



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 1 – NEW ENGLAND
5 POST OFFICE SQUARE – SUITE 100
BOSTON, MASSACHUSETTS 02109-3912

BY ELECTRONIC AND CERTIFIED U.S. MAIL – RETURN RECEIPT REQUESTED

October 2, 2018

Mr. George Sacco
Metal Farm, LLC
56 Davidson Drive
Farmington, NH 03835

Re: Collins and Aikman Plant (Former) Superfund Site, Farmington, New Hampshire
Request for Access to Property Located at 56 Davidson Drive, Farmington, NH.

Dear Mr. Sacco:

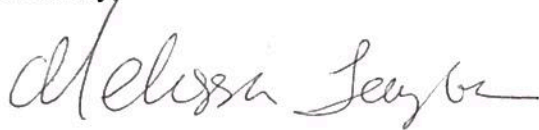
I am writing with regard to the Consent for Access to Property first directed to you via certified U.S. mail on July 3, 2018, (convenience copy enclosed). EPA received a return receipt for the delivery of the Consent for Access to Property signed by Kathy Lloyd on July 17, 2018. As you know, Richard Hull, Remedial Project Manager for the Collins and Aikman Plant (Former) Superfund Site (the "Site") first contacted you regarding access to the Metal Farm, LLC., property at 56 Davidson Drive in Farmington on June 28, 2018, via email sent to acmspecialized@gmail.com. He then spoke to you on July 12, 2018, following issuance of the Consent for Access to Property, to ask if you had received the correspondence. You indicated that you had not received the correspondence and that you would not allow access to the Metal Farm, LLC., property to allow for ongoing Remedial Investigation activities. Following this conversation, Mr. Hull sent you another email on July 12, 2018, and attached the Consent for Access to Property for your signature, along with the cover letter dated July 3, 2018.

As you know, EPA is currently conducting Remedial Investigation activities at the Site, which includes the Metal Farm, LLC., property. In order for this Remedial Investigation work to proceed now without delay and interruption, EPA again requests that you sign and return Consent for Access to Property as soon as possible, but no later than October 12, 2018. In order to remain on schedule as planned, EPA's contractors will begin the next phase of investigation activities on October 9, 2018, at which time or shortly thereafter, access to the Metal Farm, LLC., property may be required. I am also enclosing an agreement form for Meridian Land Services, Inc., a contractor conducting surveying on behalf of EPA, for your signature. This agreement will allow Meridian to survey and place bound markers at the lot corners common to lots 31-34 and 36-2 (Metal Farm, LLC.)

Please note that entry to the Metal Farm, LLC., property is authorized by federal law, in particular Section 104(e) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended ("CERCLA"), 42 U.S.C. § 9604(e). The authorization provided by CERCLA includes access to private property for the purpose of determining the need for response actions, performing response actions, and/or enforcing CERCLA. Please note also that if we are unable to obtain this consent, under law EPA has the authority to issue an order to obtain access for this work.

EPA's formal request for access has now been pending since your receipt of the Consent for Access to Property on July 17, 2018, and it would be in the interests of all involved for us to memorialize our mutual understanding as to EPA's access to the Metal Farm, LLC., property now, as quickly and efficiently as possible. EPA looks forward to working with you on this. If you have any further questions, you may contact Richard Hull by telephone at (617) 918-1882 or by e-mail at hull.richard@epa.gov. Any legal questions should be directed to Ronald González of the EPA Office of Environmental Stewardship at (617) 918-1786. Thank you for prompt attention to this matter.

Sincerely,

A handwritten signature in cursive script, appearing to read "Melissa Taylor".

Melissa Taylor, Manager
NH & RI Superfund Section
United States Environmental Protection Agency
Office of Site Remediation and Restoration

Enclosures

cc: Richard Hull, Remedial Project Manager, OSRR
Ronald Gonzalez, Senior Enforcement Counsel, OES
RuthAnn Sherman, Senior Enforcement Counsel, OES
Michael Summerlin, New Hampshire Department of Environmental Services



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION I
FIVE POST OFFICE SQUARE
BOSTON, MASSACHUSETTS 02109-3912**

URGENT LEGAL MATTER -- PROMPT REPLY NECESSARY
CERTIFIED MAIL -- RETURN RECEIPT REQUESTED

July 3, 2018

Metal Farm, LLC
56 Davidson Drive
Farmington, NH 03835

Attn: Mr. George Sacco

Re: **REQUEST FOR ACCESS TO PROPERTY**
Collins & Aikman Plant (Former) Superfund Site
Farmington, New Hampshire
EPA ID# NH000105928

Dear Mr. Sacco:

The United States Environmental Protection Agency (EPA) respectfully requests your permission for EPA, its agents, contractors, and other authorized representatives to have access to the property described by the Town of Farmington as map #R36, lot #002, located at 56 Davidson Drive in Farmington.

