



JENNIFER M. GRANHOLM
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENTAL QUALITY
JACKSON DISTRICT OFFICE



STEVEN E. CHESTER
DIRECTOR

August 19, 2004

VIA ELECTRONIC AND US MAIL

Mr. Farsad Fotouhi
Environmental Manager
Pall Life Sciences, Inc.
600 S. 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
Work Plan for Test Boring/Well Installation and Aquifer Testing in the Wagner
Road Area, August 1, 2004

We have received and reviewed the above referenced submittal. Pall Life Sciences (PLS) submitted this work plan after a telephone conference call on July 26, 2004. The purpose of the conference call was an attempt to informally resolve the dispute initiated by PLS, in a letter from Mr. Caldwell dated July 12, 2004, in response to the Department of Environmental Quality's (DEQ) letter of June 29, 2004. PLS contends that the DEQ does not have the authority to require interim responses at Wagner Road to capture the contamination at Wagner Road or to require a specific drilling method. As a result of the July 26, 2004 conference call, agreement was reached between PLS and the DEQ to indefinitely extend the informal negotiating period to resolve the dispute until data from the investigation proposed in the August 1, 2004 work plan are obtained and can be discussed by the parties. We also agreed that either party may terminate the informal negotiating period with five business days prior notice.

The following text is quoted from the background section of the work plan:

"These data will be used to determine:

- Whether groundwater extraction in the Wagner Road area would be of value;
- The estimated extraction rates necessary to manage the Unit E plume in the Wagner Road area."

This text does not specify how the value of extraction near Wagner Road would be determined and does not state an objective for managing the Unit E plume in the Wagner Road area. The DEQ agreed to extend the informal dispute resolution process with the understanding that the data collected would be used to determine how much effort would be necessary (volume of water to be extracted and number of extraction wells) to capture the contamination near Wagner Road. While this work plan does not include installation of extraction wells to accomplish that purpose, as directed in our June 29, 2004 letter, performance of the investigation proposed in this work plan should provide the data necessary to determine the level of effort required to capture the plume near Wagner Road, and will facilitate resolution of the dispute.

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As indicated in the enclosed Interoffice Communication from Mr. Leonard Lipinski, and as requested previously, rotosonic drilling should be used at one of the three boring locations. In addition, during the aquifer performance test, MW-30d and MW-43 should also be monitored as indicated by Mr. Lipinski. The observation wells closest to the test well should be monitored using pressure transducers equipped with data loggers.

Please inform us by September 3, 2004, of your intention to comply with the modifications to the proposed work plan contained in this letter. Please notify Mr. Lipinski and me of the schedule for field work at least three business days prior to field work. A report on the work must be submitted to this office within 30 days of completion of the aquifer performance test.

Sincerely,

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

SK/LKG

Enclosure

cc: Ms. Mary Ann Bartlett, Pall Corp.
Mr. Robert Reichel, Department of Attorney General
Mr. Mitchell Adelman, DEQ/Gelman File
Mr. Leonard Lipinski, DEQ