

March 8, 2013

Michael C. Tetreau
First Selectman's Office
John J. Sullivan Independence Hall
Second Floor
725 Old Post Road
Fairfield, CT 06824

RE: Exide/Mill River Remediation Project
Fairfield, Connecticut

Dear First Selectman Tetreau:

Thank you for attending and helping arranging the meeting on February 28, 2012 in Hartford concerning the above referenced project. The Department of Energy and Environmental Protection ("DEEP") appreciated the opportunity to meet with you, town staff, representatives of the Shellfish, Conservation and Harbor Management Commissions, Senator McKinney, Representative Kupchick, Representative Fawcett, Representative Hwang and a representative of Exide. The meeting was very constructive as it was very helpful to hear directly the concerns of local officials in a working meeting. It was abundantly clear at the meeting that everyone wants to see this project completed and done so in a manner that is protective of the natural resources of the Mill River.

As discussed at the meeting, the public comment period has closed on the Sediment Remedial Action Plan ("Plan") and we have received numerous public comment letters, including several letters from Fairfield Commissions regarding the Plan. As discussed at the meeting, the Plan forms the basis for all other actions regarding the project and the comments on the Plan have ranged from general concerns to very specific technical issues. We are in the process of reviewing the comments received. Exide is also reviewing the comments.

Given the very technical nature of some of the raised concerns, we believe that a series of working sessions would be the best way to proceed to explore the concerns. Therefore, we are writing to ask that the town identify representatives of the three commissions and town staff to participate in a series of working meetings during the month of April with representatives of DEEP and Exide. Exide and DEEP will be prepared during those working sessions to respond to the technical concerns that have been raised on the Plan and discuss various approaches, where appropriate, for addressing the concerns. It is our sincere hope that through this process we will be able to reach a consensus on an approach that will result in a prompt clean up of the Mill River while being sensitive to the raised concerns.

As you are aware, there is a status conference scheduled for March 12, 2013 on the hearing process for the NPDES permit. Given that the Plan is the foundation of the project, DEEP along with Exide will be requesting that the Hearing Officer postpone formal proceedings on the permit until we have a chance to complete the proposed series of working meetings. It is our hope that the petitioners will join us in that request.

We look forward to hearing from you and meeting with you and your staff. I can be reached at (860)424-3704 if you have any questions.

Sincerely,



Betsy C. Wingfield
Bureau Chief
Bureau of Water Protection and Land Reuse

CC: Senator McKinney
Representative Fawcett
Representative Kupchick
Representative Hwang
Mary von Conta, Harbor Management
Kevin Gumper, Conservation Commission
Bob Bilek, Shellfish Commission
Tom Steinke, Town of Fairfield
Geoff Steadman
Katherine Braun