



*Portsmouth Concerned Citizens*

September 1, 2014

Dear Mr. Dennen,

I am writing to you regarding your recent request for concerns, contained in your e-mail of August 12, 2014, regarding the request by AP Enterprises for an extension of its permit to deposit contaminated soils at the Island Park Landfill site in Portsmouth.

There are a number of aspects to this project with which our organization has long had objections. In particular, we object to the complete rejection by the Department of public views for a project that directly affects their lives, the absolute lack of any public health evaluation and the total rejection by DEM of any roll by Portsmouth Town Government.

The members of the Portsmouth Concerned Citizens believe that the process to date has been an effort to pay for the remediation of the old landfill site through the deposit of arsenic contaminated soils. We support the remediation of the old Town Dump in principal, but object to the concept that true remediation can be achieved through the introduction of substantial quantities of arsenic contaminated soils. These soils have and will be introduced directly into a residential community and deposited in close proximity to a State beach and within yards of a salt water estuary. Some of the deposited soils contain 42 ppm arsenic, dramatically exceeding the current State standard of 7 ppm.

A further extension beyond September 16, 2014 will only result in a large addition of contaminated soil. Our reading of the Tim O'Conner & Company, LLC letter of July 8, 2014, submitted on behalf of AP Enterprises, reveals the intent to deposit an additional 5,000 tons of potentially contaminated soil within the next twelve months.

As the landfill remediation project nears completion, the lack of a public health evaluation remains and outstanding failure. Despite numerous requests from both citizens and Portsmouth Town Government, no evaluation has been produced by the Department. We believe that a health evaluation should have been the foundation of any decision to deposit a known carcinogen in any residential area.

We believe that the Department's decision on the extension request should include the views of the Portsmouth Town Government. Your notice of AP Enterprises request to extend completion of the project does not request a response from the Town. We believe that it should have done so. We in the PCC understand that the Department has, throughout this project, rejected any authority of Town government in this matter. We submit that the original stated scope of this

project has expanded with time and that it now represents an ongoing contaminated soil business, operating in the Town of Portsmouth, and as such should come under local authority.

Thank you for your attention to our views. I can be reached at 401 835-5136 or at LJFITZ45@aol.com.

Sincerely,

Larry Fitzmorris  
President,  
Portsmouth Concerned Citizens