



The State of New Hampshire  
**DEPARTMENT OF ENVIRONMENTAL SERVICES**



**Robert R. Scott, Commissioner**

EMAIL ONLY

October 10, 2024

Christopher S. Angier  
Senior Environmental Project Manager  
Saint-Gobain Performance Plastics  
14 McCaffrey Street  
Hoosick Falls, NY 12090

Subject: Merrimack – Saint-Gobain Performance Plastics, 701 Daniel Webster Highway  
NHDES Site #199712055, Project #36430

*Remedial Action Plan*, prepared by WSP USA Inc., dated May 5, 2023

*Remedial Action Plan Addendum and Dumping Brook Evaluation*, prepared by WSP USA Inc.,  
dated February 9, 2024

Dear Christopher Angier:

The New Hampshire Department of Environmental Services (NHDES) has reviewed the above-referenced submittals prepared on behalf of Saint-Gobain Performance Plastics (SGPP) by WSP USA Inc. (WSP) for the above-referenced site. The proposed Remedial Action Plan (RAP) was submitted in response to the [NHDES letter dated April 28, 2022](#) as part of the ongoing response to releases of per- and polyfluoroalkyl substances (PFAS) from the SGPP facility. The subsequent RAP Addendum was submitted in response to a meeting between NHDES and SGPP that discussed areas where NHDES indicated additional evaluation was warranted. Specifically, NHDES requested that SGPP evaluate remedial alternatives targeting source areas and to evaluate the need for remedial measures to mitigate ongoing discharges to both Dumping Brook and the Merrimack River.

In general, NHDES believes that the contents and overall recommendations of the RAP and subsequent RAP Addendum are inadequate as they present no proposed effort to reduce high concentrations of contamination associated with releases from the facility or to mitigate high concentrations of contamination that represent ongoing sources of impacts to both groundwater and surface water at, and in the vicinity of, the site. Releases from the facility have resulted in impacts to both soil and groundwater across a portion of southern NH and investigating these releases has been intensive and time-consuming because of the geographical extent of contamination. Based on the nature of releases at the facility and site-related contaminants, NHDES anticipates that any remedial action that is implemented will be costly, time-consuming, and potentially difficult to implement; however, these factors do not absolve SGPP from managing the site under Env-Or 600 and implementing a remedy that will address the releases associated with operations at their facility. NHDES believes that this was expressly acknowledged under paragraph 28 of the Consent Decree which states *“The Parties anticipate that, given the current concentrations of PFCs, their distribution, and their potential source, MNA, along with monitoring and other similar ancillary measures as well as providing safe drinking water, will be an appropriate remedial action for the Respondent to propose in its remedial action plan to address groundwater in the GMZ for all areas other than source areas, i.e., areas of high concentration of PFCs attributable to the Respondent that require treatment to prevent the further spread of PFCs (emphasis added), to the extent any such source areas may be found to exist.”*

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NHDES believes that we have worked with SGPP in good faith and that this is represented by the realistic anticipation that SGPP will not be able to restore groundwater quality to the criteria specified in Env-Or 603.01 in a reasonable timeframe, but rather that reduction of contamination in source areas will have beneficial impacts to groundwater and surface water at the facility and surrounding parcels. However, the recommendations of the RAP and RAP Addendum rely only on natural attenuation to reduce concentrations of PFAS associated with the site. The RAP and RAP Addendum seems to eliminate remedial alternative options based on the presence of PFAS impacts on upgradient properties that will continue to migrate onto the facility and adjacent properties after implementation of a remedy. However, the impacts to groundwater present upgradient from the site are attributed to releases from the facility itself through air emissions, and SGPP is responsible for remediating all contamination resulting from their releases. In addition, NHDES notes that groundwater PFAS concentrations onsite are one or more orders of magnitude greater than those migrating onto the facility and adjacent parcels. Implementing a remedy with the objective of reducing contaminant concentrations by orders of magnitude on the facility and adjacent parcels would represent a substantial improvement to groundwater quality even if attaining Ambient Groundwater Quality Standards may take an extended period. NHDES requires that SGPP evaluate and implement a remedial alternative, or combination of remedial alternatives, that will reduce contaminant mass and result in an improvement to groundwater quality at the site. This may require a reevaluation of remedial objectives that were included within the RAP and RAP Addendum.

