

### **APPROVAL OF REGISTRATION**

**Approval No.:** #201205445-TS  
**Permit No.:** LIS-GP-009  
**Town:** Fairfield  
**Work area:** Mill River off property located 2190 Post Road  
**Permittee:** Exide Group, Inc.  
1213 Culbreth Drive  
Wilmington, NC 28405

Pursuant to section 22a-361(d) of the Connecticut General Statutes (“CGS”) and in accordance with CGS section 22a-98 and the Connecticut Water Quality Standards effective February 25, 2011, an approval of registration (“approval”) is hereby granted by the Commissioner of Energy and Environmental Protection (“Commissioner”) to conduct remedial activities pursuant to an Order of the Commissioner issued on October 20, 2008, and pursuant to General Permit LIS-GP-009, issued January 4, 2008, and the terms and conditions specified below. Such work is more specifically described below in the SCOPE OF AUTHORIZATION.

**\*\*\*\*\*NOTICE TO PERMITTEES AND CONTRACTORS\*\*\*\*\***

**UPON INITIATION OF ANY WORK AUTHORIZED HEREIN, THE PERMITTEE ACCEPTS AND AGREES TO COMPLY WITH ALL TERMS AND CONDITIONS OF THIS APPROVAL AND OF GENERAL PERMIT NO. LIS-GP-009. FAILURE TO CONFORM TO THE TERMS AND CONDITIONS OF THIS APPROVAL MAY SUBJECT THE PERMITTEE AND ANY CONTRACTOR TO ENFORCEMENT ACTIONS, INCLUDING INJUNCTIONS AS PROVIDED BY LAW AND PENALTIES UP TO \$1,000.00 PER DAY PURSUANT TO THE ADMINISTRATIVE CIVIL PENALTY POLICY DESCRIBED IN SECTIONS 22a-6b-1 THROUGH 22a-6b-15 OF THE REGULATIONS OF CONNECTICUT STATE AGENCIES.**

### **SCOPE OF AUTHORIZATION**

The Permittee is hereby authorized to conduct the following work as described in registration #201205445-TS, including 26 sheets of plans, with sheet 1 dated May 27, 2009, sheets 2 through 9 dated October 3, 2013, sheet 10 undated, sheets 11, 12, 14, 21, and 22 dated May 18, 2009, sheet 13 dated July 20, 2009, sheets 15, 16, 23, and 24 dated December 20, 2010, sheets 17, 18,

19, and 20 dated January 27, 2012, and sheets 25 and 26 dated April 8, 2008, submitted by the Permittee to the Commissioner and attached hereto:

1. install temporary turbidity curtains;
2. dredge, by hydraulic means with a barge and diver assistance, where needed, a total of approximately 27, 579 cubic yards of sediment over an approximately 479, 0462 square foot area, to various depths as follows:
  - a. Area I: excavate approximately 5, 215 cubic yards of sediment over a 62, 464 square foot area to a depth range of 0.5 – 4.0 feet below the substrate;
  - b. Area II: excavate approximately 6, 590 cubic yards of sediment over a 105,863 square foot area to a depth range of 0.5 – 3.0 feet below the substrate;
  - c. Area III: excavate approximately 7, 832 cubic yards of sediment over a 131,049 square foot area to a depth range of 0.5 – 3.0 feet below the substrate;
  - d. Area IV: excavate approximately 1, 156 cubic yards of sediment over a 21,447 square foot area to a depth range of 0.5 – 3.0 feet below the substrate; and
  - e. Area V: excavate approximately 6, 786 cubic yards of sediment over a 158,636 square foot area to a depth range of 0.5 – 2.0 feet below the substrate.
3. dispose of the dredged sediment at an upland facility in accordance with SPECIAL TERMS AND CONDITIONS, paragraph 13., of this permit; and
4. remove the temporary turbidity curtains.

