

Brownfields Advisory Committee Draft Meeting Minutes
Monday, July 10, 2017

CCRPC Main Conference Room, 110 West Canal St., Suite 202 Winooski, VT

To access various documents referenced below, please visit:

<http://www.ccrpcvt.org/our-work/economic-development/brownfields/#advisory-committee>

Committee Members in Attendance		
Curt Carter, Chair – GBIC	Razelle Hoffman-Contois, VDH	Matt Vaughan - Lake Champlain Basin Program
Kristie Farnham – VT DEC, ex-officio (via phone)		
Others in attendance:		
Kurt Mueller, Johnson Company	Steve Larosa, Weston and Sampson	Miles Waite, Waite-Heindel Environmental Management
Sarah Bartlett, VT DEC	Lynda Provencher, VT DEC	
CCRPC Staff: Dan Albrecht	Emily Nosse-Leirer	Regina Mahony

1. **Call to Order, Introductions and Changes to the Agenda**

No changes to the agenda.

2. **Public comments on items not on the Agenda**

No public comments.

3. **Review and action on April 10, 2017 meeting summary**

There was no quorum. The minutes will be reviewed at the next meeting.

4. **Presentation from DEC Staff on Final Proposed Investigation and Remediation of Contaminated Properties Rule (I-Rule)**

Sarah Bartlett and Lynda Provencher attended the meeting to present on the I-Rule and answer questions. The rule can be found at this link:

<http://dec.vermont.gov/sites/dec/files/documents/IROCP.pdf>

Lynda shared that the Legislative Committee on Administrative Rules (LCAR) has approved the rule and it is expected to be signed by the Secretary of State during the next few weeks. After signing, it will go into effect after 15 days. The earliest it will happen at the end of July, though it is more likely that it would happen in August.

Lynda and Sarah presented on the rule via PowerPoint, and the presentation is available on the CCRPC Brownfields webpage (see link above)

- Dan asked how the background values for lead, arsenic and PAHs compared to previous regulation. Lynda state that DEC has not previously established background levels. Miles stated that the new urban background level allows for easier development of urban sites.
- Curt requested that CCRPC take a look at the “urban” zone definition and ensure that it meets the areas one would expect in Chittenden County.

- For “other locations” that may be considered to have urban soils, a developer should go to the site project manager at DEC.
- Dan asked the difference between the new cleanup standards for PAHs (Polycyclic Aromatic Hydrocarbons), arsenic and lead.
- Razelle asked if PAHs in these rules refer to all PAHs, and Lynda responded that they are TEQs (Toxic Equivalency Quotient)
- Razelle asked which screening values were used for the rule. Lynda stated that the screening values were the May 2016 version. Razelle stated that the rules should have used the June 2017 screening levels, which are less restrictive. Lynda and Sarah explained that it was not possible for them to reference the most current table as adopted, and that they instead have to reference a specific iteration of the screening values. The rules will be updated periodically in the future to include the latest screening values.
- Kurt stated that the groundwater MCL (Maximum Contaminant Levels) is extremely low, and wanted to know if this could affect BAP levels. Razelle explained that the MCL for some chemicals can be changed based on things in addition to health effects, such as economic impact of the rules.
- Dan asked Lynda and Sarah to comment on how the new Vermont cleanup standards from the new rule compare to the cleanup standards in other states. Razelle stated that this is comparing completely different issues, because all states use different background numbers, the total cleanup standards cannot be evaluated as equals. Some states only have background numbers, some states base their calculations on risk factors, etc.
- Several consultants in attendance expressed that they were pleased with the process and the new rules.

5. **Review and Action on 339 Pine Street Project**

Miles Waite gave an update on work completed at 339 Pine Street (Railyard Enterprise Project). The site is a possible alternative for the route of a road connecting Pine Street and Battery Street. Miles explained that the site has a deed restriction due to its location next to the Barge Canal, and there was concern that the weight of the road might cause NAPL (Non-Aqueous Phase Liquid) migration if there were peat soils on site. The testing completed indicated petroleum contamination, likely from an asphalt plant formerly on the site, but no NAPL and no peat were found. This alleviates some concerns about the roadway, but not all. The site is better than everyone thought it might be. Unlike at neighboring sites, the site does not have filled wetlands. However, roadway compression could still be a concern because of the presence of soft clay. However, the land is already subject to quite a bit of stress due to the heavy uses (soil storage, precast concrete storage, etc.) and so the new compression may not be a concern. More testing is proposed, for dissolved contaminants and other issues, but there is not currently funding for it. Samples have been taken, but not yet evaluated. Phase I and Phase 2A of the contract have been completed, but Phase 2B and 2C have not, and are not funded as part of the current committee approval. Now it will be necessary for the Railyard Enterprise Project partners to find the money to finish those phases.

6. **Project Updates**

- The Vaults (Pine and Howard Street, Burlington): Steve LaRosa stated that a Phase I was completed at the Vaults. There were 3 environmental conditions found on site, due to former dry cleaners, fires on site and 100+ years of industrial development. The property owner has forged ahead with the project on their own since they’re in a hurry to start development.
- Waterfront Park (Burlington): Kurt Mueller stated that the Phase II at Alden Waterfront Park has been

completed. Several areas of concern were found during the reconstruction of the bike path in the park. It was necessary to determine whether groundwater was contaminated and whether it was migrating to the lake. In the area where creosote soaked timbers were found, PAHs were found to have a limited extent and there was no groundwater contamination. VOC (Volatile Organic Compounds) and SVOC (Semi-Volatile Organic Compounds) contamination in the swale was found to exist but there was no groundwater contamination. CCRPC has reviewed the final report, but the City of Burlington needs to review still before it can go to DEC and EPA. Moving forward, there needs to be a CAP (Corrective Action Plan) to mitigate the exceedances found in the soil, probably a cap that isolates the contamination and fixes some of the site's drainage problems. Matt asked about the groundwater testing that occurred. Kurt stated that the groundwater table was high during the sampling due to it being in the spring, and that the contaminants were all at or above the water table levels. No exceedances of the groundwater enforcement standards were found.

- Strand Theater (62-70 Main Street, Winooski): The Corrective Action Plan process was begun in January. Final engineering design was delayed, hence little progress was made afterward, then on June 23, Redstone indicated that the work was on hold due to external factors and we have not been told to resume work.
- Winooski Hotel Project (4-12 Winooski Falls Way): The Phase II ESA field work was completed in May and the final report is being prepared. The data indicate that petroleum contaminated soils cover the western part of the property, and urban soils cover the entire property. Some of the soil gas has been impacted primarily by petroleum, mostly below DEC's shallow soil gas thresholds. Little to no groundwater contamination was found and there was nothing above standards in the groundwater. We expect to have the report completed by July 20.
- Development at Pine & Flynn, Burlington: LEE's work for the CCRPC is completed (ABCA (Analysis of Brownfields Cleanup Alternatives/CAP approved June 19, 2017). Construction and cleanup are underway with necessary environmental work funded by others.
- 3 Maple Street, Essex Junction: On hold pending progress with Village development review process.
- Work at City Market (207 Flynn) and 453 Pine Street continues.
- Lynda reminded CCRPC staff to include DEC staff on Phase I's so that site walks can be completed and to ensure that all parties are on the same page.

7. **Adjourn**

The next meeting will be held at the call of the chair. The meeting adjourned at 5:10 p.m.