### **Specific Comments**

Based on our review of the above-referenced submittal, NHDES does not approve the RAP or subsequent RAP Addendum and provides the following comments:

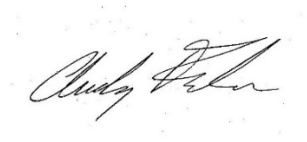
- The RAP and RAP Addendum do not meet the requirements of Env-Or 606.10(d)(3)(a) - *Remove or treat the source of contamination*. The RAP and RAP Addendum recommend institutional controls combined with monitored natural attenuation (MNA) as a remedial approach for the site. NHDES considers institutional controls to be an important part of the cleanup strategy for a site; however, they are intended to be utilized to supplement active remediation when residual contamination remains at a site that does not allow for unrestricted use and unlimited exposure after that cleanup. Furthermore, an activity and use restriction (AUR) for contaminated soils at a facility also typically includes additional protective structures, such as engineered caps or pavement, with additional requirements for inspection and maintenance.
- The RAP and RAP Addendum do not meet the requirements of Env-Or 606.10(d)(3)(b) – *Contain the contamination source to limit the impact to groundwater, surface water and soil to the extent feasible*. As indicated in the text, impacted soils are proposed to be left in place and will continue to act as an ongoing source of impacts to groundwater. In addition, the RAP does not include measures to contain contaminated groundwater within the facility and surrounding properties. Under the proposed institutional controls with MNA, uncontrolled migration of contaminated groundwater at the facility will continue discharging to adjacent surface water features. Furthermore, stormwater contaminated after falling on the facility building and grounds will continue to discharge to the Merrimack River, which is a drinking water source for several communities throughout New Hampshire and Massachusetts.
- The RAP and RAP Addendum do not meet the requirements of Env-Or 606.10(d)(3)(f) – *Restore groundwater quality to the groundwater quality criteria specified in Env-Or 603.01*. NHDES has expressed multiple times to SGPP and its representatives the expectation that active

remediation at the facility would be required as part of the RAP to, at a minimum, remediate concentrated areas of the contaminant plume, address grossly impacted site soils that represent an ongoing source of groundwater impacts, and remediate ongoing discharges to groundwater and surface water associated with the stormwater conveyance system. Based on our review, SGPP makes no attempt in the RAP to eliminate ongoing discharges to groundwater from grossly impacted soils, does not propose measures to mitigate ongoing discharges to Dumping Brook, and does not propose any action to mitigate discharges associated with stormwater runoff from the facility directly to the Merrimack River, a source of public drinking water.

- The RAP and RAP Addendum do not meet the requirements of Env-Or 606.10(d)(3)(g) – *Restore soil quality to the soil remediation criteria<sup>1</sup> specified in Env-Or 606.19*. SGPP proposes to leave all soil in place and manage risk to human health and the environment through the use of institutional controls including an AUR for facility and surrounding properties. As mentioned previously, NHDES believes that institutional controls are an important *component* of a remedial strategy for site cleanup, but not the only remedial alternative. Furthermore, SGPP makes no mention of institutional controls that may be necessary to manage soils throughout the Consent Decree Outer Boundary that have been impacted by releases from the SGPP facility at concentrations that may be leaching to groundwater.

NHDES requests that SGPP reevaluate remedial alternatives that can be implemented at the facility and surrounding properties and submit a revised RAP within 90 days of this letter. Should you have any questions regarding this letter, please contact me at NHDES' Waste Management Division.

Sincerely,



Andrew Fuller, P.G.  
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Litchfield Health Officer  
Mike Malaguti, Town Manager, Town of Londonderry  
Londonderry Health Officer  
Steve Malizia, Town Administrator, Town of Hudson  
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<sup>1</sup> While soil remediation standards for PFAS are not in rule as of the date of this letter, NHDES has initiated rulemaking in accordance with RSA 485-H:13, which requires establishment of such standards.

Christopher Angier  
NHDES Site #199712055  
October 10, 2024  
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