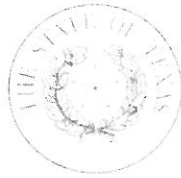


Bryan W. Shaw, Ph.D., P.E., *Chairman*
Toby Baker, *Commissioner*
Zak Covar, *Commissioner*
Richard A. Hyde, P.E., *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

April 10, 2014

Mr. Matt Love
Director – Global Environmental Remediation
Exide Technologies, Inc.
P.O. Box 14294
Reading, Pennsylvania 19612-4294

Re: Correspondence dated March 18, 2014, Interim Action Work Plan, Slag and Battery Case Removal and Disposal dated November 7, 2013 (Interim Plan), and Correspondence dated March 20, 2014 correcting March 18, 2014 correspondence Exide Technologies, Inc. (Exide)
TCEQ SWR No. 30516
TCEQ Hazardous Waste Permit No. HW-50206
EPA ID No. TXD006451090
CN600129779; RN100218643

Dear Mr. Love:

Thank you for your letters dated March 18, 2014, and March 20, 2014, regarding the Interim Action Work Plan - Stewart Creek Slag and Battery Chip Investigation and Removal Plan. Your letters respond to and address many of the issues that are brought forth by Kerry Russell, representing the City of Frisco, in correspondence dated March 6, 2014. The TCEQ concurs that the Interim Plan is not the final cleanup plan for Stewart Creek. The Interim Plan was requested by the Agency to address the potential for immediate exposures to wastes reported to be in the creek.

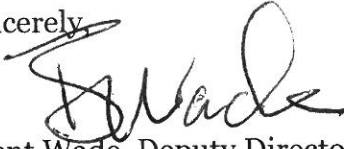
The interim action being pursued at this time will inform the assessment, but will not constitute the full remediation of Stewart Creek. Exide is required to submit an Affected Property Assessment Report (APAR) that will establish the basis for the cleanup of the creek. The remediation of Stewart Creek by Exide will be addressed by the Response Action Plan which will follow the APAR.

In your letters, you respond to several concerns of the City of Frisco (the City) regarding access to the city owned properties. As you state, several of the conditions have been addressed by the TCEQ in its Interim Action Workplan Conditional Approval letter dated December 17, 2013. In addition, you commit to schedule coordination with representatives of the City so they may be present at all Exide activities, and samples may be split. We encourage Exide and the City to work cooperatively to ensure the Interim Plan is implemented in an efficient manner.

Mr. Matt Love
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Please contact William J. (Bill) Shafford, P.E. at (512) 239-6651 or by e-mail at bill.shafford@tceq.texas.gov should you need additional information or wish to discuss this letter. Thank you for your cooperation in this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "B. Wade", written over the word "Sincerely,".

Brent Wade, Deputy Director
Office of Waste
Texas Commission on Environmental Quality

cc: Mr. George Purefoy, City Manager, City of Frisco
Mr. Mack Borchardt, City of Frisco
Mr. Kerry Russell, Russell & Rodriguez, L.L.P.
Ms. Aileen Hooks, Baker Botts