

**Town of Boscawen
Brownfields Advisory Committee
MEETING MINUTES
Tuesday, January 18, 2022 at 2:30 PM**

Members Present: Fred Reagan, Mason Donovan, Tim Kenney, Kellee Easler, Lorrie Carey – Ex-Officio, Alan Hardy – Project Coordinator, Michael Tardiff – Executive Director CNHRPC, Matthew Monahan – Senior Planner CNHRPC, Katie Phelps – Town Administrator, Dorrie Paar – EPA Brownfields Project Manager.

Others Present: Russ Abell, Senior VP, Sanborn, Head & Associates, Inc., Jennifer Sanborn, PE, Sanborn, Head, & Associates, Inc. Rip Patten, Vice President, Credere Associates, LLC. Judd Newcomb, Project Manager, Credere Associates, LLC. Richard Vandenberg, QC Manager, Credere Associates, LLC. and Samantha Foote, Engineer, Credere Associates, LLC.

Meeting called to order at 2:30pm

Roll call completed.

Review of Prior Meeting Minutes

The Brownfields Advisory Committee (BAC) reviewed the draft meeting minutes from January 11, 2022.

Motion made by Mason Donovan to approve the minutes as presented, seconded by Fred Reagan. All in favor.

New Business:

The BAC prepared for the Qualified Environmental Professional (QEP) interviews by doing a trial run through the introduction, interview questions, and closing.

The Committee briefly discussed what their involvement would be post-selection of the QEP. Michael Tardiff, Executive Director at Central NH Regional Planning Commissions (CNHRPC) noted that the Committee will still provide support throughout the entire project, however, the meetings will move to every other month.

The first Interview with Sanborn, Head & Associates, Inc. began at 3:00pm.

Present for the interview: Russ Abell, Senior Vice President and Jennifer Sanborn, PE.

Chair Easler welcomed them to the interview and made introductions to the Committee members, staff, as well as members from Central NH Regional Planning Commission and the Environmental Protection Agency (EPA). She outlined the process of the interview including the ten minute time limit for their presentation and three minute time limit for each interview question response. Town Administrator Katie Phelps will keep time and give a one minute warning. After completion of the interview the Committee will have a discussion and enter a nonpublic session. Finally, the BAC will score and bring a recommendation to the Select Board on Thursday, January 20, 2022.

Russ Abell, Senior Vice President, Sanborn, Head & Associates, Inc. The company is based in Concord, New Hampshire and has approximately 115 total staff members. The company focuses

on site assessment remediation and they have been doing a lot of Brownfields work in New Hampshire and Vermont. They work closely with NH Department of Environmental Services (NHDES) and EPA. The firm has been in business for 25 years. Mr. Abell is a Geologist by training.

Jennifer Sanborn, PE, has worked for Sanborn, Head & Associates, Inc. for 18 years. She's an Environmental Engineer and her technical focus has been in site characterization and remediation. She noted that Heidi Caprood was unable to attend as she is on vacation. Ms. Caprood would be the Project Manager. She has worked with Sanborn, Head & Associates for 8 years and is also an Environmental Engineer and is passionate about Brownfields projects.

