



JGiesy@aol.com
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To dlbacon@mmm.com
cc
bcc
Subject Re: chironomid study

DB:

Unfortunately where the EPA is concerned there is no "Rule of Dumb". I have had the use residue levels in those small fish to drive a risk assessment. But having said that we always point out to them how dumb it is. The state folks might be more reasonable. You need to find out how flexible they are to let us judge what data to collect to make the most accurate estimates of exposure and potential risk.

I do not think EPA is involved here yet, but with RP involved he may seek to get them involved. Especially since the Mississippi is a multi-state issue, gives them an in, regardless of the wishes of the state.

Watch out for an EPA risk assessor named Milton Clark.

Sincerely,

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**Exhibit
2085**

State of Minnesota v. 3M Co.,
Court File No. 27-CV-10-28862

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