroleum compounds, as well as solvents. Multiple environmental assessments and cleanups have been completed at the site since at least the 1980s. Levels of contamination vary greatly across the site. Low levels of contamination are located throughout most of the property; however, localized areas of high impact or even Non-Aqueous Phase Liquids (NAPL) (undegraded oil) in the ground has been identified.

Contaminant constituents in concentrations exceeding Part 201 Residential GCC have been identified in soil and groundwater throughout the subject property.

In addition to the NAPL, which represent potential acute risks, contaminant concentrations have been detected above the Part 201 groundwater surface water interface criteria, drinking water criteria, soil particulate inhalation criteria, and/or direct contact criteria. Site contamination was found at depths of 1-foot below grade to greater than 20-feet bgs.

Based on the analytical findings, the subject property meets the definition of a “facility” as defined by Part 201 of NREPA, Michigan PA 451 of 1994, as amended.

2.0 SUMMARY OF PROPOSED REMEDIAL ACTIONS

Several thousand cubic yards of clean fill materials will be imported to construct a vegetated cap over the surface of the subject property. As part of the cap construction, limited quantities of soil and/or construction debris may need to be removed from the subject property. Site redevelopment activities may or may not allow for the on-site management of soil on the property. If soil or debris is not reused on-site beneath the proposed cap, soil and construction debris from the subject property will require off-site disposal.

A Part 201 Section 7a Compliance Analysis (Due Care Plan) will be prepared for the long term management of the environmental due care obligations at the properties proposed final form. This ECMP will be provided as an attachment to the Due Care Plan.

2.1.1 Removal of Contaminated Materials from Site

A limited volume of contaminated soil and construction debris may be excavated from the site during construction.

If soil cannot be re-used on the site, all excavated material will be removed from the subject property and disposed off-site at an approved Type II landfill (pending appropriate waste characterization). Re-use on site means returning contaminated soil to the same excavation or placing it on the site at similarly contaminated areas approved by the QEP.

2.1.2 Subject Property Related Treatment Systems

No subject property related soil and/or groundwater treatment systems are currently proposed to be used prior to, during or after construction.

2.1.3 Remaining Contamination

Contaminated soil and groundwater is located throughout the subject property. Following the completion of construction activities contaminated soil and groundwater will remain at the subject property in excess of MDEQ Part 201 Residential GCC.

Contaminant concentrations remaining at the site are either 1) consistent with MDEQ, Part 201, Non-Residential Cleanup Criteria acceptable for the proposed site use as naturalized riverfront green space with limited public access, 2)will be managed through the use of Engineering and Institutional Controls and/or 3) will be managed through other due care response activities.

2.2 ENGINEERING AND INSTITUTIONAL CONTROL PLAN

2.2.1 Engineering and Institutional Control Introduction

Soil and groundwater contamination is present at the subject property in excess of MDEQ Part 201 Residential and Non-Residential GCC. Furthermore, soil and groundwater contamination will remain at the site upon completion of construction activities. Consequently, site specific engineering and institutional controls are necessary to mitigate unacceptable exposures to future occupants of the subject property and meet the requirements of an Order on Consent, the City of Flint and USEPA entered into. These controls are further discussed in the following subsections.

2.2.2 Engineering Controls And Response Activity

As previously discussed, acute hazards (NAPL) and subsurface contamination exceeding direct contact criteria and/or particulate soil inhalation criteria are present at the subject property. Therefore, engineering controls and response activity (e.g. a protective cap and target cleanup actions) are necessary to eliminate short and long-term health and safety concerns with subsurface contaminants as well as to control surface runoff, limit precipitation infiltration and prevent exacerbation of contaminant conditions.

The engineering and response activity control plan consists of the following:

- Concrete slabs will not be penetrated or removed and contaminated soil shall not be excavated and disposed unless response activities are completed as outlined with the Order on Consent and Restrictive Covenant. The guidance within this ECMP is intended to comply with the Order on Consent and the Restrictive Covenant.
- The existing concrete slabs, paved surfaces, and soil/gravel backfilled areas on Parcels A, B, D, and E will generally be left in place. The existing paved surfaces, areas of existing backfill, as well as the imported clean soil cap will act as a barrier to prevent exposure to the subsurface contaminants, limit surface water infiltration, prevent exacerbation, and limit contaminant migration.
- Prior to explicitly making areas of the property available for public use, all contaminated soil and groundwater will be located beneath a protective cap consisting of the existing paved surfaces, installed soil cap, paved roadways, parking areas, and/or pedestrian walkways.
- The protective cap must be maintained to prevent erosion and deterioration of the cap, which may cause exposure of the contaminated materials.
- For ease of maintenance and control of storm water a protective soil cap consisting of a minimum of 12-inches of clean imported fill material will be placed over the majority of the

existing paved surfaces. The soil cap will be installed in phases as the property is redeveloped over time.

- Existing paved surfaces that have been or will be removed, will be replaced with a similar impervious barrier, clay soil cap, and/or combination visual barrier and minimum 12-inch clean soil cap. The visual barrier will consist of an obvious material that will be noted during any future excavation activity including, but not limited to woven geotextile fabric. The visual barrier will be installed with a minimum 12-inch overlap.
- Any excavation or other intrusive activity, including removing, altering, or disturbing the imported clean fill, concrete and/or asphalt, that could affect the integrity of the cap, must be replaced with a cover that provides at least an equivalent degree of protection as the original cap.
- Repair and/or replacement of the cap, as described above, must be completed unless sampling is conducted that demonstrates that a cap in the area is no longer necessary in accordance with the applicable provisions and requirements of Part 201 of the NREPA.
- Any soil that cannot be effectively capped through the aforementioned means will be removed and appropriately disposed.
- As the property is developed the existing storm water drainage system will be closed. Storm water drainage features retained or installed as part of the redevelopment will consist of sealed water-tight construction designed to prevent the infiltration of groundwater.
- Additional investigation and targeted removals/response activities are occurring at the subject property. The investigation, removal and cleanup activities are specifically addressing areas of NAPL. No known fire or explosion hazards have been identified at the subject property, with respect to the known environmental contamination and site conditions. Any work in the areas of known NAPL must be coordinated with the QEP. Currently proposed site activities are not anticipated to encounter NAPL. Depth to NAPL varies based on the specific location of the subject property, but has been identified on groundwater at:

    - 11 feet bgs and deeper on Parcel A.
    - 8 feet bgs or deeper on Parcel B.
    - 6 feet bgs or deeper on Parcel D.

The subject property engineering controls, response activity, and existing conditions will be described in the Due Care Plan prepared for the subject property.

2.2.3 Engineering Control Operation and Maintenance

Operation and Maintenance will be performed by the Contractor in the construction area until vegetation and /or surface cover is established. The remaining portions of the site where construction activities are not occurring is fenced and access to the public is restricted. Furthermore, surface cover in these areas will not be disturbed.

Long term Operation and Maintenance of Engineering controls at the subject property are the responsibility of the property owner, the City of Flint. Under Michigan Part 201 of NREPA due care obligations include:

- Undertaking measures to prevent exacerbation of existing contamination.

- Exercising due care by undertaking response activities to mitigate unacceptable exposure to hazardous substances, mitigate fire and explosion hazards due to hazardous substances, and allow for the intended use of the subject property in a manner that protects health and safety.
- Taking reasonable precautions against the reasonably foreseeable acts or omissions of a third party and the consequences that could result from those acts or omissions.
- Providing reasonable cooperation, assistance, and access to the persons that are authorized to conduct response activities at the facility, including the cooperation and access necessary for the installation, integrity, operation, and maintenance of any complete or partial response activity at the facility.
- Complying with any land use or resource use restrictions established or relied on in connection with the response activities at the facility.
- Not impeding the effectiveness or integrity of any land use or resource use restriction employed at the facility in connection with response activities.

In addition the City of Flint maintains certain obligations under the Order on Consent, the City of Flint and USEPA entered into.

The City of Flint's long term operations and maintenance will comply with all applicable provision of Part 201 of NREPA and the Order on Consent. The maintenance of engineering controls located at the subject property will be described in the subject property Due Care Plan.

2.2.4 Institutional Controls

Due to the presence of contamination exceeding Part 201 Residential and Non-Residential GCC, institutional controls are necessary to maintain compliance with the Order on Consent. These controls: 1) restrict land use, 2) prohibit or limit resource use (i.e. water well installation, dewatering, soil excavation, soil and water management, construction of buildings with basements, penetrating the existing concrete slabs, etc.), and 3) restriction of removal of the existing concrete paved surfaces. The institutional controls are an integral component of the due care measures described within this plan and will be implemented and executed as defined in the Restrictive Covenant. The guidance within this ECMP is intended to comply with the Restrictive Covenant. The restrictive covenant is included as **Appendix B**.

2.3 OTHER DUE CARE CONTROLS

A series of due care management responsibilities are required to (1) prevent future exposure to remaining contamination by controlling disturbances of the subsurface contamination and (2) to prevent the use of groundwater from beneath the subject property in a potable or non-potable use. The proposed due care control mechanisms are:

- Use of an Excavation Work Plan (Section 4.0) to govern the management of potentially impacted soil and water (if encountered) during construction activities.
- All future activities on the property that will disturb remaining contaminated material, existing or future paved surfaces, or the clean soil cap must be conducted in accordance with this ECMP.

2.3.1 Intrusive Work Activities

Any future intrusive work that will penetrate the soil cover or cap, or encounter or disturb the remaining contamination will be performed in compliance with the Excavation Work Plan (EWP) that is provided in

Section 4.0. Any work conducted pursuant to the EWP must also be conducted in accordance with the procedures defined in a site-specific, contaminant health and safety plan (HASP) to be prepared by the Contractor conducting the invasive work. Any intrusive construction work will be performed in compliance with the EWP and HASP.

The Contractor and associated parties performing this work are completely responsible for compliance with this ECMP, the HASP, the safe performance of all intrusive work, the structural integrity of excavations, proper disposal of accumulated groundwater within excavations, control of runoff from open excavations into remaining contamination, and for site features that may be affected by excavations (such as paved surfaces and infrastructure).

2.4 HEALTH & SAFETY, CONTINGENCY PLAN, AND WORK PLAN

The subject property where construction is to occur constitutes a site of environmental contamination – a "facility" as defined under Part 201 of 1994 Michigan P.A. 451, as amended.

A comprehensive list of environmental contaminants which have been detected at the subject property are presented in the Due Care Plan. The Contractor shall be familiarized with the contaminants identified in the Due Care Plan.

Due to the presence of the environmental contamination, the Contractor shall take all necessary precautions as required by laws, regulations and the contract documents for protection of the Contractor's personnel, as well as the adjacent properties. Such regulations shall include, but not be limited to, the following:

1. Federal Occupational Health and Safety Act (OSHA), including the OSHA HAZWOPER standard (29 CFR 1910.120)
2. MIOSHA, as amended
3. Michigan Worker Right-to-Know Act

The Contractor shall protect all persons on the subject property or on adjacent properties that may be impacted by the Contractor's work.

Health and Safety Plan

It is the Contractor's responsibility to develop a site-specific, Contaminant HASP for all Contractor personnel. This HASP shall be specific to the site and address the potential hazards associated with the Contractor's scope of work. The Contractor Contaminant HASP shall acknowledge the information provided in this ECMP, as well as the Due Care Plan. The Contractor shall take all necessary precautions to assure that Contractor's personnel and Subcontractor's personnel under the Contractor's jurisdiction observe and abide by all applicable safety regulations while performing the work. The Contaminant HASP must be provided to the Construction Manager and Owner Representative in advance of commencing work activities. The Construction Manager and Owner Representative may elect to review and comment on the HASP. The Contractor shall incorporate the comments or provide further clarification to resolve the comments.

Spill / Emergency Contingency Plan

The Contractor and the Site Health & Safety Officer (SHSO) are responsible for emergency response notification(s) in the event that an emergency occurs during construction. Emergencies may include injury to personnel, fire, explosion, or an environmental material spill or release.

The Contractor is responsible for cleaning up all the leaks, spills from containers and other items on site or off site that occur, whether due to the Contractor's negligence or not. Immediate containment actions shall be taken as necessary to minimize the effect of any spill or leak. The Contractor shall notify the Construction Manager, QEP, and appropriate governmental authorities of the incident. Cleanup shall be in accordance with applicable Federal, State, and local laws and regulations at no additional cost to the Owner Representative. Submit to Construction Manager for review and comment, a Spill Contingency Plan for handling and transportation of solids, liquids, and hazardous materials.

The Plan shall address all the potential hazards, necessary actions to follow in case of spills, evacuation plan and emergency phone numbers. The emergency response plan can be included as part of the HASP.

As appropriate, the fire department and other emergency response group must be notified immediately by telephone of the emergency. A list of emergency contact telephone numbers must be posted prominently at the subject property (e.g., construction office trailer) and made readily available to all personnel at all times.

Additional, post-incident response assistance may also be obtained from other sources, as directed by the Owner Representative and Construction Manager.

Work Plan

Prior to proceeding with the work, the Contractor shall submit a work plan to the Construction Manager which includes the means, methods and procedures proposed for the accomplishment of all specified activities. The means, methods and procedures shall provide for safe conduct of the work; careful removal and disposition of soils, liquids, and solid materials and wastes; and protection of property that is to remain undisturbed.

The procedures shall provide a detailed description of the methods and equipment to be used for each operation, and the sequence of operations. The name and location of disposal facilities for all removed materials shall be submitted in the Work Plan.
Include detailed sequence of work with starting and ending dates for each activity. Provide a clear description of proposed means and methods for work, protection of public, protection of adjacent properties, adjacent structures/public right-of-way, and proposed temporary shoring, and barriers.

Provide a mechanism for coordination of any shutoff, capping, and continuation of utility services required. The procedures shall provide for safe conduct of the work, property protection, and protection of the site features to remain. The procedures shall provide a detailed description of the methods and equipment to be used for each operation, protection methods, and the sequence of operations. This includes drawings or reports that indicate the measures proposed for protecting individuals and property, for environmental protection, for dust control and, for noise control, as well as indicate proposed locations and construction of barriers.

Provide a map depicting notable locations including, but not limited to staging areas, temporary office, utility connection, fencing, gates, street closures, stockpiles, sequence of work, and barriers.

Specify the staff organization including subcontractors for the project. Include qualifications and certifications of the designated "Contractor Qualified Individual."

The work plan shall be based on Contractor work experience, and the guidance provided in the Construction specification and this ECMP.

3.0 SITE MONITORING PLAN

3.1 SITE MONITORING INTRODUCTION

Monitoring of the work environment will be conducted to identify environmental exposure conditions that are immediately dangerous to life or health (IDLH). In addition, monitoring will be conducted to evaluate the potential for exposure to hazardous substances by workers.

During excavation activities, daily monitoring information will be maintained in the Daily Field Reports. The logs will be maintained by the SHSO and provided to the Construction Manager. These logs will describe the work being performed at the subject property and describe any new procedures established for performing work. In addition, these logs will list the types of monitoring equipment being used, how and when this equipment was calibrated, monitoring results, the level of personal protective equipment (PPE) being used, and complete descriptions of all injuries, accidents, physical complaints, and unusual occurrences.

All existing soil, groundwater, debris, and residuals are assumed to be contaminated. At this time, field screening methods are not proposed to delineate or segregate impacted materials.

