



The State of New Hampshire
Department of Environmental Services



Robert R. Scott, Commissioner

REGULAR MAIL

August 22, 2022

Robert DeFelice
RLD Realty, LLC
PO Box 477
North Sutton, NH 03260

Subject Site: **Sutton – Vernondale Store, 1526 Rte 114**
DES Site #199708016, LUST, Project #7201

Application for Renewal of Groundwater Management Permit,
prepared by GS Environmental and Groundwater Associates dated
February 14, 2022 (Activity #299896)

Dear Mr. DeFelice:

Please find enclosed Groundwater Management Permit (GMP) Number GWP-199708016-S-005 (GMP) approved by the New Hampshire Department of Environmental Services (NHDES). This Permit is renewed for a period of five years to monitor the effects of past discharges of petroleum hydrocarbons and will take effect immediately.

Please note that Periodic Summary Reports are due in December 2024 and December 2026. Each Periodic Summary Report must provide all information required by N.H. Code of Administrative Rules Env-Or 607.04(a)(1 – 5). Results from the months of October 2024 and October 2026 monitoring events shall be included in the Periodic Summary Reports; therefore, separate data submittals are not required. Standard groundwater quality data submittals are due within 45 days of completing the remaining monitoring events. These submittals must include a tabulated summary of analytical results, an updated site plan, groundwater elevation data, and laboratory analytical report.

Please provide all required groundwater quality monitoring submittals to NHDES under the appropriate [Cover Sheet for Reports](#) and completed [Cover Sheet for Groundwater Monitoring Reports](#) as updated December 2020. The cover sheets must clearly show the NHDES identification number for this site and project: DES Site #199708016, LUST Project #7201. NHDES prefers for documents to be submitted in an electronic format through the [OneStop database](#).

In accordance with Env-Or 607.04(2), the updated site conceptual model in each Periodic Summary Report shall include updated human receptor information meeting the requirements of Env-Or 606.07(d). The receptor update shall be presented on a current tax map with an accompanying table. The map will depict the Groundwater Management Zone defined by the Permit and all properties within a 1,000-foot radius of the site. The table will include the following information for each lot within the 1,000-foot radius:

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- tax map lot number;
- property address;
- owner's name and address;
- property usage and development
- whether the property is connected to municipal water;
- whether a water supply well exists on the property;
- whether analytical samples have been collected from a water supply well as part of the investigation and/or monitoring at the site and the date of the most recent sample; and
- the presence of a remedial treatment system for a water supply.

Each Periodic Summary Report shall include a map and table with a cover sheet titled "Potential Receptor Update".

NHDES and Merrimack County records indicate that a Notice of GMP was recorded in the chain of title for the properties that comprise the Groundwater Management Zone (GMZ) established by the Permit. Notice, in the form of Permit GWP-199708016-S-001 issued June 15, 2001, was recorded on August 13, 2001, in Registry of Deeds Book 2287 on Page 1174; the permit cites the Map 7, Lot 921-368, Lot 922-384, and Lot 931-387 properties. Subsequent to Permit GWP-199708016-S-002 being issued on July 31, 2006, Notice was recorded again in Merrimack Book 2916 on Page 1009 (Map 7; Lot 922-384), Page 1010 (Map 7; Lot 931-387), and Page 1011 (Map 7; Lot 921-368) on August 3, 2006. Permit GWP-199708016-S-004 issued December 22, 2016 removed the Map 7, Lot 922-384 property from the GMZ. A Discharge and Release of Notice of GMP citing the Notice recorded in Book 2916 on Page 1009 was recorded in Merrimack Book 3547 on Page 2064 on February 22, 2017. NHDES notes that the Lot 922-384 is also cited in the Book 2287, Page 1174 document, however, a Discharge and Release was not issued relative to that Notice.