### SPECIAL TERMS AND CONDITIONS

1. Not later than two (2) weeks prior to the commencement of any work authorized herein, the Permittee shall submit to the Commissioner, on the form attached hereto as Appendix A, the name(s) and address(es) of all contractor(s) employed to conduct such work and the expected date for commencement and completion of such work, if any.
2. The Permittee shall file Appendix B on the land records of the municipality in which the subject property is located not later than thirty days after permit issuance pursuant to CGS Section 22a-363g. A copy of Appendix B with a stamp or other such proof of filing with the municipality shall be submitted to the Commissioner no later than sixty (60) days after permit issuance.
3. The Permittee shall give a copy of this permit to the contractor(s) who will be carrying out the activities authorized herein prior to the start of construction and shall receive a written

receipt for such copy, signed and dated by such contractor(s). The Permittee's contractor(s) shall conduct all operations at the site in full compliance with this permit and, to the extent provided by law, may be held liable for any violation of the terms and conditions of this permit. At the work area the contractor(s) shall, whenever work is being performed, make available for inspection a copy of this permit and the final plans for the work authorized herein.

4. The Permittee shall post the attached Permit Notice in a conspicuous place at the work area while the work authorized herein is undertaken.
5. The Permittee shall maintain a copy of the document entitled "*Remedial Action Plan for Lead Impacted River Sediments, Mill River Study Areas I-V, the Former Exide Battery Facility Project, 2190 Boston Post Road, Fairfield, Connecticut, dated July 2013*" (herein referred to as "SedRAP"), at the work site at all times and shall ensure that all contractors and subcontractors responsible for conducting the work outlined in the document shall comply with its terms.
6. Prior to the commencement of the work authorized herein, the Permittee shall obtain any appropriate permit or authorization for dewatering pursuant to CGS section 22a-430 or 22a-6k.
7. Unconfined in-water excavation, dredging, filling or removal of debris or other material shall be prohibited between May 1st and October 1st, inclusive, of any year in order to protect spawning shellfish unless otherwise authorized in writing by the Commissioner.
8. In order to avoid impacts to anadromous fish, dredging shall be prohibited between April 1st through June 30th, in the following locations shown on Drawings 13 and 14 of the SedRAP: Area IV and Area II Cell #2. In addition, in Cell #1 in Area III, the Permittee must not block passage over the adjacent section of the dam from one hour before high tide to one hour after high tide.
9. During the work period from April 1st through June 30th, the Permittee may conduct dredging activities during a continuous 12 hour period each 24 hour period, with no dredging allowed during the remaining 12 hour period.
10. The Permittee shall ensure that an upstream-downstream corridor that allows for anadromous fish movement shall be maintained at all times.
11. Prior to conducting the work authorized herein, the Permittee shall install turbidity curtains around each work area prior to conducting the work in that specific area. The Permittee shall maintain or modify, as needed, the turbidity curtains to ensure optimal operating condition. The Permittee shall remove the turbidity curtains when the authorized work has been completed and the site has stabilized.
12. When deploying the turbidity curtains that define a dredge cell, the depth of water across the remaining width of the river must be checked to ensure that a migratory corridor exists opposite the entire length of the turbidity curtain with minimum dimensions of 2 feet deep by 15 feet wide.

13. All excavated material shall be disposed of by the Permittee at an upland site approved for the disposal of such waste material, as applicable.
14. Except as specifically authorized by this approval, no equipment or material including, but not limited to, fill, construction materials, excavated material or debris, shall be deposited, placed or stored in any wetland or watercourse on or off-site, nor shall any wetland or watercourse be used as a staging area or access way other than as provided herein.
15. On or before (a) ninety (90) days after completion of the work authorized herein, or (b) upon expiration of the work completion date, the Permittee shall submit to the Commissioner "as-built" plans of the work area showing all tidal datums and structures, including any proposed elevation views and cross sections included in the permit. Such plans shall be the original ones and be signed and sealed by an engineer, surveyor or architect, as applicable, who is licensed in the State of Connecticut.

