



TOWN OF RYE • OFFICE OF SELECTMEN
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DEPARTMENT OF ENVIRONMENTAL SERVICES,
WASTE MANAGEMENT DIVISION

November 6, 2012

Alfred Festa Revocable Trust
222 Harbor Drive, Unit 306
Naples, FL 34103

RE: Rye Municipal Landfill, Breakfast Hill Road
Groundwater Permit Revision Notification
GWP-198705029-R-004
Tax Map 19/Lot 82

To Whom It May Concern:

In accordance with Condition 9 of the above referenced groundwater management permit for the Rye Municipal Landfill, this letter serves as notification that the landfill's Groundwater Management Zone (GMZ) has been expanded to include your property, located adjacent to the landfill, off U.S. Route 1 in Rye, New Hampshire (Tax Map and Lot Number referenced above). The New Hampshire Department of Environmental Services (NHDES) revised the permit on November 2, 2012.

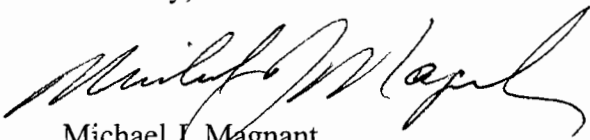
The NHDES expanded the GMZ due to elevated levels of manganese that have been detected in groundwater monitoring wells adjacent to your property. It is not uncommon for manganese to be detected in groundwater at similar concentrations as it exists naturally in rock and soil throughout New Hampshire.

Groundwater quality at the landfill is monitored twice per year during the spring and fall, as required by the permit. Manganese is detected in all of the wells in the monitoring program at varying concentrations. A groundwater monitoring well on your property had concentrations of manganese greater than NHDES Ambient Groundwater Quality Standards (AGQS) when tested in 2002 and 2003 but was damaged sometime in 2003 and not able to be tested again. In 2010, a replacement well was installed adjacent to your property within the Washington Road right-of-way and has continued to show manganese levels greater than AGQS. The detected manganese could be from natural causes, or could have been released from soil due to the presence of the landfill.

At the request of NHDES, the Town is planning to adopt a zoning amendment to add the "Rye Landfill Groundwater Management District" to its list of Overlay Districts. The new district will include the landfill property and your property and will prohibit the use of groundwater for drinking water purposes. We note that Town water is available on U.S. Route 1 and Washington Road. We also note that current Town regulations would not have allowed the property to be developed without connecting to Town water. The Rye Planning Board will hold a public hearing on the proposed change to the zoning amendment on Tuesday, November 20, 2012 at 7pm at Rye Town Hall. If approved by the Planning Board the zoning amendment will be voted upon on March 13, 2013. Other than on-site drinking water restrictions which were previously precluded anyway, the proposed amendment does not impact the potential development of the property.

If you have any questions regarding this letter, please feel free to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael J. Magnant". The signature is fluid and cursive, with a long horizontal stroke at the end.

Michael J. Magnant
Town Administrator

cc: Adam Sandahl, P.E., CMA Engineers, Inc.
Paul Rydel, NHDES