

Wayne Wheeler, P.E.
New Hampshire Department of Environmental Services
Waste Management Division
Solid Waste Management Bureau
29 Hazen Drive, P.O. Box 95
Concord, New Hampshire 03302-0095

June 5, 2015
File No. 3474.01

Re: Application for Waiver – Standard Solid Waste Permit and ADS Work Plan Addendum
Broad Street Parkway – Millyard
Nashua, New Hampshire
NHDES Site No. 199007010

Dear Mr. Wheeler:

As discussed with New Hampshire Department of Environmental Services (NHDES), the City of Nashua (the City) requests a waiver from the NH Solid Waste Rules to allow the City to consolidate asbestos waste generated from an Asbestos Disposal Site (ADS) encountered during construction activities in the Nashua Millyard for the Broad Street Parkway. The encountered asbestos waste will be relocated to a secure location in the Parkway right-of-way to support ongoing construction of the Parkway South.

Enclosed please find three copies of the *Application for Waiver for a Solid Waste Permit* and a proposed Amendment No. 1 to the June 21, 2013 Project-Specific ADS Work Plan prepared for the Broad Street Parkway. Based on our discussions, we respectfully request an expedited review of the enclosed documents to allow the Parkway South construction activities to continue.

If you have any questions, please contact us at (603) 229-1900.

Very truly yours,
SANBORN, HEAD & ASSOCIATES, INC.



Kate Emma A. Schlosser, P.E.
Sr. Project Manager



Vernon R. Kokosa, P.E.
Principal/Senior Vice President

HEL/KEAS/VRK:hel/keas

Encl. Application for Waiver
ADS Work Plan Addendum No. 1

cc: Lisa Fauteux; Steve Dookran, P.E. (City of Nashua)
John Vancor, P.E. (Hayner/Swanson)

**APPLICATION FOR WAIVER
FOR A STANDARD SOLID WASTE PERMIT**

*Broad Street Parkway
Nashua, New Hampshire
NHDES Site No. 1997007010*

*Prepared for City of Nashua
File No. 3474.01
May 2015*



<i>For Office Use Only:</i>	
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No. of Copies:	_____

Waste Management Division

APPLICATION FOR WAIVER

pursuant to
the provisions of Part Env-Sw 202 of the New Hampshire Solid Waste Rules

APPLICATION FILING AND PROCESSING INSTRUCTIONS

- (1) Complete this form by providing all of the information requested. If you need more space than provided on the form to answer a particular question and you are using a paper copy of this form, attach additional pages as necessary; mark each page clearly to show both the applicant name and the question being answered; and indicate on the form that the additional pages are attached
- (2) Submit **THREE** copies of the completed application form, **EACH bearing ORIGINAL signatures**, to the following address:

**New Hampshire Department of Environmental Services (DES)
Waste Management Division (WMD)
Permitting & Design Review Section (P&DRS)
29 Hazen Drive, PO Box 95
Concord, NH 03302-0095**
- (3) All references on this form that begin with "Env-Sw" are citations from the New Hampshire Solid Waste Rules. You may obtain a copy of the Rules from the DES Public Information and Permitting Office at (603) 271-2975. The Rules are also available on the Internet at <http://www.des.nh.gov>.
- (4) DES will process your application in conformance with Env-Sw 202, Env-Sw 304 and Env-Sw 305.
- (5) For further assistance with completing this form, contact the DES Permitting & Design Review Section (P&DRS) at (603) 271-2925 or at the above noted mailing address.
- (6) You may also contact DES at TDD Access: Relay NH 1 (800) 735-2964.

SECTION I. APPLICANT IDENTIFICATION

(1)	Name: City of Nashua
(2)	Mailing address: Division of Public Works, 9 Riverside Street, Nashua, New Hampshire 03062
(3)	Telephone number: (603) 589 - 3140
(4)	If different than above, identify the individual associated with and designated by the applicant to be the contact individual for matters concerning this application:
	(a) Name: Lisa M. Fauteux
	(b) Title: Director of Public Works
	(c) Mailing address: see above
	(d) Telephone number: see above
	(e) E-mail: fauteuxl@nashuanh.gov
(5)	If the applicant is an individual, provide date of birth and go to Section II: n/a
(6)	If the applicant is a corporation, partnership or other association, provide the following information as specified:
	(a) The facility is owned by a: <input type="checkbox"/> corporation <input type="checkbox"/> partnership <input type="checkbox"/> other association
	(b) State of incorporation/formation: n/a
	(c) Principal business address: n/a
	(d) Provide on separate paper and attach/mark as "Attachment I(6)(c)," the names and addresses of all directors, officers and shareholders (*), if for a corporation; all partners (whether general or limited), if for a partnership; or all principals, members or participants, if for another type of association.
	(*) For a privately held corporation, identify all shareholders. For a publicly traded corporation, identify all shareholders owning 10% or more of the corporation's equity or debt.

SECTION II. FACILITY OR ACTIVITY TO WHICH THIS REQUEST RELATES

Identify the particular facility or activity to which this application for waiver relates.