Ms. Sanborn discussed specifics from the Request for Qualifications (RFQ) including required cleanup at the site due to soil contamination and hazardous building materials. She said she understands that the ultimate goal is to redevelop the property for senior housing, recreational use, or a farmers market. In the RFQ the preferred approach was an abate in place method. Given the redevelopment goals and timing they wanted to take a look at other options as well. In their proposal they included options for a surgical demolition approach and seeking alternate funding for demolition and focusing these grant dollars on soil remediation. Scope of services would be similar depending on the option selected. Community outreach would be critical. There are residences around the site and they want to make sure any concerns are addressed before remediation begins. Contractor bidding would be similar regardless of the option. Surgical demolition would mean using the funding to take down as much of the buildings as possible. Additional funding would be used to take down the remainder of the buildings and address the soil contamination. Building materials would be segregated and sampled. They think with the current grant funding the Soap building could be taken down depending on the results of sampling. Given the disrepair and safety concerns of the flour building it may make more sense to begin there. The second option would be to seek alternate funding for the building demolition and using the current funding for soil remediation. Timing is important because the buildings would need to be demolished before the soil remediation could happen. Ms. Sanborn discussed options for alternative funding including the EPA Removal Program, as well as additional funding through EPA for the infrastructure law that was recently passed. With additional funding this grant could be used for the soil remediation. Their proposal assumed what was in the Analysis of Brownfields Cleanup Alternatives (ABCA) from 2019 which was to excavate the soil in the floodplain and cap the upland soil. The third option was the abate in place option. There was additional money put in their proposal for a structural engineer to ensure safety and for a plan for shoring the building. There would also be costs for asbestos abatement. The rest was encapsulation of the Polychlorinated Biphenyls (PCBs) and lead based paint. Considering the redevelopment goals and safety hazards they would recommend moving forward with demolition. If no additional funding can be obtained they would look at the surgical demolition option to get through as much of it as you can with the available funding.

The Committee began interview questions.

Tim Kenney: *Please elaborate on the cleanup strategies you have described in your QEP response document. Why do you believe this is the best for this site?*

Ms. Sanborn noted that the size of the current grant is good for a soil cleanup. It could be used for building demolition but it wouldn't complete the project. That is why they would suggest looking at additional funding programs for demolition. Either way additional funding will be

needed to complete all of the work at the site. Mr. Abell said they have experience with other funding mechanisms. The EPA Removal Program took down a building in Hillsborough, NH. They want to look at how to get the most out of the available funding.

Lorrie Carey: *The building is close to collapsing on its own. Given this, what would be a strategy to quickly get it down in a safe manner while complying with relevant federal and state requirements?*

Mr. Abell said you need a better understanding of all the materials and how to segregate that waste so it can be disposed of properly. You could assume the worst and take the entire building down as PCB remediation waste and take it down in pieces. You could get your approvals early because you would have your entire building as one waste stream. That will increase the cost significantly. With a surgical demolition the roof could be removed, characterized, and staged in a safe area. Once it is approved and offsite, you could come back and demolish a couple walls. You wouldn't be dealing with everything at once and limit disposal costs. Ms. Sanborn added that working with the demolition contractor from a safety standpoint and making sure they have experience with these types of buildings and that there is a plan in place.

Dorrie Paar: *What are the state and federal regulatory requirements that you see as coming to bear on this project?*

Ms. Sanborn said through NHDES it will be the 600 series for soil remediation. Soil disposal criteria. Toxic Substances Control Act (TSCA) regulations for PCB waste from the building. Mr. Abell said 1800 NH State Asbestos. Wetlands permits due to proximity to the river. Shoreland Protection through DES. Potentially alteration of terrain.

Mason Donovan: *Please describe the process of retrieving building material from the river – currently in the river or that may fall in during the remediation process.*

Ms. Sanborn said to extend the access path on the south side of the buildings and have a long reach excavator in compliance with wetlands. Make sure all permits are in place before any ground is disturbed. There needs to be safe access for the excavator to pull debris from the river. Mr. Abell also added that you need to set up proper controls and minimize sedimentation downstream. With the surgical demolition approach they would be able to minimize what would end up in the river.

Kellee Easler: *Please elaborate on your plan and approach to public outreach and abutter engagement during the cleanup planning and cleanup implementation process.*

Ms. Sanborn said they would put together a Community Relations Plan. There would be meetings ahead of time. Presenting in a clear, concise format what is going to be done for the remediation and getting feedback. Explaining what the different steps will look like and making sure concerns are addressed ahead of time. There would be dust monitoring. There would potentially be noise monitoring. Working at the site during business hours. Being available for questions and having a way to be contacted with concerns are all important pieces. Mr. Abell also noted "Milestone" check-in meetings to let the neighborhood know how the project is proceeding. You have to gauge what the community wants.

