

AN ACT establishing a commission to investigate and analyze the environmental and health impacts relating to releases of perfluorinated chemicals in the air, soil, and groundwater in Merrimack, Bedford and Litchfield.

HB737, Chapter 335:1, RSA Chapter 126-A: 79-a, Laws of 2019

Meeting

MINUTES

Friday, March 6, 2020 10 AM, Room 304 LOB

The meeting was called to order at 10:00 am.

Attendance: Joseph Ayotte (USGS), Chris Bandazian (Town of Bedford), Rep. Ralph Boehm, Sen. Shannon Chandley, Amy Costello (UNH), Karen Craver (DHHS), Sen. Jeanne Dietsch, Assistant Commissioner Clark Freise (DES), Nancy Harrington (Town of Merrimack), Rep. Nancy Murphy, Rep. Jeanine Notter, , Rep. Wendy Thomas, Rep. Gary Woods

The January 3 minutes were reviewed. A motion to approve the minutes as submitted was made by Rep. Gary Woods and seconded by Rep. Ralph Boehm. They were approved by a voice vote.

Cathy Beahm and Craig Wright of NH DES provided the following report on Saint Gobain. An overview of the permitting process and status was given. A handout was distributed which included a detail of the permit schedule and continued monitoring, and a technical summary. Complete details are available on the NH DES website. Two key points were made: in addition to requirement to treat air emissions, Saint Gobain will be required to comply with other DES air quality standards to ensure that treatment of one problem does not create another. Stack testing methods are in development, but may include testing for up to 40 PFAS. DES noted that the permit became more stringent throughout the course of the 11 month process in which it was developed.

Questions raised included the following:

1. Are concerns about hydrogen fluoride being addressed? (Rep. Thomas)

Other state standards for hydrogen fluoride have been reviewed, and NH has stringent standards in comparison. Saint Gobain will be required to comply with these standards. Based on emission testing and modeling, it is not expected that releases will exceed the standards, but continued testing will be required.

2. What is the difference between hydrogen fluoride and fluoride in toothpaste, and is toothpaste safe? (Rep. Notter)

Senator Dietsch suggested that we move on from this question as it is outside of the scope of this commission's charge.

3. Are we keeping track of other contaminants that may be released as a result of treatment? (Rep. Woods)

Most other compounds are destroyed at lower temperature than what is being used, so will be addressed; again, monitoring and compliance with other standards will be required.

4. What are the fines for non-compliance, and what is the cost of treatment? (Amy Costello)

DES has the authority to issue administrative fines of up to \$2,000 per day, and civil penalty fines of up to \$50,000 per day. The cost of the treatment system is estimated to be about \$3 million.

5. If this is the best treatment option available, why are other installations more expensive? (Rep. Murphy)

The cost of the system is dependent on the treatment needs and conditions in which the system will be operated. Design is very much individualized and needs are very different. Rep. Thomas noted that communication is needed to ensure that residents understand this, the current perception based on comparison of costs may be that Saint Gobain is cutting corners.

6. When will monitoring begin, and why was storm water removed from the permit? (Sen. Dietsch)

Monitoring and reporting is specified as a certain number of days from the completion of installation, details are provided in the handout. Removal of storm water regulations were a matter of regulatory jurisdiction.

Introduction from the gallery:

- Peter Clark, Office of Sen. Shaheen
- Lisa Drabik, Assistant Town Manager, Londonderry
- Joel Anderson, House staff
- Patrick Carroll, Office of Congressman Chris Pappas
- Kerry Holmes, Office of Senator Maggie Hassan
- Rick Siegel

NH DHHS updates:

On February 4th, Dr. Kathleen Bush from DPHS, Brandon Kernen and Dr. Jonathon Ali from DES co-presented on PFAS in New Hampshire at the Environmental Science Colloquium at Plymouth State University. The presentation focused on sources and occurrence of PFAS, toxicology of PFAS, and community exposure assessments related to PFAS including the MVD Exposure Assessment and the Biomonitoring TrACE Study. The audience was primarily undergraduate chemistry students with some professors and members of the public in attendance.

TrACE study testing is complete. We are finalizing the data for reporting, and will be sending out the clinical reports when the materials are approved by IRB (water summaries are currently being mailed). Summary report packages, which provide overall information about the project, should be available mid to late April.

Response efforts related to COVID-19 have been resource intensive. This week, our Public Health Lab stood up the capacity to test for COVID-19.

Non NH DHHS specific updates provided by DHHS staff:

The 2020 NH Water and Watershed Conference will be held on March 13th at Plymouth State University. The theme of this year's conference is 'Persistent and Evolving Water Issues'. Event details and registration information can be accessed at <https://campus.plymouth.edu/cfe/2020-nh-water-watershed-conference/>.

The Northeast Conference on the Science of PFAS: Public Health and the Environment will be held March 31st through April 1st in Framingham, MA. The conference has been organized by the Northeast Waste Management Officials Association (NEWMOA) in partnership with the Northeast Interstate Water Pollution Control Commission, the Northeast States for Coordinated Air Use Management, the Northeast Recycling Council, and others. Event details and registration information can be accessed at <https://pfascentral.org/events/northeast-conference-on-the-science-of-pfas-public-health-the-environment>.

DES Updates

No additional updates beyond air permitting presentation and updates provided.

Clarification on Communications Requirement included in legislation:

There was discussion about the need to define this requirement, and what communication is needed. This discussion will be resumed at the next meeting.

Formal approval of draft letter:

See updated draft for complete changes.

- Recommendation to make requests more clear by using bullet points in the future (Rep. Thomas)
- Letter updated to make it clear that this is a first request (Sen. Chandley)
- Question added to ask about legal requirements and constraints (Amy Costello)

Motion to approve as amended; Rep. Woods, Second: Rep. Murphy; no one opposed, Karen Craver recused, all others approved.

Health Subcommittee Presentation:

Mindi Messmer reviewed the progress and plans of the health subcommittee. See slides for details.

Other Business:

The group developed a plan for the agenda for the next meeting, to include the following:

- Presentation from Donald Provencher
- Discussion on communication requirement
- Communications planning
- Agency updates

Minutes prepared from notes from Karen Craver, NH Dept. of Health and Human Services

###

APPROVED