

Memorandum

September 6, 2012

To: Liane Shekter Smith
Division Chief
MDEQ - RMD

From: Steve Lucas
Sr. Remediation Leader
The Dow Chemical Company

Re: Early Kickoff and Expansion of Planned 2013 Work
Midland Area Soils Project

In accordance with Section 9.0 of the Interim Response Activity Plan Designed to Meet Criteria (IRDC), approved by MDEQ on June 1, 2012, The Dow Chemical Company (Dow) intends to expand the number of properties planned for sampling and evaluation to determine if remedy is necessary during 2013. In addition, Dow proposes to request access and begin sampling these properties as soon as this October 2012 to enable a more rapid start to any subsequent construction work, as described below.

Dow will attempt to obtain access and collect samples from an additional two hundred ninety-five (295) properties this Fall. Property owners will receive a letter notifying them of the opportunity to participate in the early sampling. Dow is offering them a choice on the timing of the sampling:

- Property will be sampled in October or early November 2012, prior to the onset of snow or significant frozen ground. These samples will be analyzed in the laboratory during the winter. Property owners will be notified of the results of the sample from the property by early March 2013. In cases where remedy is determined to be necessary, cleanup will be scheduled to begin in late April and May 2013; or
- Property will be sampled in May 2013. By late July, 2013 property owner will be notified of the results of the sample for the property. In cases where remedy is determined to be necessary, cleanup will be scheduled to begin in August 2013.

The letter that will be sent to property owners is presented in the *2013 Kickoff Attachments.pdf*, along with the Access Agreement form, which has been modified to allow the property owner to select the timing option for the sampling.

All field activities for these additional properties will be performed as described in the IRDC. The properties to be included in the Early 2013 Kickoff Campaign are presented in the Index Map included in the *2013 Kickoff Attachments.pdf* electronic attachment, available on the project sharepoint site. A list of properties and associated information is presented in the 2013 Property Table, and Individual Sample Plans have been developed for each property, all of which are also presented in the *2013 Kickoff Attachments.pdf* attachment, available on the project sharepoint site.

LABORATORY ANALYSIS

During typical years, the laboratory has spare capacity through the winter months, when sampling does not usually occur. Dow proposes to utilize this excess capacity by obtaining incremental composite samples from the properties show in the Index Map during October and November of 2012, and analyze them during the winter when spare laboratory capacity is available. Results will be available and communicated to the property owners during March of 2013, as shown in the Schedule Section, below.

PROPERTY OWNER COMMUNICATION

All property owner communication will be consistent with the IRDC. Dow previously proposed expansion of the 2012 Scope of Work in the *Additional Work Proposed for 2012 Memorandum*, submitted to MDEQ on July 13 and approved July 23, 2012. As part of that proposal, Dow committed to make best efforts to obtain access from the additional property owners that Dow did not receive responses from during execution of the 2013 work (consistent with Section 7.4.2 of the IRDC). Therefore, property owners from the additional area Dow added in 2012 where no response has been received will also be contacted during the fall of 2012 as part of this Early Kickoff for 2013. Results will be communicated to the property owner in accordance with Section 7.4.5 of the IRDC.

SCHEDULE

Dow intends to perform the additional work according to the following approximate schedule. The schedule is tentative, and is based on the weather and ability to obtain access in a timely manner.

Task	Schedule
Mail Letters to Property Owners requesting Access	September 14, 2012
Obtain signed access agreements; Schedule sampling dates and times	September 14, 2012 thru November 20, 2012*
Perform sampling at additional properties	October 8 thru November 20, 2012*
Communicate results of testing to property owners	March 31, 2013
Perform remedy as required from the results	<i>To be scheduled for completion in 2013</i>

*Schedule is highly dependent on weather and may change significantly, based on changing conditions