



JENNIFER M. GRANHOLM
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENTAL QUALITY
JACKSON DISTRICT OFFICE



STEVEN E. CHESTER
DIRECTOR

April 11, 2006

VIA E-MAIL and U.S. MAIL

Mr. Farsad Fotouhi
Environmental Manager
Pall Life Sciences, Inc.
600 South Wagner Road
Ann Arbor, MI 48103-9019

Mr. Alan D. Wasserman
Williams Acosta, PLLC
2430 First National Bank
Building
Detroit, MI 48226-3535

Mr. Michael L. Caldwell
Zausmer, Kaufman,
August & Caldwell, P.C.
31700 Middlebelt Road,
Suite 150
Farmington Hills, MI 48334

Dear Sirs:

SUBJECT: Gelman Sciences, Inc. Remedial Action
Five-Year Plan, Minimum Purge Rates

We have received your letter, dated February 13, 2006, requesting that the minimum purge rates established in the Five-Year Plan be eliminated. Pall Life Sciences (PLS) has indicated that dropping water levels have made it difficult to maintain the minimum purge rates and that these rates are no longer appropriate, six years after they were established. We have considered your request, and believe the minimum purge rates can be eliminated, as discussed below.

The minimum purge rates for LB-1, LB-2, and AE-1 (now AE-3) were established by the July 17, 2000 Opinion and Remediation Enforcement Order of the Circuit Court for the County of Washtenaw, which the Department of Environmental Quality (DEQ) does not have the authority to unilaterally modify. We are willing to recommend to the Court that these minimum purge rates be removed, if additional information on their operation is provided to the DEQ.

The Unit E was discovered to be contaminated after the approval of the Five-Year Plan. Although the various "Units" have been described as separate aquifers, it is clear that these units are interconnected and cannot be considered isolated when determining the optimum extraction rates. Therefore, the DEQ's approval of the elimination of the minimum purge rates established in the Five-Year Plan is based on the understanding that PLS will operate all extraction wells in a way that recognizes this interconnection and maximizes mass removal while preventing expansion of the plumes (excepting the area downgradient of Maple Road, which is an independent extraction and discharge location where concentrations of 1,4-dioxane above 2,800 parts per billion must be prevented from migrating east of Maple Road). As we discussed in our April 4, 2006 meeting, other information documenting the operation and effectiveness of the purge wells will need to be provided for our review periodically.

The type of information DEQ and PLS agreed to discuss at a follow-up meeting includes: information on the operation of each purge well, including water level, water quality, mass removal data, performance information for each extraction well, and how that information is used to establish and adjust purge rates. Much of this information is already submitted to the DEQ; however, PLS has not provided us with any evaluation or explanation of how the information is used. For the Evergreen System, if the Court agrees to eliminate the minimum purge rates, the capture zone analysis should also be reviewed to ensure that the system is meeting the objective of capturing the leading edge of contamination of the Evergreen plume.

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We would like to meet with Mr. Fotouhi to review the information discussed in the preceding paragraph, prior to deciding on the format and frequency for PLS to provide this information in the future. We propose to schedule this meeting for mid-June, at which time PLS would provide the information through May 2006. Please contact me to schedule this meeting.

The DEQ does not intend to establish any enforceable requirements by its request of additional information in lieu of the minimum purge rates. Rather, the DEQ seeks to have access to this information to allow us to better understand the operation of the systems and provide comments to PLS on those operations. PLS may begin adjusting the purge rates, as discussed above, providing PLS agrees to work with the DEQ to determine the nature and frequency of information to be provided to the DEQ.

Please contact Assistant Attorney General Robert Reichel to determine how to address the minimum purge rates for the Evergreen purge wells with the Court. Please contact me if you have any questions.

Sincerely,

Sybil Kolon
Environmental Quality Analyst
Gelman Sciences Project Coordinator
Remediation and Redevelopment Division
517-780-7937

SK/KJ

cc: Mr. Robert Reichel, Department of Attorney General
Ms. Celeste Gill, Department of Attorney General
Mr. Mitchell Adelman, DEQ/Gelman File
Mr. James Cogger, DEQ