3.2 MEDIA MONITORING PROGRAM

3.2.1 Air Monitoring

During soil excavation activities, the Contractor shall evaluate the presence of airborne chemicals of concern through appropriate National Institute for Occupational Safety and Health (NIOSH) approved methods. The Contractor will monitor the working area and the area downwind from site activities in areas of known or suspected contamination as defined in the Contractor HASP. Information gathered will be used to ensure the adequacy of the levels of protection being employed at each area requiring environmental evaluation and may be used as a basis for upgrading or downgrading the levels of protection. Required levels of PPE should be determined by the SHSO, based on known site conditions and work activities. The QEP may provide independent monitoring to verify the appropriateness of work being performed and levels off protection being employed.

During clean backfill and general earthwork activities, at no time shall the concentration of aerosol dust resulting from Contractor activity exceed 10 milligrams per cubic meter (mg/m3) for more than 5 minutes.

3.2.2 Water Monitoring

If encountered during soil excavation activities, dewatering activities will be performed by the Contractor or a qualified subcontractor with specialized expertise in this area and qualified individuals as defined in Section 1.2. Required levels of PPE should be determined by the Contractor SHSO.

Monitoring will include physical observations and collection of water samples for field screening and laboratory analysis. Laboratory analytical results will dictate water handling and disposal options. (Refer to Fluids Management in Section 4.2.8). Adverse conditions (i.e. sheen, odors, product accumulation, or any other physical evidence of contamination) observed by the Contractor will be communicated to the appropriate personnel, the program manager and the QEP. Additional monitoring and/or characterization may be necessary as specific conditions are identified. The QEP will advise the Contractor of additional requirements, which may include media monitoring or sampling activities.

3.2.3 Soil and Solids Monitoring

All subsurface work will be performed by the Contractor or a qualified subcontractor with specialized expertise in this area and qualified individuals as defined in Section 1.2. Required levels of PPE should be determined by the Contractor SHSO.

Visual or field instrument soil screening will be performed by the Contractor qualified individual and independently by the QEP during all development excavations into known or potentially contaminated material. Soil screening will be performed regardless of when the invasive work is done and will include all excavation and invasive work performed on the subject property, such as cap penetrations, cleanup excavations and utility work.

Soil may be segregated based on previous environmental data and screening results into material that requires off-site disposal, material that requires testing, material that can be returned to the subsurface, and material that can be used as subsoil or in another pre-approved use. Unknown material will be assumed contaminated requiring special handing until proven otherwise.

4.0 EXCAVATION WORK PLAN

4.1 EXCAVATION WORK PLAN INTRODUCTION AND OVERVIEW

Soil and groundwater contamination is assumed to be located throughout the subject property that exceeds the MDEQ Part 201 Residential GCC. All subsurface soil and groundwater must be handled in accordance with the ECMP unless sampling is conducted that demonstrates that the protocols are no longer necessary in accordance with the applicable provisions and requirements of Part 201 of the NREPA.

The QEP must be made aware and provide independent oversight/observation during all cap disturbance and subsurface construction/excavation activities to ensure proper material handling, waste characterization, manifesting, disposal, and site restoration protocols are followed. The contractor must employ qualified individuals to complete and provide oversight during all construction/excavation activities that involves subsurface work, penetrating the cap, soil removal or handing, and groundwater or storm water removal and handling to ensure that the proper protocols are being followed. The QEP and Contractor qualified individuals are defined in Section 1.2.

Short-term dewatering for construction purposes is permitted provided the water is contained until characterization can be performed and the water is managed and disposed in accordance with all applicable local, state, and federal laws.

Subsurface construction/excavation work activities cannot result in a new release, exacerbation of existing contamination, or any other violation of laws and regulation. In addition, precautions must be taken to ensure contaminated soil is separated from the general public (i.e., people not associated with the operations of the subject property).

Groundwater resources shall not be developed for the purpose of obtaining potable water. The property is presently served by municipal water and there is no reasonable basis to assume a potable or irrigation well will be installed on the property.

Subsurface work activates will be documented including a written record of all excavation activates, date of excavation, duration of subsurface activities, weather conditions, erosion and dust controls implemented, and quantifiable air monitoring data.

4.2 SOIL MANAGEMENT

The GCLBA and the City of Flint intend to conduct environmental cleanup activities including construction of a naturalized cap over the surface of the property utilizing USEPA Cleanup grant funds.

Construction activities will be conducted over select portions of the subject property. A naturalized green space cap will be constructed utilizing imported clean sand and topsoil. The cap will be installed on top of the existing concrete, asphalt, and gravel surfaces. The newly installed soil cap will be contoured to facilitate precipitation runoff to desired areas of the site. These areas may be constructed as a detention basin with a sealed water-tight storm water conveyance to the Flint River.

The following subsections are intended to discuss and document required due care actions for the purpose of mitigating unacceptable exposures and exacerbation of existing contamination and site conditions.

This section includes work tasks required for management of soils generated during construction activities. Soils, debris, and residual materials generated from all construction activities on the property shall be managed in accordance with this ECMP.

Soils, debris, and fill materials that are excavated during construction will be preferably reused on the property to the extent that such reuse does not exacerbate environmental contamination on the property or create an unacceptable risk of exposure to environmental contaminants or otherwise pose a concern to human health and the environment. Soils and fill materials that cannot be reused on the property as a result of these restrictions, or due to construction considerations (i.e., cut/fill volumes, non-constructability, timing, etc.), will be removed from the property for disposal at an appropriately licensed facility. Temporary stockpiling of soils on the property may be necessary prior to re-use on the property and/or off-site disposal. Stockpiling will be conducted in accordance with the guidance in Section 4.2.2 and storm water controls are described in 4.2.11.

4.2.1 Soil Screening Methods

All existing soil, debris, and residuals are assumed to be contaminated. At this time, field screening methods are not proposed to delineate impacted materials. Soil screening and monitoring is described in Section 3.2.3.

Material samples will be collected to determine the proper disposition of any soils or solid material removed from the property prior to disposal at a licensed facility. Characterization for off-site disposal shall be dictated by the receiving facility, but will likely require the following minimum laboratory analytical:

- Toxicity Characteristics Leaching Procedure (TCLP) 8 metals
- TCLP VOCs
- TCLP SVOCs
- PCBs
- Paint Filter
- pH

Additional waste characterization laboratory analytical methods may be recommended by the QEP based on the specific residual material encountered and the requirements of the anticipated licensed disposal facility to gain disposal acceptance. Copies of all relevant documentation associated with such testing shall be submitted to the Construction Manager.

4.2.2 Stockpile Methods

If soil stockpiling is necessary as a temporary soil management strategy, the Contractor shall stockpile excess soils, and cover the materials with plastic sheeting that has been approved by the QEP. Soil stockpiles will be placed on a visqueen or comparable liner (minimum of 6 mil in thickness) and continuously encircled with a berm and/or silt fence. Residual soil will only be stockpiled at locations on the subject property approved in advance by the Construction Manager.

Contaminated soil or residuals will only be stored in area where adequate controls can be utilized to prevent the migration of impacted media. Particular attention will be given to preventing runoff of contaminated materials to the adjoining surface water and sewers. Stockpiled materials should be located spatially as far as possible away from surface water and sewer inlets as practical. Response actions and construction activities should be conducted in a phased manner to limit the amount of time impacted soil is exposed. Furthermore, excavation will be completed in a timely manner in an effort to minimize the potential for groundwater or precipitation accumulation. Stockpiled soil will not be mixed with other residual materials.

Precipitation shall not be permitted to accumulate with stockpiled soil. Contaminated soil/materials shall be contained and covered at all times. This shall be accomplished by accumulation in appropriate containers or by construction of containment. The Contractor shall be responsible for maintenance of plastic sheeting as necessary to prevent contact of potentially contaminated materials with precipitation or surface run-off, which may require the use of a surrounding earthen berm beneath the lower plastic sheeting. If berms are used, the berms shall be contiguous with the base and an impermeable membrane used to cover the berm base. Silt fence shall be provided at the perimeter of stockpiled materials, if necessary to prevent erosion of stockpiled soils. Hay bales and inlet protection fabric will be used as needed near catch basins, surface waters and other discharge points. Stockpiles will be kept covered at all times with appropriately anchored tarps. Stockpiles will be routinely inspected, and damaged tarp covers will be promptly replaced. Stockpiles will be inspected at a minimum of once each week and after every storm event.

Appropriate containers include drums, roll-off bins, trailers, or other containers that are intended to contain contaminated materials.

Contaminated soil/materials shall be removed from the subject property as frequently as required so that the volume or quantity of debris in the stockpile areas does not disrupt construction activities or create a nuisance or hazard.

4.2.3 Materials Excavation and Load Out

The QEP or person under their supervision will oversee all invasive work and the excavation and load-out of all excavated material. The Contractors are solely responsible for safe execution of all invasive and other work performed under this plan. The presence of utilities and easements on the subject property will be investigated by the Contractor.

Precautions must be taken to ensure that impacted soils are protected from rainfall and storm water. Should subsurface soil become exposed, through excavation, appropriate action must be taken to

prevent leaching of contaminants due to storm water. Actions could include: (1) promptly returning impacted soil to the excavation and restoring the surface cover, (2) removing the impacted soil to a proper disposal facility, and backfilling with clean fill material, (3) covering impacted material with plastic sheeting, and/or (4) placement of impacted soil beneath a berm or paved areas.

Soil must be handled in a manner that prevents erosion and runoff to a surface water or beyond the property boundary. Soil erosion and sedimentation control plans shall be followed for construction activities. Erosion controls (silt fencing or other barriers) must be utilized around the perimeter of work areas and around any areas where excavated soil is stockpiled or mounded. Also refer to stockpile methods in 4.2.2 and storm water controls for contaminated materials described in Section 4.2.11.

Promptly fill excavations, below grade areas or voids to ensure water does not collect within the area. If excavations remain open and groundwater or storm water accumulates in the excavation, all water must be handled as described in the Fluids Management Plan described in Section 4.2.8.

Excavations that penetrate the groundwater table must be backfilled with the same material removed (if compatible with the construction specs) or backfilled with clean fill material.

Loaded vehicles leaving the site will be appropriately lined, securely covered with a tarp, manifested, and placarded in accordance with appropriate Federal, State, and local requirements.

The Contractor must maintain a log of all construction residuals leaving the subject property. This log will be used to verify proper disposal and receipt of all manifests. The QEP may maintain an independent log of residuals. An example residual tracking log is included in **Appendix C**.

The Contractor will be responsible for identifying and securing all egress points, haul roads, and preventing debris track out and exacerbation.

4.2.4 Vehicle Track-Out Prevention Plan

The Contractor will be responsible for ensuring that all outbound trucks will be free of debris before leaving the subject property until the activities performed under this section are complete. Locations where vehicles enter or exit the subject property shall be inspected daily for evidence of off-site soil tracking. The Contractor is responsible for ensuring that all egress points for truck and equipment transport from the subject property are clean of dirt and other materials derived from the subject property during intrusive excavation activities. Cleaning of the adjacent streets will be performed by the Contractor as needed to maintain a clean condition with respect to site-derived materials.
The Contractor shall take measures to consistently prevent vehicular track-out of materials from the site to the adjacent public thoroughfares. Such measures may include, but are not limited to:

1. Mechanical removal of track-out materials from paved roadways
2. Construction of gravel approaches or temporary wheel washes at egress locations from the work area and washing of vehicle tires prior to leaving the work area

All equipment and vehicles, including tires, must be clean of soil before exiting the site. Vehicle and equipment cleaning stations will be located near each entrance to the site. Vehicles and equipment will be cleaned of dirt using brushes and/or pressure washing. All soil and wash water from cleaning stations will contained and remain on site in accordance with the requirements of the ECMP. Following characterization and approval from the City of Flint, water can be discharged to the sanitary sewer

system or will be manifested and transported for disposal at an approved licensed waste treatment facility.

When track-out onto thoroughfares occurs, the Contractor will as soon as practical contain and remove the residual material that was carried off-site, but no later than the end of the day. Track-out material recovered from off-site will be returned to the site and managed consistent with the other soil at the subject property, as approved by the QEP. It is the Contractor's responsibility to document the track-out mitigation activities, including the dates and times that control and cleanup activities are conducted. It is also the Contractor's responsibility to conduct other necessary remedial activities, including training of Contractor and subcontractor personnel, to prevent the re-occurrence of track-out in the future.

4.2.5 Materials Transport Off-Site

All transport of materials will be performed by licensed transporters in accordance with appropriate Federal, State, and local regulations. Transporters will be appropriately licensed and trucks properly placarded. Material transported by trucks exiting the subject property will be secured with tight-fitting covers. Loose-fitting canvas-type truck covers will be prohibited. If loads contain wet material capable of producing free liquid, truck liners will be used. Refer to Section 4.2.4 for vehicle track-out prevention.

Egress points for truck and equipment transport from the subject property will be kept clean of dirt and other materials during site remediation and development. Queuing of trucks will be performed on-site in order to minimize off-site disturbance. Off-site queuing and staging is prohibited.

The Contractor shall keep accurate records for the type and quantity of materials and liquids removed from the site. QEP's approval is required before any liquid or material leaves the site. The Contractor shall prepare and maintain accurate manifests or bills of lading for each batch of the waste materials being transported and disposed. The Contractor is responsible for obtaining the Owner Representative or designee signatures on manifests for transportation and disposal purposes.

The Contractor is responsible for cleaning up all the leaks, spills from containers and other items on site or off site that occur, whether due to the Contractor's negligence or not. Immediate containment actions shall be taken as necessary to minimize the effect of any spill or leak. The Contractor shall notify the Construction Manager, Owner Representative and appropriate governmental authorities of the incident. Cleanup shall be in accordance with applicable Federal, State, and local laws and regulations at no additional cost to the Owner or Owner Representative.

4.2.6 Materials Disposal Off-Site

All soil/solid/residual materials excavated and removed from the site will be treated as contaminated and regulated material and will be transported and disposed in accordance with all Federal, State, and local regulations. Contaminated residual soil/solid/residual materials shall be disposed at licensed approved Type II landfill.

Off-site disposal locations for excavated soils will be identified prior to disposal. This will include estimated quantities and a breakdown by class of disposal facility if appropriate (i.e. hazardous waste disposal facility, solid waste landfill). The Contractor shall be responsible for obtaining necessary approvals from the disposal facilities, consistent with all applicable regulations. The off-site facilities will be approved by the QEP prior to disposal of any materials.

The Contractor will obtain approval from the QEP for disposal of soil/solid/residual waste, including completion of waste characterization analyses as may be required. Subsequent to landfill approval, the

Contractor shall prepare all documentation required to document transportation of residual soil/solid/residual waste from the site, (i.e. bills of lading or load tickets for Type II disposal, Uniform Hazardous Waste Manifests) for review and approval of the QEP. The property owner or designated representative must sign Uniform Hazardous Waste Manifests.

The subject property Owner (City of Flint) will be identified as the generator of the material. The Contractor shall provide documentation to the Construction Manager regarding disposal or treatment of all soils removed from the site. Documentation will include records of disposal or treatment facility, the quantity of materials transported, and the quantity of materials treated or disposed.

