



State of Vermont

**AGENCY OF NATURAL RESOURCES
Department of Environmental Conservation
Waste Management Division
103 South Main Street/West Building
Waterbury, VT 05671-0404
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FAX (802) 241-3296
Ashley.Desmond@state.vt.us**

July 8, 2009

Mr. Vince Illuzi, Esq.
38 Water St.
Orleans, VT 05860

**RE: Initial Site Investigation Report
Site: Law Office of Vince Illuzi, 38 Water St., Orleans (Barton), VT (SMS Site #2009-3911)**

Dear Mr. Illuzi,

The Sites Management Section (SMS) has received the *Initial Site Investigation Report* for the above referenced property, which was submitted by Ross Environmental Associates (REA) and dated May 26, 2009. Investigation activities were conducted to assess the environmental conditions at this property in relation to a former heating oil UST, which was removed from the property in March, 2009.

On April 7, 2009, REA oversaw the installation of seven soil borings/monitoring wells (MW-1 through MW-7). During the installation of MW-2, soils screened for petroleum vapors using a photoionization detector (PID) had a peak reading 495 parts per million (ppm). PID readings were all 0 ppm in the other six borings. Groundwater samples were collected from five of the seven monitoring wells and analyzed for volatile organic compounds (VOCs) and total petroleum hydrocarbons - diesel range organics (TPH-DRO). MW-3 through MW-7 had no petroleum compounds in excess of the Vermont Groundwater Enforcement Standards (VGES), though a trace concentration of TPH-DRO and MtBE were recorded in MW-6. MW-1 and MW-2 were found to have measurable levels of free product, and thus no samples were collected. These two wells are located directly in the footprint of the former tank.

A brief survey of sensitive receptors was conducted at the property. Groundwater, soils, indoor air and nearby surface water (Barton River) were identified as potential receptors. It appears that contaminants may have migrated beneath the onsite building. No elevated PID readings were recorded in indoor air spaces during the investigation. There are no water supplies within 1,500 feet of this property.

Based on the report information, would like to see additional monitoring work performed at the property before we move forward with supplemental monitoring points. The discovery of MtBE in MW-6 does not necessarily indicate that contamination has migrated to the opposite side of the building. MtBE is typically associated with gasoline, not heating oil. No other dissolved petroleum constituents typical of heating oil were found in MW-6 or the adjacent monitoring wells. During the next monitoring event, samples should be collected from all monitoring points and analyzed for VOCs. If free product persists in the source area, we would suggest that REA arrange to install absorptive socks in the two wells for passive free-product collection. Please have your consultant submit a work plan and cost estimate for this monitoring work, which should be conducted in summer/fall, 2009.

OVER→

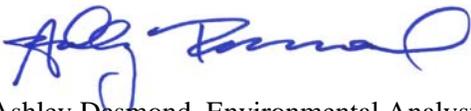


Based on current information, investigation activities related to petroleum contamination at this property may be eligible for reimbursement from the VT Petroleum Cleanup Fund (PCF). You must provide written proof that no applicable insurance exists in order to receive reimbursement from the PCF. Documentation required must include a complete copy of the applicable property or liability policies that were in place on the date the contamination was discovered; and a pollution coverage statement from the insurance carrier(s). The statement(s) must include name and address of the insurer, the name of the policyholder, policy number(s) and dates of coverage. Also necessary, the name and telephone number of the claims analyst or contact person, and if coverage is denied, then a statement referencing specific policy language invoked to deny coverage of the claim.

The owner or permittee must pay for the initial \$250.00 of the cleanup. The fund will reimburse the tank owner or permittee for additional eligible cleanup costs of up to \$1 million. All expenditures must be pre-approved by the Agency or performed in accordance with the "Site Investigation Procedure" expressway program. Please refer to the guidance document titled, "Procedures for Reimbursement from the Petroleum Cleanup Fund", which is available with other SMS publications at <http://www.anr.state.vt.us/dec/wastediv/publications.htm>.

Please feel free to call me with any questions you may have. I can be reached at (802) 241-3731.

Sincerely,



Ashley Desmond, Environmental Analyst
Sites Management Section

c: Dave Linari, REA (sent via e-mail)
DEC Regional Office – St. Johnsbury (submitted via e-mail)
Barton Town Clerk/Selectboard (submitted via email)
Barton Health Officer