

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, Litchfield, and Londonderry.

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

Meeting Minutes

Friday, April 8, 2022 Virtual Meeting

The meeting was called to order at 10:01am

Attending: Rep. Rosemarie Rung (Chair), Laurene Allen (Merrimack Citizen Rep.), Chris Bandazian (Town of Bedford), Amy Costello (UNH), Sen. Gary Daniels, Ron Dunn (Londonderry Citizen Rep.), Rep. Bob Healey, Rep. Maureen Mooney, Michael Wimsatt (NHDES), Michele Roberge (DHHS) Mindi Messmer, Rep. Jackie Chetien, Rep. Gary Woods (NH Medical Society), Amy Rousseau (DES), Joseph Ayotte (phoned into the meeting)

Approval of Minutes:

Mike Wimsatt will resend the hot links to be added to the minutes.

Bob Healey made a motion to fix spelling mistakes in the minutes.

Gary Woods made a motion to approve the minutes.

All voted in favor, Michele Roberge (DHHS) abstained due to not attending.

The Chair discussed trying to get the EPA to our meeting. EPA does not give presentations to Legislative Commissions. She will raise the issue with our federal delegation. Mike Wimsatt mentioned going to a conference with EPA. It was not recorded but Mike will include the slide of the presentations.

Legislative Update by Maureen Mooney:

Spoke about HB1547, HB478, HB1185, HB1546 and HB1422. All bills are due by May 5th. April 14th will be a busy day. All members are asked to support the bills and sign into the legislative session to show support. Mindy Messmer asked about HB455.

DES Update with Mike Wimsatt:

NHDES Activity

- NHDES has been actively engaged in ongoing negotiations with SGPP over alternate water
- SGPP presented a Work Plan for Residential Well Sampling and Fourteen Addenda to the sampling Plan relative to the 2019 AGQS.

Currently, Golder is retesting wells with PFOA results between 10 and 12 ng/L.

· As of 3/29/22:

- 3,691 properties identified for sampling (47 more than March report)
- 3,591 access agreements sent (Return Rate ~ 67%) (123 more than March report)
- 2,192 samples collected from water supply wells (37 more than March report)
- 964 properties offered bottled water (9 more than March report)

· As mentioned during last month's meeting, the majority of properties within the CD have been addressed by the Work Plan and Addenda. ~200 properties remain in the CD area that have not been sampled (excluding ~300 disputed properties located within buffer zones). NHDES expects that these properties, which are mainly located at the periphery of the CD, will be completed pursuant to additional addenda over the next few months. Additionally, there are numerous property owners that declined to have their wells sampled after two notices from Golder Associates that could choose to be sampled in the future.

Site Investigation

- Saint-Gobain's consultant will be conducting post-RTO stormwater sampling, timing dependent on rain events and safety concerns working around Merrimack River.

Air Division Update

On January 6, 2022, NHDES conducted an inspection at Saint-Gobain Performance Plastics in Merrimack to review records associated with the operation of the RTO, the frequency and duration of bypass operations and RTO temperature records since startup of the RTO in July 2021. In addition,

NHDES has requested that Saint-Gobain submit records for the period February 8 – present. Saint-Gobain submitted an updated revised air permit application and Air Pollution Control Equipment Monitoring Plan on February 28, 2022. NHDES is currently reviewing the records from the inspection, previously submitted LOD responses and the revised monitoring plan. Saint-Gobain has continued to submit monthly monitoring plan reports as required in TP-0256 and rainwater study results as required in the Consent Decree. The most recent monthly monitoring plan letter from Saint-Gobain is dated 3/14/2022. The most recent rainwater study letter is dated 4/1/2022 and reflects samples taken in February. Results indicate measurements were below detection levels for almost all PFAS analytes.

For the Concord rainwater sample, 3 PFAS analytes were reported: PFBA (1.8 ppt), PFHxA (1.0 ppt) and PFPeA (0.70 ppt). For the Merrimack sample, 3 PFAS analytes were reported: PFHxA (0.73 ppt), PFOA (0.71 ppt) and PFPeA (0.52 ppt). These results were “J-flagged,” which means that the concentrations are estimated, since the detections were below the “reporting limit” but above the “detection limit.” As a result of initial comments from NHDES to Saint-Gobain on the stack test report for the September 2021 stack test, Barr Engineering submitted a revised stack test report on January 31, 2022. NHDES submitted additional questions to Saint-Gobain and Barr Engineering on March 1, 2022 and received another revision to the stack test report on April 1, 2022. NHDES is reviewing the most recent submittal and is preparing a letter regarding the stack test. Looking forward, ARD is looking to complete the inclusion of the by-pass in the current Temp Permit, in anticipation of receiving a proposal in July for the required September stack test.

ARD will plan to attend next month’s Commission meeting to provide a more complete update.

Ron Dunn = Mentioned that it was taking 3 to 4 weeks to get water deliveries and Londonderry residents are reordering as soon as they get their deliveries.
Rosemarie Rung = Asked why is this taking so long? Wanted clarification on the 200 homes to be tested.

Mindy Messmer = Private wells outside the consent decree. Wants notification of homeowners who have not tested their wells. Concerned

about the homeowners that refused testing. Asked about inspections and how often.

Laurene Allen = Concerned about the homes not sampled. Can the Towns contact new homeowners regarding PFAS.

Rosemarie Rung = Send a note out with the Property Tax bills?

Chris Bandazian = Supports contacting new homeowners

Gary Woods = Supports expanding the consent degree

Gary Daniels = Wants a deadline put in to be tested

Bob Healey = Wants to have a 3rd notice go out.

DHHS report with Michele Robourge:

May 2022 a new updated website will include a PFAS page.

No new Cancer update for next steps in the investigation. Update next month.

Laurene Allan = Can you do a mailing? She will review this with the team.

Mindi Messmer = Concerned about only looking at Kidney Cancer. Would like a look into other cancer types.

Rosemarie Rung = Does DHHS have any plans to look at non cancer diseases related to PFAS exposure.

Mindi Messmer= SB85 commission is focused on these issues. She would like to join a meeting. Have the ability to track environmental exposures.

Subcommittee Reports:

None

Rosemarie Rung = All meeting must be publicly accessible and be noticed in the House calendar. Wants the Communications Subcommittee to meet.

Mindi Messmer is a member of the Communications Subcommittee. Find ways to get the information out to all citizens via the Towns.

No public comment. Rosemarie Rung said the most popular question is how long do I have to be on bottled water. Going to keep the meeting virtual for now unless anyone would like in person meeting.

Mindi Messmer = Would like an update from DHHS in the next meeting on the sensitivity analysis.

Next Meeting: Friday May 13th @ 10am.

Adjournment: Motion by Mindi Messmer, Second by Ron Dunn, all voted in favor.

Minutes taken by: Ron Dunn