(1)	Related activity [check that which applies]:			
	<input checked="" type="checkbox"/>	Application for a Standard Permit	<input type="checkbox"/>	Application for a Permit-by-Notification
	<input type="checkbox"/>	Application for an Emergency Permit	<input type="checkbox"/>	Application for Research & Development Permit
	<input type="checkbox"/>	Application to certify a waste-derived product for distribution and use	<input type="checkbox"/>	Application for Operator Certification
	<input type="checkbox"/>	Application to modify a permit (specify the permit number): DES-SW- - -		
	<input type="checkbox"/>	Other (specify):		
(2)	If the requested waiver relates to a particular application, provide the date the application was/will be submitted to DES: n/a			
(3)	If the requested waiver relates to a particular facility, provide the facility name and location in the space below. (Note: For a waiver relating to a particular facility, you must also notice the host municipality, host solid waste district and, in some instances, the abutters, as specified by Section IV of this form).			
	(a)	Facility name: n/a		
	(b)	Street address: n/a		
	(c)	Town/City: n/a		

SECTION III. SPECIFIC RULE(S) FOR WHICH A WAIVER IS SOUGHT

Below, identify the specific solid waste rule(s) that you wish to have waived. Give the complete "Env-Sw" citation(s).

Env-Sw 100 through Env-Sw 2000

SECTION IV. NOTICE OF FILING REQUIREMENTS

- (1) If this application for waiver relates to a particular facility, you must send by certified mail, or deliver in hand, a complete copy of this application and a "notice of filing" to the host municipality, host solid waste management district and other affected entities, as specified by Env-Sw 303. To identify the host solid waste management district, contact the host town/city office or the P&DRS at (603) 271-2925.
- (2) In addition, if this application for waiver is to reduce the required setback distance to any residence or property line, a notice of filing must be provided to the affected property owner(s) as specified in Env-Sw 303.
- (3) A copy of the required notice(s) of filing and proof of receipt [i.e., signature(s) of the recipient(s) acknowledging receipt] must be attached to and submitted with this application for waiver, unless you are combining the notice of filing with the notice requirements for a related permit application as indicated by item (4) below.
- (4) If this application for waiver is being submitted as part of an application for a facility permit or permit modification, the required notice(s) of filing may be combined with the notice(s) of filing prepared for the permit application/permit modification application itself. If so, check here:
- (5) For assistance with preparing the required notice of filing, please refer to either Env-Sw 303 or "A Guide for Preparing Notices of Filing." If the guide is not included with this application form, you may obtain a copy from the P&DRS at (603) 271-2925.

SECTION V. REASON FOR REQUESTING WAIVER

Explain why a waiver is being requested, including an explanation of the hardship that would be caused by having to comply with the rule. Use extra paper as necessary.

Please see Attachment A.

SECTION VI. PROPOSED ALTERNATE PROCEDURE, METHOD OR ACTIVITY

Provide a full explanation of any alternate procedure, method, or other activity that you propose to substitute for the procedure, method or activity you wish to have waived. Include written documentation and/or data to support the proposed alternative. Use extra paper as necessary.

Asbestos encountered during construction of the Broad Street Parkway would be managed in accordance with the ADS Rules in Env-Sw 2100 (and pursuant to RSA 141-E).

SECTION VII. DURATION OF WAIVER

Specify the proposed duration for the requested waiver. If you are seeking a "permanent" waiver, including one that would expire when the facility to which it relates may close, so state and provide the desired starting date.

Proposed effective/starting date: June 2015

Proposed expiration date: **OR** I am seeking a "permanent" waiver

SECTION VIII. DEMONSTRATION OF CRITERIA

Provide a full explanation of why you believe that having the waiver granted will meet the below listed criteria. [Note: Economic, technological, practical application and safety issues shall be considered in evaluating a demonstration of the criteria; however, the merits of the application shall not be weighed solely on the basis of cost].

Criteria for Waiver, pursuant to Env-Sw 202.04:

- (a) Exemption from complying with the rule shall:
1. Not result in an adverse effect to the environment or natural resources of the state, public health or to public safety.
 2. Not result in an impact on abutting properties that is more significant than that which would result from complying with the rule.
 3. Be in keeping with the intent and purpose of the rule being waived.
- (b) One or more of the following conditions shall be satisfied:
1. Strict compliance with the rule will result in an adverse effect on the environment, public health or safety; AND/OR
 2. Strict compliance with the rule will result in a circumvention of the goals and objectives of the state's solid waste management program, as specified in RSA 149-M:1 through 3 and the state solid waste management plan; AND/OR
 3. Strict compliance with the standard will provide no benefit to the public and will cause an operational or economic hardship to the applicant.

Use the space below to provide your demonstration. Use extra paper as necessary.

Please see Attachment A.

SECTION IX. CERTIFICATION OF COMPLIANCE/COMPLIANCE REPORT

If you are able to certify that each of the following statements is true, do so by your signature. If you are unable to certify that each of the following statements is true, you must prepare a separate Compliance Report as specified by Env-Sw 303.15.

