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EXHIBIT C – DOCUMENTS

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Testing notification going out this month

Kathie Marchlewski, Midland Daily News
06/08/2006

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Midland property owners whose land has been selected for dioxin testing should begin receiving letters requesting their participation this month.

The Dow Chemical Co. on June 5 submitted revised sampling plans to the Michigan Department of Environmental Quality, and pending approval, plans to set out to collect soil from 698 Midland parcels.

"You can sign, or not sign," Dow spokesman John Musser said of the consent forms. "If you don't sign, there won't be any sampling on your property."

The goal of the sampling is to collect soil that will be used in a bioavailability study Dow plans to conduct to determine, based on the variety of soil types, how much dioxin is absorbed into the human body when it is ingested. Dow also plans to analyze samples for dioxin levels, and for levels of other potential contaminants. The plan is a multiphase one and a requirement of Dow's state-issued operating license.

Midland City Manager Karl Tomion said the City is generally supportive of the plan. In the past, it has expressed concern on behalf of its residents that soil sampling could have a negative impact on property values and sales. To protect targeted properties from negative stigma, the City had argued that testing should not be done until the state and Dow agreed on a level at which cleanup or other remedial action would be taken.

But to come up with that number, Dow wants to do the bioavailability study first. The state cleanup level for dioxin in residential areas is 90 parts per trillion. Some areas of Midland are not much higher, averaging 150 to 200 parts per trillion. If the bioavailability study shows that dioxin is not absorbed at as high a rate the state assumes in setting the 90 ppt standard, that standard could be edged up, removing portions of Midland from the list of potential areas of concern.

To solve the problem of property owner confidentiality while testing is done and until a resolution is agreed upon, Dow and the DEQ have built into the sampling plan a way for property owners to get generalized information about their dioxin levels after testing.

From each of the testing areas, five soil samples on five parcels will be taken, but only one of those actually will be analyzed in a lab for dioxin content.

Property owners who wish to know what level of dioxin is on their individual properties will be able to request test results. What they won't get, however, is an analysis from their particular property. Instead, they will be given results from the entire square.

"You're only going to know the results as it relates to the box," Musser said. "You're not going to know whether it came from your property."

In an update to the Midland Area Chamber of Commerce Wednesday, Tomion said the City is pleased with the progress on the situation.

"The fact that they are going through all of this to address our concerns, I look at that as a very positive development," he said.

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Dioxin/Furan Issue Update

John Musser
Director, External Issues
Michigan Operations
June 7, 2006

Agenda

- Midland Soils Study
- Critical Future Events
 - National Academy of Sciences Critique of EPA Draft Dioxin Reassessment
 - World Health Organization Revised TEFs
 - U of M Exposure Study
- Tittabawassee River Activities
 - Priority 2 Interim Response Actions
 - GeoMorph Characterization

Study Objectives

- Support Bioavailability Study
 - Characterize soil properties reported to influence bioavailability
- Evaluate presence of other chemicals in addition to dioxins/furans
- Address community concerns regarding confidentiality

