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October 19, 2023

Rye Water District  
60 Sagamore Road  
P.O. Box 156  
Rye, New Hampshire 03870

**Re: Water Treatment Upgrades**

Dear Commissioners of the Rye Water District:

The purpose of this letter is to respond to the District's October 9, 2023 letter in which you asked that the Town "partner with the Rye Water District to fund the PFAS water treatment plant as well as the yearly operation and management costs." The Town understands that the underlying basis for the District's request, that the Town participate and contribute to the cost of a water treatment facility, is the presence of perfluoroalkyl sulfonic chemicals ("PFAS"), the presence of which has been indicated in water testing in and around the Grove Road Landfill.

The Town notes that the PFAS levels in and around the Grove Road Landfill are under the applicable Ambient Groundwater Quality Standards ("AGQS") associated with PFAS and that no remediation or treatment is required for groundwater in and around the Grove Road Landfill. Also, nothing in this letter should be construed as the Town assuming any liability or responsibility for the presence of PFAS in any groundwater.

Notwithstanding, the Town is willing to continue discussions with the District to ensure that the Town's residents and businesses continue to have access to safe, potable drinking water. The Select Board has asked that I contact you to schedule a time for the District and its counsel to meet with me and the Select Board to discuss the present status of the District's planning efforts as it relates to water treatment infrastructure. This includes ascertaining the District's current efforts with regard to the engineering of a treatment works, the capability of the treatment works to accommodate the treatment of PFAS contamination under changing regulatory limits, funding efforts with DES and other sources, and other alternatives that may allow for the lessening of fiscal impacts on District ratepayers and Town taxpayers.

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Given the potential available funding sources associated with improvements to water quality, the Town believes that after a discussion with the District that it may be appropriate to involve the DES as to potential funding sources in an effort to avoid impacts to users of the District as well as the taxpayers in general.

The Select Board welcomes a fruitful and robust dialogue on this matter in the future. Please let me know what you and your counsel's availability is to participate in any such discussions.

Yours truly,

**DONAHUE TUCKER & CIANDELLA, PLLC**

A handwritten signature in black ink, appearing to read "E. Maher", written in a cursive style.

Eric A. Maher, Esq.  
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cc: Client

4886-2375-6424, v. 1