

**Dow Chemical Corrective Action –  
Hot Spot Update, RIWP Update, GeoMorph Final Report Submittal, and Public  
Meeting**

February 8, 2007

The Dow Midland facility is a 1,900-acre chemical plant located in Midland, Michigan. Past operations at the plant have resulted in dioxin and furan (dioxin) contamination of the Saginaw Bay Watershed. Corrective action is taking place under a State Operating License issued in 2003. However, progress concerning off-site corrective action has experienced many delays, and has been unacceptably slow from EPA's perspective. MDEQ has stated that Dow has been unable to perform any actual work or sampling (reportedly due to cold and river conditions) with respect to the recently identified dioxin hot spots in the upper Tittabawassee River. MDEQ said that Dow has indicated that they are continuing to draft a workplan (due February 20, 2007) for addressing the hot spots, and are preparing to apply for necessary permits by March 1, 2007.

MDEQ has indicated that they intend to resolve deficiencies in Dow's Remedial Investigation Workplans (RIWPs) for the Tittabawassee River and the City of Midland through a series of working sessions with Dow. MDEQ has stated that they will only send Dow a Notice of Deficiency if they are unable to resolve deficiencies using working sessions. MDEQ has stated that they believe that the working session process will provide their best chance of having Dow continue further characterization work along the Tittabawassee River this coming construction season.

On February 1, 2007, Dow submitted the final report for the GeoMorph Pilot Study of the upper six miles of the Tittabawassee River. The report did not contain a geochemistry study (as had been requested in writing by EPA on February 10, 2006, May 18, 2006, and May 25, 2006), concentration contour maps (as had been requested in writing by EPA on September 7, 2005, February 10, 2006, and May 18, 2006), or Surface Weighted Average Concentration (SWAC) maps. The report stated that the geochemistry study would be submitted on April 1, 2007, and that SWAC maps would be submitted after a SWAC methodology is developed through further working sessions with MDEQ.

Lastly, on April 8, 2007, MDEQ and Dow will be holding a joint public meeting to discuss the results of the GeoMorph Pilot Study, the status of MDEQ's review of the RIWPs, and efforts to address dioxin hot spots in the upper Tittabawassee River.

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