



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 5

77 WEST JACKSON BOULEVARD

CHICAGO, IL 60604-3590

AUG 24 2009

REPLY TO THE ATTENTION OF:

S-6J

SUBJECT TO F.R.E. 408

Mr. Greg Cochran, Director
Michigan Dioxin Initiative
Michigan Operations
The Dow Chemical Company
1790 Building, Washington Street
Midland, Michigan 48674

Re: Tittabawassee River Dioxin Spill Site, Midland, Michigan

Dear Mr. Cochran:

In a June 26, 2009, letter to The Dow Chemical Company, the United States Environmental Protection Agency identified an August 25, 2009, deadline for concluding negotiations with respect to conducting or financing the evaluation of current Site conditions and assessments of response options, a remedial investigation and feasibility study and/or engineering evaluation and cost analysis, and remedial design at the Tittabawassee River Dioxin Spill Site located in and along the Tittabawassee and Saginaw Rivers and in Saginaw Bay.

U.S. EPA also indicated that the August 25, 2009, deadline could be further extended if the parties were making progress in their discussions. As you know, representatives from the U. S. EPA, the Michigan Department of Environmental Quality and the Natural Resource Damage Trustees have had two multi-day negotiation sessions and several conference calls with representatives of Dow to discuss the various topics that are being negotiated. U.S. EPA believes that progress has been made during these discussions and that extending the negotiation deadline is appropriate. U.S. EPA therefore extends the deadline to conclude negotiations until September 25, 2009.

If you have any questions concerning this matter, please contact Wendy L. Carney, Superfund Program Manager, at (312) 353-6553 or Jeffrey A. Cahn, Associate Regional Counsel, at (312) 886-6670.

Sincerely,



Richard C. Karl
Director
Superfund Division

cc: Peter C. Wright, Esq.
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