Contaminated residual soil/solid/residual waste that do not exhibit the characteristics of hazardous waste (i.e., ignitability, corrosivity, reactivity, or TCLP toxicity) shall be disposed at an approved, licensed Type II landfill. Contaminated residual soils or materials that are characteristically hazardous shall be disposed in an approved, licensed hazardous waste facility. The Contractor shall employ only transporters that are licensed by the State of Michigan to transport hazardous soil/solid/residual waste or other hazardous material from the subject property.

Based on the results of previous subsurface activities at the subject property, characteristically hazardous materials could potentially be encountered in the course of the work.

4.2.7 Materials Reuse On-Site

On-site management of residual material is the preferred method for this project, although may not be feasible due to site conditions. Contaminated soil that is acceptable for re-use and/or recycling on-site and can be appropriately managed within the construction soil budget will be placed below a demarcation layer or impervious surface, and will not be reused within a cover soil layer or within landscaping berms.

Soils to be redistributed on the subject property will be managed as directed by the Construction Manager and the QEP so as to assure that soils are placed in a manner that does not exacerbate contamination conditions.

Based on known site conditions, asphalt on Parcel C is permitted to be recycled and reused on-site, as walkways or base material.

Concrete crushing or processing on-site will not be performed unless if it is demonstrated through laboratory sampling and analysis /characterization that the concrete is “clean” and appropriate for re-use. Organic matter (wood, roots, stumps, etc.) or other solid waste derived from clearing and grubbing of the site will not be reused on-site. Stumps and other solid waste shall be disposed at an approved Type II landfill.

Excess soils, or soils uncharacteristic of other fill soils at subject property that are generated during construction activities shall be stockpiled on the subject property by the Contractor and subsequently characterized by the Contractor to facilitate off-site disposal. Refer to storm water controls necessary for contaminates soil discussed in section 4.2.11.

4.2.8 Fluids Management

This section includes management of aqueous (i.e., water based) wastes generated during the course of construction. Aqueous wastes are assumed to include waters derived from dewatering liquids, storm water accumulated in excavation, vehicle wash, infrastructure abandonment, and decontamination of

personnel or equipment. Techniques for management of other aqueous waste materials will be established by the Construction Manager and the QEP on a case-by-case basis.

All liquids to be removed from the site, including excavation dewatering, will be handled, transported and disposed in accordance with applicable Federal, State, and local regulations. It is permissible to leave encountered groundwater in place if compatible with the construction specification. In the event that dewatering of excavations is required, or the containment and management of other groundwaters or surface waters at the site is necessary to facilitate the completion of construction activities, the Contractor will use the following procedures.

Groundwater derived from dewatering activities on the subject property shall not be discharged to a sanitary sewer without the proper analytical testing, prior written consent of the Owner Representative and after obtaining the requisite permits for the selected discharge. In no instance shall ground waters be discharge to a storm sewer, surface water or to the ground surface on the property.

In the event that the Contractor determines that the volume of construction fluids requiring management on-site is excessive (e.g., high water table conditions, excessive precipitation), the Contractor will notify the Construction Manager and the QEP immediately. Alternate management methods, including obtaining permits for direct discharge to the municipal sanitary sewer (i.e., City of Flint) as appropriate, will be explored and obtained as necessary to manage the fluids in accordance with all Federal, State and local regulations.

Characterization of the fluids will be conducted at the completion of dewatering activities, or more frequently as dictated by the accumulated volume of water and the need to dispose of it in a timely manner to appropriately manage residuals, storage volume and work space at the subject property. Characterization will be conducted by the Contractor with oversight by the QEP.

Characterization for disposal to the City of Flint sewer will require the following minimum laboratory analytical:

- Metals (arsenic, cadmium, chromium, copper, silver, lead, mercury, nickel, zinc, Chromium VI);
- Amenable Cyanide
- PCBs
- BTEX
- BOD5
- Total Suspended Solids
- Oil & Grease
- Ammonia
- Phosphorus
- pH

General characterization activates for off-site disposal at a licensed wastewater treatment facility shall be dictated by the receiving facility but will likely require the following minimum laboratory analytical:

- 8 RCRA Metals
- VOCs, SVOCs
- PBCs
- Reactivity
- Ignitability
- pH

Additional analytical characterization methods may be recommended depending on the nature of the material.

With the exception of permitted environmental monitoring or dewatering wells, water wells shall not be installed on the subject property. Groundwater shall not be utilized for construction purposes or potable water.

4.2.9 Cover System Restoration

Any excavation or other intrusive activity, including removing, altering, or disturbing the imported clean fill, concrete and/or asphalt cap or any other activity that could affect the integrity of the cap, the cap must be replaced with a cover that provides at least an equivalent degree of protection as the original cap.

Existing paved surfaces, which have been or will be removed, will be replaced with a similar impervious barrier, clay soil cap, and/or combination visual barrier and minimum 12-inch clean soil cap.

Where paved concrete or asphalt surfaces have been or will be removed, it is necessary to install a visual barrier beneath new imported clean capping material. The visual barrier is intended to provide future confirmation of excavation into impacted subsurface areas. The visual barrier will consist of an obvious material that will be noted during any future excavation activities including but not limited to woven geotextile fabric. The visual barrier will be installed with a minimum 12-inch overlap.

Repair and/or replacement of the barrier, as described above, must be completed unless sampling is conducted that demonstrates that a barrier in the area is no longer necessary in accordance with the applicable provisions and requirements of Part 201 of the NREPA. Cap disturbance and removal activities should be minimized whenever possible. All cap disturbing and restoration activities must be conducted with the oversight and approval of the QEP.

4.2.10 Backfill from Off-Site Sources

All backfill materials proposed for import onto the subject property will be approved by the Construction Manager and the QEP in advance and will be in compliance with provisions in this ECMP prior to receipt at the site. The Contractor will be required to provide certification that imported materials are clean for each material brought to the subject property. Material from industrial sites, spill sites, or other environmental remediation sites or potentially contaminated sites will not be imported to the site. Solid waste will not be imported onto the subject property.

Importation of fill material is prohibited until the fill materials have been characterized and deemed appropriate for use on site. Minimum characterization requirements for soil fill shall include the following:

- Geotechnical and constructability standards as specified within the Construction Specifications.
- VOCs
- SVOCs
- Michigan “10 Metals”

Additional analytical characterization methods may be required depending on the nature of the material and history of the source site.

Trucks entering the subject property with imported soils will be securely covered with tight fitting covers. Imported soils will be stockpiled separately from excavated materials and covered to prevent dust releases.

4.2.11 Storm Water Pollution Prevention

Where applicable depending on the nature and location of the Contractor's activities, as well as the acreage of the development property, the Contractor shall obtain a SESC permit. All work shall be performed in compliance with the SESC permit and with all applicable rules and regulations as established by the State of Michigan and the local regulating agency (Genesee County) in conjunction with the SESC Act (Act 347 P.A. of 1972) and the Storm Water Permit-By-Rule for Construction Activities (R 323.2190 of Act 245 of 1929 as amended) and Act 203 of 1993.

The Contractor is responsible for obtaining the SESC permit from the local agency with jurisdiction for regulating soil erosion and sedimentation. A copy of the SESC permit shall be submitted to the Construction Manager prior to initiation of the Contractor's work.

All construction SESC controls shall be installed and activities performed according to the practices outlined in the Construction Specifications and the Guidebook of Best Management Practices for Michigan Watersheds, Michigan Department of Natural Resources, Surface Water Quality Division. The Contractor shall provide and maintain temporary soil erosion and sedimentation control measures as required by permit. Controls shall be maintained during working and non-working hours as required by weather. Silt or solids retention at control structures shall be removed following construction and managed consistent with the other soils at the subject property.

Barriers and hay bale checks will be installed and inspected by the Contractor's MDEQ Certified Storm Water Operator (CSWO) in accordance with Part 31, Water Resources Protection and Part 91, SESC, of the NREPA, 1994 PA 451 as amended. Inspections will be conducted at least once a week and within 24-hours after every storm event. At a minimum, silt fencing and/or hay bales will be installed around the entire perimeter of the construction area or as shown on the approved SWPPP. Additional controls will be installed as necessary, or as directed by the Construction Manager.

Fabric sediment trap bags will be installed in all catch basins on and adjacent to the subject property. The traps will be inspected by the CSWO in accordance with the SESC and BMP. Accumulated sediment will be removed on a frequency necessary to the keep the control device working properly and not impeding storm water surface run-off flow. The recovered sediment will be managed consistent with the other soil at the subject property as described in this plan.

Erosion and sediment control measures shall be inspected to ensure that they are operating correctly. Where discharge locations or points are accessible, they shall be inspected to ascertain whether erosion control measures are effective in preventing significant impacts to receiving waters.

Results of inspections will be recorded in a logbook by the CSWO and maintained at the subject property and available for inspection by the MDEQ. All necessary repairs shall be made immediately.

Accumulated sediments will be removed as required to keep the barrier and hay bale check functional. All undercutting or erosion of the silt fence toe anchor shall be repaired immediately with appropriate backfill materials. Manufacturer's recommendations will be followed for replacing silt fencing damaged due to weathering.

The Contractor shall take such steps as are necessary to assure the retention and removal of any sediment which enters a drainage system along the construction route before said system discharges into a river, pond, or lake. If eroded material is allowed to enter a storm sewer system, it shall be the Contractor's responsibility to see that all catch basins and manholes are cleaned following construction. The Contractor shall also be responsible for maintaining all temporary on-site roadways in a passable condition until construction is completed.

Storm Water Controls for Contaminated Materials

Refer to stockpile methods described in Section 4.2.2 for controls necessary to prevent runoff of contaminated materials. Storm water controls for contained materials shall be a mandatory obligation for all on-sited work activity regardless of need or lack of a SESC permit from the local agency. In addition, storm water controls for contaminated materials will be specifically noted as part of the storm water inspection.

Inspection of stockpiled materials will be conducted at minimum weekly and within 24 hours of a significant storm event by the CSWO. Periodic independent inspections will also be conducted by the QEP. Inspections will be recorded in the Storm Water Inspection logbook maintained at the subject property. The logbook will be made part of the project record provided to the Owner/Construction Manager at the completion of the project.

4.2.12 Odor Control Plan

Nuisance odors emanating from construction activities at the site will be controlled and/or abated to ensure that emission are not leaving the subject property. This odor control section provides a general guidance for controlling emissions of nuisance odors off-site. It is the Contractor's responsibility to monitor and control nuisance odors throughout the duration of construction activities.

Specific odor control methods to be used on a routine basis will include monitoring and/or expeditious removal of the odor source material from the subject property. If nuisance odors are identified at the subject property boundary, or if odor complaints are received, work will be halted and the source of odors will be identified and corrected. Work will not resume until all nuisance odors have been abated. Implementation of all odor controls is the responsibility of the Contractor.

All necessary means will be employed to prevent on- and off-site nuisances. At a minimum, these measures will include:

(a) Limiting the area of open excavations and size of soil stockpiles
(b) Shrouding open excavations with tarps and other covers

If odors develop and cannot be otherwise controlled, additional means to eliminate odor nuisances will include:

(a) Direct load-out of soils to trucks for off-site disposal (i.e., no stockpiling)
(b) Use of chemical odorants in spray or misting systems
(c) Use of staff to monitor odors in surrounding neighborhoods

4.2.13 Dust Control Plan

It is the Contractor's responsibility to suppress the generation of dust during the completion of invasive construction activities. The following describes minimum elements of a dust suppression plan that addresses dust management during invasive on-site work.

(a) Dust suppression will be achieved through the use of a dedicated on-site water truck for road wetting. The truck will be equipped with a water cannon capable of spraying water directly onto off-road areas including excavations and stockpiles.
(b) Reducing free-fall drop distance from equipment during stockpiling of residuals.
(c) Gravel will be used on roadways to provide a clean and dust-free road surface.
(d) On-site roads will be limited in total area to minimize the area required for water truck sprinkling.
(e) Limiting the speed of all vehicles on the property to 10 miles per hour.

The Contractor shall apply water and/or dust palliatives as required to eliminate visible dust emissions from the site. Dust generation will be kept to a minimum by implementing control measures when dust is first observed. Application of water shall be the preferred dust palliative for the site. In the event that application of water proves ineffective, dust palliatives shall be approved by the Construction Manager and the QEP. Appropriate dust palliatives shall include:

(a) Calcium chloride, in accordance with MDOT 9.22.08A.
(b) Organic, nonpetroleum products (e.g., lignin derivatives, vegetable oils, and sugar beet extract) and synthetic polymer derivatives.

4.2.14 Dust Monitoring Plan

Subsurface work activates will be documented including a written record of all excavation activates, date of excavation, duration of subsurface activities, weather conditions, and quantifiable air monitoring data. The QEP shall conduct particulate air monitoring during excavation activity. Particulate air monitoring will be conducted utilizing MiniRams or equivalent air monitors. Monitoring will be conducted during construction and/or response activities involving the exposure of subsurface soil.

Short-term excavation activities (less than 1-day in duration) will be monitored by the QEP, via collection of periodic grab samples with a hand-held meter downwind of the work.

Long-term excavation activities (1-day or more in duration) will be monitoring by the QEP with an established monitoring station located downwind on the work. The monitoring station will collect continuous samples or other sample interval deemed appropriate by the QEP to document site conditions. The monitoring station will be relocated based on changes in weather and prevailing wind direction.

If subsurface excavation activates are considered de minimis by the QEP and particulate air monitoring is not warranted, the QEP will document the activity and rational for the de minimis classification within the project record.

At the direction of the Construction Manager, ambient air monitoring may be conducted by the Contractor (at their own expense) at the perimeter of the subject property or work area to demonstrate that no unacceptable exposures result from emissions of dust from intrusive construction activities.

All particulate monitoring data will be recorded and maintained as part of the project record.

4.2.15 Burning of Debris

Disposal of vegetative or combustible matter by burning is prohibited.

4.2.16 Heavy Equipment Decontamination Plan

If contaminated soil and/or fill are encountered during construction, drilling rigs, excavation equipment, and other vehicles may be contaminated during site activities in areas of contamination or exclusion zones. Equipment used for invasive activities is to be decontaminated by the Contractor prior to removal of the equipment from the subject property. All equipment and vehicles, including tires, must be free of soil before exiting the subject property. The Contractor shall complete decontamination in a manner to reduce the quantity of residuals generated from decontamination procedures to the extent practicable.

The Contractor SHSO will establish equipment and vehicle decontamination stations within contaminant reduction zones that should be located near each invasive work zone or construction traffic egress for the subject property. Alternately, decontamination of equipment shall be completed in an unpaved area of the subject property that overlies existing contamination, as approved by the QEP, where neither clean fill nor pavement has been installed.

Drilling rigs, vehicles, or other heavy equipment machinery including tires will be cleaned in the contaminant reduction zone with high-pressure steam. Loose material will be removed by brush. Decontamination shall be completed with un-augmented City water. The person(s) performing this activity will be at least at the level of protection utilized during the personnel and monitoring equipment decontamination. All soil/debris and water(if any) from equipment decontamination stations will be collected and characterized before reuse, disposal, or discharge to the sanitary, as appropriate, and consistent with the management of other construction derived residual materials as described in this ECMP.

If necessary, decontamination of personnel shall be completed in accordance with the Contractor's site-specific HASP. Residuals derived from personnel decontamination, including spent PPE, shall be managed in accordance with the requirements of Section 4.2.16 (Decontamination Residuals Management Plan).

