

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION I
1 CONGRESS STREET, SUITE 1100
BOSTON, MASSACHUSETTS 02114

NOTIFICATION OF FEDERAL INTEREST
UNDER SECTION 311 OF THE CLEAN WATER ACT
33 U.S.C. § 1321

Date: October 23, 2007

~~Mr Ron Kenney
Operations Manager
Global Oil
617-593-0840~~

Thomas F. Keefe
Director of Environmental Health and Safety
Global Companies LLC
781 983 0365 (cell)
781 398 4132 (office)

Dear Sir or Madam:

On or about 1500hrs on October 22, 2007 , an oil pollution incident, for which you may be financially responsible, occurred or threatens to occur at the following location:

Vermont Railway Mainline in Middlebury, Vt., adjacent to Otter Creek

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Under Federal law, the United States government may take appropriate action to minimize or mitigate damage to the public health or welfare that is threatened or may be caused by this incident.

The United States, acting through the U.S. Environmental Protection Agency (EPA) has initially determined you are the owner, operator, or person in charge of the facility which is the source of the above referenced discharge or threat of discharge of oil in harmful quantities into a navigable water of the United States, or adjoining shoreline, as defined in Section 311 of the Clean Water Act (CWA), 33 U.S.C. § 1321, as amended by the Oil Pollution Act (OPA) of 1990, 33 U.S.C. 2701 et seq. As such, you may be a responsible party under federal law and liable for, among other things, removal costs and damages resulting from this incident.

The National Contingency Plan encourages persons responsible for discharges to voluntarily and promptly perform removal actions, provided the On-Scene Coordinator (OSC) determines such actions will ensure an effective and immediate removal of the discharge or mitigation or prevention of a substantial threat of discharge. As long as the OSC determines that you are taking adequate actions in this matter, Federal removal activity will generally be limited to observing the progress of your actions and providing guidance as necessary.

If it is determined that your actions to remove the oil and/or mitigate its effects are unsatisfactory, then EPA will either issue an removal order to the facility pursuant to Section 311(c) and/or (e) of

the CWA, 33 U.S.C. § 1321(c) or (e), or take the necessary removal response actions to remove the oil, mitigate the effects of the discharge, or prevent the substantial threat of discharge. If EPA conducts the clean-up, please be advised that you may be liable to the United States for the actual costs incurred in the response action, including but not limited to the costs of restoring damaged natural resources.

Please be further advised that under Section 311 of the CWA, 33 U.S.C. § 1321, the owner, operator or person in charge of a facility or vessel from which oil is discharged, may be subject to a civil penalty of up to \$32,500 per day of violation, or up to \$1,100 per barrel of oil discharged. In addition, the owner, operator or person in charge of a facility or vessel from which oil is discharged, may also be liable for up to 3 times the costs incurred by the Oil Spill Liability Trust Fund, for failing to properly carry out the removal of the discharge as ordered by the OSC, or to comply with any administrative orders necessary to protect the public health or welfare. Moreover, the failure or refusal to provide all reasonable cooperation and assistance requested by the OSC will eliminate any defense, or entitlement to limited liability, which otherwise might be available under the Act.

Should you require further information, you should contact the On-Scene Coordinator, or call Arthur Johnson, Chief, Emergency Planning & Response Branch, at (617) 918-1251.

Sincerely,



Ted Bazenas
EPA On-Scene Coordinator
617-918-1230

Acknowledged by:



[SIGNATURE]

Thomas F. Keefe

[PRINT NAME]

Date/Time: 10/24/2007 2:12

Title: Director Environmental Health Safety

Witness to Refusal to Acknowledge:

[SIGNATURE]

[PRINT NAME]

Date/Time: _____

Title: _____

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION I
1 CONGRESS STREET, SUITE 1100
BOSTON, MASSACHUSETTS 02114**

**NOTIFICATION OF FEDERAL INTEREST
UNDER SECTION 311 OF THE CLEAN WATER ACT
33 U.S.C. § 1321**

Date: October 23, 2007

Mr. David Wulfson

Pres. Vermont Railway

1 Railway Lane

Burlington, VT 05401

802-658-2550

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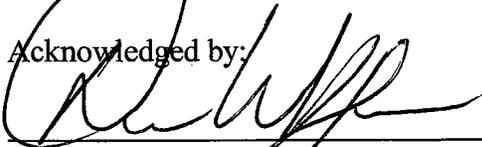
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Sincerely,



Ted Bzenas
EPA On-Scene Coordinator
617-918-1230

Acknowledged by:



[SIGNATURE]



[PRINT NAME]

Date/Time: 10/23/07 - 0800

Title: President

Witness to Refusal to Acknowledge:

[SIGNATURE]

Date/Time: _____