

MICHIGAN DEPARTMENT OF ENVIRONMENTAL QUALITY

In the Matter of:

DEQ Reference No. AOC-ERD-98-002

Cone Drive Textron
Traverse City, Grand Traverse County

**SECOND AMENDMENT TO THE ADMINISTRATIVE ORDER BY CONSENT FOR
RESPONSE ACTIVITY**

The Michigan Department of Environmental Quality (MDEQ), Remediation Division; Attorney General Bill Schuette for the State of Michigan; and Cone Drive Operations, Inc., a former subsidiary of Textron, Inc. agree to modify the Administrative Order by Consent for Response Activity, DEQ Reference No. AOC-ERD-98-002, which became effective on October 28, 1998, and was amended on August 15, 2002 (AOC), as follows:

Paragraph 7.6 was amended on August 15, 2002 to delete the original paragraph in its entirety and replace it with new Paragraph 7.6 (a) and (b). Subsection (c) is further added to read as follows:

(c) Within 60 days from the date of this amendment, CDT shall submit a work plan for interim response (IR) activities to implement a groundwater (bio-sparging) treatment system designed to reduce the mass of contaminants in the groundwater plume with the goal of shortening the length of time the groundwater extraction system is needed (which is currently operating to prevent the flow of contaminants into Boardman Lake) and to facilitate development of the property that overlies the area of impacted groundwater. The IR work plan shall provide for the installation, operation, and monitoring of the system and include applicable performance objectives for the response activities. The IR work plan shall also include a schedule for implementation of the response activities. Upon MDEQ approval of the IR work plan, CDT shall implement the IR work plan in accordance with the schedule contained therein.

The first sentence of Paragraph 7.7(a), as set forth in the August 15, 2002 amendments, is further amended to read as follows:

(a) Within thirty six (36) months after receiving MDEQ approval of the interim response activity plan described in Paragraph 7.6(c), CDT shall submit a RAP to the MDEQ for review and approval.

The remaining language contained in Paragraph 7.7(a) is unchanged and remains in full force.

Except as set forth above, all other provisions of the AOC remain in full force and effect.

This Modification shall be effective upon the signature of the Chief of the Remediation Division, MDEQ. This Modification shall be executed in two (2) duplicate counterparts, each of which shall be deemed an original.

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Traverse City, Grand Traverse County

IT IS SO STIPULATED:

MICHIGAN DEPARTMENT OF ENVIRONMENTAL QUALITY


Anne P. Couture, Acting Chief
Remediation Division
Michigan Department of Environmental Quality


Date

MICHIGAN DEPARTMENT OF ATTORNEY GENERAL


Richard S. Kuhl (P42042)
Assistant Attorney General
Environment, Natural Resources and Agriculture Division


Date

In the Matter of:

DEQ Reference No. AOC-ERD-98-002

Cone Drive Textron
Traverse City, Grand Traverse County

IT IS SO AGREED BY:

Cone Drive Operations, INC.

K. P. Hamels
BY:

August 13, 2012
DATE

ITS: *Kurt Gamelin*
Chief Executive Officer