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STATE OF NEW YORK
Department of Transportation
317 Washington Street
Watertown, N.Y. 13601

R. Carey Babyak
Regional Director

Joseph H. Boardman
Commissioner

February 12, 2004

Mr. Ben Sweeney
R. D. # 1
Boonville, NY 13309

Re: Salt Contamination Complaint

Dear Ben:

Following are the results of my investigation into a complaint concerning salt contamination of wells at your farm on Rte. 26 north of West Leyden in southern Lewis County. Your son Brian originally contacted me in early December of 2003 about this problem, and I visited your farm on December 19, 2003, along with Cary Howard, Resident Engineer for Lewis County.

Samples of the water from your wells were taken by Upstate Laboratories on 01/14/04. As you can see, the analytical results (attached) show relatively high levels of sodium and chloride (the components of salt) in the existing barn well and in the house well. The new barn well, on the other hand, has very low levels of salt. The additive used in road salt was not detected in any of the wells, although it is very unusual for this chemical to show up, even when road salt is the known problem. There is no evidence of septic contamination or agricultural contamination in the existing barn well or the house well. The new barn well had a positive reading for fecal coliform, which would mean that it is not fit for human consumption without some form of treatment. I do not know whether this is a cause of concern for cattle, you may want to check with your Dairy Nutritionist about this problem. This may also be of concern if you want to extend this line to your house at some point in the future.

Based on these sample results, it appears that your existing wells have been contaminated with road salt. The problem is most likely due to the fact that your farm lies near the bottom of a long slope, and the drainage from a fairly long stretch of highway finds it's way onto your property.

14

Sweeney Salt Contamination Complaint
February 12, 2004

As we discussed at our meeting in December, The Department of Transportation's current policy is that we can not pay for damages to private water supply wells resulting from routine road salting. The Highway Law of New York State only allows DOT to pay for damages when we determine that our activities have not been proper and have significantly changed or rendered the drinking water supply unusable. We strive to use the minimum amount of salt necessary to maintain safe, passable roads during the harsh winters in Lewis County. I've reviewed the historical records of salt application on Rte. 26 between Constableville and West Leyden and it appears that the amount of salt applied over the past several years has been within our guidelines.

As I mentioned above, we plan to continue our investigation in this matter, and we will keep you informed of future developments. We plan to take a look at the roadside drainage in the spring, to see if any improvements can be made. Also, as I mentioned to you, we have a Small Claims procedure under which you can submit a claim for damages resultant from this problem. If you wish to pursue this option, let me know and I will send you a claim form.

In the meantime if you have any questions or need any additional information, feel free to contact me at 785-2316.

Sincerely,



Dennis Pawlicki
Assistant Regional Transportation Maintenance Engineer

cc: Cary Howard, Lewis County Resident Engineer
Thomas P. Hughes, Attorney at Law
Assemblywoman Dede Scozzafava