

William E. Simendinger

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August 2, 1990

William A. Bartlett
State of Vermont
Water Resource Board
Montpelier, Vermont 05602

RE: St. Johnsbury Texaco

Dear Bill:

Enclosed is a copy of a letter from Reginald LaRosa, dated July 2, 1990, that was received today.

Since we expect payment on our claims, we are withdrawing our appeals in the above case. Thank you.

Sincerely,



William E. Simendinger, Esq.

WES/bjc

Encl.

CC: William Ahern
Reginald A. LaRosa

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State of Vermont

Department of Fish and Wildlife
Department of Forests, Parks and Recreation
Department of Environmental Conservation
State Geologist
Natural Resources Conservation Council

AGENCY OF NATURAL RESOURCES
103 South Main Street
Waterbury, Vermont 05676

Department of Environmental Conservation

July 2, 1990

Mr. William Simendinger
Wesco, Inc.
P.O. BOX 1485
Burlington, VT 05402-1485

Dear Mr. Simendinger:

I was contacted by Walter Simendinger on behalf of **Wesco** with a request that I review and **consider** the eligibility of St. Johnsbury Gulf activities. Having completed my review I am writing to advise you that the Department, as administrator will pay **\$10,778.57**; the amount requested less legal fees.

The basis of my reconsideration stems from the order dated October 10, 1989 which required Wesco to **implement** a plan to treat and dispose of contaminated soils. The absence of any specific clarification of eligibility has lead me to conclude that payment is appropriate.

Please be informed that Department procedures restrict payment for contaminated soils to 80 cubic yards unless specifically authorized by Department personnel. Letters identifying your opportunity to proceed under 10 V.S.A. 1941 are written to clearly identify necessary remedial actions. YOU should take this into account when anticipating reimbursement.

I anticipate that this resolves any issues outstanding **on** the Wesco order. I look forward to the withdrawal of your appeal **to** the Water Resources Board. If you have further questions please contact William **E. Ahearn** at **244-8702**.

Sincerely,


Reginald A. LaRosa
Chief of Operations

RAL/aw1822
cc: William E. Ahearn