

Saint-Gobain Merrimack Community Advisory Council

Final Meeting Notes

February 9, 2021 - Via Zoom

Prepared jointly by Lia LoBello of Saint-Gobain and Sandra Liburd of Leadership Strategies

Attendance

Community Advisory Council Members Present

- John Henderson, Saint-Gobain
- Wolfram von Schoen, Merrimack Village District
- Sharon Connary, Saint-Gobain
- Robert Healey, State Representative
- Mike Wimsatt, New Hampshire Department of Environmental Services
- Don Provencher, Merrimack Village District
- Wendy Thomas, Executive Director, NH Challenge
- Laurene Allen, Merrimack Citizens for Clean Water
- Mark Smith, Leadership Strategies
- Sandra Liburd, Leadership Strategies
- Mike Apfelberg, United Way
- Ron Miner, Superintendent, Merrimack Village District
- Matthew Gage, Merrimack Resident

Other Guests:

- Mark Rayfield, Saint-Gobain
- Chris Angier, Saint-Gobain
- Brett Slensky, Saint-Gobain
- Lia LoBello, Saint-Gobain
- Peter Clark, Special Assistant for Projects & Policy, Office of U.S. Senator Shaheen
- Justin Troiano, Outreach Coordinator & Veterans Liaison, Office of U.S. Senator Maggie Hassan
- Colin Pio, Office of U.S. Representative Chris Pappas

Declined/No Response:

- Rosemarie Rung, State Representative

Introductory Remarks

Mark Smith: Noted that the parking lot section of the agenda continues to be captured but will be addressed in a future meeting. Notes that the parties have not yet been able to put resources behind moving these forward but the requests are still being recorded. Reminds everyone that the CAC owns both the agenda and the meetings. If there is feedback on the dialog, it would be welcome.

Zoom Functionality Overview

Mark Smith: Overview of participant, chat and raise hand functionality. Overview of chat function and appropriate use. Instruction on how to toggle between gallery and speaker view. Points out the new reaction features for anyone who has not used Zoom yet with this functionality turned on.

Meeting Minutes Approval

Mark Smith: Asked for any questions or notes on the January minutes.

Wolfram von Schoen:

- I have not yet had a chance to review the meeting minutes, and won't be able to look until the weekend.

Group was comfortable tabling until review took place. There was no other feedback or notes on the minutes.

Concrete Permit, Site Investigation and RTO Update (Brett Slensky, Chris Angier)

Brett Slensky:

Concrete Permit:

- I wanted to set the table again on this topic and then turn over to Chris for updates in more detail.
- As folks may recall, last month we had walked through, and provided thorough detail on the RTO project including work to-date, and the status and preview of upcoming schedule. We also talked about the well sampling effort in the area - which we call the donut - and the withdrawal of the wastewater appeal.
- We are also happy to answer other questions or discuss topics on the concrete permit, and to keep the cadence on the updates for the donut.
- At the risk of sounding like a broken record, in our discussions with you we try to be as objective and factual as we can, but there continues to be some legal action – namely Town's appeal of the air permit to be mindful of. So as questions come up we may not be able to address because of the litigation.
- Update on concrete permit:
 - o The status continues to be that as we work with the Town on the permit, unfortunately we don't yet have it hand and they have not issued it, though it's been a little over two months.
 - o The permit we applied for from the Town related to the concrete foundation and pad that the RTO will sit on, as well as for the external changes to the building. There will be a significant network of metal and mechanical ductwork so the permit is designed to support the project.
 - o The Town has had the permit for two months, during which we have been through a series of questions, review and comment periods. We have also received several letters. But it's taken a bit of time and we don't have the permit yet.

- It'll turn it over to Chris to provide more detail this and how the permit fits in the broader RTO project updates.

Chris Angier:

- Like Brett said the permit was first applied for in November. Conceptual design drawings were provided at this time, alongside the permit application,
- Settled on the approach of a phased project:
 - Phase 1: duct work and mechanical supports for the tallest building at facility
 - Phase 2: foundations for equipment – like concrete
 - Phase 3: ductwork for roof and lower portions
- On December 18 we supplied stamped drawings for Phase 1
- December 23 we provided stamped drawing for Phase 2 concrete work and foundation pouring
 - Had a request for a fire protection engineer to review, which was completed mid-January and documented to Town at the same time
 - A big reason we wanted to segment this work into these phases is that the concrete pour is a critical item for the RTO schedule
- Despite this the offsite RTO construction is continuing. It will be ready to ship mid-April, but in order to receive it we need time to pour and cure the concrete, including time to harden, and we need that to happen ASAP.
- So we are anxious to get the permit from the Town. The most recent letter the Town asked for all drawings stamped for review. So in essence this moved us away from a phased approach and instead, looked at everything. We are working with contractors to get the complete drawings stamped so we can move this forward.