EPA requests access so as to conduct a Remedial Investigation and, subsequently, a Feasibility Study (also referred to as an RI/FS). This will allow EPA to know the extent of contamination, the risk posed by contaminants, and will allow EPA to evaluate long-term clean-up strategies to eliminate or mitigate any unacceptable risk.

Typically, Remedial Investigation activities include multiple sampling events. EPA and its representatives may:

- 1) collect surface and subsurface soil samples;
- 2) drill or excavate holes and install monitoring wells;
- 3) collect sediment, surface water and biota samples;
- 4) sample any solids or liquids stored or disposed of on the property;

- 5) take photographs;
- 6) construct or place temporary structures to facilitate RI/FS activities;
- 7) operate vehicles on the Property;
- 8) take other actions related to the investigation of surface or subsurface contamination;
- 9) conduct response actions to mitigate any hazards as determined necessary by EPA; and
- 10) conduct other response actions or evaluate the need to take other response actions.

Upon request, a copy of validated analytical test result(s) from any sample(s) collected from your property will be shared with you. EPA has also pursued access agreements with other owners of properties located near the Collins & Aikman Plant (Former) Superfund Site.

Please note that entry to your property is authorized by federal law, in particular Section 104(e) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended ("CERCLA"), 42 U.S.C. § 9604(e). The authorization provided by CERCLA includes access to private property for the purpose of determining the need for response actions, performing response actions, and enforcing CERCLA.

Please signify your consent to access by signing the Consent for Access to Property on the following page, and returning it to me at the following address (a pre-paid return envelope is enclosed):

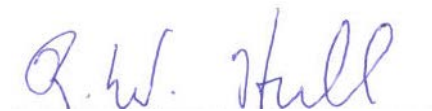
Mr. Richard Hull, Remedial Project Manager
(Mail Code: OSRR07-01)
USEPA Region 1
5 Post Office Square
Boston, MA 02109-3912

EPA requests that you respond to this letter within **ten (10) business days** of your receipt of this letter. If timely response is not received, it may become necessary for EPA to employ other means to obtain access. Such means may include issuing an administrative order or bringing an action in federal court to secure EPA's right to access.

Metal Farm, LLC
REQUEST FOR ACCESS TO PROPERTY
Page **3** of **3**

Your cooperation in assisting with the Remedial Investigation is appreciated. If you have any questions regarding this request for access, please contact me at (617) 918-1882 or hull.richard@epa.gov. Communications from legal counsel should be directed to Ronald A. González, Senior Enforcement Counsel, Office of Environmental Stewardship at (617) 918-1786 or gonzalez.ronald@epa.gov.

Sincerely,

A handwritten signature in blue ink that reads "R. W. Hull". The signature is written in a cursive style and is positioned above a horizontal line.

Richard W. Hull
Remedial Project Manger
Office of Site Remediation and Restoration

Enclosure

cc: Mr. Ronald Gonzalez, USEPA
Mr. Michael Summerlin, NHDES

CONSENT FOR ACCESS TO PROPERTY

METAL FARM, LLC

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I (We) realize that these actions by EPA are undertaken pursuant to EPA's response and enforcement authorities under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended, 42 U.S.C. § 9601, *et seq.*

I (We) give this written permission voluntarily with knowledge of my (our) right to refuse and without threats or promise of any kind.

Date

Signature of Owner's Authorized Representative

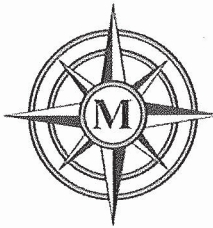
Name:

Title:

Address:

Telephone:

Designated Contact for Metal Farm, LLC, as to this Agreement:



MERIDIAN LAND SERVICES, INC.

CIVIL ENGINEERING | LAND SURVEYING | PERMITTING | SOIL & WETLAND MAPPING | SEPTIC DESIGN | ENVIRONMENTAL

Office: 31 Old Nashua Road, Suite 2, Amherst, NH 03031

Mailing: PO Box 118, Milford, NH 03055

Phone: 603-673-1441 * Fax 603-673-1584

www.MeridianLandServices.com

February 19, 2018

RE: Lot 31-34 and Lot 36-2 (Metal Farm) agreement to verify lot corners.

Meridian Land Services, Inc. has been asked to verify the common lot corners for lots 31-34 and 36-2 (Metal Farm). Meridian will set 3 granite bounds at the existing lot corners and replace the called for iron pins with granite bounds per the reference plan #104-049, on file at the Strafford County Registry of Deeds. No new boundary lines are being established.

By signing below you will be authorizing Meridian the ability to do so, which includes the ability to access your property to make any necessary boundary related measurements.

Owner of Lot 36-2, Metal Farm LLC: (print) _____
(sign) _____ Date: _____