

Dow Chemical Corrective Action – Update on Recent Dioxin Sampling Results

December 14, 2006

The Dow Midland facility is a 1,900 acre chemical plant located in Midland, Michigan. Past operations at the plant have resulted in dioxin and furan (dioxin) contamination of the Saginaw Bay Watershed. Corrective action is taking place under a State operating license issued in 2003. However, progress concerning off-site corrective action has experienced many delays, and has been unacceptably slow from the Michigan Department of Environmental Quality's (MDEQ) and EPA's perspective. On December 11, 2006, Dow provided the sampling results from the confirmation and step-out samples that they collected in the area of the previously reported 87,000 ppt TEQ dioxin sample in the Tittabawassee River. The new samples failed to identify elevated dioxin levels at the same sampling location, as well as in the step-out samples with the exception of a 4,000 ppt TEQ sample under 6 inches of sediment 50 feet downstream of the 87,000 ppt location. Dow was not able to complete all step-out samples due to weather concerns, and will take additional step-out samples on December 15th. MDEQ will provide oversight of this sampling event, and will collect split samples. On December 14th, the MDEQ, Dow, ACOE, and EPA will meet to discuss interim response actions for the 87,000 ppt sample location. Dow has indicated that they will propose removal of sediment at this location this season (weather permitting). Also, in a reversal of a position held by Dow for over a year, Dow is allowing MDEQ to post signs on undeveloped Dow property along the Tittabawassee River warning the public about soil contamination and the fishing advisory. In addition, EPA staff are attempting to complete a response to 3 FOIA requests from Dow asking for all records related to several law firms, a list of environmental groups, and a list of citizens. These FOIA requests are requiring staff to examine thousands of records dating from the present to the 1980s, and as a result are taking up a significant amount of staff time.

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