



State of Vermont  
Department of Environmental Conservation  
Waste Management and Prevention Division  
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AGENCY OF NATURAL RESOURCES

March 6, 2020

Fiddlehead Condominium, Inc  
C/O APPLETREE BAY PROPERTY GROUP MGMT  
PO Box 3009  
Burlington, VT 05408-3009

RE: Fiddlehead Condominiums, Fayston; SMS Site#2018-4891  
**Initial Release Notification Letter**

Dear Mr. Patrick Bradley and Mr. Edward Morris:

The Vermont Agency of Natural Resources (ANR), Department of Environmental Conservation (DEC), Waste Management and Prevention Division (WMPD), Sites Management Section (SMS) received the results of the sampling of the Fiddlehead Condominiums, Inc. (Fiddlehead) well that showed combined levels of the five regulated per and polyfluoroalkyl substances (PFAS) above the Vermont drinking water “interim standard” of 20 ng/L (nano grams per liter = parts per trillion). The well was initially sampled on October 23, 2019 in response to the requirements of Act 21. The results of this sample showed elevated levels of PFAS totaling 31.04 ng/L for the sum of five Vermont regulated PFAS (PFHpA, PFOA, PFNA, PFHxS, PFOS).

Confirmatory samples (pre-treatment, post treatment and wastewater) reported levels of regulated PFAS ranging from 31.05 ng/L to 45.76 ng/L. Based on these sampling results, at this time, Fiddlehead is considered a potentially responsible party (PRP) for the PFAS identified in the water supply as a current owner of the property where evidence of a PFAS release has occurred. As the owner, you must retain the services of a qualified engineer and environmental consultant (they could be the same company) familiar with water supply issues and PFAS to undertake the following actions:

- Continue exploring the best alternative to provide clean drinking water at the Site,
- Sample the two nearest residential supply wells (WRN52914 and WRN53084),
- Develop a site investigation work plan for approval in accordance with §35-304 of the Investigation and Remediation of Contaminated Properties Rule ([https://dec.vermont.gov/sites/dec/files/wmp/Sites/0706.IRULE .pdf](https://dec.vermont.gov/sites/dec/files/wmp/Sites/0706.IRULE.pdf)). The work plan must be prepared and submitted to the SMS within 30 days of the date of this letter.

As a PRP for the PFAS identified in the well, Fiddlehead may be responsible for the cleanup of the Site (the source area where the PFAS was released as well as the soils and groundwater down gradient from the source area) and other actions necessary to protect



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the public health, welfare, and/or the environment pursuant to Vermont Statutes, Title 10, Section 6615.

Failure to conduct the necessary site work is a violation of Vermont Statutes and may result in State Enforcement Action. Enforcement Action may be a Civil Complaint and penalty pursuant to 10 V.S.A §8019 or an Administrative Order pursuant to 10 V.S.A §8008 including compliance order, penalties, corrective action, and any other measures deemed appropriate.

Please let the SMS know in writing if Fiddlehead will undertake the actions described above. If for any reason Fiddlehead is unwilling or unable to undertake these actions, the State of Vermont, under Title 10, Section 1283 may also authorize the release of State funds from the Environmental Contingency Fund to initiate actions to protect public health and investigate the source of the release of the PFAS identified in the water supply. This statute requires the Secretary of ANR to seek cost recovery of funds expended from the responsible party(ies)..

SMS Site number 2018-4891 has been assigned to the property for tracking purposes. This number should be referenced on all submitted documentation pertaining to the site.

Should you have any questions feel free to contact me at the information listed above.

Sincerely,

Tami Wuestenberg, Project Manager  
Sites Management Section

Cc: Nathaniel Fredericks, Simon Operation Services  
Jon Ashley, Dubois & King  
John Beling, General Counsel, DEC  
Dana Nagy, DWGWPD