



The State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES



Thomas S. Burack, Commissioner

April 1, 2016

Sent Via Email and Regular Mail

Edward J. Canning, Director
Environment, Health & Safety
Saint-Gobain Performance Plastics
One Sealants Park
Granville, NY 12832

RE: PFOA matters in Southern New Hampshire

Dear Mr. Canning:

This letter is a follow up to our meeting held on March 28, 2016, regarding environmental contamination, including but not necessarily limited to drinking water and groundwater contamination, near the Saint-Gobain Performance Plastics (Saint-Gobain) facility located at 701 Daniel Webster Highway in Merrimack, New Hampshire (the Facility). As you are aware, a number of public water systems and private drinking water wells tested in recent weeks have been found to contain elevated levels of perfluorinated compounds (PFCs), in particular, perfluorooctanoic acid (PFOA). Several of these wells have shown levels of PFOA that are above the EPA Provisional Health Advisory of 0.4 ug/l. Based on the information available to date, the New Hampshire Department of Environmental Services (NHDES) has determined that Saint-Gobain is potentially responsible for the cleanup of the Site, restoration of impacted groundwater and drinking water, other actions necessary to protect public health and the environment, and any costs NHDES incurs for addressing the impacts of this contamination.

At our meeting, we discussed a number of critical steps that need to be taken immediately to address the threats to public health and the environment posed by the PFC contamination. To begin identifying the full extent of the contamination, NHDES is initially sampling potentially contaminated wells and water sources, including surface waters and sediments, within an approximate one mile radius of the Facility. To date, this sampling effort has detected impacts to private and public drinking water wells located both within and outside this one mile radius. NHDES will continue to test within and outside of this radius until the full nature and extent of the contamination has been delineated. As an interim measure, NHDES is providing bottled water to all properties within the investigation area that are served by private wells having PFOA levels above 0.1 ug/l (100 parts per trillion).

At this time, we formally request that Saint-Gobain commit to the following:

1. Bottled Water:
 - a. Provide bottled water to all properties designated or to be designated by NHDES, for such period as NHDES determines to be necessary. Such delivery shall be by means and methods approved in advance by NHDES.
 - b. Until such time as Saint-Gobain has assumed full responsibility for Item 1.a., provide reimbursement to the State of New Hampshire for all costs incurred to date and to be incurred associated with delivery of bottled water to designated properties.

2. Site Investigation, including Sampling and Analysis:
 - a. Promptly (within 5 days of receipt of this letter) submit a workscope for sampling and analysis of surficial soils at designated locations where NHDES determines that an increased likelihood of exposure of sensitive populations to soil exists (e.g., schools, daycare centers, and playgrounds).
 - b. Within 30 days of receipt of this letter, submit a workscope for sampling and analysis of soils at agricultural farms and fields to be designated by NHDES.
 - c. Retain the services of a qualified environmental consultant and submit a workplan for a full site investigation of the Saint-Gobain facility and impacted off-site locations within 30 days of receipt of this letter for review and approval by NHDES prior to initiation of further work.
 - d. Immediately implement the workplan as approved by NHDES and submit the results and findings to NHDES within the timeframe established by the approved workplan.
 - e. Provide direct payment for or reimbursement to the State of New Hampshire for all costs associated with the sampling and analysis of wells, water supplies, surface waters, sediments or other media in the designated study area, including the State's contractor's costs.
 - f. Provide reimbursement to the State of New Hampshire for all costs associated with sampling and analysis of soil, crops or other media in the designated study area, including the State's contractor's costs.
 - g. Provide reimbursement to the State of New Hampshire for all costs associated with sampling, analysis, modeling and other activities associated with the investigation of air emissions associated with the Facility.

3. Public Water Supply Treatment:

- a. Provide for the design, installation, operation, maintenance and monitoring of all water treatment system(s) necessary to effectively treat and remove PFC contamination from all affected public water systems. This may most effectively be accomplished by Saint-Gobain by working in collaboration with the affected public water system suppliers, to ensure fully operational treatment not later than August 1, 2016, and will include, but may not necessarily be limited to, the following elements:
 - Retain the services of a qualified professional engineer to design the treatment system(s) necessary to effectively treat and remove PFC contamination from all affected public water systems.
 - Upon approval from NHDES and the public water supply owner(s), construct, install and make operational the approved treatment system(s).
 - Provide for the necessary long term operation, maintenance, and monitoring of the installed treatment systems.
- b. As an interim measure, provide all necessary funding to the public water suppliers to enable the use of alternative water supplies or installation of temporary water treatment systems while the permanent systems are being designed and installed. This must be accomplished not later than June 1, 2016.

4. Public Water Supply Extensions and Connections:

- a. Provide for the connection of all residences, businesses and other properties to be designated by NHDES to a public water supply determined by NHDES to be capable of delivering drinking water in compliance with all applicable standards and requirements. Such connections shall be installed not later than November 1, 2016, and shall be accomplished according to a work plan and schedule to be developed by a NH licensed professional engineer and to be submitted not later than May 1, 2016, to NHDES for review and consideration for approval. This may most effectively be accomplished by Saint-Gobain by providing all necessary funding directly to or otherwise working in collaboration with the affected public water system suppliers to ensure timely installation and connection of the designated properties.

Edward J. Canning

April 1, 2016

Page 4

- b. Obtain all necessary approvals and permits and pay all costs associated with connecting each designated property to the municipal water supply.
5. Private Water Supply Treatment: For affected properties that are serviced by private drinking water wells, and are not designated by NHDES for connection to a public water supply, design, install, maintain, and periodically sample individual Point of Entry treatment systems (POEs).
6. Site Remediation
 - a. Develop a corrective action plan to remediate PFC contamination and submit to NHDES for review and approval within the timeframe established by NHDES.
 - b. Implement the approved corrective action plan and submit a report to NHDES within the timeframe established by the approved corrective action plan.
7. Provide reimbursement to the State of New Hampshire for all management, oversight and other costs reasonably associated with the investigation, remediation, community outreach, communications, and other actions necessary to protect public health and the environment.

All reimbursements to the State of New Hampshire shall be due upon receipt of an invoice from the State of New Hampshire.

This letter does not include requests that may be made by the New Hampshire Division of Public Health Services, for any costs to support health studies, blood testing and analysis, health hotline support services, or any other associated or necessary services. Any such requests will be addressed through separate correspondence.

NHDES may require or request additional response actions and other reimbursements and payments as NHDES collects new information about the scope and extent of PFC contamination. As in all matters of this kind, NHDES reserves the right to take whatever enforcement actions it deems appropriate with respect to the issues described herein, including, but not necessarily limited to, the imposition of administrative, civil, or criminal penalties or referral to the Office of the Attorney General.

Edward J. Canning, Director
April 1, 2016
Page 5

I look forward to your prompt response and appreciate your cooperation in this matter. The staff of NHDES look forward to working with Saint-Gobain and your environmental consultant on all of the matters addressed in this letter.

Please contact either Clark Freise, Assistant Commissioner (clark.freise@des.nh.gov, 603-271-8806), or me (thomas.burack@des.nh.gov, 603-271-2958), should you have any questions.

Sincerely,

A handwritten signature in blue ink that reads "Thomas S. Burack". The signature is written in a cursive style with a large initial "T".

Thomas S. Burack
Commissioner

cc: Clark Freise, Assistant Commissioner, NHDES