

EXHIBIT A

From: Ronald Fein [mailto:Fein.Ronald@epamail.epa.gov]
Sent: Tuesday, January 10, 2012 3:10 PM
To: Roger Fleming; Taub, Christopher C; David Nicholas; Reid, Jerry
Cc: Ann Williams
Subject: EPA & Maine Alewife Law

We understand that the court before which Friends of Merrymeeting Bay v. Olsen is pending has asked the parties to confer with EPA on the status of our review of the Maine Alewife Law. As per our phone call of January 5, 2012, we are providing an answer via email.

In July 2011, CLF sent EPA a Notice of Intent to Sue (NOI). The NOI argued, inter alia, that the Maine Alewife Law constitutes a water quality standards revision under Section 303 of the Clean Water Act, and therefore should have been submitted to EPA for review. While we are revisiting the issues surrounding the Maine Alewife Law in the context of this NOI, the agency has no formal administrative process or timeline involved for reviewing or responding to the NOI. We do not anticipate reaching any final conclusions in the near future.

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