

PESCHEL CONSULTING LLC



March 3, 2017

Gerardo Millan-Ramos

USEPA

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OSRR, 07-1

Boston, MA 02109-3912

Dear Mr. Ramos:

In accordance with section 5.8 Institutional Controls of the 2007 Statement of Work to the amended consent decree for the former Dover Municipal Landfill Superfund site, this letter is intended to serve as the Annual Institutional Verification Letter Report.

The site institutional controls include two levels of control. The first is through City and Town ordinances, to limit activities at the landfill site and surrounding properties. The second level of control is limiting public access. An eight foot chain link fence constructed along the entire extent of the site frontage bans access to the site. Locked gates are provided for authorized users to enter the site.

The City of Dover adopted two specific municipal ordinances. The first (ORD. # 9-87) Hazardous Waste Landfill District was adopted in 1987 and its purpose is to alert the public and prohibit development activities in areas affected by the landfill. The second ordinance (Ord. # 13-91) prohibit the installation or use of a private well within 1500 feet of the landfill boundary, except for purposes related to cleanup, monitoring and remediation associated with the landfill. Both ordinances remain in affect. Public water supply was extended in 1981 and 1982 to the residences on Tolend and Glen Hill Roads. Copies of the ordinances accompany this letter as are figures showing the limits of the ordinances. The Town of Madbury created a protective zoning overlay district in 1992 "Tolend Landfill Overlay District". Installation of wells other than those associated with landfill clean up activities is prohibited. There are no residence in the Madbury Overlay district. A copy of the ordinance accompanies this letter.



The institutional controls limiting public access included an 8 foot high chain link fence with warning signs posted along Tolend Road which alerts the public to the presence of the site and controls access into the site. For the last year the source control remediation systems has been under construction. The site contractor, Sargent Corporation has been onsite daily and has enforced a sign in policy for all workers and visitors at the site.

Construction of the remediation system is nearly completed. Each of the well buildings and the two pump stations will be fenced to protect the assets and keep unwanted intruders from damaging the property and being exposed to contaminated groundwater.

Sincerely,

Dean Peschel

Environmental Consultant

170-28.4

ZONING

170-28.6

Zone	Percent of Total Demand	Gallons Per Day Allocated
R-12	1.68	16,875
R-20	10.49	105,222
R-40	5.44	54,596
RM-10	0.50	5,013
RM-12	0.69	6,948
RM-20	52.76	529,088
I-1	27.22	272,981
B-3	0.50	5,013
UMUD	0.69	6,948

- (c) In each of the zones, allocation of the remaining lift station capacity shall be on a first-come-first-served basis. Pursuant to Economic Development Policy V-4, industrial development will be restricted to dry industries.

X 170-28.5. Hazardous Waste Landfill District I. [Added 5-13-87 by Ord. No. 9-87]

- A. Purpose. In the interest of responsible planning, public safety and concern for the general welfare of the citizens of Dover, the regulations of this district are designed to alert the public and prohibit development activities in areas potentially affected by the storage of hazardous waste until such time as a final cleanup and proper closure of the site can be completed.
- B. Location. The Hazardous Waste Landfill District I is hereby to consist of those city owned lots shown on the City of Dover's Assessor's Map C, Lot Nos. 16, 18 and 24.
- C. Hazardous Waste District I criteria. All applications for further development, residential or commercial or industrial, in areas heretofore specified must contain a notation on the plat, site plan and application stating that the development site is within the Hazardous Waste District.

170-28.6. (Reserved)*

*Editor's Note: Former 170-28.6, Interim Growth Management District IV - Aquifer Recharge Areas, added 6-24-87 by Ord. No. 14-87, as amended, was repealed 11-30-88 by Ord. No. 24-88.

APR 30 1996

116-7.1

DOVER CODE

116-7.1. Installation and use of wells. [Added 04-17-91 by Ord. No. 13-91]

Except as hereinafter provided, no person, firm or corporation shall install or use for any purpose a well in or on any property located within fifteen hundred (1500') feet of the Hazardous Waste Landfill District I which is established and described in Section 170-28.B of the Dover Zoning Ordinance as consisting of those City-owned lots shown on the City of Dover Assessor's Map C, Lots 16, 18 and 24.

116-7.2. Installation and use of wells related to Tolend Road Landfill clean-up. [Added 04-17-91 by Ord. No. 13-91]

The installation and use of wells within the area described in Section 152-8.1 of this Chapter shall be permitted for any purpose reasonably related to the clean-up, testing and reclamation of the Tolend Road Landfill.

116-8. Reporting contagious diseases.

It shall be and hereby is made the duty of every physician, surgeon or other person attending upon a case of smallpox, epidemic cholera, epidemic dysentery, diphtheria, scarlet fever, typhoid fever, measles, yellow fever or other dangerous, contagious, infectious or pestilential disease and of every householder, attendant or agent, in whose house a case of any such disease occurs, to report every such case to the Health Officer or to the Board of health within twenty-four (24) hours after having knowledge of the same, giving the number of the house, the street, avenue or lane upon which it is situated and the name of the occupant or occupants, with the name and age of the diseased person, if known; and the Board may take such action as they deem expedient to prevent the spread of such disease.