4.2.17 Decontamination Residuals Management Plan

This section includes management and disposal of PPE and other associated solid decontamination residuals. Single use PPE and solid decontamination residuals that may be generated during project activities will be managed as Type II waste material. Solid decontamination residuals managed pursuant to this specification section shall be managed via disposal in the approved Type II landfill where residual soils and debris are managed.

Single use PPE includes used protective suits or related outerwear, gloves, boot covers, used cartridges for air purifying respirators and similar equipment that is used to reduce exposure of workers to contaminants and is not amenable to cleaning and reuse.

PPE and related decontamination residuals shall be accumulated in drums, roll-off bins, trailers, or other containers that are intended to contain environmentally impacted materials. Containers shall be covered in a manner which will preclude accumulation of precipitation. Decontamination residuals may be stockpiled and co-managed with soils or construction debris, with approval from the QEP.

Decontamination residuals shall be removed from the subject property as frequently as required so that the volume or quantity of stockpiled residuals does not disrupt construction activities or create a nuisance or hazard. Decontamination residuals shall be disposed at licensed approved Type II landfill. Decontamination residuals shall be managed through transportation and disposal under landfill

acceptance received for non-hazardous solids. Management and documentation requirements associated with management of non-hazardous soils shall apply to decontamination residuals. It is the Contractor's responsibility to prepare and maintain all records documenting the management of decontamination residuals.

4.3 CONSTRUCTION DEBRIS MANAGEMENT

This specification section includes stockpiling, management and disposal of construction debris or other unsuitable materials that are excavated during construction and not elsewhere specified. It is anticipated that construction debris at the subject property will primarily be comprised of concrete demolition debris from the limited subsurface construction activities. Construction debris could also include residuals from the demolition of subsurface utilities and other materials that cannot be recycled on-site.

Construction debris as used herein shall be defined to include all materials derived from removal of paved surfaces, as well as excess excavated manmade and naturally-occurring materials, including excavated utilities, foundations and/or concrete slabs, asphalt, ash, cinders, metal or wood piles, concrete or masonry rubble, rubbish, unsuitable expansive soils, cobbles, boulders, roots, stumps, and other organic matter or vegetative materials. The presence of limited quantities of the above materials in soil does not cause the soil to constitute construction debris.

The Contractor shall submit, for the Construction Manager's review and approval, a listing of any proposed disposal facilities to which the Contractor proposes to use for disposal of construction debris derived from the subject property. No debris shall be removed from the subject property to the proposed disposal facilities until the Contractor has received the Construction Manager's approval of the proposed disposal facilities.

Construction debris encountered at the subject property is assumed to be impacted with constituents of concern derived from the subject property and therefore will need to be removed for disposal at a licensed approved Type II landfill. If necessary, the Contractor (with oversight from the QEP) shall collect representative samples of construction debris to facilitate landfill acceptance, from each occurrence of separate or distinct debris.

Construction debris shall be stockpiled separately on-site in locations to be approved by the Construction Manager. Construction debris shall not be accumulated in any locations other than the approved stockpile locations. Construction debris may be stockpiled and co-managed with soils or other solid residuals, with approval from the QEP.

Construction debris shall be contained and covered at all times. This shall be accomplished by accumulation in appropriate containers or by construction of containment. Appropriate containers include drums, roll-off bins, trailers, or other containers that are intended to contain contaminated materials. The stockpile containment shall be conducted as described for soils in Section 4.2.2 and include an impermeable base and berms to prevent run-on and run-off of precipitation. The berms shall be contiguous with the base and as appropriate an impermeable membrane shall be used to cover the berm base.

Construction debris shall be removed from the subject property as frequently as required so that the volume or quantity of debris in the stockpile areas does not disrupt construction activities or create a nuisance or hazard.

As necessary, construction debris shall be disposed at licensed off-site facilities. The Contractor shall be responsible for obtaining necessary approvals from the disposal facilities, consistent with all applicable regulations. The Contractor shall prepare all paperwork required for disposal of construction debris. Such paperwork shall include waste characterizations required by the landfill operator(s) and any hazardous waste manifests that may be required for hazardous wastes. The City of Flint will be identified as the generator of the construction debris. The Owner Representative or designee will sign manifests as required.

Contaminated construction debris that does not exhibit any of the characteristics of hazardous waste (i.e., ignitability, corrosivity, reactivity, or TCLP toxicity) shall be disposed at an approved, licensed Type II landfill. Contaminated construction debris that is characteristically hazardous shall be disposed in an approved, licensed hazardous waste facility. The Contractor shall employ only transporters that are licensed by the State of Michigan to carry hazardous materials for transporting hazardous contaminated debris from the subject property. No characteristically hazardous construction debris is anticipated to be encountered in the course of construction.

Other requirements for the handling and management of construction debris shall be conducted consistent with the practices described for the contaminated soils at the subject property.

4.4 CONTINGENCY / DISCOVERY PLAN

Any buried abandoned containers (i.e. underground storage tanks (USTs), drums, pipelines, etc.), unanticipated void spaces, basements, or infrastructure, or historical artifacts that are discovered during construction must be appropriately handled, characterized and removed if appropriate. Upon discovery of conditions Contractor should notify the Construction Manager and QEP. Any abandoned containers or historical artifacts that are discovered should not be disturbed and any activities that could result in damage to buried containers or historical artifacts ceased. Construction activities should not resume until the abandoned container(s) or historical artifacts are properly assessed and removed, if necessary.

If other previously unidentified conditions or potential contamination sources are encountered during subsurface excavations or development related construction, excavation activities at that location will be suspended until the situation is evaluated and sufficient equipment is mobilized to address the condition. Sampling will be performed on product, sediment and surrounding soils, etc. as necessary to determine the nature of the material and proper disposal and/or environmental management method in accordance with the Property Owner’s due care requirements and obligations.

4.5 SITE CONTROL

Precautions to prevent the reasonably foreseeable acts or omissions of a third party will be implemented. Contractors will be required to keep unauthorized persons off the subject property during the construction activities. Actions could include: (1) post “no trespassing” signs, and/or (2) maintain fencing to prohibit the public from entering the subject property. Open excavations will be fenced to prevent access by unauthorized personnel. Subcontractors will not be brought onto the property without notification to the Construction Manager, oversight of the authorized Contractor and completion of Contractor Disclosure Statement by subcontractor.

The Contractor shall maintain a log book at the Field Office to record daily site personnel and visitors.

Personnel working inside and in the general vicinity of the work shall be trained and made thoroughly familiar with the safety precautions, procedures, and equipment required for controlling the potential

hazards associated with this work. Site visitors must sign in with the Contractor SHSO/Site Log Book and shall be provided a safety briefing prior to access to the vicinity of work.

4.6 RECORD KEEPING

The Contractor shall maintain necessary records to demonstrate that all inspections, testing, material disposal, and other requirements as described in the preceding sections was performed in accordance with this ECMP and all applicable Federal, State, and local regulations.

At the conclusion of disposal activities, the Contractor shall provide a compilation of all disposal documentation to the Construction Manager. Documentation will, at a minimum, include records of all disposal facility, the type of materials disposed, the quantity of materials transported (e.g., manifests), and the quantity of materials disposed (e.g., weigh scale tickets), quantities of materials reused on-site, quantities of imported materials/backfill, permits, licenses, and regulatory inspections and correspondence. The Contractor will also be responsible for maintaining copies of all documentation for a minimum of three years after the completion of construction activities.

5.0 ON-SITE HAZARDOUS SUBSTANCE USE AND FUELING

Hazardous substances and petroleum products will not be stored on the subject property in quantities considered significant without controls. This includes the proper storage of fuel tanks for refueling equipment on the subject property. If possible, fueling and maintenance activities should be conducted beyond the property boundary. If the contractor requires refueling or maintenance activities during construction, the following will need to be coordinated with the Construction Manager prior to refueling or maintenance activities: (1) a designated area needs to be established, and (2) construction of temporary engineering controls (lined bermed fueling pad), and/or (3) other established means necessary to differentiate a new release from the existing contamination.

6.0 SIGNATURES OF ENVIRONMENTAL PROFESSIONALS

The following individuals contributed to the completion of this Environmental Construction Management Plan.

Jon A. Hirschenberger, CPG
Project Manager
AKT PEERLESS ENVIRONMENTAL & ENERGY SERVICES
phone: (989) 754-9896

Ryan T. Londrigan, CHMM
Group Leader
AKT PEERLESS ENVIRONMENTAL & ENERGY SERVICES
phone: (989) 754-9896

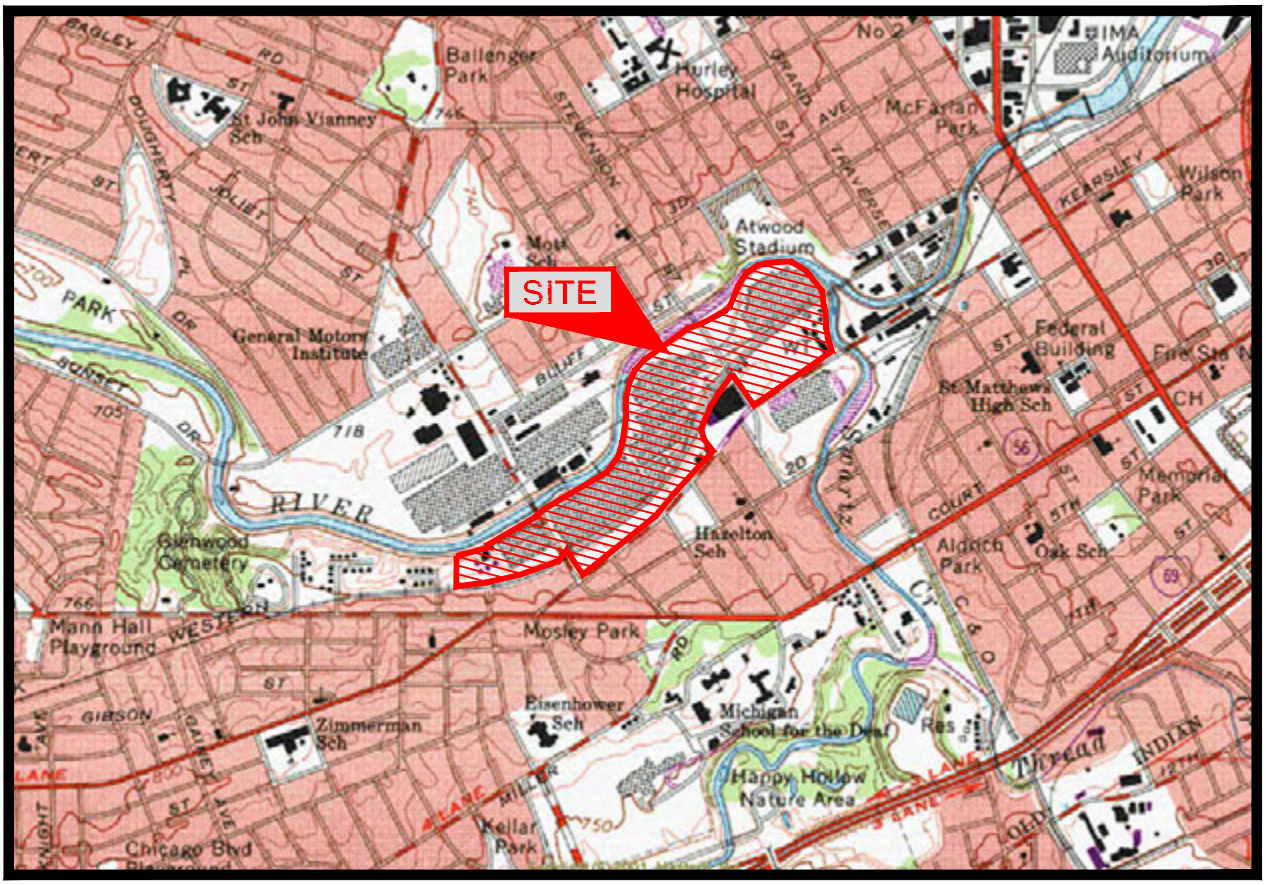
AKTPEERLESS

FIGURES

FLINT NORTH QUADRANGLE

MICHIGAN - GENESEE COUNTY

7.5 MINUTE SERIES (TOPOGRAPHIC)



T.7 N.-R.6 E.

1 0 1 MILE

1000 0 1000 2000 3000 4000 5000 6000 7000 FEET

1 0 1 KILOMETER

MICHIGAN
QUADRANGLE LOCATION

IMAGE TAKEN FROM 1969 U.S.G.S. TOPOGRAPHIC MAP
PHOTOREVISED 1975

AKTPEERLESS

ILLINOIS MICHIGAN OHIO

www.aktpeerless.com

TOPOGRAPHIC LOCATION MAP

CHEVY IN THE HOLE
300 NORTH CHEVROLET AVENUE,
306 & 307 SOUTH STEVENSON STREET, AND GLENWOOD AVENUE
(BETWEEN WEST KEARSLEY AND NORTH CHEVROLET)
FLINT, MICHIGAN
PROJECT NUMBER: 6163s

DRAWN BY: OGO
DATE: 06/11/2014

FIGURE 1

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ILLINOIS MICHIGAN OHIO

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SITE MAP - AERIAL PHOTOGRAPH

CHEVY IN THE HOLE
300 NORTH CHEVROLET AVENUE,
306 & 307 SOUTH STEVENSON STREET, AND GLENWOOD AVENUE
(BETWEEN WEST KEARSLEY AND NORTH CHEVROLET)
FLINT, MICHIGAN
PROJECT NUMBER: 6163s