Fred Reagan: *Please tell the Committee about a specific situation you have experienced with another project that caused setbacks and/or scheduling delays due to unknown conditions that came to light after the project had begun.*

Ms. Sanborn recalled a soil capping project that had a delay in the project. There was an issue with their soil source. They were in touch with the client right away and let them know what the delay might look like. They were able to continue using the same source for soil but there was additional sampling that needed to be done. Sometimes there are other things that can be done at the site while you're waiting. Be creative and try not to get the project off track with budget and schedule.

Tim Kenney: *What additional funding sources do you think may be available to the Town of Boscawen for additional needs/costs with this project? How will you help with the application process?*

Ms. Sanborn said the EPA Brownfields Grants for \$5,000,000 which is new through the infrastructure bill. It's unclear if someone who has already been awarded an EPA Cleanup Grant would be eligible for the grant. NHDES will also be receiving additional funding through the infrastructure bill. In the past they have been about \$200,000, but they will likely be higher. She noted that they wouldn't be able to assist the Town with obtaining additional funding with EPA funding. They could assist outside of the existing grant dollars. Mr. Abell also said they have strong connections with NHDES so they could facilitate connections.

Lorrie Carey: *When the cleanup is complete and this contract is ended how do you think the site will look?*

Ms. Sanborn says if additional funding could be obtained for demolishing both of the buildings, this grant could be used for the soil cleanup. At the end of the grant period the buildings wouldn't be there anymore, the site would be cleared, there would be a soil cap closer to the road and more vegetation down by the water.

Dorrie Paar: *With regard to subcontractors: 1) what are the regulatory requirements that need to be heeded; 2) how will you ensure that your subcontractors comply; 3) describe the "pool" of subcontractors you may be able to draw upon; and 4) describe a challenge you've had with subcontractors in the past and how you resolved it.*

Mr. Abell said there are flow down provisions that they have to meet. Permits need to be in place. Ms. Sanborn said they would be looking into minority owned and women owned businesses as well. Occupational Safety and Health Administration (OSHA) and health and safety to make sure they are appropriately trained. Ms. Sanborn said their contract would have the flow through provisions and there would be someone onsite observing the implementation of the cleanup and ensuring compliance with regulations. Ms. Sanborn gave the Committee names of subcontractors they have worked with. She noted that a challenge with subcontractors is timing and schedule. Keeping a subcontractor onsite and dedicated to a project is challenging. Staying in touch and knowing what their limitations are and checking in frequently to figure out when they will be there. If they have a scheduling conflict to make sure it's communicated. Another item is costs, and for subcontractors to let them know if something is going over budget. Mr. Abell also said that sometimes subcontractors have their own ways of approaching a project

from their experience but it also has to be done in collaboration with the Town's interests and project objectives. Communication is key.

Mason Donovan: *Will there be a submittal of photos and written documentation once the project is complete for the site file/information repository?*

Ms. Sanborn said they typically do daily field reports for these types of projects. This includes who was onsite, what field activities occurred, and if there was any screening done. There would also be a daily photo log. They will be sent to the client and those become part of the project record. There would also be weekly updates to summarize the components completed and any issues that came up.

Kellee Easler: *How will you ensure that the ACRES database is up to date and ensure that the Town knows how to use the ACRES account after the contract period?*

Ms. Sanborn said that Heidi Caprood works with ACRES and has been involved in updating for Planning Commissions. She can update it as things progress and hand it over. They would ensure that the Town had any training necessary to take it over when the project is complete.

Fred Reagan: *What else would you like to add? What questions do you have of the BAC?*

Ms. Sanborn asked if people in the Town are excited about the project or if there is interest in it. Lorrie Carey said from the Select Board side they call it "Boscawen by the Bay" and she can envision micro apartments, farm to table restaurant, microbrewery, a walking trail that hooks up to the Rail Trail. Some wondered if we could ever achieve the EPA Grant funding. She hasn't heard from anyone that they are unhappy about the project. For a lot of people it's a long time coming. Some of the neighbors feel it will impact their property values in a positive way.

