

November 13, 2013

Michigan Department of Environmental Quality
Remediation and Redevelopment Division
P.O. Box 30426
Lansing, MI 48909-7926

Re: Proposed administrative rules, R 299.1 - R299.50

I am writing today to share my concerns about proposed rules that affect my community. Specifically, I'm concerned that the proposed standard for 1,4 dioxane is 85ppb when sound science and best available toxicological data suggests that the standard should set be far lower. I implore you to revise these rules immediately. The current standard is at least ten times higher than what is necessary to protect public health.

In 2012, the Michigan Legislature set a deadline of December 31, 2013 for MDEQ to "evaluate and revise the cleanup criteria" using "best practices from other states, reasonable and realistic conditions, and sound science." The law is clear that the revised rules must use scientific data and best practices. However, the proposed rules before you do nothing to change the standard for 1,4 dioxane despite new data, such as that in the EPA's IRIS database, showing that 1,4 dioxane is more harmful to human health than previously believed.

Over the last few years, MDEQ, along with the Collaborative Stakeholders Initiative (CSI), has worked to update these standards, but a lack of consensus has delayed the process. While I'm confident that MDEQ will ultimately update these numbers in accordance with the law, this rulemaking process represents the best opportunity to implement standards based on established scientific facts. Our community has been asking for a better cleanup and more protective standards for decades; we shouldn't miss this opportunity to update the science behind the standards. Furthermore, I am concerned that it will be even more difficult to put appropriate standards in place if it is not done during this rulemaking process.

The purpose of rulemaking is to update and revitalize the state's regulatory environment while protecting public health. Failing to update chemical toxicity levels to the best available science does neither. For these reasons, I request that you amend these proposed rules to include the updated scientific data.

Sincerely,

Jeff Irwin