

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

The U.S. Department of the Interior (DOI) and the State of Ohio (Ohio) (collectively, the Trustees) are assessing damages to natural resources that have resulted from releases of hazardous substances to the Ottawa River and North Maumee Bay, Lake Erie (the "Ottawa Site"). This is to notify your company or entity of, and invite its participation in, the assessment of injuries to natural resources resulting from the release of hazardous substances into the Ottawa Site. This notice and invitation are pursuant to 43 C.F.R. 11.32(a)(2)(iii)(A).

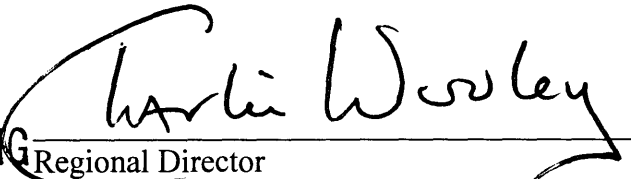
The Trustees believe that hazardous substances released into the Ottawa Site have caused, and continue to cause, injuries to, destruction of, or loss of, natural resources. The initial scope of the assessment includes the Ottawa River from approximately river mile 9 to the confluence with Lake Erie, as well as Northern 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 Trustees believe 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; (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 and state natural resource trustees in the National Oil and Hazardous Substances Pollution Contingency Plan (NCP), 40 C.F.R. 300.600 and 300.605. In this case, the DOI, through the U.S. Fish and Wildlife Service and Ohio through Ohio Environmental Protection Agency, have 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 Trustees have 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 Kimberly Gilmore, Esq., U.S. Department of the Interior, Office of the Solicitor, Three Parkway Center, Room 385, Pittsburgh, Pennsylvania 15220. If you have questions regarding this notice, Please contact Ms. Gilmore at 412-937-4017.

ACTING 
Regional Director
U.S. Fish and Wildlife Service Region 3
Authorized Official for Department of the Interior

7/17/09
Date

Additional NOI Address June 29, 2009

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