



Sept. 28, 2011

James P.W. Goss, Esq.
Kenlan, Schwiebert, Facey & Goss, P.C.
71 Allen St.
Box 578
Rutland, VT 05701

Re: Reduced Monitoring and Reporting when not de-watering;
Carrara Rock Quarry, Clarendon, VT

Dear Jim:

The Carrara rock quarry on Rte 103 in Clarendon has not been used or de-watered since late fall 2008. The de-watering system has not been discharging, and water in the quarry has accumulated to its natural level. With the lack of de-watering and other activity at the quarry, it is my professional judgment that there is no hydrologic mechanism by which the quarry could have any detrimental impacts on groundwater, surface water, wetlands, or water supply wells. Therefore, on behalf of J.P. Carrara & Sons, Inc., I contacted state regulators and presented some proposed reductions in the monitoring and reporting requirements in the four environmental permits that apply to this quarry.

The reduced monitoring and reporting requirements listed at the bottom of page 1 of this letter have been approved by the appropriate personnel at VT ANR listed below. Their approval emails are attached (Quackenbush; Stewart). Bean's approval was by phone to Heindel; and no reply has been received to date from the UIC Program:

- Alan Quackenbush (Vermont ANR DEC, Water Quality Division, Wetlands Program), regarding the Wetland Hydrology Monitoring Program mentioned in CUD #94-306. Email dated 7/25/2011;
- Scott Stewart (Vermont ANR DEC, Water Supply Division), regarding the Bedrock Aquifer Monitoring Program mentioned in Act 250 Land Use Permits #1R0589. Email dated 7/25/2011.
- Randy Bean (Vermont ANR DEC, Wastewater Management Division, Direct Discharge Section), regarding Discharge Permit #3-1404. Phone call from Randy Bean on 8/09/2011.
- No reply has been received to date from the Underground Injection Permit program (ANR DEC Wastewater Management Division), reportedly due to staffing shortages in this office.

REDUCED MONITORING AND REPORTING WHEN NOT DISCHARGING: The following is a summary of the reduced monitoring and reporting that has been agreed to be conducted for periods when the quarry is not being de-watered or discharging into the infiltration basin:

1. Carrara will continue collecting water-level measurements in monitoring wells on a monthly basis;
2. The wetland vegetation surveys will continue to be conducted, in spring and summer;
3. The following reduced annual reports will continue to be submitted:
 - a. Spreadsheets of monthly water-level measurements in monitoring wells will be sent to the Wetlands Program, Water Supply Division, and Act 250 office (submitted by March 15, for previous calendar year);
 - b. Report of wetland vegetation surveys will continue to be sent to Wetlands Program and Act 250 office (submitted by March 15, for previous calendar year);
 - c. Letter reporting on lack of underground injection (discharge to infiltration basin) during previous period of June 1 through May 31 will be submitted by June 30 to UIC Program;
 - d. Letter will be sent to Discharge Permit program before beginning future de-watering or discharge to the infiltration basin.

No other monitoring or reporting is required when the quarry is not discharging.

Beginning on page 2, all of the monitoring and reporting requirements mentioned in Carrara's various permits that relate to water resources are listed.

PERMITS & CONDITIONS RELATING TO MONITORING OF WATER RESOURCES:

- A. Discharge Permit** (#3-1404; eff. 1-01-2011, expires 12-31-2015): This VT DEC permit is for the surface discharge of quarry de-watering water from the infiltration basin into an un-named tributary.
- Reduced monitoring when not discharging:
 - No sampling is required when not discharging (per Section A.3.c).
 - Therefore, Section A (“Effluent Limitations and Monitoring Requirements”) is discontinued.
 - No other monitoring or sampling is required when not discharging.
 - Reduced reporting when not discharging:
 - No monthly reporting is required when not discharging (per Section A.3.c).
 - In its 4-16-2009 letter, Carrara notified the DEC discharge permit office (Randy Bean) that it would not be discharging until further notice. On 8/09/2011, Randy Bean confirmed by telephone to Craig Heindel (H&N) that no reporting is necessary when not discharging, and he concurred that the stream geomorphic assessment that is included in the Wetland Hydrology Monitoring Program is not necessary when not discharging (see Section B below).
- B. Conditional Use Determination** (#94-306, dated 11-06-1995; no expir. date): This CUD is for activities which may affect wetlands. Monitoring and reporting is mentioned in Item #1.C of “Decision” (p. 5), which refers to the **Wetland Hydrology Monitoring Program** (rev. 8-07-1995, updated and approved by the VT Wetlands Program on 9-13-2005).
- Reduced monitoring when not discharging:
 - Continue to conduct the Wetland Vegetation Surveys, and the Groundwater Hydrology Monitoring (measure the water depths in wells), even when not discharging.
 - There is no need to conduct the surface hydrology monitoring or stream physical assessments when not discharging.
 - Reduced reporting when not discharging: By March 15 of following year, provide to VT DEC Wetlands Program and Act 250:
 - Annual report on Wetland Vegetation Surveys, even when not discharging.
 - Spreadsheets of monthly water level measurements in hydrology monitoring wells, even when not discharging.
- C. Act 250 Permit Series** (LUP #1R0589 series, through amendment -8 Env.Ct.): This VT ANR permit series mentions ongoing monitoring and reporting of water resources as follows (only the most recent permit conditions are listed below):
- #1R0589-6 (3/27/1996) and Decision on Motion to Alter (4/16/1996):
 - Condition #4: requires MTBE monitoring in Whispering Pines well. This monitoring has been taken over by the VT DEC Sites Management Section as of 7/1/2006, so this condition is no longer in effect (regardless of whether the Carrara quarry is discharging or not).
 - Condition #15: refers to CUD #94-306, which references the Wetland Hydrology Monitoring Program described above in Section B of this letter.
 - #1R0589-8 (7/28/2005):
 - Condition #5: This condition mentions the Whispering Pines Mobile Home Park’s water supply (WP MHP), and the Bedrock Aquifer Monitoring Program:
 - WP MHP: there is no requirement for ongoing monitoring or reporting in this condition.
 - **Bedrock Aquifer Monitoring Program** (2/9/2005, last revised 1/30/2006): ongoing monitoring and reporting are included as requirements of this program. Reduced monitoring and reporting when the quarry is not discharging was approved by DEC Water Supply Division (WSD; email from Scott Stewart, 7/25/2011). Similar approvals for reduced monitoring and reporting were approved for 2010, when the quarry was not discharging, by WSD (S. Stewart email, 3/04/2011), and by Act 250 (letter from Bill Burke, 3/10/2011).
 - #1R0589-8 EnvBrd, Decision on Motion to Alter (9/20/2005): no mention of monitoring or reporting of water resources.

Underground Injection Control Permit (#6-0050, dated 2/01/1996). This VT ANR DEC permit is for infiltration out of the base of the infiltration basin into the underlying groundwater. Although this permit expired on June 30, 2010, Carrara filed the application for its renewal in a timely fashion, and has received a letter

from the UIC Program (1/13/2010) extending its permit until the renewal application is acted upon. The monitoring and reporting requirements are in Section 6 (p. 8) of the UIC Permit, paraphrased as follows:

- Monitoring: annual inspections by VT-registered P.E. of the infiltration area for the period June 1 to May 31.
- Report: on the above-described inspections, and any maintenance conducted, submitted by June 30 to the UIC Program.
- Reduced monitoring and reporting when not discharging: The UIC permit does not mention what is required, if anything, when not discharging during the "permit year" (June 1 to May 31). On Aug. 11, 2011, Carrara notified the UIC Program that the quarry had not been de-watered and therefore no underground injection had occurred since late fall of 2008. No annual inspections were conducted for the periods of June 2009 - May 2010 or June 2010 - May 2011. That letter constituted Carrara's annual reports for those periods. The letter also indicated that Carrara intends to continue with this procedure, including submitting short no-discharge reports by June 30 in future years if no de-watering or underground injection occurs. No reply to Carrara's letter has been received to date from the UIC program.

Please feel free to call if you or the District #1 Environmental Commission have any questions.

Sincerely,



Craig Heindel, C.P.G.
Senior Hydrogeologist

Encl.: Emails from Alan Quackenbush and Scott Stewart; 7-25-2011

CC by email: Christine Carrara; J.P. Carrara & Sons;
Dori Barton; Arrowwood Environmental.

