



Portsmouth, 03801
May 27, 1985

TO ALL RESPONSIBLE NEW HAMPSHIRE STATE AND FEDERAL AUTHORITIES
TO WHOM THIS COMMUNICATION IS DIRECTED:

The press (NH's DOVER DEMOCRAT and THE PORTSMOUTH HERALD) reported last week that Rye Selectmen and Portsmouth's City Manager Calvin Canney have been negotiating an agreement to relieve Portsmouth of its PEASE AIR FORCE BASE (PAFB) refuse-to-energy plant's ash and residue-disposal problem. Following the forced closure of the Coakley landfill operation at Breakfast Hill at Route #1 and Greenland Road in Greenland and North Hampton, NH, in consideration for something less than \$350,000, Rye Selectmen have agreed to allow Portsmouth to continue their dumping at Rye's Breakfast Hill sanitary landfill site, adjacent to Coakley's, to the east across the border in Rye, that very same commercial and industrial residue that has been the source of serious chemical and toxic contamination of the Breakfast Hill area's potable water supply, such as has caused serious water and air pollution problems of late and forced the reported shutdown of Coakley's dumping operation.

THE EFFECTS ARE PROVEN AND DOCUMENTED: THE RISKS ARE TOO GREAT, AND WE SIMPLY CANNOT ALLOW THIS TO HAPPEN.

By correspondence in March, 1976, New Hampshire authorities were alerted to concerns for our underground water supply stemming from Rye's acquisition of land at Breakfast Hill -- the highest point in Rye -- on which to relocate its town dump in favor of Rye's new-found potable water supply at the former Grove Road dumpsite.

On March 25, 1976, by enclosure (1), Dr. Maynard Mires, New Hampshire's Director of Public Health Services, indicated Rye's operational plan for a sanitary landfill directly over our supply of potable water would be restricted to Rye's solid domestic and commercial waste; and that there was "no known sources of hazardous materials in Rye," he inferred that any fears of toxic and/or chemical contamination of our underground water supply were groundless. At the time, Dr. Mires indicated State authorities would monitor this and the other conditions of Rye's operational plan. To this point, we concede that Rye's sanitary landfill operations appear to have been well controlled.

Meanwhile, the City of Portsmouth was forced to close down its Jones Avenue dump due to environmental pollution; i.e., atmospheric and toxic chemical contamination of the Sagamore Creek area of the city; whereupon, Mr. Coakley contracted for disposition at his Breakfast Hill site in Greenland all of Portsmouth's contaminating toxic and chemical commercial and industrial wastes from its PAFB refuse-to-energy plant that incinerates refuse from the city's industrial community, the Portsmouth Naval Shipyard, PAFB itself, and Portsmouth's Pierce Island sewer-treatment plant's organic waste.

Unfortunately, those same effective controls for Rye were neither mandated nor imposed at the Coakley landfill site at Breakfast Hill in North Hampton, such as is located to the west and south of Rye's sanitary landfill site. See enclosure (2).

This communication of April 13, 1985, illuminates some, but not all of the serious pollution problems in the Breakfast Hill area as the result of Coakley's uncontrolled dumping. New Hampshire authorities are keenly aware of at least thirteen different types of highly-toxic chemicals and chemical-compound contaminants found during tests of natural water sourced beneath the Breakfast Hill landfill sites. These toxic chemicals and chemical compounds include but are not limited to halogens, ketones/acetone, butanes, nitrides and nitrates, chromates, and chlorides -- all most likely from the Naval Shipyard, PAFB, and Portsmouth's several commercial and industrial toxic chemical waste-producing entities. We know of no operations in Rye capable of producing these sorts of by-products in the quantities necessary to produce the contamination found.

As for the recent negotiations and the Rye Selectmen's unanimous agreement to accept Portsmouth's contaminating waste for deposit within Rye's borders at the town's sanitary landfill site on Breakfast Hill: (1) because the State of New Hampshire did approve Rye's 1976 operation plan for a sanitary landfill at Breakfast Hill, clearly subject to the stringent conditions and restrictions set forth therein, and (2) that Rye authorities did agree to limit the source of all disposable wastes to be deposited at that site to only that generated within Rye's borders, it is crystal clear that present Rye Selectmen have not only far-exceeded their authority, but have been acting in violation of limits and requirements for sanitary landfill sites established and set forth by the State Water Supply and Pollution Control Commission, Bureau of Standards and Requirements, Department of Health and Welfare, as well as the prerequisites to dumping and landfill sites adopted and set forth by the federal Environmental Protection Agency.

In summary, Rye's pending agreement to accept Portsmouth's hazardous waste does seriously threaten to further contaminate the potable water supply and to perpetuate atmospheric pollution of the Breakfast Hill areas in West Rye, Greenland, and North Hampton. Whereas past violations and insufficient controls have already compromised the safety, health, and welfare of all living creatures in these three communities; that numerous tests have proven the underground water contains toxic chemicals, chemical compounds, and inordinate increases in the amounts of nitrate/nitrite/nitrogen, manganese, sodium, and organic impurities over tests in previous years, many of the toxic chemicals not generally found in the Rye community; that the town of Rye is obliged to comply with its 1976 operational plan for its sanitary landfill at Breakfast Hill and with other protective requirements and controls of the State and federal government authorities, and for these and the several other good and sufficient reasons herein delineated;

We pray for New Hampshire or federal authority to enjoin Rye Selectmen or other officials from any and all plans, negotiations, proposals, or contracts to allow disposal, deposit, transportation or

storage within Rye's borders of hazardous waste or suspect refuse, ash, or organic matter from any other town or municipality.

We respectfully ask State and federal intervention because Rye Selectmen have demonstrated themselves unqualified or incapable of meeting State and federal sanitary landfill and environmental protection requirements.

Respectfully,

Helen S. Burnette

Helen S. Burnette
(Mrs. Wade M. Burnette, Sr.)

Enclosures (2)

DISTRIBUTION:

NH Department of Health and Welfare, Attn: M. H. Mires, MD., M.P.H.
→ NH Water Supply and Pollution Control Commission
NH Bureau of Solid Waste Management
Regional Administrator, Environmental Protection Agency, Region #1

Copy to:

Chairman, Rye Selectmen
Portsmouth's City Manager
M. S. Robinette, Geotechnical Engineer, NH WS&PC
Hon. Robert Smith, Member of Congress
Hon. Warren B. Rudman, US Senate
Hon. Gordon Humphrey, US Senate
File

*Thank you in advance for your
prompt attention and action here.*

hst