

**State of Vermont**  
**Department of Environmental Conservation**  
**Waste Management & Prevention Division**  
**1 National Life Drive – Davis 1**  
**Montpelier, VT 05620-3704**  
**(802) 828-1138**  
[matt.moran@state.vt.us](mailto:matt.moran@state.vt.us)

**October 7, 2013**

Rocky Martin,  
 Town of Hinesburg  
 10632 Vermont Route 116  
 Hinesburg, VT 05461

Re: Petroleum Cleanup Fund – 3<sup>rd</sup> Party Reimbursement Claim  
 Hinesburg Water Supply/Lantman’s, Hinesburg, VT (Site #96-1988)

Dear Mr. Martin:

The Vermont Department of Environmental Conservation, Sites Management Section (SMS) has reviewed the 3<sup>rd</sup> party claim for invoices totaling \$73,123.50 from the Vermont Petroleum Cleanup Fund (PCF) for work at the above referenced site. The SMS has determined that \$61,273.50 is eligible for reimbursement. A total of \$10,000 was not being claimed, and an additional \$1,850 was found to be ineligible as described below. Of the eligible amount, \$58,457.15 will be reimbursed as a single party check for invoices paid by the town, whereas the remaining \$2,816.35 will be mailed to you as a two-party check for endorsement and forwarding to Heindel & Noyes for payment. These checks should be received in four to six weeks.

Invoice #	Invoice Date	Invoice Amount	PCF Eligible Amount	Check # Proof of Payment	Comments
P-9699	5/15/2012	\$20,550.00	\$10,550.00	11257	\$10,000 not claimed, given hydrofracturing cost averted
P-9868	8/31/2012	\$43,200.00	\$43,200.00	11315	
908017	9/5/2012	\$4,707.15	\$4,707.15	11314	
907775	5/4/2012	\$1,608.19	\$1,608.19	unpaid	
908071	10/4/2012	\$613.16	\$233.16	unpaid	\$380 ineligible for well replacement research
908145	11/8/2012	\$2,445.00	\$975.00	unpaid	\$1,470 ineligible for well replacement research
		\$73,123.50	\$61,273.50		

For the rehabilitation of Town Well #3, the only approved scope for PCF eligibility related to improving water yield using hypochlorite and hydrochloric acid that exceeded the \$10,000 estimate to hydro-fracture the well. These less disruptive methods were covered due to concerns that hydro fracturing risked exacerbating the MTBE impact to the Town wells.



The \$1,850 ineligible amount was associated with Heindel & Noyes' invoice #908071 and #908145. Each of these invoices included costs for proposing long term replacement alternatives to the existing water supply system and preparing detailed cost estimates for pursuing these options. For invoice #908071 (totaling \$613.16), \$380 was ineligible for the 4 hours labor for "costing for options" and "water source replacement evaluation." For invoice #908145 (totaling \$2,445), \$1,470 was ineligible. This invoice was complicated by \$1800 of invoice line items combining eligible and ineligible elements; \$900 of this was considered eligible and \$900 ineligible. The other \$570 ineligible was 6 hours of labor for "work plan and costing for Well #3 modification or replacement."

### **Notice of Appeal Rights**

Appeals of any act or decision by the site manager or section chief relating to PCF eligibility or reimbursements must be made in writing to the Director of the Waste Management Division within 30 days of that decision.

**Please note the new mailing address above.** The Secretary of the ANR, or his authorized representative shall make a final determination regarding the eligibility or reimbursement in writing. An appeal of the Secretary's act or decision must be made to the Vermont Environmental Court in accordance with 10 V.S.A. Chapter 220. This appeal must be made within 30 days of the date of the Secretary's act or decision. Failure to appeal in a timely manner will result in the dismissal of the appeal.

If you have any questions concerning the contents of this letter, please feel free to contact me or my supervisor, Chuck Schwer at (802) 828-1138.

Sincerely,

A handwritten signature in blue ink, appearing to read "Matt", is written over a light blue horizontal line.

Matthew Moran, Environmental Analyst  
Sites Management Section

cc: Heindel & Noyes (electronically)