

**Lone Tree Council TRW
Dioxin Update # 58
December 14th 2005
www.trwnews.net**

Encouraged? You bet

We are all encouraged by news that Governor Granholm will veto HB 4617 (S3). According the Governor: "This bill is not acceptable," she said. "They've got to go back to the drawing board. It doesn't achieve the balance we need for protecting the health of citizens and creating cost-efficient cleanup." (Saginaw News 12-13-05) Please go to the TRW web site for the letter sent by TRW to Governor Granholm asking for her veto of this legislation. They summed it up well. It's not the facility label that is the problem.....it's the dioxin.

Press Release from supporters around the state

Below read the Press Release issued by 22 groups from around the state. On behalf of the Lone Tree Council we thank these organizations for their commitment to public health, our Great Lakes and our right to fishable & swimmable waters. HB 4617 is bad for the environment and bad for Michigan's economy.

Regards,

Michelle Hurd Riddick

Lone Tree Council

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December 14, 2005 Michelle Hurd Riddick 1-989-799-3313

GROUPS URGE GOV VETO OF "POLLUTER RULES" LEGISLATION

Granholm Told Polluter Legislation not in State's Best Interest

Twenty-two groups representing labor, faith, hunting and fishing, and environmental organizations sent a letter to Governor Granholm today urging a veto of HB 4617, legislation that the groups say threatens our state cleanup law. If the law were to be enacted, the letter notes, the result would be "more expensive cleanups, slower cleanups, and increased liability for property owners whose properties may be contaminated," and some cleanups may simply not happen.

The letter comes on the heels of action in the Michigan House and Senate on HB 4617 (S3), sponsored by legislators who have supported Dow Chemical's frequent attempts to evade their responsibility for the contamination of the largest watershed in the Michigan. The contamination is one of the most extensive sites in the state and stretches for more than 50 miles along two rivers that ultimately lead to the Saginaw Bay. The area has been on the list of contaminated hot spots in the Great Lakes for years, and now Dow is stalling action to clean and restore the ecosystem. Dioxin, the marker chemical of the contamination, has been "fingerprinted" and it belongs to Dow. It is extraordinarily toxic, with effects on multiple systems of the body and numerous studies Dow and MDEQ indicate it is being taken up by every living thing.

"We all know that a restored ecosystem is going to be crucial to economic development in our region. Two of Michigan's leading industries are tourism and farming, both of which rely on an intact and restored ecosystem. We can't afford to create sacrifice zones where polluters are let off the hook for cleanup", said MUCC member John Witzke, who lives in Midland.

"Instead of working with legislators to dismantle Michigan's cleanup law, Dow Chemical should start spending its significant resources and expertise on cleaning up our natural resources, which belong to all of us in the State," said Michelle Hurd Riddick of the Saginaw Bay Watershed's Lone Tree Council . "We have the right to fishable and swimmable rivers and lakes and Dow has an obligation under State law to restore those resources to us."

The area is known for its recreational, fishing and hunting opportunities. All of which are threatened by the dioxin contamination. Fish, soil and game advisories are in place for the Tittabawassee River and floodplain with advisories being posted soon on the Saginaw River. The contamination is bad for the local economy. In the letter urging a veto, the groups pointed out the bill would:

- Increase the cost of cleanup for both the taxpayers and other parties
- Slow progress in cleaning up contaminated sites, and allow some cleanups to be stalled indefinitely
- Prevent many properties from being eligible for state and local financial incentives that support redevelopment
- Prevent the state from undertaking investigation and cleanup actions on a 'homestead' regardless of whether the homestead property owner wanted that work to be done

- Prevent prospective purchasers and lessees of contaminated property from getting important information about the contamination through disclosure provisions of our cleanup law
- Potentially create important and potentially negative implications for the state budget and for local units of government.
- Prevent potential purchasers of contaminated property from knowing about the contamination

The Governor has another week in which to make a decision on the veto. In the meantime, groups continue to urge residents to call the Governor to urge her to reject this bill.

The Honorable Jennifer Granholm
Governor, State of Michigan
Lansing, MI
December 14, 2005

Dear Governor Granholm:

Legislators trying to protect Dow Chemical are proposing to change the way the State manages our cleanup laws. HB 4617/SB1 would remove the state's ability to designate some property as a "facility" or potentially contaminated. An amendment would also allow the polluter to contest whether a property can receive the designation. The result will be more expensive cleanups, slower cleanups, and increased liability for individual property owners whose property may be contaminated. Residents may actually lose the ability to force polluters to pay. In addition, the "Don't Ask, Don't Tell" provisions of the bill would prevent property owners from knowing that their property is contaminated, would prevent future owners from being informed, and would prevent the DEQ from doing anything about it, even if the property owners wanted a clean-up.

This bill actually diminishes the rights of owners and future owners of properties. It would:

- Increase the cost of cleanup for both the state and other parties
- Slow progress in cleaning up contaminated sites
- Prevent many properties from being eligible for state and local financial incentives that support redevelopment.
- Prevent the state from undertaking investigation and cleanup actions on a 'homestead' regardless of whether the homestead property owner wanted that work to be done.
- Prevent prospective purchasers and lessees of contaminated property from getting important information about the contamination through disclosure provisions of Part 201.
- Potentially create important and potentially negative implications for the state budget and for local units of government.

We need your help. This legislation, HB 4617/SB1, is strongly opposed by our organizations and we would urge you to veto it.

Thank you for your consideration.

Jon Saari
Upper Peninsula Environmental Coalition

David Holtz
Clean Water Action

Gayle Miller
Sierra Club

Jessica Yorke
Michigan Interfaith Power & Light

Becky Beauregard
Michigan League of Conservation Voters

Kelly Dardzinski
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