



July 15, 2014

Richard A. Hyde, P.E.
Executive Director
Texas Commission on Environmental Quality
P.O. Box 13087
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Matthew A. Love
Director - Global Environmental
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Sunita Singhvi, Chief
Compliance Enforcement Section (6EN-HE)
Compliance Assurance and Enforcement Division
U.S. EPA, Region 6
1445 Ross Avenue, Suite 1200
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Attn: Paul James

Order Compliance Team
Enforcement Division, MC 149A
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, TX 78711-3087

Attn: Mr. Gary Beyer
Mr. Bill Shafford

Subject: Progress Report - Access to Offsite Properties
Exide Technologies Frisco Recycling Center, Frisco, Texas
TCEQ Agreed Order Docket No. 2011-1712-IHW-E;
IHW Permit No. HW-50206; TCEQ SWR No. 30516;
Customer No. CN600129779; Regulated Entity No. RN100218643;
EPA ID No. TXD006451090; EPA Administrative Order on Consent
RCRA 06-2012-0966

Dear Mr. Hyde and Ms. Singhvi,

As required by the Conditional Approval of Response to TCEQ and EPA Comments on Affected Property Assessment Report, and Tier 2 Screening Level Ecological Risk Assessment issued by the TCEQ on November 19, 2013, this letter provides a status of Exide's efforts to obtain access to offsite properties for inspection, sampling, and battery case/slag fragment removal from areas of Stewart Creek downstream of the Exide site.

Exide's environmental consultant originally identified 31 parcels downstream on which environmental assessment activities are required or would have to be crossed to access parcels where environmental assessment activities are required. Access to all 31 parcels originally identified was obtained for environmental assessment purposes and all environmental assessment activities have been completed. Subsequently, Exide obtained

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Ms. Sunita Singhi
TCEQ Order Compliance Team
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access to all parcels where battery case/slag fragments were identified during the environmental assessment phase and removal of battery case/slag fragments identified has been completed.

It has come to Exide's that Burlington Northern Santa Fe Railroad owns a small strip of land immediately adjacent to the western boundary of Exide's property through which Stewart Creek passes. Exide is in the process of securing access to that small strip of land for environmental assessment and removal of battery case/slag fragments.

Sincerely,

EXIDE TECHNOLOGIES



Matthew A. Love
Director, Global Environmental Remediation

cc: Mr. Gary Beyer TCEQ – 2 copies
Mr. Bill Shafford – TCEQ
Ms. Margaret Ligarde – TCEQ
Mr. John Shelton – TCEQ
Mr. Chris Shaw – TCEQ
Mr. Paul James – EPA
Mr. Guy Tidmore – EPA
Mr. Jay Przyborski – EPA
Mr. Mack Borchardt – City of Frisco
Ms. Aileen Hooks – Baker Botts
Waste Section Manager, Dallas/Fort Worth Regional Office – TCEQ
Ms. Anne Faeth-Boyd – Golder Associates
Mr. Eric Pastor - PBW