

January 15, 2010

To: EPA National Enforcement and Compliance Assurance program

Docket ID: EPA-HQ-OECA-2009-0986; FRL-9098-3

Public comment for submitting candidates to the National Enforcement and compliance Assurance Priorities program for fiscal years 2011-2013

Dear Mr. Knopes, US EPA,

For your consideration, we would like to propose the Dow Chemical dioxin contamination site in Michigan as a candidate for the National Enforcement and Priorities list for fiscal years 2011 to 2013. The area proposed includes the City of Midland, the Tittabawassee and Saginaw Rivers and their floodplains, all downstream of the City of Midland, and the Saginaw Bay of Lake Huron.

Past historical practices by the Dow Chemical Company has contaminated over 52 miles of rivers, large floodplains, and the Saginaw Bay with dioxin. The contamination area includes the highest level of dioxin US EPA has ever recorded in the United States, with one level measuring as high as 1.6 million parts per trillion (ppt).

High dioxin contamination was found in the fish of this watershed as far back as 1978. This was 32 years ago, and the area is without any meaningful cleanup to this day. Responsibility to compel Dow Chemical to cleanup their contamination has shifted from state to federal agencies through political maneuvering for long enough.

EPA is now once again taking the lead on this issue. Your agency has more documentation that anyone of Dow's long history of noncompliance to clean up the contamination. We are attaching a recent (2007) EPA internal memo outlining Dow's continued defiance of regulatory agencies and noncompliance.

In this interim, generations of families have been raised in grossly contaminated floodplains, and have continued to consume contaminated fish and wildlife. This simply has to stop. The contamination continues to migrate into Lake Huron. In 2009, EPA Administrator Lisa Jackson declared the Michigan Dow site a public health threat.

Therefore, we feel there is no worthier site in the United States than the Dow Chemical site in Michigan, and that it deserves the attention of National Enforcement and compliance Assurance Priorities program.

Thank you for your consideration

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