COMPLIANCE STATEMENT

The applicant shall certify that each of the statements listed in (1)-(8) below are true for each of the following individuals and entities:

- the applicant, and
- the facility owner, and
- the facility operator, and
- all individuals and entities holding 10% or more of the applicant's debt or equity, and
- all of the applicant's officers, directors, and partners, and
- all individuals and entities having managerial, supervisory or substantial decision making authority and responsibility for the management of facility operations or the activity(s) for which approval is being sought

(1)	No individual or entity listed above has been convicted of or plead guilty or no contest to a felony in any state or federal court during the 5 years before the date of the application.
(2)	No individual or entity listed above has been convicted of or plead guilty or no contest to a misdemeanor for a violation of environmental statutes or rules in any state or federal court during the 5 years before the date of the application.
(3)	No individual or entity listed above has owned or operated any hazardous or solid waste facility which has been the subject of an administrative or judicial enforcement action for a violation of environmental statutes or rules during the 5 years before the date of the application.
(4)	No individual or entity listed above has been the subject of any administrative or judicial enforcement action for a violation of environmental statutes and rules during the 5 years before the date of the application.
(5)	All hazardous and solid waste facilities owned or operated in New Hampshire by any individual or entity listed above are in compliance with either.
(a)	All applicable environmental statutes, rules, and DES permit requirements.
(b)	A DES approved schedule for achieving compliance therewith.

ATTACHMENT A
DETAILED RESPONSES

ATTACHMENT A

APPLICATION FOR WAIVER

Detailed Responses

Applicant: City of Nashua

Section V. Reason for Requesting Waiver

Explain why a waiver is being requested, including an explanation of the hardship that would be caused by having to comply with the rule.

The Broad Street Parkway is a critically important roadway project that will provide an important link between Broad Street and downtown Nashua, with a new bridge to be constructed over the Nashua River into the Millyard. The project is anticipated to be completed in 2016.

During construction activities for the Parkway South contract in the Millyard, asbestos-containing material (ACM) was encountered in the subsurface in a previously unknown Asbestos Disposal Site (ADS) (the "Chimney ADS") adjacent to the western side of the former Boiler House foundation. The vertical and lateral limits of the ACM are currently unknown; however, it appears that the Chimney ADS may be partially located in the Parkway right-of-way on the City of Nashua Map 77 Lot 28 (owned by the City), as well as partially located on the City of Nashua Map 77 Lot 1 (owned by the Nashua Millyard Associates, Inc.), where the City holds a temporary construction easement. Conservatively, it is estimated that up to approximately 800 cubic yards of asbestos waste may need to be removed from the inactive Chimney ADS to accommodate the new construction. A figure illustrating the assumed location of the Chimney ADS is provided in Attachment C.

The City requests a waiver from the requirements of Env-Sw 100 through Env-Sw 2000 to manage asbestos waste encountered in the subsurface in the Parkway South contract area in the Millyard in accordance with the ADS Rules in Env-Sw 2100 (and pursuant to RSA 141-E), allowing the flexibility to relocate and secure asbestos waste in a new consolidation area within the Parkway right-of-way, as feasible. At this time, it is anticipated that asbestos will be relocated south of the Millyard chimney within the Boiler House foundation and City property. Excess material would be collected and transported for off-site disposal as asbestos waste in accordance with the Parkway ADS Work Plan. The work would be completed by NH ADS-licensed contractors and NH ADS-certified workers, and coordinated by an NH ADS-certified Qualified Person.

It is understood that without a waiver from the New Hampshire Solid Waste Rules (Env-Sw 100 through Env-Sw 2000), asbestos waste would need to be managed and disposed of in an appropriately permitted landfill facility. Disposing of all of the asbestos waste in an off-site permitted landfill facility would be costly, and increase the carbon footprint of the project by creating significant truck traffic on local roads. The proposed approach will create a smaller environmental footprint than excavation and off-site disposal of the entire volume of asbestos to be encountered, by reducing anticipated truck traffic (and the related

noise and emissions) on the State's roads. Additionally, valuable landfill airspace will be preserved by greatly reducing the quantity of asbestos waste to be disposed off-site.

Managing the asbestos waste in accordance with the ADS Rules will improve the current ADS conditions within the limit of disturbance, and will mitigate potential environmental and human exposures in the Millyard contract area. The asbestos waste encountered in the Millyard subsurface has not been capped and closed in accordance with NHDES' Env-Sw 2011. Excavated asbestos waste will be relocated to a secure consolidation area adjacent to the limited access Parkway, set away from the traveled way and commercial and residential properties, and below a new 24-inch thick cap. In areas where asbestos waste will remain after excavation to the lines and grades required to accommodate Parkway construction, 24-inch thick caps will be constructed over remaining in-situ asbestos waste. The caps will improve the conditions in the project area by mitigating the risk for potential human and environmental exposure to asbestos waste.

Post-construction topographic surveys will be completed to determine the volume of asbestos-containing materials that are removed and relocated during this project. As-built plans will also be generated to document extent of disturbance for the existing Chimney ADS and the extent of the newly constructed consolidation areas.