116-9. Abatement of nuisances.

All petitions for the cleansing, removing or abatement of any nuisance shall be made to the Board of Health or to its executive officer or to any one of them, verbally or in writing, stating distinctly the character of such nuisance, the premises where situated and the reason for its removal or abatement; but if it becomes necessary to institute legal proceedings against the party or parties complained of, the complainant shall, before such proceedings are instituted, file a complaint, in writing, with the Board.

Tolend Landfill Overlay District

SECTION 1 - Purpose: The United States Environmental Protection Agency (EPA) and the New Hampshire Department of Environmental Services (DES) have documented the release and threatened release of hazardous substances, pollutants and contaminants at the Dover Municipal Landfill on Tolend Road in Dover, NH, which has spread to abutting properties and has the potential to spread further. Contaminants spreading, or having the potential to spread toward the Bellamy Reservoir are generally referred to as the "southern plume" in the Remedial Investigation/Feasibility Study performed for the site, and in EPA's Record of Decision (ROD) for the site.

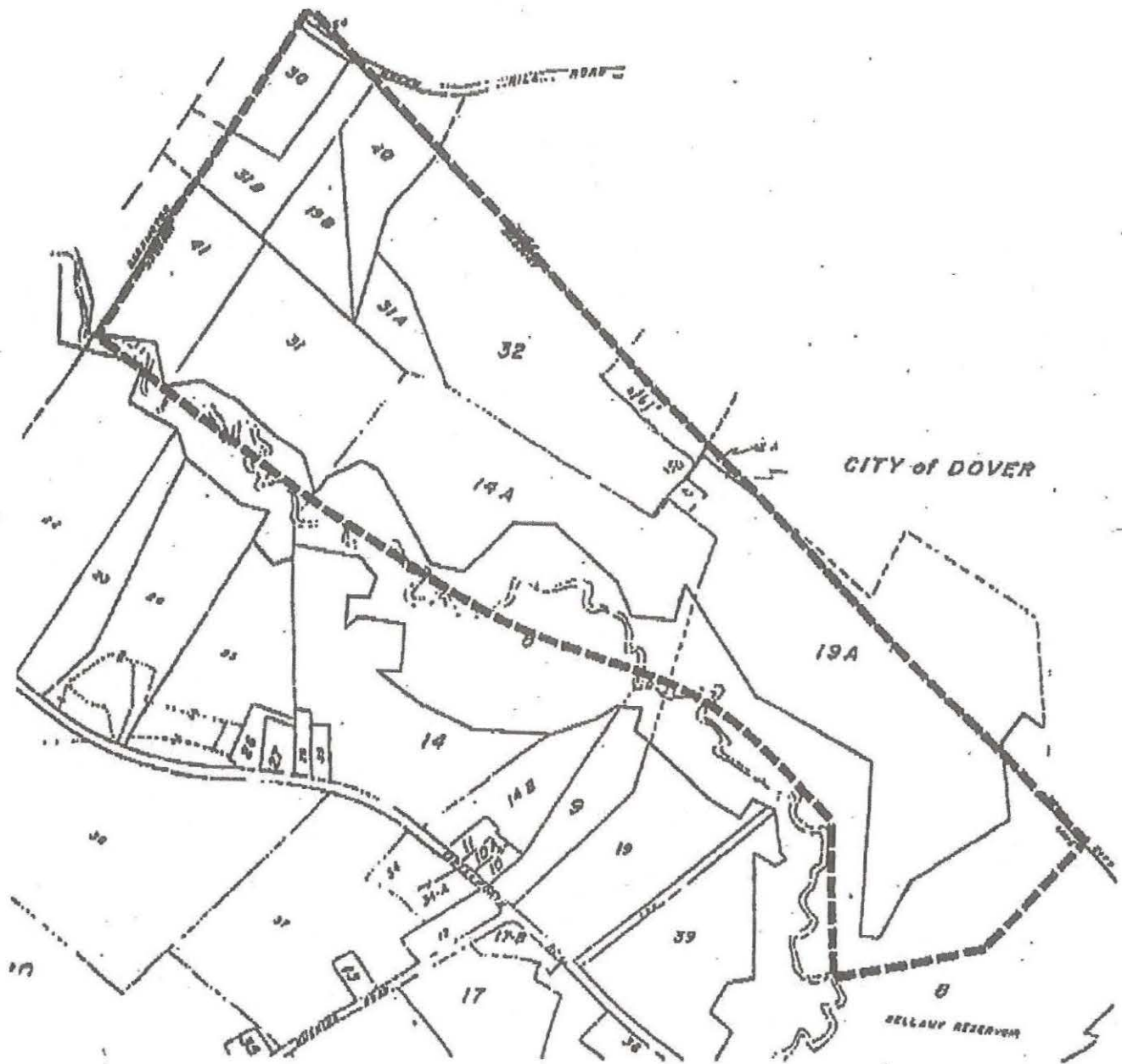
EPA's risk assessment, conducted to evaluate potential risks to public health and the environment associated with exposure to contaminants at the site, concluded that the major risk to public health would result from ingestion of contaminated ground water. In order to minimize and control this risk, protect the health of property owners in the vicinity of the affected site, and to protect the public health in general, the Town of Madbury hereby establishes a protective zone within which no wells shall be installed and used for anything other than uses related to the cleanup, testing, and reclamation of the Dover Municipal Landfill. This protective district is entitled the *Tolend Landfill Overlay District*.

