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January 28, 2019

VIA EMAIL

Brian Negele, Esq.
Assistant Attorney General
Natural Resources Division
525 W Ottawa St
PO Box 30212
Lansing, MI 48933-1067

Re: Attorney General v Gelman Sciences, Inc.:
Our File No. 4710-00001

Dear Mr. Negele:

I am writing with regard to MW-103s and the issue of whether MDEQ's October 21, 2013 correspondence ("2013 Letter") regarding this well has any continuing relevance. As you know, in December, the 1,4-dioxane concentration in this well was 88 parts per billion (ppb). In January, Gelman and MDEQ split samples from this well and we are awaiting those results. Under the terms of MDEQ's 2013 Letter, if one or both of the split sample results are greater than 85 ppb, Gelman is to develop a contingency plan that would outline how Gelman will address possible migration of 1,4-dioxane outside of the Prohibition Zone. I should note that Gelman never concurred with the appropriateness or necessity of the steps outlined in the 2013 Letter, but has provided the required notices regarding sampling results as a courtesy.

As we've recently discussed, the 2013 Letter's contingency plan requirement is now outdated given the new statewide generic drinking water cleanup level, the negotiations between MDEQ and Gelman about amending the Consent Judgment to incorporate the new cleanup standard, and the ongoing settlement discussions with the parties that have intervened in the State's enforcement action. As such, this will confirm our agreement that, to the extent the recent or subsequent sampling reveals two consecutive monthly sampling results from MW-103s greater than 85 ppb, Gelman need not develop the contingency plan referenced by the 2013 Letter.

In order to ensure that the record is complete, please confirm in writing that MDEQ agrees that Gelman need not develop the contingency plan described in the 2013 Letter.

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Page Two

Please do not hesitate to contact me if you wish to discuss this matter further.

Very truly yours,

ZAUSMER, AUGUST & CALDWELL, P.C.

/s/

Michael L. Caldwell

MLC:bs

cc: Daniel Hamel, MDEQ