Lorrie Carey closed the interview by saying that the Committee anticipates having a decision made today for a recommendation to take to the Select Board. The Select Board meets on Thursday. At that point we anticipate a decision by the Select Board to be made. She thanked them for their application, presentation, and approach to Boscawen's Brownfields program.

Mr. Abell and Ms. Sanborn thanked the Committee for having them and for the opportunity.

The second Interview with Credere Associates, LLC began at 4:15pm.

Present for the Interview: Rip Patten, Vice President, Credere Associates, LLC. Judd Newcomb, Project Manager, Credere Associates, LLC. Richard Vandenberg, QC Manager, Credere Associates, LLC. and Samantha Foote, Engineer, Credere Associates, LLC.

Chair Easler welcomed them to the interview and made introductions to the Committee members, staff, as well as members from Central NH Regional Planning Commission and the Environmental Protection Agency (EPA). She outlined the process of the interview including the ten minute time limit for their presentation and three minute time limit for each interview question response. Town Administrator Katie Phelps will keep time and give a one minute warning. After completion of the interview the Committee will have a discussion and enter a nonpublic session. Finally, the BAC will score and bring a recommendation to the Select Board on Thursday, January 20, 2022.

Rip Patten, Owner and Vice President, Credere Associates, LLC. Credere is Italian for “to believe”. It is also an acronym for Community Revitalization, Economic Development, Environmental Remediation & Engineering. It was formed in 2007 by Rip & Theresa Patten. They are a mission based company and that mission is to positively impact the communities where they work. They accomplish that mission primarily through the EPA Brownfields Program. They are going to discuss three areas – understanding of the existing site, similar experience with contaminants using similar funding, and technical approach. He would serve as Principal in Charge and is also the NH Professional Engineer.

Judd Newcomb, Senior Project Manager, Credere Associates, LLC. He was the Project Manager with CNHRPC on the assessment phase of the project. He is a NH Professional Geologist. He will assist with quarterly reporting.

Rick Vandenberg, QC Manager, Credere Associates, LLC. All technical documents prepared will be reviewed by him. Sits on American Society of the International Association for Testing and Materials (ASTM) E50 subcommittee. The committee is responsible for writing the new standards.

Samantha Foote, Engineer, Credere Associates, LLC. She would be the technical lead and be responsible for field oversight. She would also be the primary author of any designs or plans.

Mr. Patten said they would address contaminants on the site. Most sites with industrial uses for 100 years will have urban fills in soils. There is a tank outside that will be addressed and removed. They don't envision contamination under the tank. PCBs in the paint will be addressed with full component removal. PCBs have been detected in the debris which will be handled under TSCA as a PCB remediation waste. The salt piles underneath the building will be addressed as an industrial waste. Asbestos and lead paint will also need to be removed. This will involve working with NHDES as there is likely asbestos in the upper floors which is unsafe. Mr. Patten says they have worked on the Allied Leather building in Penacook. They ensured that the environmental requirements were integrated with the redevelopment. He also noted other projects they were involved in. Mr. Patten spoke of a phased approach – removal of the tank, PCBs at the site, lead and asbestos removal in the building. Urban fills should be addressed once the redevelopment plan is understood. The last phase would involve the final cleanup with the overall redevelopment of the site. A lot of other communities have used a private-public partnership with a private developer. It may drive up some of the cleanup costs but the total project cost becomes more efficient and attractive to a developer. Mr. Patten spoke about making sure their tasks are Brownfields eligible. Mr. Newcomb can do quarterly ACRES reporting. Finally, they will be doing interviews with all contractors to make sure they are making Davis-Bacon prevailing wages with certified payrolls. He closed with their ability to get sites from assessment, to cleanup, to redevelopment. Credere projects have leveraged over 250 million dollars of private investment and 75 million dollars of public investment.

