



STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENTAL QUALITY
JACKSON DISTRICT OFFICE



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June 29, 2004

VIA ELECTRONIC AND US MAIL

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

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2430 First National Bank
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Detroit, MI 48226-3535

Mr. Michael L. Caldwell
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31700 Middlebelt Road,
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Farmington Hills, MI 48334

Dear Sirs:

SUBJECT: Gelman Sciences, Inc. Remedial Action
Unit E Aquifer Interim Response

In a letter dated March 22, 2004, the Department of Environmental Quality (DEQ) responded to Pall Life Sciences' (PLS) February 24, 2004 Work Plan for the Installation of Two Extraction Wells in the Unit E Aquifer. Although we advised PLS to consider changing the objective of the work plan to attain capture of the contamination, rather than only for mass reduction, and that the objective of capturing the contamination would be more easily accomplished at Wagner Road, PLS decided to proceed with implementation of the work plan without responding to our request. In fact, results of vertical profiling from the first boring determined it was not a useful location for an extraction well. PLS did install TW-17 after results from the second boring showed high levels of contamination.

During a meeting on June 15, 2004, Mr. Fotouhi informed us that no piping had been installed and no decision had been made regarding the operation of TW-17. The schedule in the February 24, 2004 work plan indicated that any extraction wells would be installed and operated starting June 15, 2004, dependent on drilling conditions. As the boring associated with TW-17 was completed on April 22, 2004, PLS is now obligated to operate the extraction well as proposed in the approved work plan.

The DEQ's previous informal request that PLS undertake additional interim response at or near its property to reduce the migration of groundwater contamination east of Wagner Road resulted in submittal of the February 24, 2004 work plan. The purpose of this letter is to notify PLS that it is obligated to undertake interim response pursuant to Part 201, Environmental Remediation, of the Natural Resources and Environmental Protection Act (NREPA), 1994 PA 451, as amended, and the Part 201 Administrative Rules (Part 201 Rules) for the reasons summarized below.

Under Section 20114(1)(g), PLS is required to diligently pursue response activities necessary to achieve the cleanup criteria established under Part 201. In addition, under the 1992 Consent Judgment in *Attorney General v Gelman Sciences, Inc.*, PLS, as the successor to Gelman, is required to implement DEQ-approved plans to contain and remedy groundwater contamination emanating from the PLS property.

The continued uncontrolled migration of contaminated groundwater in the Unit E aquifer away from the PLS property threatens public health, welfare and the environment. This plume of 1,4-dioxane contamination is a continuing source of pollution of a useable aquifer including, ultimately, a designated wellhead protection area established for the City of Ann Arbor's Montgomery Well, and potentially, private water supply wells.

Prompt action by PLS to cut off migration of that portion of the Unit E plume closest to its property would mitigate those threats, and contribute to the effectiveness, reliability and timely completion of the ultimate remedial action to address the Unit E plume as a whole. Moreover, such interim response activity is both technically feasible and promptly implementable, given the proximity to PLS's existing groundwater treatment system and the availability of some treatment and discharge capacity under the current NPDES permit.

Under these circumstances, consideration of relevant factors under Rule 526(1) supports the conclusion that interim response activity to contain the Unit E plume near Wagner Road is appropriate. These factors include actual contamination of a usable aquifer and threats to a designated wellhead protection area [see Rule 526(1)(a), and (b)], the feasibility of implementing this response activity independent of other more complex response activities [see Rule 526(1)(h)] and the fact that this interim response activity would speed the completion of remedial action [see Rule 526(1)(i)]. Performance of this interim response activity is consistent with PLS's obligation to diligently pursue response activity under Section 20114(1)(g), as reflected in Rules 520(1), (2), (5)(b), (c), (e) and (f).

Pursuant to Section 20114(1)(h) and Rule 520(3), the DEQ hereby directs PLS to:

- 1) immediately initiate and conclude the remaining work necessary to make TW-17 operational;
- 2) submit a work plan, by July 23, 2004, to install extraction wells near Wagner Road with the performance objective of intercepting the entire width of the Unit E 1,4-dioxane plume.

If the existing capacity of the current groundwater treatment plant limits the volume of contaminated groundwater that can be treated, achieving the performance standard of intercepting the plume at Wagner Road then becomes the higher priority than operation of the TW-17 well.

Over the past year, we have requested the use of rotosonic drilling to better characterize the geological formations. PLS has given various reasons for not complying with this request. The work plan must include a sufficient number of borings, using rotosonic drilling, to characterize the stratigraphy in the Wagner Road area to allow the optimal placement of the extraction wells.

Please contact me if you have questions or would like to discuss these matters in more detail.

Sincerely,

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

SK/KJ

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