

RRS 10/2/17

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Ms. Victoria Sheehan
New Hampshire Department of Transportation
John O. Morton Building
PO Box 483 | 7 Hazen Drive
Concord, New Hampshire 03302-0483

Mr. Robert R. Scott, Commissioner
New Hampshire Department of Environmental Services
PO Box 95
Concord, NH 03302-0095

Dear Commissioners,

With this letter the Easton Select Board notifies you of four (4) ordinances approved at our Town Meeting of March 14, 2017:

1. **Blasting Ordinance.** To see if the town will adopt a blasting ordinance that will require a 3 million dollar bond for non-residential construction before blasting and forbids both non-residential and residential blasting within 500' of groundwater protection districts and 100' of wetlands.
2. **Borehole Sealing Standards.** To see if the town will adopt the National Cooperative Highway Research Program standards for sealing of geotechnical boreholes, with requirement of a bond equal to that required by the DOT in the case of DOT approved borings, and the requirement that applicants are required and will be responsible for the expense of the Town hiring an independent expert to oversee the filling/sealing of boreholes.
3. **Horizontal Directional Drilling.** To see if the town will adopt an ordinance prohibiting Horizontal Directional Drilling within 500' of the Groundwater Protection District, prohibit use of drilling additives other than bentonite, and prohibit discharges of Horizontal Directional Drilling fluid to surface or ground waters.
4. **Thermal Backfill.** To see if the Town will adopt an ordinance prohibiting thermal backfill or thermal concrete containing coal ash within the Groundwater Protection district. All fluidizing agents must be approved by the town before thermal backfill may be used.

The Groundwater Protection District in Easton is:

" an overlay district which is superimposed over the existing underlying zoning and includes within its boundaries the areas shown as having a "high potential to yield groundwater." "

The Easton Groundwater Protection Overlay Map references are:

U.S. Geological survey and N.H. Department of Environmental Services, Survey of Stratified Drift Aquifers, 2000.

U.S. Department of Agriculture, Natural Resources Conservation Service, Level 6 Hydrologic Unit Boundaries for New Hampshire, 2001.

These ordinances were approved by the Town to protect our water and soils. We are informing the relevant agencies to request and with expectation that DOT and DES will adhere to them and require any sub-contractors or private project operating in Easton to adhere to them as well.

We understand that DOT uses concrete containing coal/fly ash because of its resistance to corrosion, but Easton has prohibited fly/coal ash because of the heavy metals it can contain.

In addition, we impress upon your respective agencies that Easton has no business zoning and our Master Plan provides clear support for preservation of the rural character of the Town. Routes 116, Sugar Hill Road, Loop Road and Route 112, at their present widths, (or narrower, in the case of Route 112,) are integral to the rural character of Easton. There are also many locations where widening the road would ruin steep slopes and streams.

We are also concerned that DOT and DES have approved Horizontal Direction Drilling under our roads with no long-term studies supporting its environmental safety, no frac-out assessment and no apparent ability to deny a permit when conditions indicate high frac-out risk. The three subterranean leaks of slurry in Kinsman Notch and boring logs showing repeated loss of slurry in this area are indicative that HDD has a high risk of frac-out in that location. HDD guidelines provided by DOT are voluntary and have already been violated by the applicant with their narrow HDD work zones, and in our opinion offer insufficient environmental and noise protection.

NH DES has no rules for disposal of drilling slurry as shown below in an e-mail from Tim Drew to Kris Pastoriza, July 13, 2017:

Drew, Tim

Jul 13 (10 days ago)

to me ▾

Good afternoon, Ms. Pastoriza.

I checked with our Legal Unit for any administrative rules contained within our jurisdiction for drilling muds and any additives, and we have none that directly apply to this practice. I did find the following fact sheet that discusses these methods and relies on the contractor using Best Management Practices while directional drilling: <https://www.des.nh.gov/organization/commissioner/cio/factsheets/dwgb/documents/dwgb-21-4.pdf>.

Tim Drew

From: Kris pastoriza [mailto:krispastoriza@gmail.com]
Sent: Wednesday, July 12, 2017 5:08 PM
To: Drew, Tim
Cc: Egan, Cali
Subject: Re: DES question

PFOA contamination spreading more than a mile from its source argues for extreme caution with introducing chemicals into our watersheds.

DOT's own blasting has also contaminated aquifers with nitrates.

There are also three locations in Easton where Northern Pass's geotechnical boring revealed hydrocarbons. Coincidentally, we ask why Northern Pass, who has stated many times their efforts to engage in dialogue with towns about the project, has not informed Easton of these contaminated areas.

Senator Shaheen has introduced the Safe Drinking Water Assistance Act which seeks to eliminate "barriers that limit the Environmental Protection Agency (EPA) response to emerging contaminants..." .

Easton's intent with these ordinances is to implement the far more environmentally effective and cost effective strategy of **preventing** contaminants in Easton and all towns connected affected by our soils and water supplies.

We ask for your support of our efforts to keep our water and soils clean and safe for the future.

Sincerely,

Easton Select Board,

 9/26/2017
Edward Cutler, Chair


Zak Mei, Selectman

 9/25/17
Robert Thibault, Selectman