

Second Modification of the  
Administrative Order for Response Activity  
Former Smiths Industries Facility  
4141 Eastern Avenue, SE, Wyoming, Kent County, Michigan  
MDEQ Docket No. AO-RRD-07-001

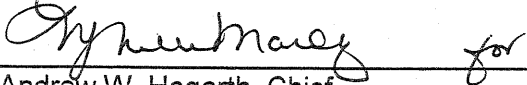
WHEREAS, the Respondent, while performing remedial investigation at the Facility, determined that additional remedial investigation is required in order to fulfill obligations pursuant to Paragraph 5.2(c) of the Administrative Order for Response Activity (Order); and

WHEREAS, despite a good faith effort, such additional remedial investigation cannot be completed in time to fulfill obligations pursuant to Paragraph 5.2(c) of the Order;

NOW, THEREFORE, the following modifications to the Order shall take effect upon the date of the Remediation and Redevelopment Division Chief's signature:

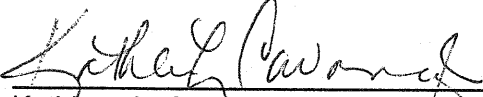
- A. Paragraph 5.1(b)(4) of the Order is deleted and replaced in its entirety as follows:
- (4) Continue operating the existing groundwater remediation system or implement other response activities, as necessary, to halt any illegal discharges to the Heyboer Drain from the Property until the response activities contained in the DEQ-approved RAP are implemented.
- B. The preliminary submittal required pursuant to Paragraph 5.2(c) of the Order shall be submitted to the Michigan Department of Environmental Quality on or before March 31, 2009.

All other aspects of the Order as originally issued on August 28, 2007, and amended on September 28, 2007, remain in full force and effect.

  
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Andrew W. Hogarth, Chief  
Remediation and Redevelopment Division  
Michigan Department of Environmental Quality

11/24/08  
Date

Approved as to form:

  
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Kathleen L. Cavanaugh (P38006)  
Assistant Attorney General  
Environment, Natural Resources, and Agriculture Division  
Michigan Department of Attorney General

11-21-08  
Date