

Meeting called to order at 9:01 am.

Present: T. Cole Chairman, R.Stern, T.Hazelton, Commissioners. D.Messier, J.Toleman, Utility Partners. L.Shields, T.Vadney, Wright-Pierce Engineering. D.Zarta Gier, GZA Geoenvironmental, Inc.

Minutes: Minutes from 1/15/2020 reviewed. Motion by R.Stern to approve, seconded by T.Hazelton. All in favor, approved.

Public Comment: None.

Treasurer's report: January Treasurer's report and bank statement reviewed. Enterprise Account balance for January was \$997,820.33. Operating Fund ending balance for January was \$1,110,098.16.

Manifest Approval: Discussion on replacement of worn out lab equipment and PFOA sampling fees. Motion made to approve the 2/19/2020 manifest by R.Stern in the amount of \$122,389.30. Seconded by T.Hazelton. All in favor, approved & signed.

Plant operators report: Flows are up from last year, sludge as billed. Preventative maintenance was performed per manufacturers recommendations and schedules.

New Business: Draft nitrogen permit has arrived. Public comment meeting tonight at NH DES office at Pease. Address and letter presented for those who wish to attend.

T.Vadney reviewed the total nitrogen general permit which covers 13 plants in 12 communities, which includes Newington. This is a different approach than they have taken in the past. Instead of issuing community permits, they are issuing a regional permit with limits for each community on what they can discharge. Comments will be discussed at tonight's meeting. Discussion on the Sewer Commissions general approach to this new format and its impact for Newington. The WWTP can meet these requirements.

When the plant was upgraded, we were issued a nitrogen load of 5. We meet this, and often release less. The new draft permit has new testing to be completed monthly out in Great Bay for 23 or more years. And they are looking for communities to minimize or hold the gun to this permit.

Newington is in a better position than other towns, which need to spend millions on their plants to comply. The testing will be ambient water quality monitoring. NH DES and the EPA do not have the money to do this testing, so the cost is being forwarded to the 12 communities divided by the size and flow of their plants. Due to our smaller size, Newington will be paying less than most other communities. The Commissioners discussed that the cost for monitoring should be borne by the State, not the communities, although there is some precedent for funding testing this way.

The other piece to this permit is the optional non-point source and stormwater nitrogen reduction. NH DES and the EPA want WWTP's top track non-point water that does not go through their facilities.

Discussion turned to WWTP's in the State of Maine who discharge into the Salmon Falls Rive as well as other non-point sources along the State line. Maine is a Delegated State so ME DEP will be participating

at some point. NH is a non-delegated state so we must follow EPA Guidelines. The comment period is 60 days, but it could take several months to years to get through all the comments.

This permit essentially makes communities responsible for mitigating private property that may have runoff into Great Bay or the waters feeding Great Bay.

The good news for Newington is that WWTP's below 2M flow cap will be treated differently than higher flow plants, so Newington will have more flexibility. We are 5-8mg/L, we are allowed 17mg/L. The permit will not allow plants to sell nitrogen credits. This is an adaptive management approach, slow step wise approach. If these limits were higher it would be more manageable or palatable. Their thresholds are more restrictive and no room to optimize a solution.

We can request an individual permit. Questions to ask are what will our costs be? At what point will the testing process end? Do they know if it will get better or worse? What is the end number to get to and sustain?

Seven rivers feed into Great Bay and all have different sources feeding into it. 42-44 communities feed into those rivers. The EPA cannot go after them easily, so they are targeting direct users discharging into Great Bay. There will be 17 data sites in Great Bay at a cost of 1-1.5 million per year to be paid for by 13 wastewater treatment plants. NH DES is asking communities to sign on to this monitoring program, with no mention of what the costs will be or how the testing will be done. There is no designated authority to oversee this entire program. It is not clear, not thought through, and it is not equitable. Plants, like Newington, that have made upgrades and increased the costs to their rate payers will be forced to increase their rates even more to cover this.

Discussion ensued on how much land is actually owned by the Town that we have control over, vs. State or Federal Land. As well as ships that come in and discharge into the river and water runoff from paved surfaces. This plan has no consideration for growth in the communities. They are going after point source users because they legally can. It's controlling growth through wastewater treatment plants. NH DES has done similar permitting along the Merrimack River looking at phosphorus. S.Cole advised that Great Bay really doesn't drain with the tides, there is surface flushing but not full. We need hydrodynamic testing. The EPA does not have to reply to verbal comments made at tonight's meeting, but they are required to reply to all written comments submitted. Wright/Pierce will submit a letter draft for discussion.

Motion by R.Stern, seconded by T.Hazelton to hold a special meeting on Wednesday March 4th at 9 am. All in favor, approved.

In addition, the Commissioners reviewed a letter sent by several of the 12 communities looking for Newington's support requesting a peer-review of the documents. Past peer review has found the science was not robust enough to support these nitrogen limits. This new EPA approach is regionally focused and less scientific.

Old Business: Centrysis has sent an invoice for partial payment, monies will need to be transferred to cover it and the invoice will be paid after the transfer. Motion by R. Stern, seconded by T.Hazelton to transfer \$56,192.72 from the Enterprise Fund to the Operating Fund to cover the deposit for the new scroll. All in favor, approved.

Forcemain project has no public comment during public comment period. There will be more PFOA testing of groundwater per NH DES. Approval from wetlands board and further PFOA testing of groundwater, will be done in conjunction with boring samples of the area. 3 or 4 sections will be completed, this is an unexpected cost due to PFOA's

NH DES has submitted a notice of intent to issue the wetlands permit that is in a public comment period until 3/2/2020. Boring is scheduled for March 9-10, possibly also the 11th. Groundwater samples will be taken. Wetlands permit comments go straight to DES. D.Messier advised we have the environmental review and wetlands review completed. We do not need to test soil since the project will not displace any. Project dates are April or May for bidding and advertising. Project bid opening should be May or June. D.Messier is looking grants to apply for groundwater PFOA testing and possible mitigation.

D.Zarta Gier was present to request to extend the current discharge contract and to add more gallons. Water production, treatment, and discharge continues to occur slower than anticipated. Freezing temps and slow lab turnarounds have been contributing factors. She is requesting to discharge through the end of May 2020 and revise total up to 400,000 gallons. D.Messier advised the plant has been handling the discharge fine, 229,119 gals taken in so far. He is maintaining a binder of all daily lab reports from the water testing out for public review. Motion by R.Stern, seconded by T.Hazelton to accept the adjusted proposal increase the gals to 400,000 and to extend the contract through the end of May 2020. All in favor, approved.

Brief discussion on billing. A letter will go out with the first bills of 2020 to explain late charges and spreading out payments.

Next meeting will be March 18, 2020 at 9 am at the Newington Wastewater Treatment Plant.

Adjournment: 10:28 am.

Respectfully submitted,

Gail Klanchesser