



February 8, 2008

The Dow Chemical Company
Midland, Michigan 48674
USA

Stephen E. Chester
Director
Michigan Department of Environmental Quality
525 West Allegan Street
Lansing, MI 48909-7973

Re: Response to January 30, 2008 Letter

Dear Mr. Chester:

I am writing to respond to your correspondence of January 30, 2008. As you know, in early January EPA Region 5 abruptly terminated the RI/FS AOC negotiations which it had initiated with Dow. MDEQ and the Region have subsequently announced the bifurcation of site remediation by parsing roles and programs between the two agencies, with MDEQ leading the implementation of investigative actions and EPA leading the implementation of a series of interim removal actions. This bifurcation creates an artificial division, and we do not understand how it will be either efficient or effective. More important, neither the termination of negotiations by the Region, nor the alternative arrangement with two agencies directing Dow, seems to lead to a final remedy. The approach seems all the more problematic because of the recently publicized conflicts between MDEQ and EPA.

While we disagree with some of your statements regarding the Direct Contact Criteria Report and the Independent Science Advisory Panel process, we look forward to working with the State, the City of Midland, property owners and residents to seek to resolve the Midland matter.

Sincerely,

Greg Cochran
Director, Michigan Dioxin Initiative
1790 Building
Midland, MI 48674

cc: Mr. Stanley F. Pruss, Governor's Office
Mr. Robert P. Reichel, Michigan Department of Attorney General
Mr. Jim Sygo, Deputy Director, MDEQ
Ms. JoAnn Merrick, Chief of Staff, MDEQ
Mr. Frank Ruswick, Senior Policy Advisor, MDEQ
Mr. George Bruchmann, MDEQ
Mr. David Dupre, Vice President, Dow
Mr. Peter Wright, Dow