

MILLER, CANFIELD, PADDOCK AND STONE, PLC

EXHIBIT C – DOCUMENTS

PACKET #9

Phillips, Thomas C.

From: Allan Taylor [TAYLORAB@michigan.gov]
Sent: Tuesday, August 29, 2006 5:31 PM
To: Phillips, Thomas C.
Cc: David Gustafson; Ben Baker <bf baker@dow.com>; George Bruchmann; Stephen Buda; Cheryl Howe; Deborah Mackenzie-Taylor; Delores Montgomery; Liane Shekter Smith; Jim Sygo; Terry Walkington; Phillips, Thomas C.
Subject: Sampling and Analysis Plan in Support of Bioavailability, Midland Area Soils

Tom -

In follow up to our phone call this morning, this note is intended to document the Michigan Department of Environmental Quality's (MDEQ's) intent and commitment to advise and consult with the City of Midland in advance of requiring The Dow Chemical Company to implement potential Interim Response Activities (IRAs) in the City of Midland that may become necessary as the Sampling and Analysis Plan in Support of Bioavailability, Midland Area Soils, is implemented over the coming months.

More specifically, if concentrations of dioxins and furans exceeding 1000 parts per trillion TEQ are found or concentrations of other hazardous substances are found at levels that may pose a near term health concern, the MDEQ will advise and consult with the City of Midland and Dow as part of the process that the MDEQ will use to require the implementation of IRAs.

This commitment does not limit the authority of the MDEQ to require the implementation of IRAs to protect human health or the environment.

I trust that this note will meet your needs. Please contact me if you have questions or concerns.

Best regards,

Al Taylor
Geology Specialist
Hazardous Waste Technical Support Unit
Waste and Hazardous Materials Division
Michigan Department of Environmental Quality
517-335-4799
taylorab@michigan.gov

8/30/2006