The Committee began interview questions.

Tim Kenney: *Please elaborate on the cleanup strategies you have described in your QEP response document. Why do you believe this is the best for this site?*

Mr. Patten touched on safety. There is temporary fencing keeping the community out. The tank will be removed using an excavator. PCBs and any other components will be removed and

transported properly offsite. Dust control will be important as they consolidate the floor debris. Understanding the NHDES asbestos requirements for the upper floors. Being able to segregate construction and demolition debris which can be disposed of and will be less expensive. The salt pile will be excavated and disposed of properly. The urban fills may be excavated or they may be able to cover depending on the redevelopment plan. Mr. Newcomb said they would also do perimeter air monitoring to ensure no asbestos or lead are escaping the site.

Lorrie Carey: *The building is close to collapsing on its own. Given this, what would be a strategy to quickly get it down in a safe manner while complying with relevant federal and state requirements?*

Mr. Patten said this comes down to communication with the regulators and EPA and NHDES. You could hire someone to do it but there are programmatic requirements that would slow it down – for example: bidding requirements and 30 day comment periods. If there were a private-public partnership Credere would be working with the Town to make sure they have all certifications and things are being done properly.

Dorrie Paar: *What are the state and federal regulatory requirements that you see as coming to bear on this project?*

Mr. Patten said DES Asbestos 1800 rules, DES hazardous waste regulations, TSCA regulations for addressing PCBs, The Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) under EPA or federal law to make sure all waste is being handled properly, Resource Conservation and Recovery Act (RCRA) which is hazardous waste disposal, and the Brownfields regulations which have all the requirements in the EPA Cooperative Agreement. DES Site Remediation requirements. Mr. Newcomb added DES underground storage tank rules may also come into play. Mr. Vandenberg added the DES RO 600.

Mason Donovan: *Please describe the process of retrieving building material from the river – currently in the river or that may fall in during the remediation process.*

Samantha Foote said they have previously used a larger scale long reach excavator to grab debris from a shoreline. It involved divers to point them to where the debris was.

Kellee Easler: *Please elaborate on your plan and approach to public outreach and abutter engagement during the cleanup planning and cleanup implementation process.*

Mr. Newcomb said as part of the public comment period and Community Relations Plan (CRP) information would be sent to the owner. There will need to be discussions for perimeter controls and dust to make sure that their properties aren't impacted. Mr. Patten said from previous meetings that most neighbors are happy to get an eye sore like that addressed and open it up to see the river. When they had had concerns it was related to dust and other neighbors being impacted.

Fred Reagan: *Please tell the Committee about a specific situation you have experienced with another project that caused setbacks and/or scheduling delays due to unknown conditions that came to light after the project had begun.*

Mr. Newcomb said if the PCBs have leaked through the slab or impacted anything below that it would be an unforeseen condition that they haven't encountered yet. It would require additional characterization and removal work. Mr. Vandenberg noted a contractor in Berwick Maine was

responsible for removing everything above ground and 2 feet below surface. They ended up finding a lot of slabs below the surface. They had to work with the contractor to come up with an equitable scenario to continue with work and remove those slabs. It took time to negotiate. He also discussed another tank scenario.

Tim Kenney: *What additional funding sources do you think may be available to the Town of Boscaawen for additional needs/costs with this project? How will you help with the application process?*

Mr. Patten says they work with all of their clients to obtain additional funding. Capital Region Development Council (CRDC) is an option to sub grant for the project. NHDES has a Brownfield RLF that they can sub grant also. There is also CDBG funding to leverage projects needing additional funding. Mr. Newcomb said if you find any petroleum contamination associated with the tank there is the NH Petroleum Reimbursement Fund which would pay for assessment and cleanup of that.