### **GENERAL TERMS AND CONDITIONS**

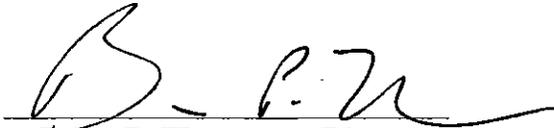
1.
  - a. All work authorized by this approval shall be completed within three (3) years from date of issuance of this approval, except that maintenance activities specified in the SCOPE OF AUTHORIZATION may be conducted at any time, in accordance with all applicable conditions.
  - b. Any work authorized hereunder, other than maintenance authorized herein, conducted after said work completion date is a violation of this approval and may subject the Permittee to enforcement action, including penalties, as provided by law.
2. Any document required to be submitted to the Commissioner under this approval or any contact required to be made with the Commissioner shall, unless otherwise specified in writing by the Commissioner, be directed to:

Permit Section  
Office of Long Island Sound Programs  
Department of Energy and Environmental Protection  
79 Elm Street  
Hartford, Connecticut 06106-5127  
(860) 424-3034  
Fax # (860) 424-4054

3. The Permittee shall comply with all terms and conditions of section 5 of General Permit LIS-GP-009 (attached).

Issued on October 3, 2013.

STATE OF CONNECTICUT  
DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION  
OFFICE OF LONG ISLAND SOUND PROGRAMS



**Brian P. Thompson, Director**  
**Office of Long Island Sound Programs**  
**Bureau of Water Protection & Land Reuse**

**Registration No. 201205445-TS**  
**Exide Group, Inc.**

**OFFICE OF LONG ISLAND SOUND PROGRAMS**

**APPENDIX A**

**TO: Permit Section  
Department of Energy and Environmental Protection  
Office of Long Island Sound Programs  
79 Elm Street  
Hartford, CT 06106-5127**

**Permittee:** Exide Group, Inc.  
1213 Culbreth Drive  
Wilmington, NC 28405

**Approval No.:** 201205445-TS, Fairfield

**Permit No.:** LIS-GP-009

**CONTRACTOR 1:** \_\_\_\_\_

Address: \_\_\_\_\_

Telephone #: \_\_\_\_\_

**CONTRACTOR 2:** \_\_\_\_\_

Address: \_\_\_\_\_

Telephone #: \_\_\_\_\_

**EXPECTED DATE OF COMMENCEMENT OF WORK:** \_\_\_\_\_

**EXPECTED DATE OF COMPLETION OF WORK:** \_\_\_\_\_

**PERMITTEE:** \_\_\_\_\_

(signature)

(date)



**OFFICE OF LONG ISLAND SOUND PROGRAMS**

**APPENDIX B**

**NOTICE OF APPROVAL ISSUANCE**  
**DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION**

**To:** Fairfield Town Clerk

**Signature and  
Date:**

**Subject:** 2190 Post Road, Mill River, Fairfield  
Approval #201205445-TS

Pursuant to Section 22a-363g and Section 22a-361(d) of the Connecticut General Statutes, the Commissioner of Energy and Environmental Protection gives notice that an approval has been issued to Exide Group, Inc., c/o Landfall Executive Suites, 1213 Culbreth Drive, Wilmington, NC 28405 to:

1. install temporary turbidity curtains;
2. dredge, by hydraulic means with a barge and diver assistance, where needed, a total of approximately 27, 579 cubic yards of sediment over an approximately 479, 0462 square foot area, to various depths as follows:
  - a. Area I: excavate approximately 5, 215 cubic yards of sediment over a 62, 464 square foot area to a depth range of 0.5 – 4.0 feet below the substrate;
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  - e. Area IV: excavate approximately 6,786 cubic yards of sediment over a 158,636 square foot area to a depth range of 0.5 – 2.0 feet below the substrate.
3. dispose of the dredged sediment at an upland facility in accordance with SPECIAL TERMS AND CONDITIONS, paragraph 13., of this permit; and
4. remove the temporary turbidity curtains.



# PERMIT NOTICE

This Certifies that Authorization to perform work below the High Tide Line and/or within Tidal Wetlands of coastal, tidal, or navigable waters of Connecticut

Has been issued to: **Exide Group, Inc.**

At this location: **2190 Post Road, Mill River,  
Fairfield**

To conduct the following: **Conduct remedial activities**

Permit #: **201205445-TS**

Issued on: **October 3, 2013**

This Authorization expires on: **October 3, 2016**

This Notice must be posted in a conspicuous place on the job during the entire project.

Department of Energy and Environmental Protection  
Office of Long Island Sound Programs  
79 Elm Street • Hartford, CT 06106-5127  
Phone: (860) 424-3034 Fax: (860) 424-4054  
[www.ct.gov/deep](http://www.ct.gov/deep)