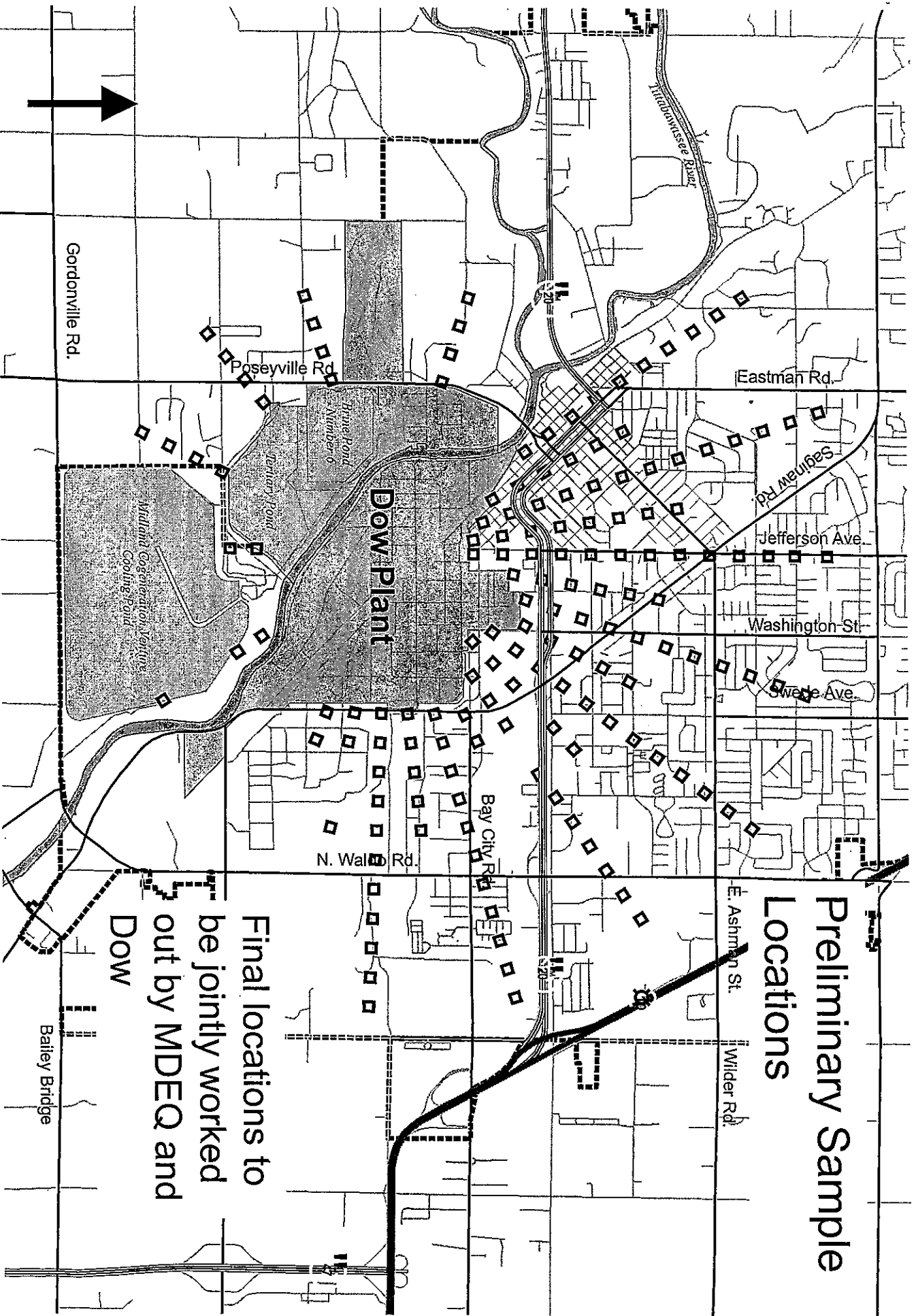
Study Design Approach

- Factors taken into account:
 - Primary dispersal mechanism = airborne releases potentially from multiple sources
 - Land use and potential exposure
 - Presence of buildings/pavement
 - Confidentiality of property owners

Basic Study Elements

- Collect surface soil samples from locations along radial transects (like spokes on a wheel)
- Each location to consist of a rectangular area (box) containing multiple properties of similar land use (where possible)
- Samples to be analyzed for:
 - dioxins and furans = all samples
 - soil characteristics = all non-industrial land
 - other chemicals = first 2 locations along each transect nearest the Dow

Preliminary Sample Locations



Final locations to be jointly worked out by MDEQ and DOW

NS/2006

What property owners can expect

1. Letters will be mailed to all property owners selected for possible sampling
 - License/access agreement
 - Explanation of sampling purpose and procedure
 - Anticipate letters to go out in June 2006
 2. Owners return signed agreements
 3. Once final MDEQ approval of work plan is received, sampling will be scheduled Sampling anticipated to occur in Fall 2006
 4. Samples will be analyzed for 1 parcel from each box to protect confidentiality of results
 5. Property owners requesting results should receive them approximately 2 months after the samples are collected
6. Sample results will be provided on request

Critical Future Events

- National Academy of Science critique of EPA Draft Dioxin Reassessment
- World Health Organization Revised TEFs
- U of M Exposure Study

Toxicity X Exposure = Risk

Tittabawasssee River Activities

- **Priority 2 Interim Response Actions**
 - Properties that were flooded less
 - Minimize potential contact
 - Same range of actions as for Priority 1
- **GeoMorph Characterization**
 - 1st Six Miles – “Full Characterization”
 - Lower Tittabawasssee – “Mapping”

Thank you

Questions?

Phillips, Thomas C.

From: Tomion, Karl [ktomion@midland-mi.org]
Sent: Saturday, March 18, 2006 4:21 PM
To: City Council
Cc: Dave Camp (E-mail); John Moolenaar (E-mail); Tony Stamas (E-mail)
Subject: FW: City Responds to MDEQ/EPA Comments

File

I was interviewed by Kathie Marchlewski on Friday about the letter submitted by our attorneys on the Dow work plan. Attached are the comments I shared with her.

Karl Tomion

City Responds to MDEQ/EPA Comments

The MDEQ and Dow met with me in November 2005 to discuss the need to conduct soil sampling in the city of Midland as part of the bioavailability study. I was informed that in order to undertake the study of dioxin uptake from the ingestion of soils by laboratory animals, it was necessary to test and characterize the type of soils that exist in the city of Midland (i.e. sandy, loam, clay, etc.).

They had both apparently agreed that different dioxin contaminated soil types, when ingested, may be metabolized at different rates.

They also indicated that they wished to proceed as quickly as possible with the bioavailability study so that an area-wide site specific criteria could be established so the remedial studies in the framework agreement could be completed.

Separately, I was informed that EPA wished to proceed with what they called a PCOI investigation to determine if there were other contaminants that may have been historically emitted from Dow in the Midland community. This study would start with an analysis of other contaminants that exist inside the Dow fence line to establish those that should be sampled for in the Midland community.

They jointly proposed a methodology where these soil samples would be taken without identifying and labeling such properties under the existing 90 ppt regulation through a double blind testing methodology.

This methodology would use 1,000 ppt as a public notification threshold for dioxin and similar criteria for other PCOI's. If the thresholds were reached, the property would immediately be identified for remedial action to protect the health of property owners.

Apparently as a result of further discussions between Dow, MDEQ, and EPA, the specifics of how such preliminary bioavailability and PCOI investigations will take place is changing. The City of Midland has not been a party to these discussions. We have been assured by MDEQ that we will be consulted before a final decision on the testing methodology is made.

The letter we submitted for the comment period outlines the City of Midland's goals and objectives for such testing which we are asking the MDEQ to consider.