Lorrie Carey: *When the cleanup is complete and this contract is ended how do you think the site will look?*

Mr. Patten says he still believes in the vision which is a mixed use development. Combining housing with access to the park extending the rail trail. The location is great and that is the goal. The worst case scenario is that it is a waterfront park but they would like to see housing or economic development to occur in that area.

Dorrie Paar: *With regard to subcontractors: 1) what are the regulatory requirements that need to be heeded; 2) how will you ensure that your subcontractors comply; 3) describe the "pool" of subcontractors you may be able to draw upon; and 4) describe a challenge you've had with subcontractors in the past and how you resolved it.*

Mr. Patten said it's important to make sure federal provisions outlined in the Cooperative Agreement are incorporated in subcontractor agreements. Primarily Davis Bacon compliance and OSHA. Part of their responsibility is that things are being done safely and in compliance all contract documents, federal requirements, and OSHA. Understanding insurance coverage and having the proper pollution liability insurance for when they're doing work. They have very specific contract documents. Mr. Newcomb outlined contractors they could draw upon. Mr. Patten noted that sometimes a public bid involves someone that doesn't have the experience. There are firms they work with on a lot of projects and if there are issues it's easy for them to talk and things will happen quickly. There was a project that went with a low bid and they had to work with them. It took longer, and it involved more from the firm.

Mason Donovan: *Will there be a submittal of photos and written documentation once the project is complete for the site file/information repository?*

Ms. Foote said photographs are taken every time they go to the site. The frequency will depend on the phase of the project and what the requirements are. The photo log will have detailed captions. Along with the photos are field notes which says who was there and what the objectives were for the day. Mr. Patten wants to make sure that they can go back three years from now and look at documentation to ensure things were done properly.

Kellee Easler: *How will you ensure that the ACRES database is up to date and ensure that the Town knows how to use the ACRES account after the contract period?*

Mr. Newcomb said that's his job and he could do a one-on-one lesson for how to use ACRES. Once the completion is done and the final closure report is submitted you wouldn't need to get back in there unless a redevelopment occurred or additional investment in the property happened. He reviews ACRES regularly and works with Brownfields customers quarterly to make sure it's up to date.

Fred Reagan: *What else would you like to add? What questions do you have of the BAC?*

Mr. Patten asked if the Construction & Demo Debris landfill was closed yet and whether it still has capacity. Ms. Carey said it is open until the end of 2022. Mr. Patten said that is an opportunity and could be the Town's match for disposal. Mr. Patten asked if Mr. Piontkowski still in the area and interested in the project. Ms. Easler said he's still in the area.

Lorrie Carey closed the interview by saying that the Committee anticipates having a decision made today for a recommendation to take to the Select Board. The Select Board meets on Thursday. At that point we anticipate a decision by the Select Board to be made. She thanked them for their application, presentation, and approach to Boscawen's Brownfields program.

Mr. Patten and staff thanked the Committee for the opportunity.

Motion to enter nonpublic session under RSA 91-A:3 II (c) made by Lorrie Carey and seconded by Tim Kenney. Roll Call Vote: Kellee: Yes; Mason: Yes; Tim: Yes; Fred: Yes; Lorrie: Yes. All in favor.

Motion to come out of nonpublic session under RSA 91-A:3 II (c) made by Tim Kenney and seconded by Mason Donovan. Roll Call Vote: Kellee: Yes; Mason: Yes; Tim: Yes; Fred: Yes; Lorrie: Yes. All in favor.

Motion made by Tim Kenney to recommend Credere Associates, LLC to the Select Board as the Qualified Environmental Professional for the EPA Brownfields Cleanup on Commercial Street. Seconded by Mason Donovan. Tim Kenney, Kellee Easler, and Fred Reagan also in favor. Lorrie Carey opposed. The motion passed 4 to 1.

Motion to adjourn made by Mason Donovan and seconded by Tim Kenney. All in favor.

Meeting adjourned at 6:21pm.

Next Meeting: February 1, 2022 at 5:15pm

Minutes respectfully submitted by Katie Phelps