SECTION 2 - District Boundaries: The district is bounded on the south by the Bellamy Reservoir, on the northwest by the Town of Barrington, and on the northeast by the City of Dover. The district's boundaries are more particularly identified on the attached map entitled *Tolend Landfill Overlay District*.

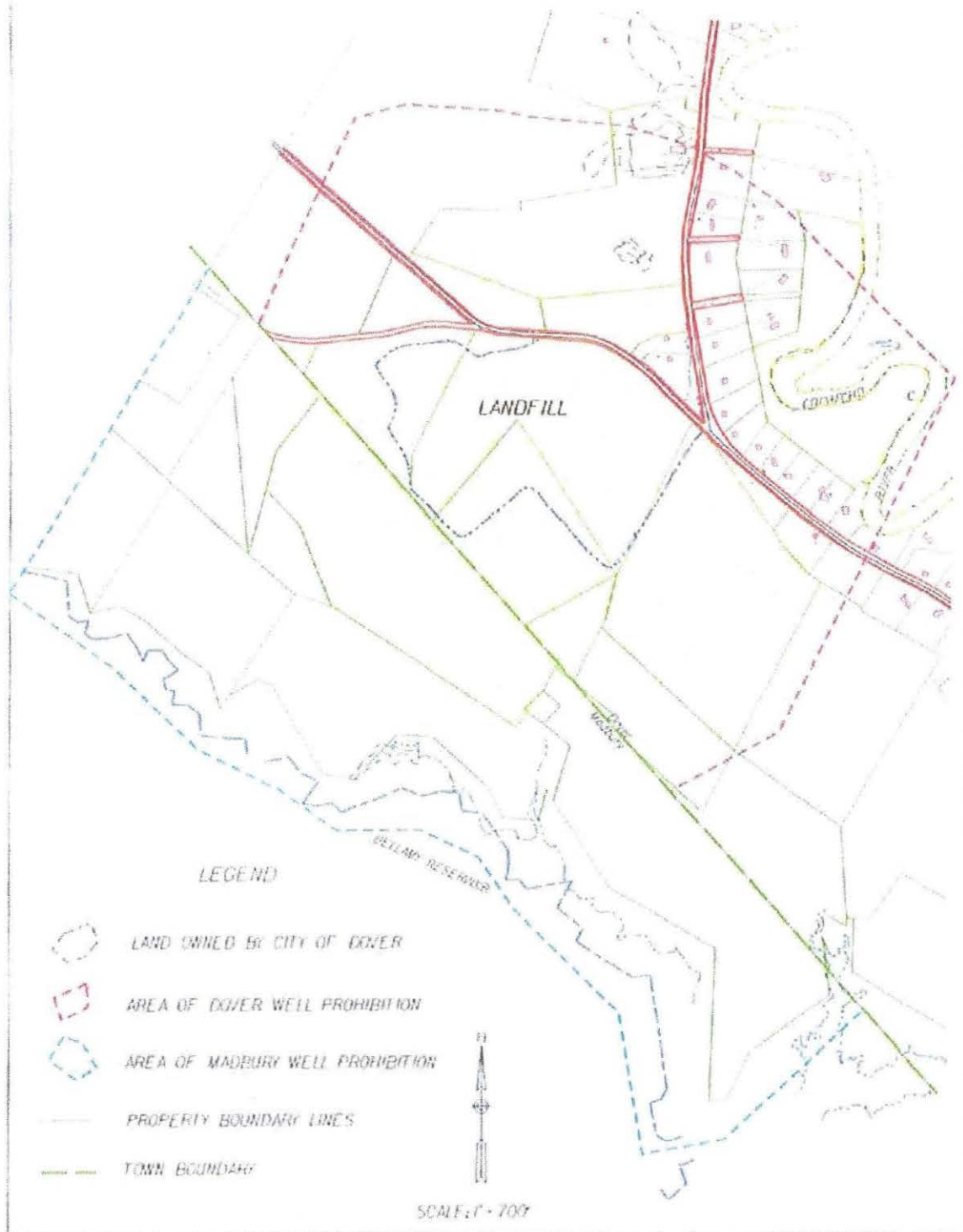
SECTION 3 - Prohibited Uses: The installation or use of wells for any purpose other than those which, in the judgement of the Madbury Board of Selectmen, are directly related to the cleanup, testing and reclamation of the Tolend Landfill.

First Reading & Discussion	June 22, 1992
Second Reading & Discussion	June 29, 1992
Third Reading & Adoption	Aug. 17, 1992

Boundaries of the
Tolend Landfill Overlay District



Map Of Land Use Institutional Controls
Tolend Landfill



Map Of Institutional Controls Tolend Landfill

