



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

Thomas S. Burack, Commissioner



June 22, 2010

**CERTIFIED MAIL # 7006 0810 0003 2417 4243**  
**RETURN RECEIPT REQUESTED**

**Letter of Deficiency**  
**No. WMD-10-016**

Hebron-Bridgewater Solid Waste District  
Terence Murphy, Chairman  
297 Mayhew Turnpike  
Bridgewater, NH 03222

**SUBJECT: Discharge of Incinerator Ash into floor drains at the Hebron-Bridgewater Solid Waste District Facility, Dick Brown Road, Bridgewater, New Hampshire**

Dear Chairman Murphy and District Representatives:

On April 6, 2010, the Department of Environmental Services (DES) received a complaint alleging that the Hebron-Bridgewater Solid Waste District (District) had unlawfully discharged an unspecified amount of incinerator ash into a floor drain inside the District's municipal solid waste incinerator building located off Dick Brown Road in Bridgewater. In response, on April 30, 2010, DES staff obtained a sample of a dark colored, ash-like material from below the outfall of a PVC pipe, which according to the District is connected to three floor drains located inside the incinerator building.

DES recently received the enclosed laboratory test results for the sample. Consistent with municipal solid waste incinerator ash, the results show the presence of nine heavy metals. Of those metals, the concentrations of lead, arsenic, and cadmium are high enough to warrant further investigation and testing to determine whether the material at the outfall is a hazardous waste, whether the alleged source of the material is a hazardous waste, and whether its discharge has contaminated soil or groundwater in the vicinity of the outfall.

To address the above concerns, the District is hereby requested to take the following actions:

- (1) **Immediately** cease any discharge of regulated contaminants through the floor drains in the incinerator building and comply with the instructions provided in correspondence dated June 4, 2010 to the District from Mitchell Locker of DES's Drinking Water & Groundwater Bureau. A copy of the letter is enclosed for reference.
- (2) **Within thirty days**, perform a hazardous waste determination in conformance with the NH Hazardous Waste Rules ("HW Rules"; ref. Env-Hw 100-Env-Hw 1000) and submit

DES Web Site: [www.des.nh.gov](http://www.des.nh.gov)

P.O. Box 95, 29 Hazen Drive, Concord, New Hampshire 03302-0095

Telephone: (603) 271-2925 Fax: (603) 271-2456 TDD Access: Relay NH 1-800-735-2964

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the results for the incinerator bottom ash, the scrubber ash residue from the evaporator tank, and other sampling points as appropriate to determine whether the operation of the incinerator involves generating, processing, or treating hazardous waste. Include with the sampling results a complete description of how and where the samples were obtained. If it is determined that the facility is generating a hazardous waste, also provide recommendations by a qualified professional for additional work the District needs to pursue in order to fully comply with the HW Rules, including hazardous waste generator requirements pursuant to Env-Hw 500 and possibly Hazardous Waste Limited Permit requirements pursuant to Env-Hw 304.04 for operation of the evaporator as a hazardous wastewater treatment unit.

- (3) **Within thirty days**, submit a proposed scope-of-work (SOW), prepared by a qualified engineer or geologist licensed in New Hampshire, for completion of an Initial Site Characterization (ISC), in accordance with the requirements of Env-Or 605.08 of the Contaminated Site Management Rules (ref. Env-Or 600). The purpose of the ISC will be to identify the nature and extent of soil and groundwater contamination in the vicinity of the outfall of the PVC pipe, resulting from use of the facility floor drains. The SOW shall include the following as a minimum:
  - (a) A proposal to characterize the nature and extent of contamination in the vicinity of and down gradient from the outfall of the PVC drain pipe that is reportedly connected to the floor drains in the incinerator building; and
  - (b) Preparation and submittal of a final report, in accordance with Env-Or 605.09, discussing the sampling results, containing all laboratory data from all samples collected and recommendations for additional work if necessary. The final report shall also include a narrative on how and when release(s) have occurred.
- (4) **Within thirty days of receiving DES approval of the SOW**, complete the work as specified in the approved SOW and submit the final report to the DES. All work performed under the SOW shall be by a qualified engineer or geologist licensed in New Hampshire.

Please address correspondence and reports regarding this matter to:

Douglas Kemp, Waste Management Specialist  
Waste Management Division  
Department of Environmental Services  
P.O. Box 95  
Concord, NH 03302-0095  
Phone: (603) 271-2927; fax: (603) 271-2456  
e-mail: [Douglas.kemp@des.nh.gov](mailto:Douglas.kemp@des.nh.gov)

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Your prompt cooperation is appreciated. Please contact Mr. Douglas Kemp of the DES Solid Waste Management Bureau at 271-2925 or [douglas.kemp@des.nh.gov](mailto:douglas.kemp@des.nh.gov) if you have any questions or need further assistance.

Sincerely,

Michael Guilfooy, P.E.  
Administrator, Solid Waste Management Bureau  
Tel: (603) 271-2925  
Fax: (603) 271-2456

Environment  
tal Services

Digitally signed by Environmental Services  
DN: cn=Environmental Services, o=Solid  
Waste Bureau, ou=Waste Management,  
email=NELSON.ORDWAY@DES.NH.GOV,  
c=US  
Date: 2010.06.23 10:39:10 -04'00'

Attachments: NHDES Report of Laboratory Analysis  
e-mail: [michael.guilfooy@des.nh.gov](mailto:michael.guilfooy@des.nh.gov)

cc: Pamela Hoyt-Denison, P.E., Administrator, WMD, DES  
Gretchen Hamel, Legal Unit, DES  
Wayne Wheeler, P.E., SWMB, WMD, DES  
Doug Kemp, SWMB, WMD, DES  
John Regan, HW Site Remediation Program, WMD, DES  
Mitchell Locker, Drinking Water & Groundwater Bureau, WD, DES  
Board of Selectmen, Town of Hebron  
Board of Selectmen, Town of Bridgewater

Encl: Laboratory Results---Outfall Residue  
June 4, 2010 DES letter by Mitchell Locker to Terence Murphy

DWK/dwk