To correct the duplication of the June 15, 2001 and August 3, 2006 Notices, NHDES has issued Discharge and Release of Notice of GMP for the document recorded in Merrimack Book 2287 on Page 1174. Please note that this is an administrative correction only; **the Map 7, Lot 921-368 and Lot 931-387 properties remain within the GMZ established by the attached Permit.**

Within 60 days of receipt of this letter, NHDES requires that you record at the Merrimack County Registry of Deeds the enclosed Discharge and Release documents naming the owner at the time the Notice was recorded. Please submit a copy of the Merrimack County Registry of Deeds recorded Discharge and Release to the undersigned and the Town of North Sutton within 30 days of recordation. Please also provide a copy of the recorded Release of Recordation to the owner of record for each released lot.

A review of NHDES files indicates that RLD Realty, LLC is eligible to be reimbursed by the New Hampshire Petroleum Reimbursement Fund Program (Fund) for costs to implement NHDES-required investigation and remediation related to the petroleum hydrocarbons discharge discovered on July 28, 1997.

To receive reimbursement from the Fund, all work must be pre-approved and conducted in accordance with New Hampshire Code of Administrative Rules Odb-400. Please direct your consultant to submit a detailed site specific work scope and budget for notifications, recordations, monitoring, and reporting for the five-year Permit to NHDES for approval. The budget must be prepared using the [Unit Based Rates and Service Providers, Contracts and Markup tables](#) as updated February 2022. The work scope and budget is due within 30 days of receipt of this letter. For additional assistance on the Fund reimbursement process and compliance status of your facility, please contact Jennifer Marts, P.G., Petroleum Fund Management Section Supervisor, at (603) 271-2570 or by e-mail at Jennifer.A.Marts@des.nh.gov.

Please do not hesitate to contact me if you have any questions regarding the Permit.

Sincerely,



E. Molly Stark
Oil Remediation and Compliance Bureau
Tel: (603) 271-8585
Fax: (603) 271-2181
E-mail: Molly.Stark@des.nh.gov

Enclosures: Renewed Permit GWP-199708016-S-005
 Release of Recordation of Groundwater Management Permit documents (3)

ec: Margaret Bastien, P.E., ORCB
 Gene Schrager, C.G., GS Environmental and Groundwater Associates –
 Sutton Health Officer

Route/ec: Stanley Bonis, P.G., ORCB



The
NEW HAMPSHIRE DEPARTMENT OF ENVIRONMENTAL SERVICES
hereby issues
GROUNDWATER MANAGEMENT PERMIT NO. GWP-199708016-S-005
to the permittee
RLD REALTY, LLC
to monitor the past discharge of
petroleum hydrocarbons
at
VERNONDALE STORE
(1526 Rte 114)
in SUTTON, N.H.
via the groundwater monitoring system comprised of
seven monitoring wells and two water supply wells
as depicted on the Site Plan entitled
Figure 2 – Site Plan

dated February 8, 2022, prepared by GS Environmental and Groundwater Associates

TO: ROBERT DEFELICE
RLD REALTY, LLC
1526 RTE 114
NORTH SUTTON, NH, 03260

Date of Issuance: August 22, 2022
Date of Expiration: August 21, 2027

Pursuant to authority in N.H. RSA 485-C:6-a, the New Hampshire Department of Environmental Services (NHDES), hereby grants this permit to monitor past discharges to the groundwater at the above described location for five years subject to the following conditions:

(continued)

STANDARD MANAGEMENT PERMIT CONDITIONS

1. The permittee shall not violate Ambient Groundwater Quality Standards adopted by NHDES (N.H. Admin. Rules Env-Or 600) in groundwater outside the boundaries of the Groundwater Management Zone, as shown on the site plan entitled "Figure 9 - Groundwater Management Zone (GMZ) Map", prepared by GS Environmental and Groundwater Associates, dated February 10, 2022.
2. The permittee shall not cause groundwater degradation that results in a violation of surface water quality standards (N.H. Admin. Rules Env-Ws 1700) in any surface water body.
3. The permittee shall allow any authorized staff of NHDES, or its agent, to enter the property covered by this permit for the purpose of collecting information, examining records, collecting samples, or undertaking other action associated with this permit.
4. The permittee shall apply for the renewal of this Groundwater Management Permit prior to its expiration date but no more than 90 days prior to expiration.
5. This Groundwater Management Permit is transferable only upon written request to, and approval of, NHDES. Compliance with the existing Groundwater Management Permit shall be established prior to permit transfer. Transfer requests shall include the name and address of the person to whom the permit transfer is requested, signature of the current and future permittee, and a summary of all monitoring results to date.
6. NHDES reserves the right, under N.H. Admin. Rules Env-Or 600, to require additional hydrogeologic studies and/or remedial measures if NHDES receives information indicating the need for such work.
7. The permittee shall maintain a water quality monitoring program and submit monitoring results to NHDES' Waste Management Division no later than 45 days after the samples are collected. Samples shall be collected from monitoring wells as shown and labeled on the referenced site plan and as listed on the following table in accordance with the schedule outlined herein:

<u>Monitoring Locations</u>	<u>Monitoring Frequency</u>	<u>Parameters</u>
MW-1, MW-2, MW-3R, MW-4R, MW-6R, MW-7, and MW-8	April and October of each year	NHDES Waste Management Division Full List of Analytes for Volatile Organics and static water level
Water Supply Wells Tax Map 7 Lot 931-387 (1526 Route 114) Lot 922-384 (1522 Route 114)	October of each year	DES Waste Management Division Full List of Analytes for Volatile Organics & Static Water Level (drinking water detection limits)

Sample collection shall be performed in accordance with the documents listed in Env-Or 610.02(e). Samples shall be analyzed by a laboratory certified by the U.S. Environmental Protection Agency or the NHDES.

Summaries of water quality shall be submitted in December 2024 and December 2026 to the NHDES' Waste Management Division using a format acceptable to NHDES. The

Periodic Summary Report shall include the information listed in Env-Or 607.04(a), as applicable.

The Periodic Summary Report shall be prepared and stamped by a professional engineer or professional geologist licensed in the State of New Hampshire.

8. Issuance of this permit is based on the Application for Renewal of Groundwater Management Permit dated February 14, 2022 and the historical documents found in NHDES file DES #199708016. NHDES may require additional hydrogeologic studies and/or remedial measures if invalid or inaccurate data are submitted.
9. Within 30 days of discovery of a violation of an Ambient Groundwater Quality Standard at or beyond the Groundwater Management Zone boundary, the permittee shall notify NHDES in writing. Within 60 days of discovery, the permittee shall submit recommendations to correct the violation. NHDES shall approve the recommendations if NHDES determines that they will correct the violation.
10. All monitoring wells at the site shall be properly maintained and secured from unauthorized access or surface water infiltration.

SPECIAL CONDITIONS FOR THIS PERMIT

11. Recorded property within the Groundwater Management Zone shall include the lots as listed and described in the following table:

Tax Map/ Lot #	Property Address	Owner Name and Address	Deed Reference (Book/Page)
7/931-387	1526 Route 114 Sutton, NH	RLD Realty, LLC PO Box 477 North Sutton, NH 03260	3253/0339
7/921-368	Smiley Grove Sutton, NH	North Sutton Improvement Society PO Box 81 North Sutton, NH 03260	0463/0210

12. Each Periodic Summary Report shall include updated potential receptor information meeting the requirements of Env-Or 606.07(d). Potential receptor information shall be presented on a tax map with an accompanying table showing updated property ownership and use information.
13. Within 45 days of obtaining analytical sampling results for drinking water supply wells the responsible party shall submit the results to NHDES' Waste Management Division and the property owner. Immediate verbal notification is required upon receipt of analytical sampling results showing exceedances of the New Hampshire Ambient Groundwater Quality Standards for post treatment drinking water or drinking water that is untreated prior to the tap. The analytical sampling reports shall be submitted within 5 days of this verbal notification.

14. The permittee shall update ownership information required by Env-Or 607.03(a)(20) for all properties within the Groundwater Management Zone prior to renewal of the Groundwater Management Permit or upon a recommendation for site closure.



