

FEB 16 2006



CITY OF BURLINGTON, VERMONT
OFFICE OF
THE CITY ATTORNEY
AND
CORPORATION COUNSEL

JOSEPH E. McNEIL, Esq.
City Attorney
KENNETH A. SCHATZ, Esq.
Sr. Assistant City Attorney
NIKKI A. FULLER, Esq.
Assistant City Attorney
EUGENE M. BERGMAN, Esq.
Assistant City Attorney

149 CHURCH ST.
BURLINGTON, VT 05401-8489
(802) 865-7121
(TTY) 865-7142
FAX 865-7123

February 15, 2006

George Desch
Agency of Natural Resources
103 South Main St
Waterbury VT 05671-0404

Re: Notice of potential hazardous waste site

Dear Mr. Desch:

Thank you for taking the time to speak with me yesterday. As I explained, the City is purchasing a 2.5 acre parcel of land south of Lakeside Avenue in Burlington that is owned by GP Burlington South. This parcel is part of the property that General Electric once owned. (Attached is a survey of the property with the 2.5 acre parcel highlighted in yellow. Pine Street is approximately 752 feet east of the parcel and Lakeside Avenue is approximately 886 feet north of the parcel.)

As I explained, by virtue of the fact that the property was once owned by General Electric, a title search of the property reveals notice from the State that a portion of the property has been designated a potential hazardous waste site; the notice is dated August 15, 1988 and is recorded in the City of Burlington Land Records. (Attached is the notice.) It is the City's understanding that the 2.5 acre parcel is well outside the area of the Superfund site and that it has not been designated as a potential hazardous waste site. Therefore, the City is requesting that the State provide us with a letter that we can record stating that the 2.5 acre parcel is not within the Superfund site and has not been, or is no longer, listed as a hazardous waste site.

Thank you for your time. Please contact me as soon as possible if you have any questions regarding the City's request and whether or not the State can provide us with a letter.

Sincerely,

A handwritten signature in cursive script that reads "Lisa A. Jones".

Lisa A. Jones
Paralegal

Enc.

cc: Rick Whittlesey

1498
H.S.

State of Vermont

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



387
172

AGENCY OF NATURAL RESOURCES
103 SOUTH MAIN STREET
Waterbury, Vermont 05676

Department of Environmental Conservation

August 15, 1988

*discuss
Dept. Env. Conserv.*

Mr. James E. Rader, City Clerk
City Hall, Room 20
Burlington, Vermont 05401

CITY CLERK'S OFFICE
Received 8/22/88 at 12:10 M
and recorded in Vol. 387 on Page _____
of Burlington Land Records.
Attest: *J. Rader*
James E. Rader, City Clerk

Dear Mr. Rader:

In accordance with 10 V.S.A. Chapter 159, Section 6608(d), the Agency of Natural Resources (ANR) is notifying the city of Burlington of the presence of five potential hazardous waste sites within the city. The sites are Riverside Avenue Dump, Former Bell Aircraft Dump, Burlington Landfill, G.E. Lakeside Avenue and G.E. A & ESD. This notice should be recorded for these pieces of property in accord with 24 V.S.A., Section 1154. Enclosed are the Preliminary Assessments (PAs) for these sites. The PA is the first step in the site assessment process set forth by the Comprehensive Environmental Response Compensation and Liability Act (CERCLA), commonly known as Superfund. The PA is designed to be a relatively quick, low cost effort to gather pertinent information about a potential hazardous waste site. Records and information regarding this site are on file with the Department of Environmental Conservation, Hazardous Materials Management Division in Waterbury, Vermont.

Unfortunately, the previous notification letter sent regarding these sites did not include the instruction that this notice needs to be recorded. The charge for recording this notice should be sent to the Department of Environmental Conservation to my attention. If you have already recorded this notification please disregard this notice. If you have any questions feel free to call me at 244-8702.

Sincerely,

Dave Shepard

Dave Shepard
Department of Environmental Conservation

DS/bl-h

Enclosure