Question from Laurene Allen:

- I'm thinking about last time when you had stated you were having difficulties with this process. I did reach out to the Town to ask what's going on and what's the perspective is and answer that I received was: There were items that had been asked for that hadn't been given, so I was puzzling over that. What I'm hearing you saying vs what I heard them say is that it looks like that they want to do the whole thing and you were looking at this multistage three-part approach. So, I guess that's the communication issue - they were considering getting all the information and you were thinking "We're doing phase one now" because they did say that there were items that they requested in December. They still don't have certain things that they've asked for, but it sounds like from your point of view you weren't there yet, and they were looking at the whole big picture. Is that a fair summary of maybe where the communication is kind of got a little glitch?

Chris Angier: That's where we are now. We had discussed the phased approach but now they want full package. The letter we received on February 4 makes it clear that they want a complete drawing set before they begin their review.

- Lauren Allen: They do look at whole package. Do you feel now the communication flow is open and is there anything else one of us can do?

Chris Angier: I think we now know what they are asking for. We thought we had agreement on the phased approach but now we are moving forward with the whole package.

- Lauren Allen: It sounds like they also had a communication with someone named Gabriel? He must have a lot to do, running the place and you have the technicality and the details...yet you're communicating through him so maybe being able to talk directly in the future might be a suggestion that I might make.

Chris Angier: I'm on the phone with him a few times a week and we are working together as one team. He's plant manager, it's his plant and so he needs to be on all the correspondence. We work as one on the issue.

Mark smith: Thanks for offer of support

Question from Wolf von Schoen:

- First want to say kudos to Mark Rayfield for attending. I just want to offer the reminder that letters aren't the best way to communicate and offer my help. Was Person A in Town committed to a phased approach and Person B was not? If there is any way, I – or others – can assist in getting back to phased approach and getting back to that phased approach I am happy to reach out?
- Is there any chance there was a communications breakdown or is everything based on letters?

Chris Angier: Gabriel and I talked Rick and the Fire Chief about the phased approach but are not sure if decision making after the fact was a factor. I am not sure if there was any other Person B's in the initial scenarios but in any case, happy for help.

Brett Slensky: We welcome the help you can provide. Just want to add that thinking about it the phased approach makes the most sense practically and pragmatically so to the extent you are willing to reach out and try to help move the needle that would be much appreciated

- Wolf von Schoen: Would there be no objection from Saint-Gobain to go back and have a concrete slab redone if there is additional work after the RTO slab is installed? I know often that no one wants to set code review things in stone because the slab work has been approved. Is there a willingness to do additional work at a later time? Is that out there or something I could pass along?

Brett Slensky: That makes sense to me. To the extent there was an ability to complete the code review relative to the concrete pad project seems rational and logical.

CA: We are trying to avoid a need for a second pour, so our aim is to provide one concrete package to the town for review

- Wolf von Schoen: That may be the critical point for the Town officials, they don't want to put it out of the realm of possibility?

Chris Angier: Would need the fine print but open to conditional approval

- Wolf von Schoen: Would be happy to reach out

Question from Donald Provencher:

- I'm just wondering – it is my understanding the Town issued a written request for written info on December 17 which was not submitted. Has that been addressed? Just curious what information was requested and why it hasn't been submitted so far?

Chris Angier: The vast majority has been. The fire protection engineer recommended a schedule of duct inspections and other items like that – I can look what else was provided, but I think we covered most of what we are asking for already.

((Wolfram von Schoen has to leave the meeting due to work obligation.))

Question from Wendy Thomas:

- So this construction, we are talking about the rooftop and putting up a structure near the rooftop which we know from previous discussions is contaminated. Is there a plan for waste?

Chris Angier: There won't be much removal but what is removed will be done so through applicable regulations. We will be working with the landfill to be sure we characterize the waste correctly.

