



Minutes of the City Council Workshop

Monday, May 2, 2022

6:30 p.m.

ROLL CALL OF MEMBERS

The City Council Workshop was called to order by Deputy Mayor David A. Witham. The following Council members were present: Councilors Pepin, Vincent, Austin, Michaud, Witham, Gerding, Cameron, and Messier.

Councilor Dumont and Mayor Hilliard were excused.

CITY COUNCIL WORKSHOP – Sanitary Landfill Superfund Site, Legal Counsel Mark Beliveau, Esquire and Gareth Orsmond, Esquire

Mark Beliveau greeted the Council and before beginning his presentation, announced his plan to retire in June. He said it was a privilege to have served Somersworth since 1988. He introduced his successor Gareth Orsmond whose experience will make for a smooth transition.

Mr. Beliveau provided a brief overview of the two-page Memorandum regarding updates on the Somersworth Sanitary Landfill Superfund Site. He stated there were a few items since the last annual review his firm has addressed in accordance with EPA recommendations in regard to the Sanitary Landfill Superfund Site. The first was to determine whether the remedy remains protected in light of newly promulgated NH PFAS standards and if further action is required. He stated that they were able to report that any PFAS contaminants remain within the groundwater management zone/GMZ. Mr. Beliveau said we are continuing to monitor and will continue to test once a year. As a result, the remedy remains protective in light of the NH PFAS standards.

The next question was whether, in light of PFAS monitoring, does the determination of the timeline to reduce PFAS needed. Mr. Beliveau stated that we do not yet have enough data to make that determination.

Another condition from EPA is the monitoring of naturally occurring arsenic that was a result of surface water sampling and sediment in the wetlands and to confirm conditions are still protective for ecological receptors. Mr. Beliveau stated he does not believe it causes a threat, but it will continue to be monitored.

Finally, there were a few items needing Council approval including an easement with PSNH for the landfill gas release system, a boundary line adjustment plan to better identify the boundary of the landfill and landfill remedy components, and an amendment to the activity use restriction recorded document. He reported that all of these items have been finalized and recorded. Mr. Beliveau stated we are currently up to date with all of the institutional controls at the landfill.

Councilor Messier stated that there has not been PFAS testing until recently, adding that we don't know if it is coming from the landfill or has always been there and the same is true with arsenic which is naturally occurring. He also noted that there are no certified EPA tests for PFAS. Mr. Beliveau stated that arsenic background levels are naturally occurring, but not seen in levels harmful to the public. The PFAS is a manmade contaminant that has only recently been able to be detected so we really don't know how prevalent it is.

City Manager Belmore asked Mr. Beliveau to clarify whether it was the EPA or State of New Hampshire that was requiring PFAS testing. Mr. Beliveau replied it is the State who regulates four of the PFAS compounds.

Councilor Pepin inquired if there are any foreseeable problems with the remedy of the site given the new solar array being installed. Mr. Beliveau stated that while EPA and DES encourage such a reuse of the landfill site, it is still up to us (the City) to monitor contaminants. Manager Belmore also stated that prior to the approval of the agreement for the solar array, our selected partners have agreed to pay for half or all of a risk assessment that we will have our engineers, GeoSyntec, complete for the site.

Councilor Witham stated there are some on Council who have the desire to remove the pavement basketball court on the adjacent property. Manager Belmore stated he has been in contact with Geosyntec and plans on bringing information to the Public Works and Environment Committee. Preliminary estimates have the cost to remove the hot top is roughly \$80k, but another option is to remove the hoops and have them cut flush with the pavement and made the area safe. Manager Belmore said the issue may be vetted by the Committee before going to Council.

The City Council Workshop adjourned at 6:45 p.m.

Respectfully Submitted,

Jonathan Slaven, City Clerk