

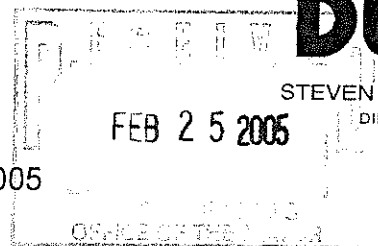


JENNIFER M. GRANHOLM
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENTAL QUALITY
LANSING



STEVEN E. CHESTER
DIRECTOR



February 23, 2005

Ms. Pat Somerville, Mayor
City of Rochester Hills
1000 Rochester Hills Drive
Rochester Hills, Michigan 48309

Dear Ms. Somerville:

SUBJECT: Revised Easement for Property Owned by the City of Rochester Hills
Adjacent to the Stan's Trucking Landfill Facility, Oakland County,
Site ID No. 63000062
Property Tax ID No. 15-24-401-048

Enclosed is a revised Grant of Easement (Easement) for an 8.89-acre property that the City of Rochester Hills owns (Property) and is associated with Stan's Trucking Landfill Facility, located on School Road, Rochester Hills, Macomb County, Michigan. The full legal description of the Property is included as an attachment to the Easement. This letter, which is a follow up to an earlier letter dated March 17, 2004, is being sent to request that you, as an authorized representative of the City of Rochester Hills, sign the Easement to provide the Department of Environmental Quality (DEQ) access to the Property. Language in Paragraph 3 of the enclosed Easement has been somewhat modified and is now mutually agreeable after discussions between your counsel, Mr. John Staran, and our counsel, Mr. James L. Stropkai, Assistant Attorney General. Please disregard the previous easement you received with the DEQ's March 17, 2004, letter and instead execute the Easement enclosed.

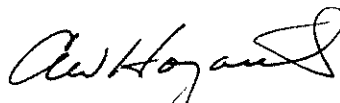
The Easement is needed to ensure that the DEQ and its successors and assigns will have future access to the Property as needed for performance of response activities, including operation and maintenance activities, to protect the public health, safety, and welfare, and the environment. Sections 20117(3)(e) and 20118 of Part 201¹ and the Part 201 Administrative Rules, provides authority for the DEQ to conduct necessary response activities at Stan's Trucking Landfill Facility, which includes all or portions of the Property delineated in the property description provided with the Easement. The Easement will allow the DEQ to retain access to the Property until all response activities have been concluded.

¹ Part 201, Environmental Remediation, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended (NREPA)

Once you have executed the Easement, please see that the Easement, along with a record containing the City Council's authorization for the Easement, is returned to Ms. Jacqueline Barnett of my staff. Ms. Barnett will see that the Easement and the authorization are recorded and will send a copy of each document to you for placement in your files when she receives the recorded documents from the Oakland County Register of Deeds. Please send correspondence to Ms. Jacqueline Barnett, Remediation and Redevelopment Division (RRD), DEQ, Constitution Hall, South Tower, Fourth Floor, 525 West Allegan Street, Lansing, Michigan 48913.

If you have questions, please contact Mr. Benjamin Mathews, Southeast Michigan District Office, RRD, DEQ, 38980 West Seven Mile Road, Livonia, Michigan 48152, at 734-953-1447; or you may contact me. Thank you for your assistance.

Sincerely,



Andrew W. Hogarth, Chief
Remediation and Redevelopment Division
517-335-1104

Enclosure

cc:

Mr. Ed Anzek, City of Rochester Hills
Ms. Patricia A. McKay, DEQ
Mr. Oladipo Oyinsan, DEQ
Ms. Cheryl Wilson, DEQ

cc/enc: Mr. John D. Staran, Beier Howlett, PC
Mr. Benjamin Mathews, DEQ
Mr. Joseph Cobe, DEQ
Ms. Jacqueline Barnett, DEQ