Section VIII. Demonstration of Criteria

Provide a full explanation of why you believe that having the waiver granted will meet the below listed criteria. [Note: Economic, technological, practical application and safety issues shall be considered in evaluating a demonstration of the criteria; however, the merits of the application shall not be weighed solely on the basis of cost].

(a) Exemption from complying with the rule shall:

- 1. Not result in an adverse effect to the environment or natural resources of the state, public health or to public safety.*

Granting the waiver will not result in an adverse effect to the environment or natural resources of the state, public health or to public safety. The asbestos waste will be managed in accordance with Env-Sw 2100, with the work completed by NH ADS-licensed contractors and NH ADS-certified workers, and coordinated by an NH ADS-certified Qualified Person. Health and safety protocols will be implemented to protect the health and safety of the workers and the public by limiting the potential for exposure to airborne asbestos fibers. The protocols will include establishment of work areas and perimeter controls, as well as implementation of an air monitoring program.

The current ADS conditions in the Parkway right-of-way and adjacent impacted property will be improved, with new caps constructed over remaining in-situ asbestos waste and a new cap constructed in a secure area over any asbestos waste that is relocated in the Parkway right-of-way. The new caps will further restrict the potential for trespassers and future utility projects (if any) to encounter the buried asbestos waste. The new location

will be adjacent to the limited access Parkway, set away from the traveled way and residential properties.

The proposed approach will create a smaller environmental footprint, reducing anticipated truck traffic (and the related noise and emissions) on the State's roads than if all of the asbestos waste would need to be disposed of off-site. Additionally, valuable landfill airspace will be preserved by greatly reducing the quantity of asbestos waste to be disposed off-site.

2. Not result in an impact on abutting properties that is more significant than that which would result from complying with the rule.

Granting the waiver will not result in an impact on abutting properties that is more significant than that which would result from complying with the rule. The same protocols will be implemented to protect public health and safety and the environment during the proposed approach as would be implemented if the City complied with the other provisions of the Solid Waste Rules. Further, management of the asbestos waste in accordance with Env-Sw 2100 will be consistent with the current approach for the existing ADS in the Parkway right-of-way, and with the ADS located on surrounding and abutting properties. The consolidated ADS in the Parkway right-of-way will be clearly delineated and the final limits of the ADS will be documented on record drawings that will be filed with the City and the NHDES.

3. Be in keeping with the intent and purpose of the rule being waived.

RSA 149-M states that the purpose of the rule is *"to protect human health, to preserve the natural environment, and to conserve precious and dwindling natural resources through the proper and integrated management of solid waste."* The asbestos waste will be managed in accordance with the Solid Waste Rules Env-Sw 2100 and thus will be keeping with the intent and purpose of the rules being waived. An addendum to the Parkway-specific ADS Work Plan will be prepared for this phase of the project that will outline the protocols to be implemented to protect the health and safety of workers and the public during project execution. Post-construction, the new caps will limit the potential for public exposures to the asbestos waste. Further, as discussed above, valuable airspace in a landfill will be preserved and the overall environmental footprint of the Parkway construction project will be reduced.

(b) One or more of the following conditions shall be satisfied:

1. Strict compliance with the rule will result in an adverse effect on the environment, public health and safety; AND/OR

Strict compliance with the rule will result in an adverse effect on the environment, public health and safety, as the rule would require disposal of all of the encountered asbestos waste in an existing landfill. Transportation of the full volume of asbestos waste to the

landfill would result in increased air emissions and noise, and may increase the potential for inadvertent release of airborne fibers that would pose a risk to public health and safety.

2. Strict compliance with the rule will result in a circumvention of the goals and objectives of the state's solid waste management program, as specified in RSA 149-M:1 - 3 and the state solid waste management plan; AND/OR

Although strict compliance with the rule would not circumvent the goals and objectives of the state's solid waste management program and plan, it is noted that disposal of the entire volume of asbestos waste would consume valuable and dwindling landfill air space.

