State of Vermont

Department of Fish and Wildlife
Department of Forests, Parks and Recreation
Department of Environmental Conervation
State Geologist
RELAY SERVICES FOR 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) 241-3888
fax (802) 241-3296

May 11, 2004

MR CHAD FOWLER
STEWART'S ICE CREAM COMPANY
PO BOX 435
SARATOGA SPRINGS NEW YORK 12866

RE: **S**ite **M**anagement **A**ctivity **C**ompleted, Stewart's Shop 193, Arlington, Vermont
(site #98-2552)

Dear Mr. Fowler:

The Vermont Department of Environmental Conservation, Sites Management Section (SMS) has received and reviewed the December 5, 2003 Passaretti Geological & Environmental Consultants, Inc. report concerning the above referenced site. Based on a review of the file, the current conditions at this site and the results of the information submitted in this report, the SMS has determined that this site meets the Waste Management Division's **S**ites **M**anagement **A**ctivities **C**omplete (SMAC) policy.

This means that the SMS has determined the following:

- ❒ the source of the potential contamination at this site has been adequately characterized and removed (the piping of the four, four thousand gallon underground storage tanks have been removed and upgraded);
- ❒ approximately 144 tons of contaminated soils were excavated and disposed of at ESMI;
- ❒ groundwater under the site meets Vermont Groundwater Enforcement Standards;
- ❒ the unused monitoring wells located on the site were properly closed in 2004;
- ❒ the site does not pose an unreasonable risk to human health or the environment.

Based on these findings, the site has been assigned a **S**ite **M**anagement

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 Company from any past or future liability that may arise from the petroleum contamination that originated from the 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 contamination discovered in 1998. If any additional information comes to light in the future, then the SMS may reconsider this determination.

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
Sites Management Section

rfs/0511.Stewart's.closure.ltr

cc: Mary Passaretti
Arlington Selectboard
Arlington Health Officer
DEC Regional Office