



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 1 – NEW ENGLAND
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Via Electronic Mail

Date: See signature stamp below

Robin Mongeon, P.E.
Federal Sites Program Manager
New Hampshire Department of Environmental Services
Hazardous Waste Remediation Bureau
PO Box 95, 29 Hazen Drive
Concord, NH 03302-0095

RE: Coakley Landfill Superfund Site

Dear Robin,

As you know, the Coakley Landfill Group (CLG) submitted a memorandum titled *Surface Water Treatment Options – House Bill 494*, (the “Memo”) dated September 17, 2020, and prepared by CES, Inc. to the State. Skip Hull, EPA’s project manager for the Coakley Landfill Superfund Site (the “Site”), reviewed the Memo and provided comments back to Drew Hoffman via email on September 30, 2020. The Memo states that the “CLG has evaluated available treatment technologies feasible in design and implementation to address HB 494.” I am writing to provide some general comments regarding the Memo and to reiterate a number of issues that have been raised before by EPA relative to the State law, HB 494.

Following review of the Memo, EPA considers the next steps to be a pilot study and not a permanent treatment to ensure the substantial reduction of the contaminants entering Berrys Brook from the Site as specified by State law HB 494. As a pilot study, the work described in the Memo is not a change to the current remedy detailed in the Record of Decision (ROD) and being implemented by the CLG in accordance with the Consent Decree (CD). If there are further efforts following the outcome of this pilot study to make this treatment permanent, EPA would first need to determine if the treatment constitutes a change to the remedy specified in the ROD (or that a change to the remedy is warranted), based on current site risks and whether the remedy is no longer protective of human health and the environment, before any such treatment could be implemented.

In addition, any work undertaken to address State law HB 494 can in no way impede or delay the ongoing implementation of the CERCLA remedy as provided in the ROD, or any other investigation work that has been directed by EPA such as the ongoing bedrock investigation, the upcoming well installation and the pumping test. As discussed previously with NHDES and

CLG, any work undertaken by CLG to address State law HB 494 that is not part of the required remedy or work directed by EPA is outside of the requirements detailed in the ROD and CD.

If you have any questions or would like to discuss this matter further, do not hesitate to contact me at (617) 918-1310, or at taylor.melissag@epa.gov. In the meantime, EPA will continue to coordinate with DES regarding the CLG's efforts to address State law HB 494.

Sincerely,

MELISSA TAYLOR Digitally signed by MELISSA
TAYLOR
Date: 2020.10.09 09:03:11 -04'00'

Melissa G. Taylor, Chief
NH & RI Superfund Section

cc: Michael Wimsatt, NHDES
RuthAnn Sherman, EPA
Skip Hull, EPA