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April 30, 2007

VIA ELECTRONIC TRANSMISSION

Celeste R. Gill, Esq.
Assistant Attorney General
Natural Resources Division
300 S. Washington Sq., Suite 530
Lansing, MI 48913

Re: Attorney General v Gelman Sciences, Inc:
Our File No. 471

Dear Ms. Gill:

I am writing to inform your office and the MDEQ that circumstances exist that constitute a force majeure event under the Consent Judgment entered in the above-referenced matter. As a result of the circumstances described below, Pall Life Sciences ("PLS") is currently unable to maintain the purge rate for AE-3 that the most recent MDEQ-approved capture zone analysis indicates is necessary to capture the leading edge of the Evergreen Subdivision plume. PLS does not currently have any data that indicate that the leading edge has migrated past AE-3.

Over the years, it has become increasingly difficult to maintain optimal purging rates at the AE location. This difficulty is attributed to several factors, including the relatively poor quality of the aquifer at this location and the fact that PLS' purging from upgradient locations has lowered the water table by approximately seven feet. These challenging conditions have forced PLS to rehabilitate the original purge well at this location (AE-1) with increasing frequency and ultimately to install a new purge well. To date, we have installed three purge wells at this location and the current well, AE-3, is failing. PLS has just finished rehabilitating this well again. The well is currently producing a maximum of 15 gallons per minute (gpm). Pumping the well at even this low rate is drawing in a significant amount of air, which will lead to bio-fouling and a further reduction in purging capacity in short order.

Celeste R. Gill, Esq.
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PLS will be making a proposal for addressing this issue in advance of the scheduled technical meeting. Please contact me or Mr. Wasserman if you have any questions regarding this letter. I would also encourage the MDEQ staff to discuss this issue further with Mr. Fotouhi in advance of the technical meeting if the MDEQ has any constructive suggestions as to how PLS should proceed.

Very truly yours,

ZAUSMER, KAUFMAN, AUGUST,
CALDWELL & TAYLER, P.C.



Michael L. Caldwell

MLC:hr

cc: Sybil Kolon, MDEQ
Farsad Fotouhi, PLS
Alan D. Wasserman, Esq.