Robert Bishop, Administrator
Oil Remediation and Compliance Bureau
Waste Management Division

Any person aggrieved by this decision may appeal to the N.H. Waste Management Council ("Council") by filing an appeal that meets the requirements specified in RSA 21-O:14 and the rules adopted by the Council, Env-WMC 200. The appeal must be filed **directly with the Council within 30 days** of the date of this decision and must set forth fully **every ground** upon which it is claimed that the decision complained of is unlawful or unreasonable. Only those grounds set forth in the notice of appeal can be considered by the Council.

Information about the Council, including a link to the Council's rules, is available at <http://nhec.nh.gov/> (or more directly at <http://nhec.nh.gov/waste/index.htm>). Copies of the rules also are available from the NHDES Public Information Center at (603) 271-2975.



The State of New Hampshire
Department of Environmental Services



Robert R. Scott, Commissioner

**DISCHARGE AND RELEASE OF
NOTICE OF GROUNDWATER MANAGEMENT PERMIT**

**TO BE RECORDED IN FAVOR OF
KENNETH M. DAY AND TON SUK DAY
at BOOK 2005 / PAGE 0201**

For value received, the State of New Hampshire Department of Environmental Services, issuer of a groundwater management permit GWP-199708016-S-001 to Vernondale Store for the property located in Sutton and recorded by Notice of Groundwater Management Permit, dated August 13, 2001, against the real property of Kenneth Day and Ton Suk Day, in Merrimack County Registry of Deeds at Book 2287, Page 1174, hereby discharges and releases the said Notice of Groundwater Management Permit.

Subscribed, sworn to and acknowledged before me by Robert Bishop, the issuer, this 26th day of August, 2022.

Robert Bishop, Administrator
Oil Remediation and Compliance Bureau
Waste Management Division

Printed Name: Michele LH Regan
Notary Public



My commission expires: October 17, 2023

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The State of New Hampshire
Department of Environmental Services



Robert R. Scott, Commissioner

**DISCHARGE AND RELEASE OF
NOTICE OF GROUNDWATER MANAGEMENT PERMIT**

**TO BE RECORDED IN FAVOR OF
JOHN MACPHERSON AND KIMBERLY D. MACPHERSON
at BOOK 2175 / PAGE 1582**

For value received, the State of New Hampshire Department of Environmental Services, issuer of a groundwater management permit GWP-199708016-S-001 to Vernondale Store for the property located in Sutton and recorded by Notice of Groundwater Management Permit, dated August 13, 2001, against the real property of John MacPherson and Kimberly D. MacPherson, in Merrimack County Registry of Deeds at Book 2287, Page 1175, hereby discharges and releases the said Notice of Groundwater Management Permit.

Subscribed, sworn to and acknowledged before me by Robert Bishop, the issuer, this 26th day of August, 2022.

Robert Bishop, Administrator
Oil Remediation and Compliance Bureau
Waste Management Division

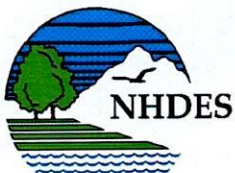
Printed Name: Michele LH Regan
Notary Public



My commission expires: October 17, 2023

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The State of New Hampshire
Department of Environmental Services



Robert R. Scott, Commissioner

**DISCHARGE AND RELEASE OF
NOTICE OF GROUNDWATER MANAGEMENT PERMIT**

**TO BE RECORDED IN FAVOR OF
NORTH SUTTON IMPROVEMENT SOCIETY
at BOOK 0463 / PAGE 0210**

For value received, the State of New Hampshire Department of Environmental Services, issuer of a groundwater management permit GWP-199708016-S-001 to Vernondale Store for the property located in Sutton and recorded by Notice of Groundwater Management Permit, dated August 13, 2001, against the real property of North Sutton Improvement Society, in Merrimack County Registry of Deeds at Book 2287, Page 1173, hereby discharges and releases the said Notice of Groundwater Management Permit.

Subscribed, sworn to and acknowledged before me by Robert Bishop, the issuer, this 26th day of August, 2022.

Robert Bishop, Administrator
Oil Remediation and Compliance Bureau
Waste Management Division

Printed Name: Michele LH Regan
Notary Public



My commission expires: October 17, 2023

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