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February 12, 2013

CT DEEP
Office of Long Island Sound Programs
79 Elm Street
Hartford, CT 06106-5127
Attn: Kristen Bellantuono

RE: Waterfront Magee, LLC - Application #201207377-KB

Dear Ms. Bellantuono:

Sims Metal Management (SMM) operates an industrial scrap metal recycling facility located at 640 Canal Street in Stamford, CT. Our business is an upstream, water dependent, industrial user of the East Branch of the Stamford Harbor.

SMM relies on the Stamford Harbor for movement of scrap metal by barge for shipments and sales of these materials. It is essential to our business that any development along the navigable channel not impede the flow of our commercial traffic through the harbor or in any way cause unsafe movement of any vessels. SMM contracts Donjon Marine for barge towing services on the waterway. SMM ships approximately 50 barges of metal in a year, which is equivalent to 100 trips passing the project location.

We have reviewed the subject Application, the DEEP's Draft Permit, and an expert opinion (referencing concerns voiced by Donjon Marine) relating to barge traffic on the East Branch of the Stamford Harbor/Channel (John Tylawsky transmittal to the DEEP, dated February 5, 2013, "Tylawsky Transmittal"). SMM's concern mirrors that of other industrial businesses on the Channel that rely on the river for commerce. To summarize, SMM's concern related to the proposed project is that, due to the limited useful width of the Channel at the proposed project location, barge traffic will not be able to safely (or effectively) navigate past the project site, as proposed. SMM supports the project contingent on the modifications noted in the Tylawsky Transmittal including the specified maintenance dredging, specified minimum relocation parameters of the project from the existing restrictive space of the Federal Channel, and the installation of safety devices and navigation assists (as noted).

SMM appreciates the CT DEEP's consideration of our comments and the Agency's commitment to maintaining the navigable water in support of upstream commerce in a safe and effective manner. Should you have any questions or comments, please feel free to contact the undersigned or Joe Payesko, SMM's General Manager, at (201) 333-4300.

Ms. Kristen Bellantuono
CT DEEP – Office of Long Island Sound Programs

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Sincerely,

SIMS METAL MANAGEMENT



Laura Hennen, QEP
East Region Director - Safety, Health, Environmental & Community