

State of Vermont
Department of Environmental Conservation
Waste Management and Prevention Division
1 National Life Drive – Davis 1
Montpelier VT 05620-3704
(802) 249-5249
FAX (802) 828-1011
john.schmeltzer@vermont.gov

August 2, 2018

Jason Dolmetsch, P.E.
MS&K, Inc.
P.O. Box 139
Bennington VT 05201

RE: Spoils Management Plan updated July 11, 2018 (Addendum F)
Spoils Management Plan updated July 16, 2018 (Addendum G)
Spoils Management Plan updated July 24, 2018 (Addendum H)

Dear Mr. Dolmetsch:

The Vermont Department of Environmental Conservation, Sites Management Section (SMS) has determined that the above referenced updates to the Spoils Management Plans, prepared by MS&K, Inc. satisfy the siting criteria for receiving spoils. This letter confirms the verbal approval that was given on August 1, 2018. The updated plans propose the following locations:

- The Lake Paran Ballfield (Addendum F)
- 8 Polygraphic Lane (Addendum G)
- 1215 North Bennington Road/Route 67 (Addendum H)

The Lake Paran Ballfield site is estimated to receive 2,000 cubic yards; the 8 Polygraphic Lane location is estimated to receive 1,400 cubic yards; and the 1215 North Bennington Road location is estimated to receive 750 cubic yards. Based on the updated plans, these locations satisfy the physical siting criteria as summarized below:

- They are located within Corrective Action Area I Operational Unit A, which means they are located within an area that will be serviced by municipal water and are distal to water supplies that are not eligible to be connected to municipal water at this time;
- The proposed locations are greater than 100 feet from a wetland and are outside the state river corridor and the FEMA 100-year floodplain. This is a minor change from the initial siting criteria. After consultation with the Vermont Floodplain Management program, it was determined that there is not a 100-foot buffer requirement from the river corridor or FEMA 100-year floodplain for placing fill/soil, so the siting criteria were revised to be consistent with the requirements of the Vermont floodplain management program; and



- The proposed location is outside a drinking water source protection area;

For the Lake Paran Ballfield location, the Village held a warned public meeting on the July 19, 2018 about the proposal for the ballfield to receive excess soils from the waterline project. Based on an e-mail dated July 24, 2018, the Village Trustee voted unanimously to have these excess soils placed on the ballfield as proposed in Addendum F.

The SMS has no objections to the use of these locations, contingent on the contractor, Town or Village, and/or engineer obtaining permission from the property owner to place the excess soils permanently on this property. Also, the acceptance of these locations does not obviate the need for the contractor and engineers to comply with all applicable permitting and regulatory requirements associated with the waterline construction, including appropriately reclaiming/stabilizing of these parcels after construction work at these locations are completed. Approval of any additional amendments to the excess soil “spoils” management plan will be required before additional proposed locations for spoils can be used.

If you have any questions, please do not hesitate to contact Richard Spiese or me.

Sincerely,



John Schmeltzer, Project Manager
Sites Management Section

Cc: Stuart Hurd, Town Manager, Town of Bennington
Chuck Schwer, Director, WM&PD
Richard Spiese, WM&PD
Bryan Redmond, Director, Drinking Water and Groundwater Protection Division
Tim Raymond, Drinking Water and Groundwater Protection Division
Kirk Moline, CT Male
Christopher Angier, Saint Gobain
Mark Youngstrum, Otter Creek Engineering
Steve Goodrich, Village of North Bennington Water Board, Chair
Michael Garn, Shultz Construction
Nick Myran, MSK
Abby Chaloux, MSK
Craig Jewett, Otter Creek Engineering
Rob Evan, VT Floodplain Management Program