

ATTACHMENT G

NOTICE OF INTENT TO APPROVE
LIMITED LAND USE-BASED CLOSURE

[Date]

[Name of PPP]
[Address of PPP]
[City, ST ZIP]

Dear [Mr., Ms., Mrs., Messrs.] [Last Name(s)]:

SUBJECT: Notice of Intent to Approve a Limited or Site Specific-Based Criteria [insert limited or site specific closure category] Remedial Action Plan for the [insert site name], [County], Michigan

The Michigan Department of Environmental Quality (MDEQ), Environmental Response Division, has reviewed the Remedial Action Plan (RAP) submitted by [consultant name] on [date], [include any correspondence which may have modified the RAP], for a land use-based remedy pursuant to Part 201 of the Natural Resources and Environmental Protection Act (NREPA), 1994 PA 451, as amended, MCL 324.20101, et seq.

Based upon our evaluation of the submittals, the [insert limited or site specific closure category] RAP for the [site name] has been approved subject to completion of the following:

- 1.The MDEQ's review of public comment on the proposed RAP
- 2.Completion and signing of a legally enforceable agreement with the MDEQ that includes the provision(s) of [list all that apply: land use or resource use restrictions, monitoring, operation & maintenance, installation of permanent markers and/or a financial assurance mechanism.
- 3.Receipt of a certified copy of an MDEQ-approved restrictive covenant which includes the liber and page number as recorded in the [county] County Register of Deeds.

Pursuant to Section 20120b(9) of the NREPA, a person who implements a remedial action which includes land use restrictions must provide notice of the land use restrictions required by the RAP to the zoning authority for the local unit of government in which the facility is located within 30 days of approval of the RAP.

In order to assist you in recording the Declaration of Restrictive Covenant, please note that we have attached a copy of 1996 PA 459, an amendment to the Recording Requirements Act, 1937 PA 103, an act officially named: "An act to prescribe certain conditions relative to the execution of instruments entitled to be recorded in the office of the register of deeds." This legislation, which took effect April 1, 1997, sets forth requirements, such as margin widths and font size, for documents recorded with state county register of deeds offices.

If you should have further questions or concerns, please contact [project manager], Environmental Response Division, [district] District Office, at [Project Manager phone #].

Sincerely,

[Division Chief], Chief
Environmental Response Division
517-335-1104

cc: [Field Operations Supervisor], MDEQ
[C&E Section Chief], MDEQ
[District Supervisor], MDEQ
[Project Manager], MDEQ
[C&E staff assigned], MDEQ

Revised May 19, 1999 Fred O. Moye
<http://www.deq.state.mi.us/erd/rap>