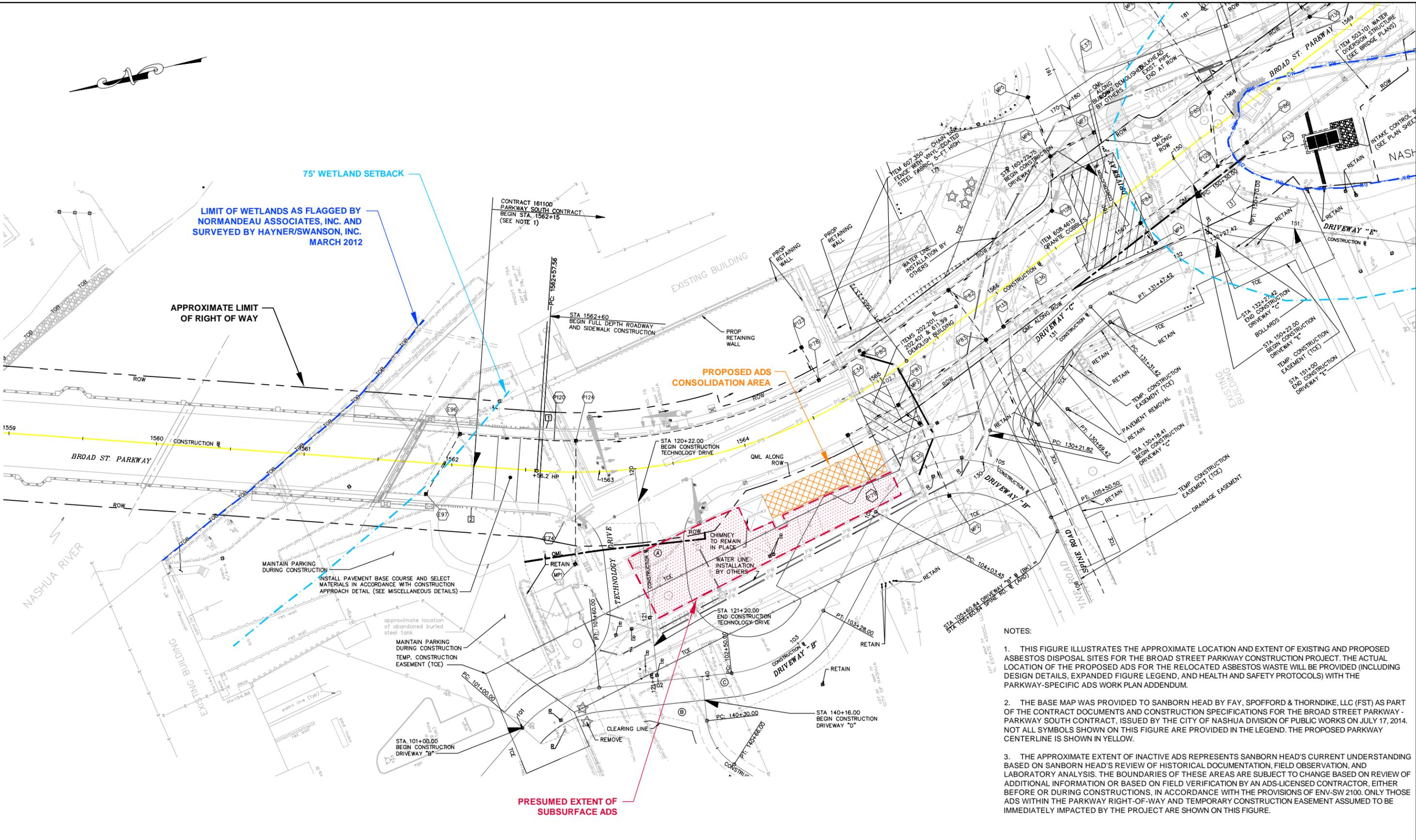
3. Strict compliance with the rule will provide no benefit to the public and will cause an operational or economic hardship to the applicant.

The proposed management strategy is equally protective and offers the same environmental and public health and safety benefits as would be obtained through off-site disposal of all of the asbestos waste, as discussed above. Further, given the high cost for transport and disposal of this large quantity of asbestos waste in an appropriately permitted landfill facility, strict compliance with the rule would be a detriment to the public, as public monies are funding the Parkway project (through federal and local programs).

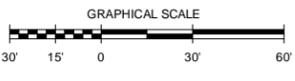
ATTACHMENT B

FIGURE

© 2015 SANBORN HEAD & ASSOCIATES, INC.
 1507 Pfg. A, Nashua, NH
 03071
 DATE: 10/15/15



- NOTES:**
- THIS FIGURE ILLUSTRATES THE APPROXIMATE LOCATION AND EXTENT OF EXISTING AND PROPOSED ASBESTOS DISPOSAL SITES FOR THE BROAD STREET PARKWAY CONSTRUCTION PROJECT. THE ACTUAL LOCATION OF THE PROPOSED ADS FOR THE RELOCATED ASBESTOS WASTE WILL BE PROVIDED (INCLUDING DESIGN DETAILS, EXPANDED FIGURE LEGEND, AND HEALTH AND SAFETY PROTOCOLS) WITH THE PARKWAY-SPECIFIC ADS WORK PLAN ADDENDUM.
 - THE BASE MAP WAS PROVIDED TO SANBORN HEAD BY FAY, SPOFFORD & THORNDIKE, LLC (FST) AS PART OF THE CONTRACT DOCUMENTS AND CONSTRUCTION SPECIFICATIONS FOR THE BROAD STREET PARKWAY - PARKWAY SOUTH CONTRACT, ISSUED BY THE CITY OF NASHUA DIVISION OF PUBLIC WORKS ON JULY 17, 2014. NOT ALL SYMBOLS SHOWN ON THIS FIGURE ARE PROVIDED IN THE LEGEND. THE PROPOSED PARKWAY CENTERLINE IS SHOWN IN YELLOW.
 - THE APPROXIMATE EXTENT OF INACTIVE ADS REPRESENTS SANBORN HEAD'S CURRENT UNDERSTANDING BASED ON SANBORN HEAD'S REVIEW OF HISTORICAL DOCUMENTATION, FIELD OBSERVATION, AND LABORATORY ANALYSIS. THE BOUNDARIES OF THESE AREAS ARE SUBJECT TO CHANGE BASED ON REVIEW OF ADDITIONAL INFORMATION OR BASED ON FIELD VERIFICATION BY AN ADS-LICENSED CONTRACTOR, EITHER BEFORE OR DURING CONSTRUCTIONS, IN ACCORDANCE WITH THE PROVISIONS OF ENV-SW 2100. ONLY THOSE ADS WITHIN THE PARKWAY RIGHT-OF-WAY AND TEMPORARY CONSTRUCTION EASEMENT ASSUMED TO BE IMMEDIATELY IMPACTED BY THE PROJECT ARE SHOWN ON THIS FIGURE.



