



STATE OF CONNECTICUT
DEPARTMENT OF ENVIRONMENTAL PROTECTION



July 17, 2012

Kenneth Malinowski
Director of Municipal Development
City of New Britain
27 West Main Street
New Britain, CT 06051

RE: Acknowledgement of Receipt
of complete Form IV and ECAF

Dear Mr. Malinowski:

I am writing to acknowledge receipt of a Form IV, fee payment in the amount of \$3,000.00 and Environmental Condition Assessment Form (ECAF) received on May 15, 2012. The schedule and approval letter were received on June 4, 2012. These documents were submitted pursuant to Connecticut General Statutes (CGS) §22a-134(a-e) regarding the April 18, 2012 transfer of real estate located at 1 Celebration Way-parcel A [fka 37 Booth Street] in New Britain, Connecticut from Cakemaker LLC to NL Ventures IX Celebration, LLC. This filing has been assigned REM ID No. 11041.

Please note that changes were made to the Property Transfer Law in 2009. Public Act 09-235 made changes to CGS §§22a-134 (a-e) effective October 1, 2009.

The Property Transfer Law now provides for automatic delegation to a licensed environmental professional (LEP) to verify that the investigation has been performed in accordance with prevailing standards and guidelines, and that the remediation has been performed in accordance with the remediation standard regulations (RSRs) adopted by the Commissioner pursuant to Section 22a-133k. An LEP may be used to oversee the post-remediation or natural attenuation monitoring of the establishment, in accordance with the State Remediation Standard Regulations, RCSA §22a-133k-1 through 3 (the RSRs). This delegation is automatic unless within 75 days of the date of this letter, you are notified in writing that the Commissioner's review and approval of the post-remediation monitoring or natural attenuation monitoring is required. Please be aware that although the Form IV is considered complete, the ECAF may still be under technical review and you may be required to provide additional information in order for the Commissioner to determine if the Commissioner's oversight of the remediation activities is necessary.

In accordance with CGS §22a-134a(g)(1)(H), as amended by Public Act 09-235, you submitted a schedule for the post-remediation monitoring or natural attenuation monitoring of the establishment, or recording of an Environmental Land Use Restriction (if recording of such ELUR is required as part of the remediation of the site in accordance with the RSRs).

Unless an alternative schedule has been approved in writing by the Commissioner, you shall perform the monitoring in accordance with the proposed schedule. The Department must be notified in writing within 30 days of any change in the selection of the licensed environmental professional identified in your schedule.

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Ltr/Mr. Malinowski

Within 8 years from the date of this letter, you shall achieve a verification or an interim verification by an LEP, and shall submit to the Commissioner such verification. The final verification shall be on a form prescribed by the Commissioner.

The Commissioner may determine at any time that the Commissioner's review and written approval of the environmental work performed at the parcel is necessary. Nothing in this determination shall affect the authority of the Commissioner under any other statute or regulation, including, but not limited to, any authority to issue an order to any party associated with the transfer, to institute any other proceeding, or take any other action to prevent or abate pollution, to recover costs and natural resource damages, and to impose penalties for violations of law.

If at any time the Commissioner determines that the actions at the parcel have not fully characterized the extent and degree of pollution or have not successfully abated or prevented pollution, the Commissioner may institute any proceeding, or take any action to require further investigation or further action to prevent or abate pollution. In addition, nothing in this letter shall relieve any person of his or her obligations under applicable federal, state and local law.

Please direct your schedule, all future correspondence and any questions pertaining to this matter to David Ringquist at (860) 424-3573.

Sincerely,



Kim Maiofano
Remediation Division
Bureau of Water Protection and Land Reuse

cc: Scot Kuhn
Peter Carlsen