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**MEMORANDUM – OFFICE OF THE TOWN ADMINISTRATOR**

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**TO:** BoS  
**FROM:** Carter Terenzini, Town Administrator  
**RE:** Old Dump Registration  
**DATE:** August 13, 2012  
**CC:** S. Kinmond

*Carter*



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You will find attached the Pre-81 Landfill registration letter from the NH Department of Environmental Services (DES). The letter states that "...if there is no direct evidence of contamination, no further work is required." As there is no such evidence, **you do not need to do anything more if you do not wish to do so.**

However, based upon experience with other sites of this type, DES "... strongly recommends..." that the Town conduct an environmental site assessment/site investigation (ESA/SI).

If you conduct such an assessment and if there is no groundwater contamination DES may then require that we (a) record an Activity Use Report (AUR) to control the risk of direct contact or (b) undertake soil sampling. DES does acknowledge that they often do not require soil sampling as such efforts often tend to result in the AUR anyway. However, this is not to say they might not require such soil sampling. Once you have the AUR - or the soil sampling shows there is no direct contact risk - they will issue a "Certificate of No Further Action".

If you undertake the ESA/SI and groundwater contamination is found, you will be required to develop, seek approval of, and implement a remedial action plan to "...treat, remove or contain the source (of contamination)..." and obtain a groundwater management permit for the site.

Please know that if direct evidence of contamination is found in the future they will order you to undertake the cited ESA/SI at that time and follow through accordingly. Please also know that if you voluntarily start down the ESA/SI path there is no turning back. You will be committed to following through.

The question becomes if you wish to:

- (a) Avail yourself of their advice that "...if there is no direct evidence of contamination, no further work is required."?
- or
- (b) Undertake the ESA/SI? (think \$15k+/- w/out soil sampling)