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June 18, 2010

Delivered by messenger

Andrew Boyd
Office of Regional Counsel
U.S. Environmental Protection Agency
1200 Sixth Avenue, Suite 900 (ORC-158)
Seattle, Washington 98101

Re: FMC Idaho LLC, Pocatello, Idaho
CERCLA Unilateral Administrative Order for Removal Action
EPA Region 10 CERCLA Docket No. CERCLA-10-2010-0170
Request for Conference

Dear Mr. Boyd:

EPA Region 10 issued the above-referenced unilateral administrative order (UAO) to FMC Corporation and FMC Idaho LLC (FMC) on June 14, 2010 requiring air monitoring and action to remove and treat phosphine gas from Ponds 8E, 15S and 17 at the FMC former elemental phosphorus processing facility in Pocatello, Idaho. Section XXVI, Paragraph 82 of the order states that FMC may request a conference with EPA to discuss the order's factual findings, the actions it requires FMC to take, or other matters pertinent to the order. Paragraph 82 states that FMC must submit any such request to EPA in writing within 5 days after issuance of the order. Paragraph 82 further states that any such conference must be held within 10 days after the date of FMC's request, unless extended by written agreement of the parties.

FMC hereby requests a conference with EPA to discuss this administrative order. This request is timely under the provisions of UAO Paragraph 82. We believe that a conference would be useful in focusing FMC's efforts that already are underway to define and meet the order's requirements. Under the provisions of Paragraph 82, the nominal deadline for holding a conference in response to this request would be Monday, June 28, 2010. However, in recent discussions EPA and FMC have agreed to schedule this conference for the morning of Wednesday, June 30, 2010 at the EPA Idaho Operations Office located at 1435 North Orchard Street in Boise, Idaho. This date has been necessary to accommodate both EPA and FMC

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schedules. FMC will provide a proposed agenda in advance of the meeting date and most likely by June 25.

Contact me at 206/ 676-7030 or at davidh@summitlaw.com if you have any questions regarding this request. Thank you.

Sincerely,

A handwritten signature in blue ink that reads "David M. Heineck". The signature is written in a cursive style with a large, stylized 'D' and 'H'.

David M. Heineck