LEGEND

N
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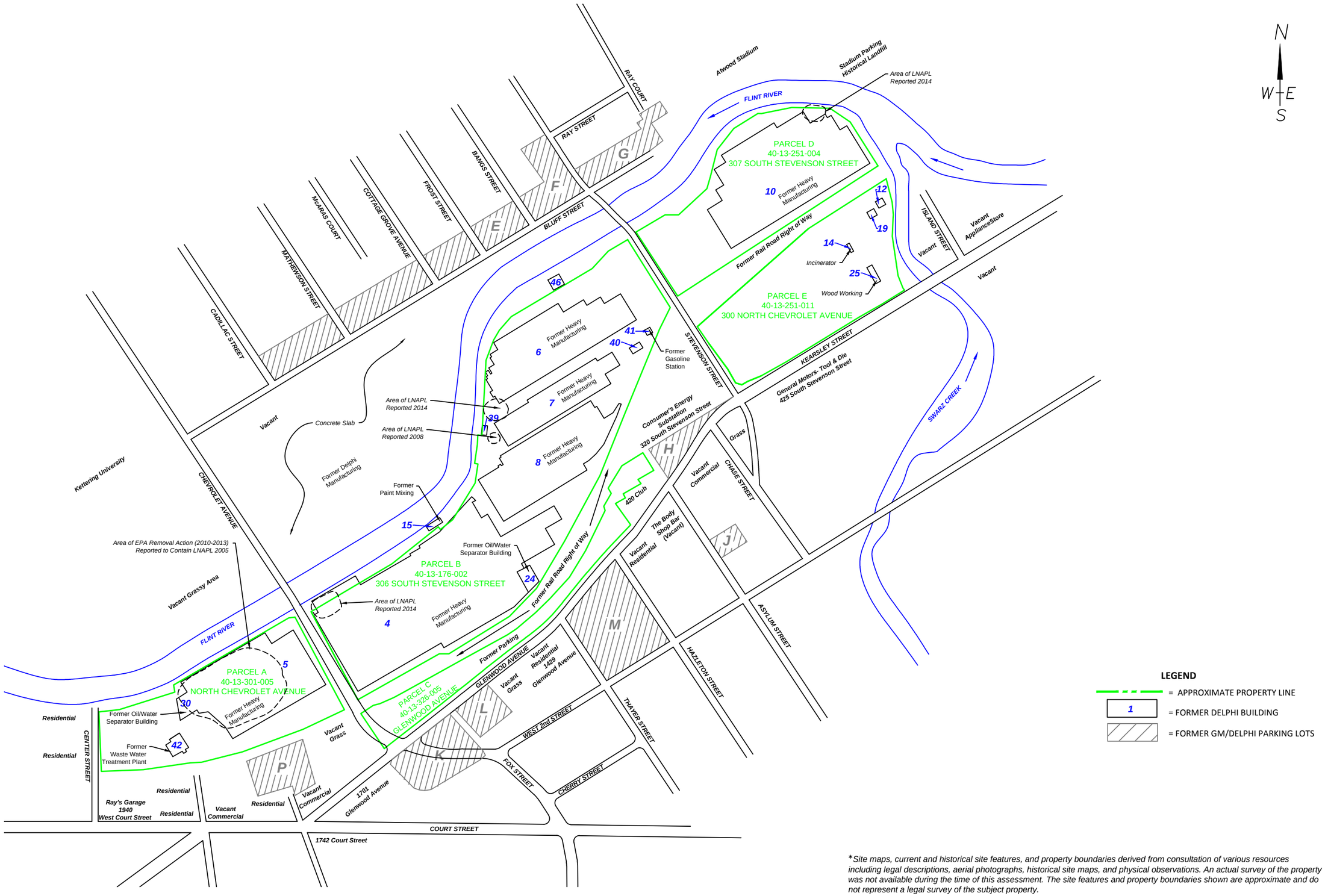
DRAWN BY: OGO
DATE: 06/11/2014

FIGURE 2



LEGEND

= APPROXIMATE PROPERTY LINE

1 = FORMER DELPHI BUILDING

= FORMER GM/DELPHI PARKING LOTS

*Site maps, current and historical site features, and property boundaries derived from consultation of various resources including legal descriptions, aerial photographs, historical site maps, and physical observations. An actual survey of the property was not available during the time of this assessment. The site features and property boundaries shown are approximate and do not represent a legal survey of the subject property.

DRAWN BY: OGO
DATE: 06/11/2014

0 200 400
SCALE: 1" = 400'

FIGURE 3

SUBJECT PROPERTY MAP

CHEVY IN THE HOLE
300 NORTH CHEVROLET AVENUE,
306 & 307 SOUTH STEVENSON STREET, AND GLENWOOD AVENUE
(BETWEEN WEST KEARSLEY AND NORTH CHEVROLET)
FLINT, MICHIGAN
PROJECT NUMBER: 6163s

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APPENDIX A

CONTRACTOR DISCLOSURE STATEMENT

CONTRACTOR DISCLOSURE STATEMENT

Chevy Commons
Flint, Michigan

AKT PEERLESS PROJECT NUMBER 6163S
June 2014

Soil and groundwater throughout the site has been contaminated as a result of multiple releases of hazardous substances associated with the former industrial operations. Contamination includes metals (e.g. arsenic, chromium, mercury, lead, etc.), ammonia, sodium and chloride, volatile organic compounds, polynuclear aromatics including petroleum compounds, as well as solvents. Multiple environmental assessments and cleanups have been completed at the site since at least the 1980s. Levels of contamination vary greatly across the site. Low levels of contamination are located throughout most of the property; however, localized areas of high impact or even Non-Aqueous Phase Liquids (NAPL) (undegraded oil) in the ground has been identified.

Contaminant constituents in concentrations exceeding Part 201 Generic Residential Cleanup Criteria (GRCC) have been identified in soil and groundwater throughout the subject property.

In addition to the NAPL, which represent potential acute risks, contaminant concentrations have been detected above the Part 201 groundwater surface water interface criteria, drinking water criteria, soil particulate inhalation criteria, and/or direct contact criteria. Site contamination was found at depths of 1-foot below grade to greater than 20-feet below ground surface (bgs).

Based on the analytical findings, the subject property meets the definition of a "facility" as defined by Part 201 of NREPA, Michigan PA 451 of 1994, as amended.

As part of the property owner's due care obligation under Section 20107a, the following measures will be followed during site activities:

Due to the presence of contaminants at concentrations, which exceed Part 201 cleanup criteria and screening levels, excavation on the property should be restricted except for authorized construction, landscaping, or utility installation/repair. All activities related to landscaping, construction, and utility installation/repair will be conducted by a contractor authorized by the property owner or owner representative.

All excavation, cap disturbance, and cap penetration activities be conducted under a Health and Safety Plan (HASP). Any contractors working with materials containing potentially hazardous substances shall prepare a HASP, which will include, at a minimum, emergency contact numbers, hospital locations, personal protective equipment (i.e., gloves, boots, coveralls, etc.), monitoring, and decontamination procedures. HASPs prepared for this work should be read and signed by all workers assigned to the project. Upon request, the contractor must provide the HASP to the property owner or representative for review.

Soil on the subject property is known to be impacted above the direct contact and particulate inhalation cleanup criteria. Appropriate worker protection will be necessary for work conducted in the areas where contaminant levels exceed direct contact and particulate inhalation.

Concrete slabs will not be penetrated or removed and contaminated soil shall not be excavated and disposed unless response activities are completed as outlined with the Restrictive Covenant and the ECMP. The existing concrete slabs, paved surfaces, and soil/gravel backfilled areas on Parcels A, B, D, and E will generally be left in place. A protective cap consisting of the existing paved surfaces, installed soil cap minimum 12-inches in depth), paved roadways, parking areas, and/or pedestrian walkways will be installed on the property. The protective cap must be maintained to prevent erosion and deterioration of the cap which may cause exposure of the contaminated materials.

Existing paved surfaces which have been or will be removed, will be replaced with a similar impervious barrier, clay soil cap, and/or combination visual barrier and minimum 12-inch clean soil cap. The visual barrier will consist of an obvious material that will be noted during any future excavation activities including but not limited to woven geotextile fabric. The visual barrier will be installed with a minimum 12-inch overlap.

Any excavation or other intrusive activity, including removing, altering, or disturbing the imported clean fill, concrete and/or asphalt, that could affect the integrity of the cap, must be replaced with a cover that provides at least an equivalent degree of protection as the original cap. Repair and/or replacement of the cap, as described above, must be completed unless sampling is conducted that demonstrates that a cap in the area is no longer necessary in accordance with the applicable provisions and requirements of Part 201 of the NREPA. Any soil which cannot be effectively capped through the aforementioned means will be removed and appropriately disposed.

Precautions must be taken to ensure that impacted soils are not exacerbated and are separated from the public. Should subsurface soil become exposed, through excavation, utility installation, etc., appropriate action must be taken to prevent an unacceptable risk to the public health. Actions could include: (1) promptly returning impacted soil to the excavation, (2) removing the impacted soil to a proper disposal facility, and backfilling with clean fill material, (3) covering exposed soil with tarps or clean fill material, (4) properly managing soil through the use of erosion controls, etc. to prevent contaminated soil runoff, (5) implementation of a dust management plan, and/or (6) prevent track-off of soils to public right of ways and roadways.

Due to the presence of contamination, procedures must be developed to protect against fugitive dust and trackout. Plans should include specific measures necessary to ensure impacted soil does not leave the site during construction activities. Additionally, plans should outline procedures for ensuring that large piles of soil are limited to protect against the generation of dust.

Precautions must be taken to ensure that impacted soils are protected from rainfall and storm water. Should subsurface soil become exposed, through excavation, grading, etc., appropriate action must be taken to prevent a leaching of contaminants due to storm water. Actions could include: (1) promptly returning impacted soil to the excavation, (2) removing the impacted soil to a proper disposal facility, and backfilling with clean fill material, (3) covering exposed soil with clean fill material, (4) covering impacted material with plastic sheeting, and/or (5) placement of impacted soil beneath a berm or paved areas.

Soil must be handled in a manner that prevents erosion and runoff to a surface water or beyond the property boundary. Soil erosion and sedimentation control plans shall be followed for construction activities. Erosion controls (silt fencing or other barriers) must be utilized: (1) around the perimeter of the work and (2) around any areas where excavated soil is stockpiled or mounded. Additionally, as previously discussed above, stockpiled and mounded soil should be minimized at the subject property.

All soil that is not re-used on site will be disposed of at an approved landfill. In no instance is soil to be transported off-site other than to an appropriate Type II landfill.

Barricade and maintain open excavations when excavations cannot be promptly backfilled.

Promptly fill excavations, below grade areas or voids to ensure water does not collect within the area. If excavations remain open and groundwater accumulates in the excavation, all groundwater must be handled as described in the following paragraph. If surface water from precipitation accumulates in below grade areas, the water must be handled as described below and treated as if it is contaminated. Analytical testing may be conducted to confirm the presence of contamination within accumulated water. If contamination is present in accumulated surface water at concentrations exceeding groundwater surface water interface criteria, any such surface water must be handled in accordance with protocols described in the following paragraph. If contamination is below groundwater surface water interface criteria, it may be discharged as acceptable to local, state, and federal regulations. Characterization must be conducted prior to each potential discharge event.

Groundwater pumping for the purposes of dewatering excavations in impacted areas must be conducted in accordance with applicable rules and regulations. It is permissible to leave encountered groundwater in place. However, if dewatering will occur water must be properly disposed of in accordance with applicable rules and regulations. It is not permissible to pump groundwater, accumulated rainwater, or surface water to storm or sanitary sewers without proper permits and monitoring required by the City and the MDEQ. It is also not permissible to pump groundwater onto the ground surface of the subject property or into a surface water body. Groundwater that accumulates in excavations must be contained (i.e. frac tank, or diked areas) until it can be pumped to a treatment facility or groundwater may also be pumped to the City of Flint Waste Water Treatment Plant provided that appropriate characterization is conducted and disposal is approved by the Water Treatment Plant. Groundwater and impacted surface water is not to be discharged from the property in any manner other than described herein or as approved by local, state, federal authorities and the Qualified Environmental Professional assigned to the project.

A groundwater surface water interface shall not be created on the subject property without proper characterization. The presence of soil contamination in excess of the Groundwater Surface Water Interface Cleanup Criteria should be taken into consideration prior to construction of a surface water body on the property.

Water wells shall not be installed on the subject property, except for environmental monitoring and limited construction dewatering activities as permitted in the Restrictive Covenant and following the procedures described in the Environmental Construction Management Plan. Groundwater shall not be utilized for construction purposes or potable water.

Hazardous substances and petroleum products will not be stored on the subject property in quantities considered significant without controls. This includes storage of fuel tanks for use in refueling equipment being utilized on the subject property. Fueling and maintenance activities should be conducted beyond the property boundary. If the contractor requires refueling or maintenance activities during construction the following will need to be coordinated with the property owner: (1) a designated area needs to be established, and (2) construction of temporary engineering controls, and/or other means needs to be established to differentiate a new release from the existing contamination prior to refueling or maintenance activities.

Importation of fill material other than clean backfill from a gravel/sand yard is prohibited. Importation of fill material from another property is prohibited until the fill materials have been characterized and deemed appropriate for use on site.

Any buried abandoned containers (i.e. underground storage tanks (USTs), drums, pipelines, etc.) that are discovered during construction must be appropriately characterized and removed. Any abandoned containers that are discovered should not be disturbed and any activities that could result in damage to buried containers ceased. Construction activities should not resume until the abandoned container(s) are properly assessed and removed.

Areas of Non-Aqueous Phase Liquid (NAPL) are present on the subject property. No known fire or explosion hazards have been identified at the subject property, with respect to the known environmental contamination and site conditions. Depth to NAPL varies based on the specific location of the subject property, but has been identified on groundwater at:

- 11 feet bgs and deeper on Parcel A.
- 8 feet bgs or deeper on Parcel B.
- 6 feet bgs or deeper on Parcel D.

Currently proposed site activities are not anticipated to encounter NAPL. On-going investigation and remediation is occurring to address areas of NAPL. Any work in the areas of known NAPL must be coordinated with the Qualified Environmental Professional assigned to the project. All work must be conducted with caution and in accordance with all appropriate monitoring equipment.

Precautions to prevent the reasonably foreseeable acts or omissions of a third party will be implemented. Contractors will be required to keep unauthorized persons off the subject property during the construction activities. Actions could include: (1) post “no trespassing” signs, and/or (2) maintain fencing to prohibit the public from entering the subject property. Contractors must maintain a log of all site workers and visitors. Site visitors must be provided a safety briefing prior to access to work areas. Open excavations will be fenced to prevent access by unauthorized personnel.

Subcontractors will not be brought onto the property without oversight of the authorized contractor and completion of this disclosure statement.

Concrete impacted with PCBs or other contamination should be handled and disposed in accordance with applicable regulations. Concrete impacted with PCBs, significant oil staining, or is in contact with contaminated soil cannot be recycled and must be disposed appropriately in accordance with applicable laws and regulations.

Contractors and workers must possess proper experience, training, and licensing to perform site activities. All subsurface work including penetrating or disturbing the existing surfaces, work with subsurface infrastructure, opening monitoring wells or sewers, handling of existing soil, sediments or groundwater, or any other site activity with the reasonable potential for exposure must be conducted by currently certified HAZWOPER personnel, (MIOSHA-STD-1216 and 29 CFR 1910.120).

The Owner Representative has retained AKT Peerless as the Qualified Environmental Professional for the project. The QEP shall provide independent oversight to ensure that all environmental due care obligations are being met during construction. The QEP shall provide oversight of all invasive construction activities including but not limited to penetrating or disturbing the existing surfaces, work with subsurface infrastructure, opening monitoring wells or sewers, and handling of existing soil, sediments or groundwater.

An Environmental Construction Management Plan (ECMP) was prepared to provide guidance to the subject property Owner Representative and the Contractors for the management of contaminated soil, sediments, storm water and groundwater (if encountered) at the subject property. The ECMP describes the recommended policies and procedures meant to ensure that human health and the environment is protected, soil/groundwater is properly managed, and due care responsibilities for the subject property are met during the construction phase of activities. The ECMP requires that all soil and liquid residuals generated from construction activities on the subject property be managed either via: (1) redistribution on the property in a manner that is compliant with the City of Flint's due care responsibilities and in accordance with direction from the Qualified Environmental Professional; or (2) removal from the property to an appropriately licensed, approved disposal facility approved by the Qualified Environmental Professional.

We have read, understand, and will conduct site work in accordance with this Disclosure Statement and the Environmental Construction Management Plan.