NO.	DATE	DESCRIPTION	BY

DRAWN BY: E. WRIGHT
 DESIGNED BY: H. LEMIEUX
 REVIEWED BY: K. E. SCHLOSSER
 PROJECT MGR: K. E. SCHLOSSER
 PIC: V. KOKOSA
 DATE: MAY 2015

BROAD STREET PARKWAY
CITY OF NASHUA
 NASHUA, NEW HAMPSHIRE
APPLICATION FOR WAIVER
EXISTING & PROPOSED ASBESTOS DISPOSAL SITES

PROJECT NUMBER:
 3474.01

SHEET NUMBER:
 1

ADDENDUM NO. 1
TO THE PROJECT-SPECIFIC ADS WORK PLAN

*Broad Street Parkway
Nashua, New Hampshire
NHDES Site No. 1997007010*

*Prepared for City of Nashua
File No. 3474.01
May 2015*

ADDENDUM NO. 1
TO THE
PROJECT-SPECIFIC ADS WORK PLAN
Broad Street Parkway
Nashua, NH
NHDES Site No. 199007010

dated June 21, 2013

(as approved by NHDES on July 11, 2013, as extended on January 20, 2015)

1.1 Introduction

Add below bullets:

During construction activities for the Parkway South contract in the Millyard, asbestos-containing material (ACM) was observed in the subsurface in a previously unknown ADS, herein referred to as the Chimney ADS, adjacent to the western side of the former Boiler House foundation. The vertical and lateral limits of the asbestos waste are currently unknown; however, the extent is anticipated to be to the west to Technology Way. Work performed within the limits of this ADS shall be performed in accordance with the Env-Sw 2100 rules and with the project sequencing referenced for the known ADS locations in the Parkway North contract.

1.2 Regulatory Framework and Requirements

Add to Paragraph #1:

The City has requested that NHDES approve a second Request for Waiver to allow the City to relocate asbestos waste encountered in the subsurface during the Parkway South construction within the Parkway right of way to a new consolidation area managed in compliance with Env-Sw 2100.

2.1 Work Plan Preparer/Design Engineer Qualifications (Env-Sw 2106.04(a))

Add to end of section:

Certification Statements for the preparers of Work Plan Addendum #1 are provided at the end of this document.

2.2 Project Location (Env-Sw 2106.04(b))

Add to end of section:

This project also includes work at the Chimney ADS encountered in the Millyard. The Chimney ADS will be removed to accommodate the new Parkway, including an access drive, green space, and a traffic signal mast arm.

2.3 Responsible Party (Env-Sw 2106.04(c))

Add to end of section:

The Chimney ADS is partially located in the Parkway right-of-way on the City of Nashua Map 77 Lot 28 (owned by the City) and partially located on the City of Nashua Map 77 Lot 1 (owned by the Nashua Millyard Associates, Inc.), where the City has a temporary

construction easement. The contact information for the Millyard Association is listed below:

Nashua Millyard Associates, Inc.
P.O. Box 766
Nashua, New Hampshire 03062

2.4 Project Schedule (Env-Sw 2106.04(d))

Add to end of section:

The Parkway South contract is currently underway and the earthwork is scheduled to be completed by the end of 2015. The disturbance of the asbestos waste encountered in the ADS is anticipated to begin in June 2015. Revised project dates will be provided with the Project Notification Form, as appropriate.

2.5 ADS Licensed Contractor (Env-Sw 2106.04(e))

Add after Paragraph #2:

The Parkway South contract has been awarded to Continental Paving, Inc. (Continental) of Bedford, New Hampshire. Continental will subcontract to an ADS Licensed Contractor, the qualifications and contact information for the ADS Licensed Contractor will be provided to the City for inclusion in the Project Notification Form submittal to NHDES.

3.2 Quantity of Asbestos Waste to be Disturbed (Env-Sw 2106.04(g)(2))

Add after table:

It is conservatively estimated that up to approximately 800 CY of asbestos waste may need to be removed from the Chimney ADS; final quantities will be documented in the ADS Completion Report to be provided to NHDES.