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Ltr to JGoss - Carrara Clarendon Quarry, reduced monitoring & reporting when not discharging - 9-28-2011.doc or PDF

Craig Heindel

From: Quackenbush, Alan [Alan.Quackenbush@state.vt.us]
Sent: Monday, July 25, 2011 1:42 PM
To: Craig Heindel; Bean, Randy; Stewart, Scott
Subject: RE: Carrara quarry, No. Clarendon - reduced monitoring and reporting for 2011

Hi Craig,
I concur with you; there is no need for the stream geomorphic assessments if there is no discharge. However, some significant storm events may alter the stream channel in absence of any discharges and should be documented. We may end any wetlands monitoring if the quarry lies dormant for the foreseeable future. - Alan

From: Craig Heindel [<mailto:cheindel@gmavt.net>]
Sent: Monday, July 25, 2011 11:46 AM
To: Quackenbush, Alan; Bean, Randy; Stewart, Scott
Subject: Carrara quarry, No. Clarendon - reduced monitoring and reporting for 2011

Hi Alan, Randy and Scott: We are checking on various monitoring and reporting requirements pertaining to the Carrara rock quarry in North Clarendon. Christine Carrara has indicated that they have not pumped any water out of this quarry to date in 2011, and they are not planning on any de-watering or discharging from this quarry in the rest of 2011 (as was the case in 2010; and which may be the case in 2012 as well). Summary of monitoring requirements and proposed reduced monitoring for 2011 (and also for future years, if discharging from the quarry has not started up again):

1. **Annual Wetland Hydrology Monitoring Report for 2011:** *Carrara proposes the same reduced monitoring report for 2011 as was allowed in 2010 when no discharge took place:*
 - a. Wetland Vegetation surveys in early summer and late summer/fall by Dori Barton of Arrowwood Environmental will be conducted, and her report will be provided;
 - b. Spreadsheets of monthly water level measurements in the wetland hydrology monitoring wells will be provided by Carrara;
 - c. No other reporting, for 2011. See Item #3 below, regarding stream geomorphic assessment.
2. **Annual Bedrock Aquifer Monitoring Report for 2011:** *Carrara proposes the same reduced monitoring report for 2011 as was allowed in 2010 when no discharge took place:*
 - a. Spreadsheets of monthly water level measurements in the bedrock aquifer monitoring wells will be provided by Carrara;
 - b. No other reporting, for 2011.
3. **Stream Geomorphic Assessments in 2011:** *Is there any reason to continue conducting these assessments in 2011? Or in future years if no discharge occurs in those years?* Stream geomorphic assessments is one component of the Wetland Hydrology Monitoring Program (9-13-2005). They are conducted about 100 feet upstream and 100 feet downstream of the discharge point from the quarry's sedimentation basin into the stream on the property. This Monitoring Program is mentioned in the Wetland CUD for this site (#94-306 dated 11-06-1995) which is then referenced in the Act 250 permit. It is not mentioned in the discharge permit. This stream has not received any discharge from the quarry's de-watering system since Nov. 14, 2008. Stream geomorphic assessments have been conducted in the late summer/fall of each year that the quarry has discharged, as well as in 2009 and 2010 (in spite of no discharging in those years). In the most recent year of assessments (2010), no significant differences were noted at the two stations on the stream.

It does not seem necessary or meaningful to continue with these stream geomorphic assessments until Carrara re-commences quarry de-watering. Do you concur?

We would appreciate your concurrence or comments on the proposed reduced components of the two monitoring programs for 2011 pertaining to the Carrara rock quarry (and also for future years, if discharging from the quarry has not started up again).

thanks,

Craig Heindel, CPG
Senior Hydrogeologist
Heindel & Noyes, Inc.

Craig Heindel

From: Stewart, Scott [Scott.Stewart@state.vt.us]
Sent: Monday, July 25, 2011 11:53 AM
To: Craig Heindel
Subject: RE: Carrara quarry, No. Clarendon - reduced monitoring and reporting for 2011

Craig, Same as last year for number 2. Fine by me.

Scott

Scott Stewart
Hydrogeologist
Water Supply Division
103 S. Main St
Waterbury, VT 05671-0403
(802)241-3426

From: Craig Heindel [mailto:cheindel@gmavt.net]
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