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GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENTAL QUALITY
LANSING



STEVEN E. CHESTER
DIRECTOR

February 13, 2009

Mr. Sathya Yalvigi, Project Director
DuPont Corporate Remediation Group
Barley Mill Plaza
4417 Lancaster Pike
Wilmington, Delaware 19805

Dear Mr. Yalvigi:

SUBJECT: Response to Comments on Remedial Action Plan (RAP) Addendum;
DuPont, Former Flint Automotive Products Facility (DuPont);
MID 005 512 066

The Michigan Department of Environmental Quality (MDEQ), Waste and Hazardous Materials Division (WHMD), has reviewed the DuPont response to MDEQ comments on the RAP Addendum (April 2008), received October 6, 2008, (Response). The Response was reviewed for compliance with the comments from the WHMD on the RAP Addendum, dated September 8, 2008, the Voluntary Corrective Action Agreement for DuPont, entered December 19, 2003 (VCAA), and with Part 111, Hazardous Waste Management, and Part 201, Environmental Remediation, of the Michigan Natural Resources and Environmental Protection Act, 1994 PA 451, as amended. Based on this review, the RAP, comprised of the documents listed below, is acceptable under the following conditions.

Documents Comprising the RAP:

1. The RAP dated July 22, 2005;
2. The WHMD comment letter on the RAP dated January 3, 2006;
3. The response to comments on the RAP dated January 30, 2006;
4. The WHMD approval with modifications for the RAP dated August 14, 2006;
5. The RAP Addendum dated April 8, 2008;
6. The response to comments on the RAP Addendum dated October 3, 2008; and
7. The final determination on the RAP issued after the close of the public comment period, further described below.

Conditions for Acceptability:

The following conditions must either be mitigated by DuPont prior to final approval of the RAP or shall be incorporated into the approved RAP as conditions for approval.

DuPont Response 2:

1. The WHMD agrees that it is unlikely that the groundwater surface water interface (GSI) criteria will be exceeded based upon groundwater data collected since 2005. However, determining that there is a GSI exceedance only after four consecutive semiannual samplings (two years) showing a parameter greater than a criterion does not seem reasonable since this means that two years of discharge above criteria could occur before any response is initiated. Also, the statement that, "...begin evaluating project records to determine if there has been a change in site hydrology based on synaptic readings." needs more explanation (i.e., possible changes in hydrology and the respective synaptic reading that occurs).

The Part 111 Hazardous Waste Management Facility Operating License and corrective action monitoring programs include resampling after an exceedance for verification and that could be done if there is a GSI exceedance. Alternately, the sampling frequency for the well and parameter in question could be increased. Specifically, the following options should be considered:

- a. If a GSI criteria is exceeded in wells MW-27S, MW-28S, and MW-28D, the well and parameter in question must be resampled within 60 days to confirm the exceedance.
- b. If a GSI criteria is exceeded in wells MW-27S, MW-28S, and MW-28D, the well and parameter in question must be sampled quarterly.

The RAP must be modified to include a contingency plan that will be implemented if a GSI exceedance is verified by one of the approaches above. The contingency plan may list one or several possible responses to an exceedance. Acceptable responses include engineered solutions, such as containment, purging, etc., or a mixing zone determination could also be pursued.

DuPont Response 3:

2. DuPont shall provide, within 30 days after receiving this letter, the results of the source size modifier used to screen data per Section 4.6.5 of the RAP Addendum.

DuPont Response 6:

3. DuPont shall not terminate groundwater monitoring without the prior written approval of the WHMD.
4. The Declaration of Restrictive Covenant shall be modified on page 1, last paragraph in the fourth line, the word "criteria" must be added. "The second

class of criteria relates to groundwater and how to use and....” The revised restrictive covenant page must be resubmitted for the record.

Before a final determination on the RAP can be made, the WHMD must provide the public with an opportunity to review and comment on the RAP, pursuant to paragraph 5.4.8 of the VCAA. The public notice for a conditional approval of the RAP ran as a display advertisement in The Flint Journal on January 30, 2009. The public comment period will end February 28, 2009. At the close of the public comment period, the WHMD will evaluate any public comments received and may propose additional conditions for RAP approval in order to mitigate any significant concerns received. If additional conditions are proposed, the WHMD will negotiate these conditions further with DuPont prior to issuing the final determination in order to ensure that the conditions are feasible for implementation at DuPont.

Since the RAP proposes cleanup categories provided for in Section 20120A(1)(f) – (j) or (2) of Part 201 of Act 451, a legally enforceable agreement will need to be entered into with the WHMD after approval of the RAP consistent with paragraph 5.4.11 of the VCAA.

If you have any questions, please contact me.

Sincerely,

Daniel P. Dailey, P.E.
Environmental Engineering Specialist
Hazardous Waste Management Unit
Hazardous Waste Section
Waste and Hazardous Materials Division
517-335-6610

cc: Flint Public Library Reference Desk
Mr. Lance Holman, URS Diamond
Mr. Steve Buda, MDEQ
Mr. David Slayton/Mr. John McCabe/Dr. Kay Fritz, MDEQ
Mr. Lee Carter, MDEQ
Corrective Action File