Add before last bullet:

- Within the Parkway South contract work area:
 - Up to 500 CY of asbestos waste will be relocated to a consolidation area in the southwestern corner of the former Boiler House foundation.
 - Excess asbestos waste encountered within the Parkway South (either from the Chimney ADS or other areas within the project limits) will be managed as discussed in Section 7 (Unanticipated Conditions), with off-site disposal as asbestos waste in accordance with applicable waste transport and disposal regulations.

Add to last bullet:

The excess waste from the Parkway South area will be exported after the Boiler House consolidation area is full.

3.3 Type and Description of Asbestos Waste to be Disturbed (Env-Sw 2106.04(g)(3))

Add:

3.3.6 Chimney ADS

Existing site features and the assumed limits of the Chimney ADS are provided on the attached figure.

Site History and Existing Conditions

On April 20, 2015 suspect ACM was observed behind a collapsed brick wall on the western side of the former Boiler House foundation. The City's ADS Monitor collected samples of the suspect material for laboratory characterization of asbestos content by ProScience Analytical of Woburn, Massachusetts. The laboratory data indicated the presence of both friable and non-friable ACM material at a concentration greater than one percent. Following the discovery of the asbestos waste, the area was temporarily covered with polyethylene sheeting that was weighted down using clean soil, and the area was delineated with caution tape. The assumed lateral extent of the Chimney ADS is shown on the figure based on field observations and review of historical documents¹ for previous subsurface investigations in the area.

Parkway Impacts

Parkway construction in Chimney ADS includes the construction of a traffic mast arm foundation at the Parkway and Technology Drive intersection, as well as additional landscaping and driveway and side road construction. The assumed depth of excavation will be 36 inches, as well as an eight-foot or greater cut to accommodate the mast arm foundation and install subsurface utilities. Asbestos waste present below the excavation depths needed to construct the Parkway will remain in-situ and be capped in place, as described herein.

3.6.2 Parkway South, Nashua River Bridge, and Millyard

Edit Paragraph #2, Sentence #3 by adding italic text:

If asbestos waste is present, then the ADS Licensed Contractor shall ***relocate the asbestos-containing material to the new consolidation area in the former Boiler House foundation. Excess material shall be managed as described in this Work Plan, with*** transport and disposal of the asbestos waste to an off-site disposal facility, in accordance with applicable requirements for management and disposal of asbestos waste materials (e.g., Env-Sw 901).

¹ Documents include the Nashua Historical Society Collection's *Historical Documentation - Nashua Manufacturing Company* including the Boiler & Coal House dated June 2002; Sanborn Head's *Subsurface Investigation Report* dated May 2013; GEI Consultants, Inc.'s *Phase III Environmental Sampling and Facilities Assessment* dated March 1992; and Edward and Kelcey's *Final Phase I Environmental Site Assessment* dated August 2006.

4.4 Receiving Site Preparation

Edit Paragraph #1, Sentence #1 by adding italic text:

This section applies to the Parkway North **and Parkway South** contract areas.

4.4.1 Construct Temporary Asbestos Waste Storage Areas

Add to end of section:

For the Parkway South contract, the Parkway Contractor shall reserve access to the former Boiler House foundation from the northern access ramp for use by the ADS Licensed Contractor during asbestos relocation activities. However, to the extent feasible as determined by the City, the use of this access ramp by the ADS Licensed Contractor shall not restrict the use of this access ramp by the Parkway Contractor.

4.4.2 Construct New Disposal Sites

Add after Paragraph #1:

Prior to excavation of asbestos waste, the Parkway Contractor or the ADS Licensed Contractor shall prepare the consolidation area. The Parkway Contractor or the ADS Licensed Contractor shall line the consolidation area with non-woven geotextile marker fabric at the base of the fill area. Prior to placement of asbestos waste in the new consolidation area, the ADS Licensed Contractor shall acknowledge that the construction of the area is adequately prepared to receive the asbestos waste. Prior to the placement of waste, the City's project surveyor shall perform a topographic survey of the limits of the consolidation area.

Add to end of section:

The ADS Licensed Contractor shall manage off-site transportation and disposal for any asbestos waste that is encountered in excess of the approximately 500 CY relocation capacity available in the Parkway South Boiler House consolidation area.

4.5.3 Clearing, Grubbing, and Selective Demolition

Add after last bullet:

- At the Chimney ADS, mature vegetation is located in portions of the ADS. Vegetation shall be removed as described in the Work Plan.

4.5.4 Excavation within ADS

Add to end of section:

Special Consideration – Chimney ADS

A rubble pile containing concrete and rocks is located in the northeastern corner of the Boiler House foundation. Given the proximity of the rubble pile to the Chimney ADS and the potential that asbestos waste located behind and above the wall may have fallen on the rubble pile during the foundation wall collapse, the ADS Licensed Contractor shall decontaminate the material prior to removal from the site by washing, either in the decontamination pad or within an area where asbestos waste will remain in place. A visual clearance will be performed on the washed debris by the ADS Qualified Person.

4.5.5 On-Site Transportation and Stockpiling

Add to title and paragraph #1 bold italic text:

Parkway North and Parkway South

For the Parkway North **and Parkway South** contract area, the ADS Licensed Contractor shall relocate excavated asbestos waste on-site within the Parkway right-of-way...

