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February 13, 2015

VIA FIRST CLASS MAIL/EMAIL

Sharon Kivowitz, Esq.
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Ms. Jennifer L. LaPoma
Remedial Project Manager
Western New York Remediation Station
USEPA, Region 2
290 Broadway
New York, NY 10007-1866

Re: New Cassel/Hicksville Groundwater Contamination Superfund Site Proposed Plan

Dear Ms. Kivowitz and Ms. LaPoma:

Utility Manufacturing and Nest Equities are willing to continue negotiating the CD and SOWs for the OU-1 PDI and RD and the OU-3 RI/FS (as amended) in good faith with the understanding that they cannot do so without meaningful participation from all the identified plume groups, including the upgradient parties. In the absence of such participation, Utility and Nest are willing to discuss an appropriate scope of work commensurate with their alleged individual responsibility and ability to pay.

Very truly yours,

Miriam E. Villani (ts)

Miriam E. Villani

MEV:ts
cc: Audie Kranz
Wilbur Kranz
James O'Brien, Esq.