_____

Name and Title

_____

Signature

_____

Company

_____

Date

AKT PEERLESS

APPENDIX B

RESTRICTIVE COVENANT

Warner Norcross&Judd LLP
ATTORNEYS AT LAW

JESSICA M. BACK
SENIOR PARALEGAL
616.752.2704
FAX 616.222.2704

jback@wnj.com

February 20, 2013

Genesee County Register of Deeds
County Administration Building
1101 Beach Street
Flint, Michigan 48502

Re: **Declaration of Restrictive Covenant and Notice Regarding Statutory Obligations Applicable to Property**

Dear Register:

Enclosed for recording is a Declaration of Restrictive Covenant (to be recorded first) and a Notice Regarding Statutory Obligations Applicable to Property (to be recorded second), along with a check in the amount of $85 for the recording fees. Once the documents have been recorded, please return them to me in the enclosed self-addressed, postage paid envelope.

If you have any questions or comments regarding the enclosed, please call me.

Very truly yours,

Jessica M. Back
Senior Paralegal

JMB

Enclosures

8938778-2

DECLARATION OF RESTRICTIVE COVENANT

This Declaration of Restrictive Covenant has been recorded with the Genesee County Register of Deeds for the purpose of protecting 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 located in the City of Flint, Michigan, with common addresses known as 300 North Chevrolet Avenue, 306 South Stevenson, Glenwood Avenue, 307 South Stevenson, and another parcel referred to as 300 North Chevrolet Avenue, all of which are legally described in Exhibit No. 1 attached hereto ("Property").

Response activities will be implemented under an Agreement, Order on Consent and Covenant Not Sue between the City of Flint and the United States Environmental Protection Agency to address environmental contamination at the Property. The adequacy of the response activities to be implemented will not be subject to a facility-specific review by the DEQ nor has the DEQ determined that the response activities comply with Part 201, Environmental Remediation, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended ("NREPA").

The Property contains hazardous substances in excess of the concentration developed as the unrestricted residential criteria under Section 20120(a)(1)(a) or (17) of the NREPA.

The response activities at the Property require the recording of this Declaration of Restrictive Covenant with the Genesee County Register of Deeds. The DEQ, U.S. EPA, and the City of Flint, Michigan, may enforce the restrictions set forth in this Declaration of Restrictive Covenant by legal action in a court of competent jurisdiction.

The restrictions contained in this Declaration of Restrictive Covenant are based upon information available at the time this Declaration of Restrictive Covenant is executed and on the response activities to be implemented pursuant to the Agreement, Order on, Consent and Covenant Not To Sue The City Of Flint, MI dated October 16, 2012 ("AOC"). Failure of the response activities to achieve and maintain the criteria of exposure control, and any requirements specified by the response activities; future changes in the environmental condition of the Property or changes in the applicable cleanup criteria; discovery of environmental conditions at the Property that were not accounted for during implementation of the response activities; or use of the Property in a manner inconsistent with the restrictions described herein, may result in this

Declaration of Restrictive Covenant not being protective of public health, safety and welfare, and the environment.

Definitions

For purposes of this Declaration of Restrictive Covenant, the following definitions shall apply:

"DPH" means DPH-DAS LLC.

"DEQ" means the Michigan Department of Environmental Quality, its successor entities, and those persons or entities acting on its behalf.

"Dewater" means the extraction of groundwater to the extent required to enable construction to occur without the presence of water in the excavation where the construction is taking place.

"Owner" means at any given time the then-current titleholder of the Property or any portion thereof.

"U.S. EPA" means the United States Environmental Protection Agency, its successor entities and those authorized persons acting on its behalf.

All other terms used in this document are defined in Part 3, Definitions, of the NREPA; Part 201 of the NREPA; or the Part 201 Administrative Rules, 2002 Michigan Register; effective December 21, 2002, shall have the same meaning in this document as in Parts 3 and 201 of the NREPA and the Part 201 Administrative Rules, as of the date of recording of this Declaration of Restrictive Covenant.

NOW THEREFORE,

1. ***Declaration of Land Use or Resource Use Restrictions***

The City of Flint, Michigan, as Owner of the Property hereby declares and covenants that the Property shall be subject to the following restrictive conditions:

(a) The Property may be used for nonresidential purposes and for restrictive residential purposes. Such allowable purposes include use as a park, open space or for recreation.

(b) The construction and use of wells or other devices on the Property to extract groundwater for consumption, irrigation, or any other purpose is prohibited, except as provided below:

(i) wells and other devices constructed as part of response activity for the purpose of evaluating groundwater quality or to remediate subsurface contamination associated with release of hazardous substances into the

environment are permitted provided the construction of the wells or devices complies with all applicable local, state, and federal laws and regulations and does not cause or result in a new release, exacerbation of existing contamination, or any other violation of local, state or federal laws or regulations.

(ii) short-term dewatering for construction purposes is permitted provided the dewatering, including management and disposal of the groundwater, is conducted in accordance with all applicable local, state and federal laws and regulations and does not cause or result in new release, exacerbation of existing contamination, or any other violation of local, state and federal environmental laws and regulations.

(iii) The installation and use of wells for any other use of the groundwater is permitted if approved in writing by U.S. EPA.

(c) No buildings with basements shall be constructed on the Property after the effective date of this Declaration of Restrictive Covenant on the Property unless a vapor mitigation system is installed for the basement. This prohibition does not apply to underground utilities, utility corridors, utility manholes, and similar equipment and structures and also does not apply to footings, foundations, pilings and other supports for structures. EPA approval of the plans for the construction of the vapor mitigation system must be obtained prior to construction of the building.

(d) Excavation of soils on the Property shall be performed in compliance with an appropriate Health and Safety Plan and a plan for management of the excavated materials, as appropriate that has been reviewed and approved by EPA. This prohibition shall not apply if the soils to be excavated do not exceed Part 201 generic residential soil cleanup criteria.

(e) Owner shall not engage in commercial hazardous waste treatment, storage or disposal operations on the Property for hazardous wastes brought to the Property by third parties from off site. Owner shall manage wastes that Owner generates on the Property in compliance with applicable law.

(f) Owner shall manage all soils, media, and/or debris located on the Property in accordance with the applicable requirements Section 20120c of the NREPA; Part 111, Hazardous Waste Management, of the NREPA; Subtitle C of the Resource Conservation and Recovery Act, 42 U.S.C. Section 6901, *et seq.*; the Administrative Rules promulgated thereunder; and all other relevant state and federal laws.

(g) The concrete slabs existing as of the effective date of this Declaration of Restrictive Covenant on Parcels 1, 2, 3 and 4 shall not be removed or penetrated through (other than minor-sized penetrations which are promptly backfilled with soil or concrete) by Owner except as follows:

(i) the slabs or potions of slabs may be removed if Owner exercises applicable due care regarding the soils exposed by the removal;

(ii) Owner may remove all or a portion of a slab to plant trees or to install other landscaping, provided Owner places and maintains appropriate clean soil/vegetative cover to replace the slab removed to the extent necessary due to the contamination of the soils exposed by the removal and the Owner properly disposes of contaminated soil excavated by Owner during the planting of trees by Owner.

(iii) Owner performs or allows to be performed work, cleanup, reconfiguration, or other improvement along the shoreline of the Flint River at the Property, and such work is performed in compliance with applicable environmental laws regarding the soils exposed by removal of the slab.

(iv) Prior EPA approval is required for the actions set forth in section (g)(i) and (ii).

2. ***Access***

The Owner grants to the DEQ and the U.S. EPA and their designated representatives, authorized officers, employees and all other persons performing response activities under U.S. EPA oversight and/or under direction of U.S. EPA, the irrevocable right to enter and to have access to the Property at all reasonable times for the purpose of determining and monitoring compliance with the response activities, including the right to take samples, the operation of the response activities and to inspect any records relating thereto, and to perform any response actions, including reasonable actions necessary to maintain compliance with Part 201, as applicable.

3. ***Conveyance of Property Interest***

The Owner shall provide notice to the DEQ and U.S. EPA of the Owner's intent to transfer any interest in the Property at least fourteen (14) business days prior to consummating the conveyance. Conveyance of title, easement or other interest in the Property shall not be consummated by the Owner without adequate and complete provision or compliance with the applicable provision of Section 20116 of the NREPA. Notice required made to the DEQ under this Section shall be made to: Chief, Remediation Division, Michigan DEQ, Post Office Box 30426, Lansing, Michigan 48909-7926; and shall include a statement that the notice is being made pursuant to the requirements of this Declaration of Restrictive Covenant. Copies of such notice shall be sent to U.S. EPA at the following address: Remediation and Reuse Branch, Land and Chemicals Division, United States Environmental Protection Agency, 77 West Jackson Boulevard, Mail Code LU-9J, Chicago, Illinois 60604-6945. A copy of this Declaration of Restrictive Covenant shall be provided to the transferees by the person transferring the interest.

4. ***Term of Declaration of Restrictive Covenant***

This Declaration of Restrictive Covenant shall run with the Property, shall be binding on the Owner, future Owners, and their successors and assigns, lessees, easement holders, and any other authorized agent, employees, or person acting under their direction and control. This Declaration of Restrictive Covenant shall continue in effect until the U.S. EPA determines that hazardous substances at the Property no longer present an unacceptable risk to the public health, safety or welfare, or the environment, as related to the restrictions in Section 1. This Declaration of Restrictive Covenant may only be modified or rescinded with the written approval of the U.S. EPA. Section 1 of this Declaration of Restrictive Covenant may not be modified so as to remove or reduce the restrictions in Section 1 without the prior written consent of DPH. The preceding sentence shall not apply with respect to DPH upon the entry of an order by the United States Bankruptcy Court for the Southern District of New York closing the chapter 11 case of DPH (case no. 05-44481).

5. ***Termination of Two Restrictive Covenants***

DPH and the Economic Development Corporation of the City of Flint ("EDC") executed and recorded two Restrictive Covenant documents, one dated August 12, 2008, and one dated December 18, 2008, that apply to Parcels No. 4 and 5 and to Parcels No. 1, 2, and 3, respectively. DPH and the EDC agree that both of those Restrictive Covenants shall continue in effect until the earlier of a) the date of written notices to the Owner from DPH and the EDC that the above-referenced Restrictive Covenants are no longer effective as of the date of the written notice, or b) the entry of an order by the United States Bankruptcy Court for the Southern District of New York closing the chapter 11 case of DPH (case no. 05-44481). Upon the occurrence of the earlier event in the preceding sentence both the August 12, 2008 and the December 18, 2008 Restrictive Covenants are terminated in their entirety as of the effective date of this Declaration of Restrictive Covenant and all restrictions and prohibitions in those two Restrictive Covenants are released and no longer apply.

6. ***No Admission***

Nothing herein or in the two Restrictive Covenants referred to in Section 5 shall be construed as an admission by the City or by DPH of any liability with respect to the environmental conditions of the Property or an affirmative obligation by the City or DPH to remediate Property.

7. ***Governing Law***

This Declaration of Restrictive Covenant shall be governed by, construed and enforced according to the laws of the State of Michigan.

8. ***Authority to Execute Declaration of Restrictive Covenant***

The undersigned persons executing this Declaration of Restrictive Covenant represent and certify that they are duly authorized and have been empowered to execute and deliver this Declaration of Restrictive Covenant.

The undersigned have caused this Declaration of Restrictive Covenant to be executed on this 10 day of December, 2012 ("Effective Date").

CITY OF FLINT, MICHIGAN

By: _____ _____
Dayne Walling Edward Kurtz
Title: Mayor EFM
Emergency Financial Manager

STATE OF MICHIGAN)
) s:
COUNTY OF Genesee)

The foregoing instrument was acknowledged before me this 10 day of December, 2012 by * of the City of Flint, Michigan, a Michigan city, on behalf of the City.

ALTHEA JONES
Notary Public, State of Michigan
County of Genesee
My Commission Expires Sep. 16, 2018
Acting in the County of

_____
Notary Public
Acting in Genesee County, Michigan
My Commission Expires: Sept. 16, 2018

* Dayne Walling, Mayor of the City of Flint and Edward Kurtz, Emergency Financial Manager,

ECONOMIC DEVELOPMENT CORPORATION
OF THE CITY OF FLINT

By: _____
Dayne Walling
Title: Chairman

STATE OF MICHIGAN)
) s:
COUNTY OF Genesee)

The foregoing instrument was acknowledged before me this 10 day of December, 2012 by * of the Economic Development Corporation of the City of Flint, on behalf of the EDC.

ALTHEA JONES
Notary Public, State of Michigan
County of Genesee
My Commission Expires Sep. 16, 2018
Acting in the County of _____

_____
Notary Public
Acting in Genesee County, Michigan
My Commission Expires: Sept. 16, 2018

* Dayne Walling, Chairman

DPH-DAS LLC

By: _____
John Brooks
Title: President

STATE OF MICHIGAN)
) s:
COUNTY OF OAKLAND)

The foregoing instrument was acknowledged before me this 17th day of April, 2012 by John Brooks of DPH-DAS LLC, on behalf of said corporation.

_____

Notary Public
Acting in OAKLAND County, Michigan
My Commission Expires: 12-15-2016

BARBARA BURNSTEEL
NOTARY PUBLIC, STATE OF MI
COUNTY OF OAKLAND
MY COMMISSION EXPIRES Dec 15, 2016
ACTING IN COUNTY OF OAKLAND

Prepared by and after recording mail to:
Michael L. Robinson
Warner Norcross & Judd LLP
900 Fifth Third Center
111 Lyon Street, N.W.
Grand Rapids, Michigan 49503
5611683-5

Exhibit 1

Legal description of property

Parcel 1:

A parcel bounded on the East by Chevrolet Avenue, on the North by Flint River, on the West by Center Street, and on the South by Grand Trunk Western Railroad.

Part of Lots 14 and 15, Block 1, West Flint, as recorded in Deed Liber 33, Page 642, and transcribed in Plat Liber 6, Page 6, Genesee County, Michigan Records; also part of Lots 5 and 6, Peter O'Conner's Subdivision of part of Lot 1 of Thayer and Wright's Outlots, as recorded in Deed Liber 83, Page 0 and transcribed in Plat Liber 14, Page 20, Genesee County, Michigan Records; also part of Outlot 1 of Thayer and Wright's Outlots, Section 9, Smith's Reservation, as recorded in Deed Liber 25, Page 639, and transcribed in Plat Liber 6, Page 12, Genesee County, Michigan Records; also part of Lots 13 through 17, Block 2 and Lots 18 through 21, Block 3, all in Thurber's Addition to West Flint, as recorded in Deed Liber 68, Page 616, Genesee County, Michigan Records; also including part of vacated Kearsley Street, Garden Street, Pershing Street, and Joyner Street, City of Flint, Genesee County, Michigan described as follows: Commencing at the intersection of the Southerly Line of Hasselbring Street, so-called, with the Westerly Line of Chevrolet Avenue, so-called; thence Southerly, along said Westerly Line of Chevrolet Avenue, S 31°30'53" E 398.51 feet AND S 61°01'48" E 26.74 feet AND S 31°06'17" E 227.89 feet to the place of beginning, being the intersection of the said Westerly Line with the Northerly Face of an existing retaining Wall at the Southerly Bank of the Flint River; thence S 83°25'21" W, along said Northerly Face, 27.47 feet to an angle point in said Wall; thence continuing along said Northerly Face, S 59°46'45" W 584.07 feet to an angle point in said Wall; thence S 09°58'57" E, along the Westerly Face of said Wall, 31.72 feet to the Southerly Face of an existing Retaining Wall; thence along said Southern Face, on a curve to the right, having a radius of 661.26 feet, an arc length of 256.41, with a chord bearing and distance of S 72°28'20" W 254.81 feet AND S 83°34'53" W 90.0 feet to the Easterly Line of Center Street, so-called; thence Southerly along the said Easterly Line to a point being S 00°48'30" E 19.19 feet from the intersection of the said Easterly Line of Center Street with the Centerline of Joyner Street, so-called; thence N 87°22' E 128.16 feet; thence on a curve to the left, having a radius of 15,416.74 feet, with a chord bearing and distance of N 86°47'30" E 304.96 feet to the intersection of the Easterly Line of Pershing Street, so-called, with the said Centerline of Joyner Street extended Easterly; thence Southerly, along the said Easterly Line of Pershing Street, to the Northerly Line of the Grand Trunk Western Railroad Right-of-Way; thence Easterly, along said Railroad Right-of-Way, to the Westerly Line of said Chevrolet Avenue; thence Northerly, along said Westerly Line, to the place of beginning.