Add to paragraph #3 bold italic text:

The ADS Licensed Contractor shall either place asbestos waste directly in the consolidation area at Fimbel Door Area A ADS (**Parkway North**) **or the consolidation area in the former Boiler House foundation (Parkway South)**, or temporarily stockpile the asbestos waste within a secured EZ(s)...

Add to paragraph #1 bold italic text:

Parkway South, Nashua River Bridge, and Millyard

For the Parkway South, Nashua River Bridge and Millyard contract areas, on-site transportation is not anticipated, **other than described elsewhere in the ADS Work Plan Addendum No. 1.**

4.5.6 Placement and Capping in New ADS

Add to paragraph #1:

This section also applies to the Parkway South construction contract.

Add to paragraph #2 bold italic text:

Earthwork shall be completed by the ADS Licensed Contractor to place and compact relocated asbestos waste in the new consolidation area; **for the Parkway North, this is at the expanded Fimbel Door Area A, or in the new consolidation area on the sideslopes constructed by the Parkway Contractor to the east of the Fimbel Door Area B and for the Parkway South, this is at the former Boiler House foundation...**

4.5.10 Clearance Determinations

Add to paragraph #1 bold italic text:

Following completion of the work tasks presented above (including site cleanup), the ADS Licensed Contractor shall make a Site Clearance Determination pursuant to Env-Sw 2105.15 for each of the ADS (existing and proposed consolidation areas) that are disturbed during Parkway construction. **A clearance determination shall also be made for each pocket of unanticipated asbestos material encountered in the Parkway South contract area.**

4.5.11 Final Surveys

Add to paragraph #1 bold italic text:

Following the City's acceptance of the Clearance Determinations, the Parkway Contractor's surveyor will prepare an as-built survey of each disturbed ADS (e.g., former Plywood Ranch, Fimbel Door Area A, Fimbel Door Area B, Baldwin Street), and the newly developed ADS (e.g., the expanded Fimbel Door Area A and the expanded Fimbel Door Area B), and

any areas where unanticipated asbestos wastes are encountered. ***This shall include the Chimney ADS and the new Boiler House consolidation area...***

7.0 UNANTICIPATED SITE CONDITIONS

Modify bullet #2 by adding bold italic text and deleting strike-thru text:

- The Parkway Contractor's ***subcontracted ADS Licensed Contractor*** shall assist the ~~ADS Monitor Parkway Contractor~~ in securing the suspect asbestos waste site and decontaminating the Parkway Contractor's equipment.

CERTIFICATION AND ACCEPTANCE STATEMENTS

Pursuant to the requirements of Env-Sw 2106.02 and Env-A 1812, this Work Plan Addendum #1 was prepared by Sanborn Head. Sanborn Head is an ADS Licensed Contractor #SC-055, which expires November 14, 2015.

I, Vernon R. Kokosa, certify that pursuant to Env-Sw 2106.02, this Work Plan Addendum #1 was prepared by and under the supervision of a New Hampshire-licensed Professional Engineer, and to the best of my knowledge, this Work Plan Addendum #1 meets applicable local, state, and federal requirements for management of asbestos, including but not limited to Env-Sw 2101.01(b), as applicable, and the rules in Env-Sw 2100.



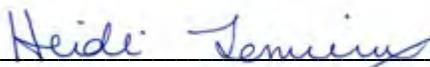
Vernon R. Kokosa, P.E.

5/29/2015

date

I, Heidi E. Lemieux, am the qualified person in charge of this project per Env-Sw 2102.11. I hereby certify that, to the best of my knowledge, this Work Plan Addendum #1 meets all applicable local, state, and federal requirements, including but not limited to Env-Sw 2100 and the applicable requirements listed in Env-Sw 2101.01(b). I further certify that two copies of the Work Plan Addendum #1 are being filed with the N.H. Department of Environmental Services for approval and that a third copy is being filed with the local health officer. No work shall occur prior to approval of the plan.

Signed, under penalties of RSA 641:3,



Heidi E. Lemieux

5/29/2015

date

ADS-Certified Worker License #SC-0585, exp. October 27, 2015

I, Lisa Fauteux, represent the City of Nashua who is the owner of the property where this work will be conducted and I hereby certify acceptance of the attached Work Plan Addendum #1.

Signed, under penalties of RSA 641:3



Lisa Fauteux, Director of Public Works
City of Nashua Division of Public Works

6-3-15

date

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1564+50

12.0' 11.0' 5.0' 5.5' 2.0'

P79

CB--B
@+65.0

PROPOSED R.O.W.

Approximate extent
of proposed
consolidation area

160

0%

4.0%

3.0%

1.6%

GM_L

150

135.5
152.75

12" PVC (SDR35) SEWER

1
1.5

1
1

140

FILL EXISTING FOUNDATION TO GRADE. REMOVE
FOUNDATION WALLS AS NECESSARY TO
ACCOMMODATE PROPOSED FEATURES.

130

10

20

30

40

50

60

70

MILLYARD

SHEET TOTALS
0 00 0000