



## State of Vermont

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September 16, 2003

Richard Fleming, Jr.  
Fleming Oil Company  
1 Putney Road  
Brattleboro, VT 05301

RE: Site Management Activity Completed Designation, Fleming Oil Company  
1 Putney Road, Brattleboro, Vermont (Site #96-1982)

Dear Mr. Fleming:

The Vermont Department of Environmental Conservation, Sites Management Section (SMS) has had the opportunity to review this site for a Site Management Activity Completed (SMAC) designation. Since the decommissioning of all groundwater-monitoring wells was documented in the ECSMarin letter, dated September 15, 2003, a SMAC designation is now appropriate for this site. This decision is described below.

This site was first opened in May 1996, following receipt of a site assessment report for the gasoline underground storage tank (UST) piping replacements. During the site assessment, three cubic yards of petroleum-contaminated soils were stockpiled; these soils were successfully treated using the polyencapsulation treatment option. A site investigation was conducted to define the degree and extent of contamination, including the installation and monitoring of three groundwater monitoring wells and, most recently, the advancement of three soil borings and micro wells to better characterize any perched contamination. A clay layer located at a depth of 13-15 feet appeared to limit significant vertical contaminant migration, as elevated contaminant levels were not found below this depth. The actual overburden water table was estimated to be approximately 65 feet below ground surface. An intermittent and inconsistent "perched" water table did contain some dissolved petroleum constituents, including trimethylbenzene isomers above the "Enforcement Standards" of the State of Vermont's "Groundwater Protection Rule and Strategy." The results of ongoing monitoring showed the natural attenuation of trimethylbenzenes to undetectable levels. The micro well investigation indicated that no significant contamination to shallow soils or "perched" groundwater remained.

Concurrent with much of the above work was an investigation in the rear of the property of the bulk storage operation. In September 1997, product piping was replaced for three 20,000-gallon No. 2 fuel oil USTs and one 20,000-gallon kerosene UST. At that time, one 2,000-gallon waste oil UST was also removed and permanently closed. At that time, some evidence of contamination was found in the bulk product dispensing area. To further investigate this area, the existing four groundwater-monitoring wells were sampled along with a newly installed well in the dispenser area. The soil boring for the new well indicated that the same clay layer referenced above limited vertical contaminant migration.

(Over)

Groundwater results from four sampling rounds indicated the periodic detection of dissolved petroleum constituents at concentrations below "*Enforcement Standards*." Groundwater also contained total petroleum hydrocarbon (TPH) levels between 100 and 1,400 mg/L during the initial sampling rounds, but these levels decreased with time, and were at 0.01 mg/L or less during the most recent sampling round. As with the retail area, micro wells were also recently installed to assess shallow and "perched" contamination. The four micro wells advanced in this area did not indicate any significant residual contamination.

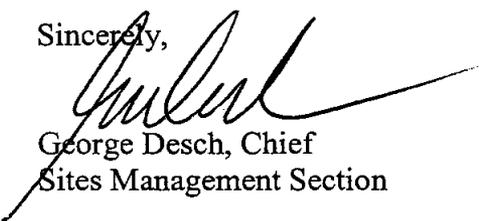
All adjacent buildings have been screened with a photoionization detector (PID), with no evidence of petroleum contamination found. The site is covered by the building footprint and asphalt pavement, minimizing any direct soil contact. The nearest downgradient abutter is an industrial property approximately 100 feet from the site. There are no known drinking water supplies within a 0.5 mile radius of the site. The Connecticut River, located approximately 1,000 feet downgradient to the southeast, is the nearest potential environmental sensitive receptor.

Based on the above, the SMS has determined that this site is now eligible for a SMAC designation. The following conclusions have been made by the SMS:

- the piping for all of the UST systems onsite has been replaced and is no longer a potential source of petroleum contamination, and any significant contamination found from historic overfills has been adequately attenuated;
- all groundwater monitoring wells have been properly closed to ensure that they cannot serve as a potential conduit between surface releases and groundwater;
- any residual soil and groundwater contamination is limited to the immediate area of the UST systems and will be naturally attenuated over time; and
- the residual contamination does not pose an unacceptable risk to human health or to the environment.

Based on the above, the petroleum contamination no longer poses an unacceptable risk to human health and safety or to the environment. Therefore, the SMS is assigning this site a SMAC designation. This designation does not release Fleming Oil of any past or future liability associated with any residual petroleum contamination originating from the Fleming Oil -1 Putney Road site. It does, however, mean that the SMS is not requesting any additional work at this time. If you have any questions or comments, please feel free to contact either me, or Matt Moran, at 802-241-3888.

Sincerely,



George Desch, Chief  
Sites Management Section

cc: Brattleboro Selectboard and Health Officer  
DEC Regional Office  
Bruce Tease, ECSMarin