

November 3, 2022

Mr. Howie Hehrer
GWCC Holdings, LLC
1777 RW Berends Drive, SW
Wyoming, Michigan 49519



**Re: Due Care - Soil Relocation Duties
Proposed Residential Development
2555 4 Mile Road, NW
Alpine Township, Kent County, Michigan
Parcel Number: 41-09-33-400-029
DEC Proposal Number: 22-11-002**

Dear Mr. Hehrer:

As you are aware, Dixon Environmental Consulting, Inc. (DEC) previously completed environmental due diligence activities for GWCC Holdings, LLC at the above referenced property in 2021. The results of the investigations supported that the certain areas of the subject property were impacted, which qualified it as a "facility" as outlined under Part 201 of the Natural Resources and Environmental Protection Act, Michigan Public Act 451 of 1994 (Part 201), as amended. Under Part 201, an owner/operator of a "facility" has additional obligations under Section 324.20107a, which are identified as "due care." DEC has provided additional information relating to the proposed soil relocations duties to reduce future potential exposure and manage the due care rules.

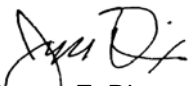
Specifically, arsenic and benzo(a)pyrene concentrations were reported in the soil samples, DU-1 area and SB-5 (2.5-3.0'), exceeding the Residential Part 201 Generic Direct Contact Criteria. The DU-1 and SB-5 locations are depicted on the attached Figure 1. At those locations, the shallow soil offered potentially unacceptable exposure conditions for the proposed residential use. Therefore, additional consideration is necessary to mitigate exposure to the impacted soil and allow for the safe, residential use of the property. Various options exist to mitigate exposure, but, the concept of relocating the impacted soil and assembling in a different area of the subject property is a commonly accepted approach. By placing the impacted soil in a centralized area and covering with an exposure barrier media (ie topsoil, sand, concrete, asphalt), the impacted soil can be isolated from the residential operations and managed to abate future exposure concerns. Other developments have filled depressions or constructed landscaped berms to encapsulate the impacted soil for management consideration. The soil relocation duties will not exacerbate the existing conditions and will allow for greater exposure management in the future. Section 324.20120c of Part 201 outlines the responsibilities/duties for an owner/operator to relocate contaminated soil. Section 324.20120c states the following activities must be documented and maintained: 1) *The facility from which the soil was relocated;* 2) *The facility to which the soil was taken;* 3) *The volume of soil relocated;* and 4) *A summary of the basis for the owner's or operator's determination that the relocation did not cause any exacerbation under Section 20107a(1).* In other words, the activities must be commemorated for the owner's due care records.

Other administrative documentation and record keeping details are included in Section 324.20107a of Part 201 and the Part 10 Rules, but the soil relocation duties represent one of the most commonly overlooked details.

If you have any questions, please do not hesitate to contact me at (616) 742-5511.

Sincerely,

DIXON ENVIRONMENTAL CONSULTING, INC.


James E. Dixon, P.E.
Principal Engineer

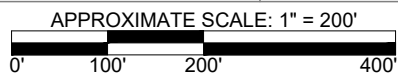
Attachment: Figure 1



LEGEND

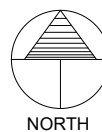
- DU-1** DECISION UNIT SAMPLE LOCATION (12/6/2021) [ARSENIC ANALYTICAL RESULTS EXCEED THE RESIDENTIAL PART 201 DIRECT CONTACT CRITERIA (DCC)]
- SB-5** SAMPLE LOCATION (12/7/2021) [BENZO(A)PYRENE ANALYTICAL RESULTS EXCEED THE RESIDENTIAL DCC]
- ESTIMATED AREA OF SOIL TO BE RELOCATED
- SUBJECT SITE BOUNDARY

PROJECT NUMBER: 22-11-002 | DATE: 11/3/2022



DUE CARE - SOIL RELOCATION DUTIES

FIGURE 1 - SAMPLE LOCATION DIAGRAM



PROPOSED RESIDENTIAL DEVELOPMENT
 2555 4 MILE ROAD, NW
 ALPINE TOWNSHIP, KENT COUNTY, MICHIGAN
 PARCEL NUMBER: 41-09-33-400-029