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November 6, 2008

VIA E-MAIL AND U.S. MAIL

Mr. Patrick Bowe
Director
Remediation Division
Bureau of Water Protection and Land Reuse
State of Connecticut Department of Environmental Protection
79 Elm Street
Hartford, CT 06106

RE: Hamden Non-Public Properties
Draft Best-Efforts Process to Obtain Access for Property Inventory and
Remediation
Newhall Street Neighborhood (SRD-128)

Dear Mr. Bowe:

The purpose of this letter is to establish the specific steps Olin is required to perform to obtain access to the Non-Public Properties of the Newhall Street Neighborhood (SRD-128) in Hamden, Connecticut (the "Properties") for purposes of completing the remediation required in the Consent Order issued on April 16, 2003. The Remedy Selection Plan (RSP) issued by the Connecticut Department of Environmental Protection (DEP) in October 2007 provides the following process for obtaining access to the Properties:

"Access"

For remediation to proceed on a property, Olin must be granted access by the property owner. Granting access generally means giving Olin and Olin's contractors permission (executing an "access agreement") to go onto the property to perform or inspect the remedial work (excavate, backfill, restore, etc). Under the Consent Order (CO), Olin is required to exercise "best efforts" to obtain access to each private property located within the CO boundary. For any property where Olin informs DEP that it has made best efforts to obtain access, but the property owner has not granted access, Olin must submit to DEP for review and approval, with a copy to the property owner, a written explanation of its efforts, and the property owner's response to these efforts. DEP will provide the property owner an opportunity to respond to Olin's submittal. DEP will then review Olin's submittal and any additional material from the property owner and will determine whether Olin has used best efforts to obtain access.

If DEP determines that Olin has exercised best efforts to obtain access, DEP will send a letter to the property owner informing them that DEP concurs Olin used best efforts to gain access, and that the property owner has 30 days to reconsider his or her denial of access. Property owners refusing access to execute the remedy on their property are in essence accepting responsibility for future management of all waste fill on their property, and that neither Olin nor the DEP will contribute to the cost of future management of waste fill on that property. The letter will inform the property owner that if after 30 days they do not grant access, the DEP intends to issue an Order to the property owner or take other appropriate action. Any such Order or other appropriate action, at a minimum, would require the property owner to refrain from any disturbance of waste fill without proper precautions and proper disposal of any excavated waste fill, and may require remediation of the waste fill. The property owner may appeal the Order and a hearing would be held. If an Order is upheld and becomes final, the law requires the Order to be recorded on the land records for the property.

The aggressive schedule presented by the DEP requires that we establish a specific process by which Olin will attempt to obtain access to the Properties in order to complete the required remediation in a timely basis. We believe that the process described below should be the process that Olin is required to undertake in order to comply with the standard for obtaining access outlined in the RSP:

1. Olin will identify the owner of each property and confirm the same via research and investigation of the Town of Hamden records.
2. Olin will conduct a "current owner" title search of the Town of Hamden Land Records in order to verify the property owner.
3. Olin will provide a certified letter to the property owner explaining the remediation, the need for access and requesting access to the property in order to complete (i) the property inventory; (ii) any additional sampling; or (iii) the remediation work. In each case, the letter mailed will include a request that any owner who has questions about the remediation or the need for access make appropriate contact via mail, telephone or e-mail.
4. If the certified first-class U.S. Mail letter is returned, or if there is no response from the property owner, Olin will follow-up with (i) one additional mailing of the letter; and (ii) two telephone calls and one e-mail message (if telephone numbers/email addresses are available). One telephone call will occur in the daytime during working hours and one telephone call will occur in the evening after 5:00 p.m. or on a weekend. If contact with the property owner cannot be established and the property is owner-occupied, Olin representatives will visit the property in person in order to attempt to make direct contact with the owner. Olin representatives will make two personal visits to the property, one of which will occur in the daytime during working hours and one of which will occur in the evening after 5:00 p.m. or on a weekend.
5. If the property owner refuses, at any time, either verbally or in writing, to grant Olin access to his or her property, or if there is no response from an owner after

- Olin has completed Steps 1-4 hereof, or if an owner makes, at any time, unreasonable demands in exchange for access¹, Olin will send a follow-up letter to the owner via certified mail informing the owner that if the owner does not grant Olin access to his or her property as required by the RSP, Olin will notify the DEP that the owner has refused access and the owner may become responsible for the remediation of the property.
6. After the letter referenced in Step 5 has been mailed, Olin will follow-up with two telephone calls and one e-mail message (if telephone numbers/email addresses are available) to the owner requesting access. One telephone call will occur in the daytime during working hours and one telephone call will occur in the evening after 5:00 p.m. or on a weekend.
 7. Olin will maintain a written record of all attempted and actual contacts with each property owner and will provide periodic updates to the DEP on Olin's progress in obtaining access to the Properties, including a summary of attempted contacts such as mailings, telephone calls and property visits.
 8. If, after Olin has completed Steps 1-6 hereof, a property owner continues to refuse to grant Olin access to his or her property, or if there continues to be no response from an owner, or if an owner continues to make unreasonable demands in exchange for access, Olin will provide the DEP with its written record documenting Olin's attempts to obtain the owner's permission to access to the property. The DEP shall thereafter initiate the actions specified in the RSP.

Olin will make every effort through undertaking Steps 1-6 above to secure access to each property, satisfying the requirement in the RSP and the Consent Order that Olin use its best efforts to secure such access. We believe this approach to be reasonable within the context of the ongoing community outreach efforts by the DEP and sensitive to the concerns of the individual residents, while establishing a process that will allow for timely remediation.

I look forward to your comments on this and to working with you in completing the remediation process. Please contact me at (423) 336-4540 for any additional information if you have any questions or concerns regarding the process above.

Sincerely,
OLIN CORPORATION



David M. Share
Director, Environmental Remediation

¹ Unreasonable demands by a property owner may include demands to improve the property beyond its existing condition, demands for payment or other unreasonable demands. Olin will make reasonable efforts to accommodate special needs of residents as part of the remediation.

Mr. Patrick Bowe
October 6, 2008
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Cc: Curt Richards – Olin
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