

**United States Environmental Protection Agency
Region V
POLLUTION REPORT**

Date: Friday, September 28, 2007

From: James Augustyn/Brian Schlieger, On-Scene Coordinator

To: Jason El-Zein, USEPA
Al Taylor, MDEQ
Cheryl Howe, MDEQ
Todd Konechne, Dow Chemical Company
Jim Sygo, MDEQ
David Chung, OSWER
NRC Duty Officer, National Response Center
Mark Johnson, U.S. EPA R5
Jeff Cahn, USEPA

Subject: Removal Action
Tittabawassee River Reach J/K
Midland, MI
Latitude: 43.5719
Longitude: -84.2006

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|--------------------------|--------------|----------------------------|----------------|
| POLREP No.: | 7 | Site #: | B5KF |
| Reporting Period: | | D.O. #: | |
| Start Date: | 8/6/2007 | Response Authority: | CERCLA |
| Mob Date: | 8/6/2007 | Response Type: | Time-Critical |
| Completion Date: | | NPL Status: | NPL |
| CERCLIS ID #: | MID980994354 | Incident Category: | Removal Action |
| RCRIS ID #: | | Contract # | |

Site Description

On June 27, 2007, U.S. EPA ordered The Dow Chemical Company (Dow) to negotiate an Administrative Order on Consent, to address removal of extremely elevated levels of dioxin-contaminated soil from an eroding river bank within Reach JK of the Tittabawassee River near Midland, Michigan. Dow agreed to the terms of the Order and on July 12, 2007, the Order was signed by the Regional Administrator and Dow. For additional background information please see the site profile.

Reach JK will be divided into two areas. The area along the river bank where contaminated soil will be excavated will be designated JK-1, and an area further back from the river bank where clean soil will be used to cap contaminated soil will be designated JK-2.

On-Scene Coordinator (OSC) Jim Augustyn is providing oversight with assistance from U.S. EPA's START Contractor, Weston Solutions, Inc.

Current Activities

The following tasks are currently on going:

- Installation of an irrigation system to water vegetation planted as part of the Site Restoration Activities.

- Placing of a mulch blanket over the JK-1 area.

To view a map that depicts current site progress, please visit the Document Section of this website and open the document titled "Site features map".

The following tasks have been completed by Dow's contractor during the period from September 20 – 26, 2007:

Thursday, Sept 20th: Dow's contractor continued placing topsoil on the Site. Structural boulders were randomly placed on the bench area of JK-1.

Friday, Sept 21st: Dow's contractor continued placing topsoil on the Site. Gravel from the JK-2 area was laid near the base of the access road to create a parking area. Topsoil was placed just south of the parking area location in JK-2 from where the gravel was removed. Additional site activities included the completion of the chain linked fence around the JK-2 wooded area and crews planted trees in the JK-1 area.

Saturday, Sept 22nd: The planting of 110 ball rooted trees in the JK-1 area was completed.

Monday, Sept 24th: Dow's contractor continued placing topsoil on the Site. Dry grass seed/wetland mix was planted at both JK-1 and JK-2 non-wooded areas. Additional site activities included grading of the newly constructed parking area and relocating the silt curtain from the water's edge to the east edge of the bench area (fish gravel mix area) in JK-1.

Tuesday, Sept 25th: The placement of topsoil on the Site was completed. Seeding of grass / wetland grass was also completed in JK-1 and JK-2 areas. Mulch blanket was laid down on approximately half of JK-1 and all the newly planted trees were watered. Grading of the parking area was also completed.

Wednesday, Sept 26th: Dow's contractor continued to lay mulch blanket in the JK-1 area. Grass / wetland grass was placed along the eastern edge of the mulch blanket. The crew also assembled an irrigation system to water vegetation planted as part of the Site Restoration Activities.

Planned Removal Actions

The following tasks are soon to be implemented:

- Placement of straw mulch on the JK-2 non-wooded area.
- Planting of bare rooted trees in late October or early November as part of the Site Restoration Activities.
- Removal of sediment fence around the perimeter of the site once the grass has begun to grow.

Next Steps

A final Site walk through with Dow, U.S. EPA and MDEQ will take place Thursday, October 4th.

Key Issues

A Final POLREP for the Site will be published after Dow submits a Final Site Report as required by the Settlement Agreement.

Estimated Costs *

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|--|--|--|--|--|

| | Budgeted | Total To Date | Remaining | % Remaining |
|-------------------------|-----------------|----------------------|------------------|--------------------|
| Extramural Costs | | | | |
| RST/START | \$100,000.00 | \$42,500.00 | \$57,500.00 | 57.50% |
| Intramural Costs | | | | |
| | | | | |
| Total Site Costs | \$100,000.00 | \$42,500.00 | \$57,500.00 | 57.50% |

* The above accounting of expenditures is an estimate based on figures known to the OSC at the time this report was written. The OSC does not necessarily receive specific figures on final payments made to any contractor(s). Other financial data which the OSC must rely upon may not be entirely up-to-date. The cost accounting provided in this report does not necessarily represent an exact monetary figure which the government may include in any claim for cost recovery.

Disposition of Wastes

As of 9/19/07, Dow has removed and transported to the Salzburg Road Landfill approximately 23,562 in-place cubic yards of impacted soil from the Reach JK site. The following is a schedule of the disposed waste excavated from the JK-1 Cut #1 area:

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|-----------|-----------|----------------------------|
| 8/17/2007 | 30 loads | 540 in-place cubic yards |
| 8/18/2007 | 64 loads | 1,152 in-place cubic yards |
| 8/21/2007 | 76 loads | 1,368 in-place cubic yards |
| 8/22/2007 | 93 loads | 1,674 in-place cubic yards |
| 8/23/2007 | 60 loads | 1,080 in-place cubic yards |
| 8/24/2007 | 103 loads | 1,854 in-place cubic yards |
| 8/25/2007 | 20 loads | 360 in-place cubic yards |
| 8/27/2007 | 178 loads | 3,204 in-place cubic yards |
| 8/28/2007 | 148 loads | 2,664 in-place cubic yards |
| 8/29/2007 | 180 loads | 3,240 in-place cubic yards |
| 8/30/2007 | 199 loads | 3,582 in-place cubic yards |
| 8/31/2007 | 127 loads | 2,286 in-place cubic yards |
| 9/7/2007 | 31 loads | 558 in-place cubic yards |

www.epaosc.net/TittabawasseeReachJK