



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENTAL QUALITY
LANSING



KEITH CREAGH
DIRECTOR

July 21, 2016

Mr. Steven C. Lucas
Senior Remediation Leader
The Dow Chemical Company
1790 Building
Midland, Michigan 48674

Dear Mr. Lucas:

SUBJECT: Approval of Revised Corrective Action Report, Midland Area Soils;
The Dow Chemical Company, Michigan Operations, Midland Plant; Midland,
Michigan; MID 000 724 724

The Department of Environmental Quality (DEQ), Office of Waste Management and Radiological Protection (OWMRP), has completed a review of the Corrective Action Report, Midland Area Soils (Report). The Report was submitted by The Dow Chemical Company (Dow) on January 8, 2016, and was most recently revised on May 6, 2016, in response to review comments from the DEQ. The Report was submitted as part of corrective action work required under Condition XI.B. of the Hazardous Waste Management Facility Operating License (License) renewal issued to Dow by the DEQ in 2015 pursuant to Part 111, Hazardous Waste Management, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended (Act 451), and the federal Resource Conservation and Recovery Act of 1976.

This Report was designed to be an important and major part of a final remedial action intended to represent the response action for direct contact to soils for Dow's off-site corrective action obligations under Conditions XI.B. and XI.J. of the License. Therefore, the DEQ conducted public participation pursuant to Condition XI.B.2. of the License and R 299.9511 of the Part 111 administrative rules, including a public comment period held from May 6, 2016, to June 20, 2016, and two public open houses held on June 6, 2016. No significant comments were submitted during the public comment period, and therefore, no significant changes were made to the draft Report. The DEQ will be sending the enclosed notice of this final decision to all persons on the facility mailing list and to the appropriate units of state and local government.

Based on the DEQ's review of the revised Report submitted on May 6, 2016, and since no significant public comments were obtained during the public comment period, the revised Report is hereby approved. In accordance with Condition XI.B.2. of the License, the approved Report becomes an enforceable condition of, and Attachment 18 to, the License. This approval constitutes a CA800 Ready for Anticipated Use Determination for Midland Area Soils.

The DEQ reserves its rights in regard to hazardous substances, as defined in Section 20101 of Part 201, Environmental Remediation, of Act 451, beyond those identified and addressed as a part of the revised Report. This approval does not convey any rights regarding unknown environmental conditions or compliance with other environmental laws and regulations.

Should you have any questions regarding this approval, please contact Mr. Al Taylor, of my staff, at 517-614-7335; taylora@michigan.gov; or DEQ, OWMRP, P.O. Box 30241, Lansing, Michigan 48909-7741; or you may contact me.

Sincerely,



DeLores Montgomery, Chief
Hazardous Waste Section
Office of Waste Management and
Radiological Protection
517-284-6565

Enclosure

cc: Mr. Jose Cisneros, U.S. Environmental Protection Agency
Ms. Virginia Himich, DEQ
cc/enc: Mr. Greg Rudloff, U.S. Environmental Protection Agency
Mr. Jim Sygo, DEQ
Mr. Steve Sliver, DEQ
Mr. Phil Roycraft, DEQ
Ms. Trisha Confer, DEQ
Mr. Al Taylor, DEQ
Dr. Deb MacKenzie-Taylor, DEQ
Mr. Art Ostaszewski, DEQ
Mr. Dan Dailey, DEQ
Corrective Action File – Midland Area Soils



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DIRECTOR

**Michigan Department of Environmental Quality
Office of Waste Management and Radiological Protection**

NOTICE OF FINAL DECISION

**Midland Area Soils, Corrective Action Report
The Dow Chemical Company, Michigan Operations, Midland Plant
MID 000 724 724
July 21, 2016**

On June 6, 2016, the Michigan Department of Environmental Quality (DEQ), Office of Waste Management and Radiological Protection (OWMRP), held two public open houses to receive comments on the Revised Corrective Action Report, Midland Area Soils (Report) submitted by The Dow Chemical Company (Dow), Michigan Operations, Midland Plant, located at 1790 Building, Midland, Michigan 48674, on May 6, 2016, as part of corrective action work required under the Hazardous Waste Management Facility Operating License Renewal (License) reissued to Dow by the DEQ in 2015 pursuant to Part 111, Hazardous Waste Management, of Michigan's Natural Resources and Environmental Protection Act, 1994 PA 451, as amended (Act 451), and the federal Resource Conservation and Recovery Act of 1976 (RCRA). The DEQ approved the Report on July 21, 2016.

A public comment period on the draft Report was announced in the Midland Daily News on May 6, 2016. Two public open houses were also held on June 6, 2016, from 3:00 p.m. to 5:00 p.m. and from 7:00 p.m. to 9:00 p.m. The public comment period extended from May 6, 2016 to June 20, 2016. On May 30, 2016, a notice regarding the two public open houses on the proposed Report also appeared in the DEQ Environmental Calendar, which is published every two weeks to provide public notice of pending public hearings, DEQ decisions, etc.

In accordance with Condition XI.B. of the License and R 299.9511 of the Part 111 administrative rules, the DEQ is required to respond to significant comments submitted during the public comment period and to describe any significant changes made to the draft Report. No significant public comments were received during the public comment period or at the public open houses. Therefore, no changes were made to the draft Report prior to approval.

The approved Report and Notice of Final Decision may be reviewed at the Reference Desk of the Grace A. Dow Memorial Library, 1710 West St. Andrews Street, Midland, Michigan, and the DEQ, Saginaw Bay District Office, 401 Ketchum Street, Suite B, Bay City, Michigan (contact Ms. Trisha Confer at 989-225-7968). The approved Report and related materials are also available at the DEQ, OWMRP, Constitution Hall, Atrium North, 525 West Allegan Street, Lansing, Michigan (contact Mr. Al Taylor at 517-614-7335) and at <http://www.michigan.gov/deqdioxin> under "Midland Area Soil Cleanup". Copies of the documents may be obtained for the cost of reproduction by sending your request to Mr. Al Taylor, DEQ, OWMRP, P.O. Box 30241, Lansing, Michigan 48909-7741 or taylora@michigan.gov. Depending upon the items requested, there may be a charge for reproduction and mailing costs.

This Notice of Final Decision is being sent to the individuals on the DEQ's Dow facility mailing list. To have your name added to or removed from the DEQ's Dow facility mailing list, please contact Ms. Amy Nevison at nevisona@michigan.gov or at 517-284-6562.