



# State of Vermont

Department of Fish and Wildlife  
Department of Forests, Parks and Recreation  
Department of Environmental Conservation  
State Geologist  
RELAY SERVICE FOR THE HEARING IMPAIRED  
1-800-253-0191 TDD>Voice  
1-800-253-0195 Voice>TDD

AGENCY OF NATURAL RESOURCES  
Department of Environmental Conservation  
Waste Management Division  
103 South Main Street/West Building  
Waterbury, Vermont 05671-0404  
(802) 241-3880  
fax (802) 241-3296

November 25, 1998

MR CHAD FOWLER  
STEWART'S MARKETING CORP  
P O BOX 435  
SARATOGA SPRINGS NY 12866

RE: Sites Management Activities Completed, Stewart's Ice Cream,  
Bennington, Vermont (site #97-2212)

Dear Mr. Fowler:

The Vermont Department of Environmental Conservation, Sites Management Section (SMS) has received and reviewed the Passaretti Geological report dated September 21, 1998 concerning the above referenced site. Based on the current conditions at this site and the results of the Passaretti report, the SMS has determined that this site meets the Waste Management Division's Sites Management Activities Complete (SMAC) policy.

This means that the SMS has determined the following:

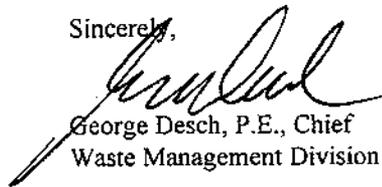
- the source of the contamination at this site has been adequately characterized and remediated (the leaking underground storage tank system and approximately 250 cubic yards of contaminated soils have been removed and properly disposed);
- the site does not pose an unreasonable risk to human health or the environment;
- sampling of groundwater does not show any impacts on groundwater above Vermont Groundwater Enforcement Standards at the site;

Based on these findings, the site has been assigned a Site Management Activities Completed (SMAC) designation. Sites which the Waste Management Division has determined require no further management are classified as SMAC. This designation does not release Stewart's Ice Cream Shop from any past or future liability which may arise from the petroleum contamination which originated from the leaking underground storage tank system at this site. It does mean that the SMS is not requiring any additional work be performed at this site in response to the 1997 release. If any additional information comes to light in the future, then the SMS may reconsider this determination. If the monitoring well(s) at the site are no longer used or maintained, then they must be properly closed to eliminate a possible conduit for contaminant migration into the subsurface. This closure typically involves filling the well(s) with a grout material to prevent fluid migration in the borehole. Specific requirements for well closure are outlined in Section 12.3.5 in Appendix A of the Vermont Water Supply Rule-Chapter 21. Also, the road box or stand-up well guard for a monitoring well must be removed before well closure is considered complete.

Chad Fowler Letter  
Stewart's Bennington Site  
November 25, 1998  
Page 2

If you have any questions concerning this matter, please feel free to contact Richard Spiese or me at (802) 241-3888.

Sincerely,



George Desch, P.E., Chief  
Waste Management Division

GD/rfs/cl2212.098

cc: Bennington Selectboard  
Bennington Health Officer  
DEC Regional Office