The State of New Hampshire
Department of Environmental Services

Michael P. Nolin
Commissioner

June 15, 2006

John Casey
Irving Oil
190 Commerce Way
Portsmouth, NH 03801

LETTER OF DEFICIENCY# WSEB 06-053
Certified Mail# 7099 3400 0003 6156 4876

Subject: Alton – Alton Irving Oil Bulk Plant, Gilmanton Highway
Open Floor Drain Discharging to the Environment (DES# 199409033)

Dear Mr. Casey:

The records of the Department of Environmental Services (DES) show that the subject facility recently had an uncontrolled release of regulated substances to the environment via a floor drain. Pursuant to NH Admin. Rule Env-Ws 1503.04(c) of the *Groundwater Discharge Permit and Registration Rules*, and successor rules, it is unlawful to have a floor drain that discharges to the environment in any area(s) where regulated substances are used or stored.

DES believes the violation can be corrected and future violations prevented by taking one of the following actions **by July 13, 2006**:

1. Complete and submit to DES a pre-closure form to seal the floor drain exit in the Maintenance Garage with an impermeable material, such as concrete. Once the pre-closure form is approved by DES, close the drain and submit written confirmation of this action within 10 days of the date of the DES approval letter; or

2. Submit to DES for approval a schedule to reroute the discharges to the municipal sewer system (if available); or

3. Submit to DES for approval a schedule to reroute the discharges to a holding tank. (DES requires holding tanks to be registered.)

Enclosed, please find a Floor Drain Pre-Closure Notification Form and a Holding Tank Registration Form for your use. **By July 13, 2006**, please submit the Pre-Closure Form to close the drain(s), or a schedule to reroute discharges to either a holding tank or municipal sewer.

In the event compliance is not achieved within this period, DES may take further enforcement action, including issuing an order requiring the deficiencies to be corrected, initiating an administrative fine proceeding and/or referring the matter to the NH Department of Justice for imposition of appropriate penalties.

All correspondence and documentation as requested above should be addressed as follows:

Mitchell D. Locker
Department of Environmental Services
Water Supply Engineering Bureau
29 Hazen Drive, PO Box 95
Concord, NH 03302-0095

If you have any questions or comments concerning this document please contact Mitchell Locker at 271-2858 or by e-mail at *mlocker@des.state.nh.us*.

Sincerely,

COPY

Sarah Pillsbury, P.G., Administrator
Water Supply Engineering Bureau

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encl: Floor Drain Pre-Closure Notification Form
Holding Tank Registration Form

cc w/o encl: Gretchen R. Hamel, DES Legal Unit Administrator
Brandon Kernen, WSEB
Alton Board of Selectmen
File#199409033