



# United States Department of the Interior

**FISH AND WILDLIFE SERVICE**  
Bishop Henry Whipple Federal Building  
1 Federal Drive  
Fort Snelling, MN 55111-4056

IN REPLY REFER TO:

**FWS/AES-EC**

**AUG 22 2005**

## **Notification of, and Invitation to Participate in, Ottawa Site, Lucas County, Ohio, and Monroe County, Michigan, Natural Resource Damage Assessment**

This letter is sent on behalf of the U.S. Department of the Interior (DOI) to notify your company of, and invite its participation in, the assessment of injuries to natural resources resulting from the release of hazardous substances into the Ottawa River and the Maumee Bay (the "Ottawa Site"). This notice and invitation are pursuant to 43 C.F.R. 11.32(a)(2)(iii)(A).

The DOI believes that hazardous substances released into the Ottawa Site have caused, and continue to cause, injuries to, destruction of, or loss of, natural resources. The initial scope of the assessment includes the Ottawa River from approximately river mile 9 to the confluence with Maumee Bay, landfills located in the Ottawa River watershed from approximately river mile 9 to the confluence with Maumee Bay, as well as Maumee Bay. The hazardous substances released include, but are not limited to, polychlorinated biphenyls (PCBs), chlorinated pesticides, polycyclic aromatic hydrocarbons (PAHs), other organic chemicals, and heavy metals. The DOI believes that your company or entity, as well as other companies or entities, are potentially liable for any natural resource damages at the Ottawa Site.

Natural resources injured or potentially injured include, but are not limited to: (1) anadromous and resident fish of a number of species; (2) benthic organisms; (3) fish and wildlife habitats and supporting ecosystems; (4) migratory birds and supporting ecosystems; (5) threatened or endangered species, particularly the bald eagle; (6) surface water and sediments; and (7) geological resources.

The Comprehensive Environmental Response, Compensation and Liability Act of 1980, 42 U.S.C. §§9601-9675 (CERCLA), and the Clean Water Act (CWA) allows the United States, the individual states, and federally recognized Indian tribes, to assert natural resource damages 42 U.S.C. §9601(16), 9607(f)(1) and 33 U.S.C. 3121(f)(5). The President has designated Federal natural resource trustees in the National Oil and Hazardous Substances Pollution Contingency Plan (NCP), 40 C.F.R. 300.600. In this case, the DOI is a Federal natural resource trustee. The DOI, through the U.S. Fish and Wildlife Service, has trusteeship over the following natural resources and their supporting ecosystems: anadromous fish pursuant to the Anadromous Fish Conservation Act, 16 U.S.C. §757a et seq.; bald eagle pursuant to the Bald and Golden

Eagle Protection Act, 16 U.S.C. §668 et seq.; nationally significant fish stocks in Lake Erie pursuant to the Great Lakes Fish and Wildlife Restoration Act, 16 U.S.C. §941 et seq.; migratory birds pursuant to the Migratory Bird Treaty Act, 16 U.S.C. §703, et seq.; and threatened and endangered species pursuant to the Endangered Species Act, 16 U.S.C. §1531 et seq.

The DOI has only recently begun the assessment process. The goal of the assessment process is to efficiently and effectively quantify injuries and restore injured natural resources and their services to baseline condition, and compensate the environment and the public for the interim losses as well as the cost of assessment. Within thirty (30) days of your receipt of this notice, please provide a written response indicating whether you intend to participate in the assessment.

Please send your response to Mr. Dave DeVault, U.S. Fish and Wildlife Service, Ecological Services, 1 Federal Drive, Fort Snelling, Minnesota 55111-4056. If you have questions regarding this notice, please contact Mr. DeVault at (612) 713-5340.

A handwritten signature in dark ink that reads "Robyn Thorson". The signature is written in a cursive, flowing style.

Regional Director

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cc: Kimberly Gilmore, Office of the Field Solicitor, DOI, Pittsburgh, Pennsylvania

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