Sampling: Where and When

Chris Angier:

- I just wanted to give everyone a quick update on this.
- I know we've walked through the maps before in previous meetings, since we last met, we've submitted another agenda, so we're up to now seven workplan addendums. On this most recent addendum, we identified over 300 more properties for sampling.
- And since the last time we met we've got an additional 100 access agreements returned to us, and those folks have been contacted for scheduling. Last month, Golder also collected 80 samples.
- This is a little bit lower than their usual monthly total but that's because it's winter, and we're sampling from outside spigots, so there are some limitations. We don't want to be out there when it's too cold and risk freezing someone's outside spigot. If there's too much snow or schools are closed - it's not safe for samplers to be out driving around so they've had to cancel some sample appointments due to the weather.
- But that is a nutshell of progress over the last month.

Question from Wendy Thomas:

- At my home, I received a report that PFOA was at 33 ppt. I'm concerned about this. I live three miles from Saint-Gobain and still getting high values. At last meeting I shared that that Matt/Golder told me there was a chemical that evaded filtration.

Chris Angier: When I asked Golder about this they said they asked if the filter *could* be bypassed... not that it *is* being bypassed. They wanted to sample unfiltered water, if possible. They encouraged me to tell you that if you have any other questions you can reach out directly.

Question from Laurene Allen:

- I talked last meeting about January 5 comments to most recent workplan. I would like to know have you responded to DES yet and if so has it been addressed? Several points raised about the areas that go right up to the outer boundary were in that document, as well as areas carved out as exemptions. I know there were homes that weren't even counted. Could you discuss what is contested and what is omitted?

Chris Angier: On the first point, are working with Golder to formulate a response back to DES. We are currently completing some research for that letter. When we look at the data, we are not entirely sure it's attributable to just us. There are a lot of other sources and other potential sources in area. We would like some of these other parties to take action.

- Laurene Allen: What I see is a pattern of proportions. I see almost the same percentages as I have been studying this for years. I saw consistent percentages of samples so that is important to note, and DES made the point quite some time ago as well. I just want to reiterate this. I know we have a lot PFAS from other areas – but not all of it goes into the private wells. Look in terms of percentages of profiles.

Comment Mike Wimsatt:

- I do think DES's comment letter speaks for itself and it is our position and view that the air deposition from the facility has impacted the areas that we outlined in consent decree.
- We did take exception to the carve outs but we want experts from both parties to work through – and we look forward to the Saint-Gobain response.
- Have to look at these things on a case by case basis at some times, but the general approach is to look at contributions to ground water contamination throughout all areas of the donut with PFOA impact above the standard

Question from Peter Clark:

- Between our last meeting and this one there was addendum with 300 properties – where were those located?

Chris Angier: That number is for the total spread across towns but most samples are being collected in Bedford and Londonderry. That's where most of the private wells are. Most of Merrimack already connected to public water and so not as many to sample there.

Open Issues and Next Steps

Question from Wendy Thomas:

- This issue keeps falling off the agenda but is a reoccurring topic: for home systems, we have talked about spent filtration cartridges, water bottles and plastics. Would like a decision one way or the other?

Brett Slensky: Will keep on agenda. We have to give some consideration yet but something we want to evaluate and think about how best to support the community in that way. At a granular level, I think we need to how would it actually work so worth keeping on so we can continue to figure out how to address.

Mark Smith: Wendy will keep us accountable on this topic.

Chris Angier: If there is someone specific at the Town to get some more specifics around the idea and who can share with us some more concrete info to make a decision let us know.

Wendy will make contact to see if we can move that forward

Mike Apfelberg:

- What is Town actually looking for in specific terms?

Wendy Thomas: We need to brainstorm; this is new territory that we are not sure how to address. Could be drop off sites or a specific place at transfer station for spent cartridges.

Bob Healey offers to talk to Barbara Healey.

Question from Bob Healey:

- I'd like to make mention that we want to get people off water and connected to water lines. I'd like to put this in the parking lot.

Assess the Meeting and Adjourn

Mark Smith: At this time, I'd like to ask a simple "yes or no" - did this meeting meet your needs for tonight?

- Mike Wimsatt: Yes
- Matthew Gage: Yes
- Wendy Thomas: Yes
- Donald Provencher: Yes
- Bob Healey: Yes
- Brett Slensky: Yes

- Sharon Connary: Yes