Parcel 2:

A parcel bounded on the East by Stevenson Street, on the North by Flint River, on the West by Chevrolet Avenue, and on the South by Grand Trunk Western Railroad.

Part of Lots 7 through 14, Block 1, West Flint, as recorded in Deed Liber 33, Page 642, and transcribed in Plat Liber 6,, Page 6, Genesee County, Michigan Records; also part of Lots 11 through 26, Robinson Place, as recorded in Plat Liber 1, Page 28, Genesee County, Michigan Records; also part of Lots 1 through 6, Block 3, McFarlan's Addition to West Flint, as recorded in Deed Liber 82, Page 0, Genesee County, Michigan Records; also part of Lots 6 through 11, Ephraim S. Williams Subdivision, as recorded in Deed Liber 84, Page 9, and transcribed in Plat Liber 14, Page 32, Genesee County, Michigan Records; also part of Bang's Replat of part of Blocks 6 and 8, McFarlan and Co.'s Cottage Grove Addition, as recorded in Plat Liber 4, Page 21, Genesee County, Michigan Records; also including part of vacated Kearsley Street, Robinson Place Street and McFadden Street, City of Flint, Genesee County, Michigan described as follows: Beginning at a point on the Westerly Line of Stevenson Street, so-called, which is S 41°04'05" E 257.19 feet from the intersection of said Westerly Line with the Southerly Line of Bluff Street, so-called, being at the Southerly Bank of the Flint River; thence Westerly, along said Southerly Bank, S 59°21'35" W 98.48 feet AND S 42°39'38" W 104.4 feet AND S 59°21'35" W 412.66 feet AND S 40°55'29" W 79.06 feet AND S 30°25'01" W 50.16 feet AND S 20°32'57" W 94.23 feet AND S 03°06'40" W 331.01 feet AND N 81°35'08" W 18.08 feet AND S 03°06'40" W 41.75 feet AND S 08°24'52" W 83.83 feet AND S 81°35'08" E 15 feet AND S 08°24'52" W 85.02 feet AND S 31°25' W 187.98 feet AND S 51°23'05" W 68.90 feet AND N 38°36'55" W 15 feet AND S 51°23'05" W 259.5 feet AND S 59°24'07" W 486.09 feet to the Easterly Line of Chevrolet Avenue, so-called; thence Southerly, along said Easterly Line, to the Northerly Line of the Grand Trunk Western Railroad Right-of-Way; thence Easterly, along said Railroad Right-of-Way, N 58°05'06" E 146.50 feet AND S 31°54'54" E 6.0 feet AND N 58°05'06" E 288 feet AND N 79°40'49" E 51.62 feet AND N 58°05'06" E 209.30 feet AND on a curve to the left, having a radius of 1465.70 feet, with a chord bearing and distance of N 55°36'48" E 5.61 feet AND on a curve to the left, having a radius of 1465.70 feet, with a chord bearing and distance of N 48°07'48" E 376.20 feet AND on a curve to the left, having a radius of 789.74 feet, with a chord bearing and distance of N 31°46'35" E 79.73 feet AND on a curve to the left, having a radius of 1687.59 feet, with a chord bearing and distance of N 25°40'04" E 189.30 feet AND N 04°52'22" E 69.17 feet to the Southerly Line of Kearsley Street, so-called; thence continuing Easterly, along said Railroad Right-of-Way, to the Westerly Line of said Stevenson Street; thence Northerly, along said Westerly Line, to the place of beginning.

Parcel 3:

A parcel bounded on the West by Chevrolet Avenue, on the North by Grand Trunk Western Railroad, on the East by Asylum Street, and on the South by Glenwood Avenue.

Part of Lots 7 through 13, Block 1, West Flint, as recorded in Deed Liber 33, Page 642, and transcribed in Plat Liber 6, Page 6, Genesee County, Michigan Records; also part of Lots 1 through 6, 11, and 12, Ephraim S. Williams Subdivision, as recorded in Deed Liber 84, Page 0, and transcribed in Plat Liber 14, Page 32, Genesee County, Michigan Records; also including part of vacated Kearsley Street, City of Flint, Genesee County, Michigan, described as follows: Beginning at a point on the Northerly Line of Glenwood Avenue, so-called, which is S 52°15'02" W 152.22 feet from the Southeasterly Corner of Lot 13, Block 1, of said West Flint; thence on a curve to the right, having a radius of 25.00 feet, a central angle of 93°51'00, with a chord bearing and distance of N 80°49'28" W 36.52 feet to the Easterly Lien of Chevrolet Avenue, so-called; thence N 33°53'58" W, along said Easterly Line, 157.69 feet to the Southerly Line of the Grand Trunk Western Railroad Right-of-Way; thence Easterly, along said Railroad Right-of-Way, N 56°42'17" E 65.30 feet AND N 75°09'53" E 29.69 feet AND N 65°56'06" E 67.60 feet AND N 61°42'38" E 60.43 feet AND N 60°54'10" E 299.93 feet AND N 61°15'50" E 207.57 feet AND N 55°56'48" E 48.28 feet AND N 50°01'12" E 109.47 feet AND N 45°11'08" E 88.57 feet AND N 42°33'04" E 125.24 feet AND N 31°13'59" E 137.79 feet AND N 25°57'55" E 194.92 feet AND N 17°49'59" W 19.47 feet AND N 30°01'49" E 65.80 feet AND N 31°11'43" W 25.86 feet AND N 30°55'47" E 17.96 feet to the Southerly Line of Kearsley Street, so-called; thence continuing along said Railroad Right-of-Way to the Westerly Line of Asylum Street, so-called, extended Northerly; thence S 31°43'45" E, along said Westerly Line of Asylum Street and Line extended, to a point being 80 feet Northerly from the intersection of said Westerly Line with the Northerly Line of said Glenwood Avenue; thence S 60°15' W 80 feet; thence S 36°06'10" E 22.56 feet; thence S 60°15' W 90.26 feet; thence S 29°24'18" E 20 feet; thence S 60°15' W 50 feet to the Westerly Line of Lot 7, Block 1 of said West Flint; thence Southerly, along said Westerly Line, to the said Northerly Line of Glenwood Avenue; thence Westerly, along said Northerly Line, to the place of beginning.

Commonly known as	Parcel	Tax I.D. Number shown on 1999 Quit Claim Deed	Current Parcel Number
300 N. Chevrolet Avenue	1	10-13-301-005-8	4013301005
306 S. Stevenson St.	2	10-13-176-002-5	4013176002
Glenwood Ave.	3	10-13-326-005-4	4013326005

Parcel 4:

A parcel bounded on the West by Stevenson Street, on the North and East by the Flint River and on the South by Grand Trunk Western Railroad.

Part of Lots 1 through 5, Block 1 and Lots 1 through 14, Block 2, all in McFarlan's Addition to West Flint, as recorded in Deed Liber 82, Page 0, Genesee County, Michigan Records; also part of Block C, McFarlan and Co.'s Cottage Grove Addition, as recorded in Deed Liber 79, Page 0, and transcribed in Plat Liber 18, Page 13, Genesee County, Michigan Records; also part of Block 1, West Flint, as recorded in Deed Liber 33, Page 642, and transcribed in Plat Liber 6, Page 6, Genesee County, Michigan Records; also part of Section 8, Plat of Section 2, 3, 4, 5, 6, and 8, being part of the Reserve at near The Grand Traverse on Flint River, as recorded in Plat Liber 1, Page 5, Genesee County, Michigan Records; also including part of vacated Stewart Street, Whaley Street, and Mill Street, City of Flint, Genesee County, Michigan, described as follows: Beginning at a point on the Easterly Line of Stevenson Street, so-called, which is S 40°38'13" E 257.97 feet from the intersection of said Easterly Line with the Southerly Line of Bluff Street, so-called, being at the Southerly Bank of the Flint River; thence Easterly, along said Southerly Bank, N 59°21'35" E 147.73 feet AND N 89°46'17" E 59.26 feet AND N 47°23'01" E 168.67 feet AND N 15°46'06" E 55.23 feet AND N 14°11'26" E 122.46 feet AND N 38°11'30" E 118.10 feet AND N 58°07'18" E 124.97 feet AND S 85°19'47" E 14.20 feet AND N 08°19'03" W to the Southerly Edge of the Flint River; thence Easterly and Southerly, along the said Southerly Edge of the Flint River, to the Northerly Line of the Grand Trunk Western Railroad Right-of-Way; thence Westerly, along said Railroad Right-of-Way, to the said Easterly Line of Stevenson Street; thence Northerly, along said Easterly Line, to the place of beginning.

Parcel 5:

A parcel bounded on the West by Stevenson Street, on the North by Grand Trunk Western Railroad, on the East by Thread Creek, and on the South by Kearsley Street.

Part of Lots 6 through 15, Block 1 and Lot 1 and Lots 3 through 10, Block 4 and Lots 1 through 10, Block 5 and Lots 1 through 6, Block 6 and Lots 1 through 6, Block 7 and including part of vacated streets and alleys in and between the said Blocks, all in McFarlan's Addition to West Flint, as recorded in Deed Liber 82, Page 0, Genesee County, Michigan Records; also part of Section 8, Plat of Section 2, 3, 4, 5, 6, and 8, being part of the Reserve at near The Grand Traverse on Flint River, as recorded in Plat Liber 1, Page 5, Genesee County, Michigan Records, City of Flint, Genesee County, Michigan described as follows: Beginning at a point on the Northerly Line of Kearsley Street, so-called, which is N 60°51' E 128.50 feet from the intersection of said Northerly Line with the Easterly Line of Stevenson Street, so-called, also being the Southwesterly Corner of Block 7, of said McFarlan's Addition to West Flint; thence S 67°41'34" W 62.95 feet; thence S 60°51' W 29.70 feet; thence on a curve to the right, having a radius of 20 feet, a central angle of 89°35', having a chord bearing and distance of N 74°21'30" W 28.18 feet; thence N 29°34' W 69.76 feet; thence N 36°24'34" W 138.49 feet to the said Easterly Line of Stevenson Street; thence Northerly, along said Easterly Line, to the Southerly Line of the Grand Trunk Western Railroad Right-of-Way, being 10.7 feet Northerly of the Southwesterly Corner of Lot 4, Block 4, of said McFarlan's Addition to West Flint; thence Easterly, along said Southerly Line of the Grand Trunk Western Railroad Right-of-Way, to a

point on the Easterly Line of vacated Whaley Street, so-called, which is 25 feet Northerly of the Southwesterly Corner of Lot 6, Block 1, of said McFarlan's Addition to West Flint; thence continuing Easterly, along said Railroad Right-of-Way, to a point being 66.41 feet Westerly of the intersection of said Railroad Right-of-Way with the Easterly line of Island Street, so-called, also being at the Easterly Bank of Thread Creek; thence Southerly, along said Easterly Bank, S 05°30'50" E 55.99 feet AND S 05°30'51" W 15.76 feet AND S 02°13'35" W 77.91 feet AND S 08°08'40" E 175.00 feet AND on a curve to the left, having a radius of 121.81 feet, with a chord bearing and distance of S 21°58'48" E 58.26 feet AND S 35°48'55" E 111.08 feet to the said Northerly Line of Kearsley Street, being S 58°13'55" W 116.05 feet AND S 60°16'59" W 115.86 feet from the intersection of said Northerly Line of Kearsley Street with the Westerly Line of said Island Street; thence Westerly, along said Northerly Line of Kearsley Street, to the place of beginning.

Parcel 4: Commonly known as: 307 S. Stevenson St.
Tax I.D. Number: 00-13-251-004-9 or 4013251004

Parcel 5: Commonly known as: 300 N. Chevrolet Avenue
Tax I.D. Number: 10-13-251-011 or 4013251011

NOTICE REGARDING STATUTORY OBLIGATIONS APPLICABLE TO PROPERTY

This Notice Regarding Statutory Obligations Applicable to Property is being filed with the Office of the Register of Deeds in Genesee County in accordance with Rule 299.9525 of Part 111 of Michigan's Natural Resources and Environmental Protection Act (1994 Public Act 451, as amended), MCL 324.11101 et seq. ("Part 111"). This Notice applies to the Property described in the attached Exhibit A. This Notice reflects a transfer of ownership of the Property from the Economic Development Corporation of the City of Flint and DPH-DAS, LLC (f/k/a Delphi Automotive Systems LLC), a Delaware limited liability company to the city of Flint, Michigan, whose address is 1101 South Saginaw Street, Flint, Michigan 48502-1757.

The Property has been used to manage hazardous waste and is subject to the corrective action requirements of Part 111 and the Resource Conservation and Recovery Act of 1976, 42 U.S.C. § 6901 et seq., as amended by the 1984 Hazardous and Solid Waste Amendments.

The undersigned persons executing this Notice for the Owner represent and certify that they are duly authorized and have been empowered to execute and deliver this Notice.

The said Owner of the above-described Property has caused this Notice to be executed on this 10th day of December, 2012.

CITY OF FLINT, MICHIGAN

By: _____
Signature

Dayne Walling
Print

Mayor
Title

By: _____
Signature

Edward Kurtz
Print

Emergency Financial Manager
Title

STATE OF MICHIGAN)
)ss.
COUNTY OF GENESEE)

The foregoing instrument was acknowledged before me in Genesee County, Michigan, on December 10, 2012, by Dayne Walling, the Mayor of the CITY OF FLINT, MICHIGAN, a Michigan municipality, having an address at 1101 South Saginaw Street, Flint, Michigan 48502.

Signed: Althea Jones
Print Name: Althea Jones

ALTHEA JONES
Notary Public, State of Michigan
County of Genesee
My Commission Expires Sep. 16, 2018
Acting in the County of

Notary Public, Genesee County, MI
My Commission Expires: Sept 16, 2018

STATE OF MICHIGAN)
)ss.
COUNTY OF GENESEE)

The foregoing instrument was acknowledged before me in Genesee County, Michigan, on December 10, 2012, by Edward Kurtz, the Emergency Financial Manager of the CITY OF FLINT, MICHIGAN, a Michigan municipality, having an address at 1101 South Saginaw Street, Flint, Michigan 48502.

