

## **EPA terminates negotiations with Dow Chemical on river cleanups**

Release date: 01/04/2008

Contact Information: Anne Rowan, 312-353-9391, rowan.anne@epa.gov

FOR IMMEDIATE RELEASE  
No. 08-OPA001

(Chicago, Ill. - Jan. 4, 2008) U.S. Environmental Protection Agency Region 5 today stopped its negotiations with Dow Chemical aimed at a settlement to conduct a study and interim cleanup actions for dioxin contamination in the Tittabawassee River system.

"EPA does not believe that the deal Dow is offering goes far enough," said Ralph Dollhopf, Associate Director for the Superfund Division of EPA's Regional Office in Chicago. "Key issues that are paramount for protecting human health and the environment remain unresolved. EPA simply will not accept any deal that is not comprehensive."

Last October, EPA called for 60 days of negotiations under provisions of the Comprehensive Environmental Response, Compensation and Liability Act, or Superfund. Superfund specifies the process in which a remedial investigation and feasibility study must be conducted, as well as the design and execution of a cleanup plan. Last month, EPA extended its Dec. 10, 2007, deadline to resolve remaining issues and reach a final agreement.

"I am extremely disappointed with this outcome," said Regional Administrator Mary A. Gade. "EPA approached negotiations with high hopes and realistic expectations. Our team put in many long hours of good faith efforts that came to an unfortunate end today. EPA is now reviewing its options for ensuring that dioxin contamination in the river system and the Midland area can be fully addressed."

The targeted area begins upstream of Dow's Midland, Mich., facility and extends downstream to the Saginaw River, its floodplains and Saginaw Bay in Lake Huron.

Under Superfund, an investigation and study are necessary to evaluate the nature and extent of hazardous substances, pollutants or contaminants from a site and assess the risks they present to human health and the environment. It would also require that enough data be developed to evaluate a range of cleanup options.

Dow's Midland facility is a 1,900-acre chemical manufacturing plant. Dioxins and furans are byproducts from the manufacture of chlorine-based products. Past waste disposal practices, fugitive emissions and incineration at Dow have resulted in on- and off-site dioxin and furan contamination.

For more information about the cleanup, visit <http://www.epa.gov/region5/sites/dowchemical/>