

Dow Off-Site Dioxin Contamination

Past waste disposal practices, fugitive emissions and incineration have resulted in extensive dioxin contamination associated with The Dow Chemical Company's (Dow) chemical manufacturing facility in Midland, Michigan. In 2003, MDEQ issued an Operating License to Dow which includes corrective action requirements requested by EPA for the Tittabawassee and Saginaw Rivers, their floodplains, and Saginaw Bay. Sampling has shown dioxin contamination (up to 24,000 ppt in sediment) downstream from the Dow facility, extending approximately 50 miles, impacting the Saginaw Bay watershed. However, sampling conducted to date has been limited. It is likely that further sampling to define the nature and extent of the contamination could yield dioxin levels significantly higher than the current maximum concentration. As a result, further sampling is needed to define the extent of contamination.

Michigan Department of Environmental Quality's (MDEQ) attempts to require Dow to study, and remediate as appropriate, dioxin contamination in Midland, and the Tittabawassee and Saginaw Rivers has caused controversy among citizens, local officials, and state and federal legislators from the area. State and federal lawmakers are concerned that considering contaminated properties "facilities" will destroy their value.

On March 2, 2006, MDEQ sent Dow a Notice of Deficiency (NOD) for workplans that cover investigations of contamination within the City of Midland, and the Tittabawassee River. The NOD detailed serious deficiencies within the workplans, and included EPA comments as an attachment. MDEQ's NOD is in substantial agreement with EPA's comments, and provides Dow until May 2, 2006 to respond to the NOD.

Negotiations are occurring between the Army Corps of Engineer (ACOE) and Dow concerning the potential use by Dow of a planned ACOE dredged material disposal facility (DMDF). Dow is seeking the option of potentially disposing of contaminated sediments from the Saginaw River in the DMDF as part of future potential dredging by Dow. In exchange for this disposal option, Dow would contribute money to improve the design of the DMDF.

A meeting between EPA and the City of Midland is scheduled for April 18, 2006. This meeting is in response to a request from the City of Midland during a meeting in March between Tom Skinner, U.S. Congressman Dave Camp, and the City of Midland.

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