Signed: Althea Jones
Print Name: Althea Jones

ALTHEA JONES
Notary Public, State of Michigan
County of Genesee
My Commission Expires Sep. 16, 2018
Acting in the County of

Notary Public, Genesee County, MI
My Commission Expires: Sept. 16, 2018

8783638

Prepared by and when recorded return to:
Michael L. Robinson
Warner Norcross & Judd LLP
900 Fifth Third Center
111 Lyon Street, N.W.
Grand Rapids, Michigan 49503-2487
616.752.2128

EXHIBIT A

The following described premises situated in the City of Flint, County of Genesee and the State of Michigan, to-wit:

Parcel 1:

A parcel bounded on the East by Chevrolet Avenue, on the North by Flint River, on the West by Center Street, and on the South by Grand Trunk Western Railroad.

Part of Lots 14 and 15, Block 1, West Flint, as recorded in Deed Liber 33, Page 642, and transcribed in Plat Liber 6, Page 6, Genesee County, Michigan Records; also part of Lots 5 and 6, Peter O'Conner's Subdivision of part of Lot 1 of Thayer and Wright's Outlots, as recorded in Deed Liber 83, Page 0 and transcribed in Plat Liber 14, Page 20, Genesee County, Michigan Records; also part of Outlot 1 of Thayer and Wright's Outlots, Section 9, Smith's Reservation, as recorded in Deed Liber 25, Page 639, and transcribed in Plat Liber 6, Page 12, Genesee County, Michigan Records; also part of Lots 13 through 17, Block 2 and Lots 18 through 21, Block 3, all in Thurber's Addition to West Flint, as recorded in Deed Liber 68, Page 616, Genesee County, Michigan Records; also including part of vacated Kearsley Street, Garden Street, Pershing Street, and Joyner Street, City of Flint, Genesee County, Michigan described as follows: Commencing at the intersection of the Southerly Line of Hasselbring Street, so-called, with the Westerly Line of Chevrolet Avenue, so-called; thence Southerly, along said Westerly Line of Chevrolet Avenue, S 31°30'53" E 398.51 feet AND S 61°01'48" E 26.74 feet AND S 31°06'17" E 227.89 feet to the place of beginning, being the intersection of the said Westerly Line with the Northerly Face of an existing retaining Wall at the Southerly Bank of the Flint River; thence S 83°25'21" W, along said Northerly Face, 27.47 feet to an angle point in said Wall; thence continuing along said Northerly Face, S 59°46'45" W 584.07 feet to an angle point in said Wall; thence S 09°58'57" E, along the Westerly Face of said Wall, 31.72 feet to the Southerly Face of an existing Retaining Wall; thence along said Southern Face, on a curve to the right, having a radius of 661.26 feet, an arc length of 256.41, with a chord bearing and distance of S 72°28'20" W 254.81 feet AND S 83°34'53" W 90.0 feet to the Easterly Line of Center Street, so-called; thence Southerly along the said Easterly Line to a point being S 00°48'30" E 19.19 feet from the intersection of the said Easterly Line of Center Street with the Centerline of Joyner Street, so-called; thence N 87°22' E 128.16 feet; thence on a curve to the left, having a radius of 15,416.74 feet, with a chord bearing and distance of N 86°47'30" E 304.96 feet to the intersection of the Easterly Line of Pershing Street, so-called, with the said Centerline of Joyner Street extended Easterly; thence Southerly, along the said Easterly Line of Pershing Street, to the Northerly Line of the Grand Trunk Western Railroad Right-of-Way; thence Easterly, along said Railroad Right-of-Way, to the Westerly Line of said Chevrolet Avenue; thence Northerly, along said Westerly Line, to the place of beginning.

Parcel 2:

A parcel bounded on the East by Stevenson Street, on the North by Flint River, on the West by Chevrolet Avenue, and on the South by Grand Trunk Western Railroad.

Part of Lots 7 through 14, Block 1, West Flint, as recorded in Deed Liber 33, Page 642, and transcribed in Plat Liber 6,, Page 6, Genesee County, Michigan Records; also part of Lots 11 through 26, Robinson Place, as recorded in Plat Liber 1, Page 28, Genesee County, Michigan Records; also part of Lots 1 through 6, Block 3, McFarlan's Addition to West Flint, as recorded in Deed Liber 82, Page 0, Genesee County, Michigan Records; also part of Lots 6 through 11, Ephraim S. Williams Subdivision, as recorded in Deed Liber 84, Page 9, and transcribed in Plat Liber 14, Page 32, Genesee County, Michigan Records; also part of Bang's Replat of part of Blocks 6 and 8, McFarlan and Co.'s Cottage Grove Addition, as recorded in Plat Liber 4, Page 21, Genesee County, Michigan Records; also including part of vacated Kearsley Street, Robinson Place Street and McFadden Street, City of Flint, Genesee County, Michigan described as follows: Beginning at a point on the Westerly Line of Stevenson Street, so-called, which is S 41°04'05" E 257.19 feet from the intersection of said Westerly Line with the Southerly Line of Bluff Street, so-called, being at the Southerly Bank of the Flint River; thence Westerly, along said Southerly Bank, S 59°21'35" W 98.48 feet AND S 42°39'38" W 104.4 feet AND S 59°21'35" W 412.66 feet AND S 40°55'29" W 79.06 feet AND S 30°25'01" W 50.16 feet AND S 20°32'57" W 94.23 feet AND S 03°06'40" W 331.01 feet AND N 81°35'08" W 18.08 feet AND S 03°06'40" W 41.75 feet AND S 08°24'52" W 83.83 feet AND S 81°35'08" E 15 feet AND S 08°24'52" W 85.02 feet AND S 31°25' W 187.98 feet AND S 51°23'05" W 68.90 feet AND N 38°36'55" W 15 feet AND S 51°23'05" W 259.5 feet AND S 59°24'07" W 486.09 feet to the Easterly Line of Chevrolet Avenue, so-called; thence Southerly, along said Easterly Line, to the Northerly Line of the Grand Trunk Western Railroad Right-of-Way; thence Easterly, along said Railroad Right-of-Way, N 58°05'06" E 146.50 feet AND S 31°54'54" E 6.0 feet AND N 58°05'06" E 288 feet AND N 79°40'49" E 51.62 feet AND N 58°05'06" E 209.30 feet AND on a curve to the left, having a radius of 1465.70 feet, with a chord bearing and distance of N 55°36'48" E 5.61 feet AND on a curve to the left, having a radius of 1465.70 feet, with a chord bearing and distance of N 48°07'48" E 376.20 feet AND on a curve to the left, having a radius of 789.74 feet, with a chord bearing and distance of N 31°46'35" E 79.73 feet AND on a curve to the left, having a radius of 1687.59 feet, with a chord bearing and distance of N 25°40'04" E 189.30 feet AND N 04°52'22" E 69.17 feet to the Southerly Line of Kearsley Street, so-called; thence continuing Easterly, along said Railroad Right-of-Way, to the Westerly Line of said Stevenson Street; thence Northerly, along said Westerly Line, to the place of beginning.

Parcel 3:

A parcel bounded on the West by Chevrolet Avenue, on the North by Grand Trunk Western Railroad, on the East by Asylum Street, and on the South by Glenwood Avenue.

Part of Lots 7 through 13, Block 1, West Flint, as recorded in Deed Liber 33, Page 642, and transcribed in Plat Liber 6, Page 6, Genesee County, Michigan Records; also part of Lots 1 through 6, 11, and 12, Ephraim S. Williams Subdivision, as recorded in Deed Liber 84, Page 0, and transcribed in Plat Liber 14, Page 32, Genesee County, Michigan Records; also including part of vacated Kearsley Street, City of Flint, Genesee County, Michigan, described as follows: Beginning at a point on the Northerly Line of Glenwood Avenue, so-called, which is S 52°15'02" W 152.22 feet from the Southeasterly Corner of Lot 13, Block 1, of said West Flint; thence on a curve to the right, having a radius of 25.00 feet, a central angle of 93°51'00, with a chord bearing and distance of N 80°49'28" W 36.52 feet to the Easterly Lien of Chevrolet Avenue, so-called; thence N 33°53'58" W, along said Easterly Line, 157.69 feet to the Southerly Line of the Grand Trunk Western Railroad Right-of-Way; thence Easterly, along said Railroad Right-of-Way, N 56°42'17" E 65.30 feet AND N 75°09'53" E 29.69 feet AND N 65°56'06" E 67.60 feet AND N 61°42'38" E 60.43 feet AND N 60°54'10" E 299.93 feet AND N 61°15'50" E 207.57 feet AND N 55°56'48" E 48.28 feet AND N 50°01'12" E 109.47 feet AND N 45°11'08" E 88.57 feet AND N 42°33'04" E 125.24 feet AND N 31°13'59" E 137.79 feet AND N 25°57'55" E 194.92 feet AND N 17°49'59" W 19.47 feet AND N 30°01'49" E 65.80 feet AND N 31°11'43" W 25.86 feet AND N 30°55'47" E 17.96 feet to the Southerly Line of Kearsley Street, so-called; thence continuing along said Railroad Right-of-Way to the Westerly Line of Asylum Street, so-called, extended Northerly; thence S 31°43'45" E, along said Westerly Line of Asylum Street and Line extended, to a point being 80 feet Northerly from the intersection of said Westerly Line with the Northerly Line of said Glenwood Avenue; thence S 60°15' W 80 feet; thence S 36°06'10" E 22.56 feet; thence S 60°15' W 90.26 feet; thence S 29°24'18" E 20 feet; thence S 60°15' W 50 feet to the Westerly Line of Lot 7, Block 1 of said West Flint; thence Southerly, along said Westerly Line, to the said Northerly Line of Glenwood Avenue; thence Westerly, along said Northerly Line, to the place of beginning.

Commonly known as	Parcel	Tax I.D. Number shown on 1999 Quit Claim Deed	Current Parcel Number
300 N. Chevrolet Avenue	1	10-13-301-005-8	4013301005
306 S. Stevenson St.	2	10-13-176-002-5	4013176002
Glenwood Ave.	3	10-13-326-005-4	4013326005

Parcel 4:

A parcel bounded on the West by Stevenson Street, on the North and East by the Flint River and on the South by Grand Trunk Western Railroad.

Part of Lots 1 through 5, Block 1 and Lots 1 through 14, Block 2, all in McFarlan's Addition to West Flint, as recorded in Deed Liber 82, Page 0, Genesee County, Michigan Records; also part of Block C, McFarlan and Co.'s Cottage Grove Addition, as recorded in Deed Liber 79, Page 0, and transcribed in Plat Liber 18, Page 13, Genesee County, Michigan Records; also part of Block 1, West Flint, as recorded in Deed Liber 33, Page 642, and transcribed in Plat Liber 6, Page 6, Genesee County, Michigan Records; also part of Section 8, Plat of Section 2, 3, 4, 5, 6, and 8, being part of the Reserve at near The Grand Traverse on Flint River, as recorded in Plat Liber 1, Page 5, Genesee County, Michigan Records; also including part of vacated Stewart Street, Whaley Street, and Mill Street, City of Flint, Genesee County, Michigan, described as follows: Beginning at a point on the Easterly Line of Stevenson Street, so-called, which is S 40°38'13" E 257.97 feet from the intersection of said Easterly Line with the Southerly Line of Bluff Street, so-called, being at the Southerly Bank of the Flint River; thence Easterly, along said Southerly Bank, N 59°21'35" E 147.73 feet AND N 89°46'17" E 59.26 feet AND N 47°23'01" E 168.67 feet AND N 15°46'06" E 55.23 feet AND N 14°11'26" E 122.46 feet AND N 38°11'30" E 118.10 feet AND N 58°07'18" E 124.97 feet AND S 85°19'47" E 14.20 feet AND N 08°19'03" W to the Southerly Edge of the Flint River; thence Easterly and Southerly, along the said Southerly Edge of the Flint River, to the Northerly Line of the Grand Trunk Western Railroad Right-of-Way; thence Westerly, along said Railroad Right-of-Way, to the said Easterly Line of Stevenson Street; thence Northerly, along said Easterly Line, to the place of beginning.

Parcel 5:

A parcel bounded on the West by Stevenson Street, on the North by Grand Trunk Western Railroad, on the East by Thread Creek, and on the South by Kearsley Street.

Part of Lots 6 through 15, Block 1 and Lot 1 and Lots 3 through 10, Block 4 and Lots 1 through 10, Block 5 and Lots 1 through 6, Block 6 and Lots 1 through 6, Block 7 and including part of vacated streets and alleys in and between the said Blocks, all in McFarlan's Addition to West Flint, as recorded in Deed Liber 82, Page 0, Genesee County, Michigan Records; also part of Section 8, Plat of Section 2, 3, 4, 5, 6, and 8, being part of the Reserve at near The Grand Traverse on Flint River, as recorded in Plat Liber 1, Page 5, Genesee County, Michigan Records, City of Flint, Genesee County, Michigan described as follows: Beginning at a point on the Northerly Line of Kearsley Street, so-called, which is N 60°51' E 128.50 feet from the intersection of said Northerly Line with the Easterly Line of Stevenson Street, so-called, also being the Southwesterly Corner of Block 7, of said McFarlan's Addition to West Flint; thence S 67°41'34" W 62.95 feet; thence S 60°51' W 29.70 feet; thence on a curve to the right, having a radius of 20 feet, a central angle of 89°35', having a chord bearing and distance of N 74°21'30" W 28.18 feet; thence N 29°34' W 69.76 feet; thence N 36°24'34" W 138.49 feet to the said Easterly Line of Stevenson Street; thence Northerly, along said Easterly Line, to the Southerly Line of the Grand Trunk Western Railroad Right-of-Way, being 10.7 feet Northerly of the Southwesterly Corner of Lot 4, Block 4, of said McFarlan's Addition to West Flint; thence Easterly, along said Southerly Line of the Grand Trunk Western Railroad Right-of-Way, to a

point on the Easterly Line of vacated Whaley Street, so-called, which is 25 feet Northerly of the Southwesterly Corner of Lot 6, Block 1, of said McFarlan's Addition to West Flint; thence continuing Easterly, along said Railroad Right-of-Way, to a point being 66.41 feet Westerly of the intersection of said Railroad Right-of-Way with the Easterly line of Island Street, so-called, also being at the Easterly Bank of Thread Creek; thence Southerly, along said Easterly Bank, S 05°30'50" E 55.99 feet AND S 05°30'51" W 15.76 feet AND S 02°13'35" W 77.91 feet AND S 08°08'40" E 175.00 feet AND on a curve to the left, having a radius of 121.81 feet, with a chord bearing and distance of S 21°58'48" E 58.26 feet AND S 35°48'55" E 111.08 feet to the said Northerly Line of Kearsley Street, being S 58°13'55" W 116.05 feet AND S 60°16'59" W 115.86 feet from the intersection of said Northerly Line of Kearsley Street with the Westerly Line of said Island Street; thence Westerly, along said Northerly Line of Kearsley Street, to the place of beginning.

Parcel 4: Commonly known as: 307 S. Stevenson St.
Tax I.D. Number: 00-13-251-004-9 or 4013251004

Parcel 5: Commonly known as: 300 N. Chevrolet Avenue
Tax I.D. Number: 10-13-251-011 or 4013251011

AKTPEERLESS

APPENDIX C

EXAMPLE RESIDUAL TRACKING LOG

Trucking Log

Job ID# ______________________________

Project ______________________________

Address ______________________________

Supervisor ______________________________

Date Shipped	Contractor # / Manifest #	Weight Ticket #	Transporter	Destination	Truck / Container ID #	Material Description	Net Weight Pounds	Gross Tons / Yards