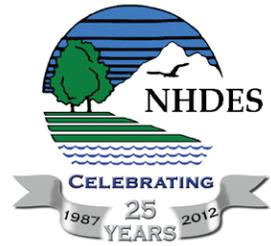


ENVIRONMENTAL NEWS



Newsletter of the N.H. Department of Environmental Services

March-April 2012

COMMISSIONER'S COLUMN

The unearthed success story of the state's UST Program

Twenty-five years ago, when the Department of Environmental Services was first formed, we couldn't see them, but there were over 12,000 underground storage tanks, or "USTs," in the ground in New Hampshire. Virtually all of them were bare steel, single-walled tanks, with no corrosion protection. Some of them had been in the ground since the 1950s, or even earlier. Not surprisingly, many of them were not in very good shape – they had rusted over time and regularly leaked their contents of gasoline, diesel or fuel oil. Those leaks were contaminating our soil, groundwater, rivers, lakes and streams, and in many cases, our drinking water supplies. Cleanups, where possible, were protracted and expensive. If you were the unlucky owner of one of these facilities, you faced an uncertain future. For many small business owners, the costs of proper tank closure and replacement combined with the high cost of soil and groundwater cleanup amounted to a threat of financial ruin. This resulted in a drain on the state's economy, and the abandonment and underutilization of previously valuable properties.

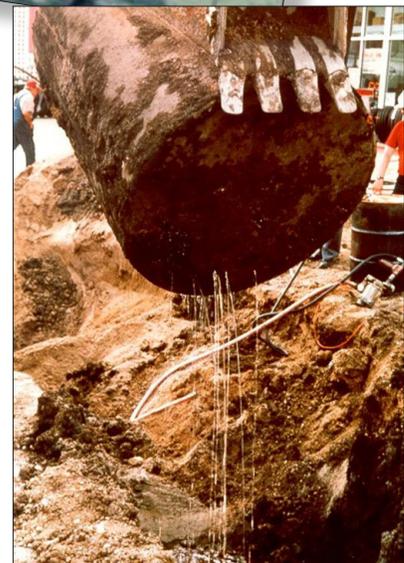
With these conditions reaching a critical stage, definitive action was required. New Hampshire's successful approach was to address both the environmental and the economic problems directly. On the environmental front, state rules, bolstered by emerging federal requirements, emphasized release prevention and closure or upgrade of substandard tank systems. On the economic front, the Legislature established the Oil Discharge and Disposal Cleanup Fund, also called the ODD Fund, which was funded by a small import fee on motor fuels and provided vital funding to address releases and ensure that contaminated sites would not be abandoned.

In 1985, New Hampshire adopted its first UST regulations, which established a tank replacement schedule for older tanks and required secondary containment for new tank installations. In 1988, federal UST regulations further



Tanks for the Memories!

(Top) A buried tank car being removed in Keene. (Middle) After 1985, USTs were required to be double-walled steel with cathodic protection. Today's tanks are mostly double-walled fiberglass with a steel liner. (Bottom) A leaking underground storage tank being removed.



Commissioner, continued on page 2

UST Class A & B operator training schedule 2012:

May 23
June 20
July 26
August 10
August 22
September 7
September 26
October 24

To register, please contact Suzanne Connelly at (603) 271-0673 or suzanne.connelly@des.nh.gov. For more on the UST Operator Training program, please see <http://des.nh.gov/organization/divisions/waste/orcb/ocs/ustp/operator-training/index.htm>.



Contained sump with liquid and debris. Image from "UST Systems: Inspecting And Maintaining Sumps And Spill Buckets"; www.epa.gov

UST Stage II Vapor Recovery equipment must be decommissioned

Effective January 1, 2012, owners of gasoline dispensing facilities that utilize Stage II Vapor Recovery equipment must decommission their Stage II equipment before December 22, 2015 in accordance with Env-Wm 1404.17. For questions and/or details, please contact Mike Juranty (603) 271-6058 or michael.juranty@des.nh.gov.

Commissioner's Column

continued from page 1

required that unprotected tanks either be upgraded with cathodic protection (a form of corrosion protection) or closed by 1998, and that new tank systems be either double-walled or that the owner provide financial assurance in the amount of \$1 million per release for cleanup and third-party damages. DES worked aggressively to encourage early tank closures. As part of its "Don't wait till '98" campaign, DES urged tank owners to accelerate removal of these risky tanks. This campaign was tremendously successful. Of the 12,000 known, unprotected steel tanks, only about 1 percent of them remained out of compliance by 1999. And by 2001, all of those tanks had been removed.

In 1990, recognizing that even compliant tank systems posed a risk of release, New Hampshire required that tank owners both maintain the federally-mandated financial responsibility for releases, and provide secondary containment for new tanks. But rather than imposing an unbearable burden on tank owners, this requirement was met by the ODD Fund, which became operable that same year, serving as a secondary insurer for tanks that were in compliance. This combination of requiring first-rate tank installations and reliable funding for cleanups has put New Hampshire in the forefront nationally in addressing the UST problem. This approach protects small businesses from financial ruin while at the same time providing superior environmental protection.

In 1997, New Hampshire moved an important step further by setting a 2015 deadline to require permanent closure of all USTs that do not have secondary containment and leak monitoring; and requiring all new piping to be double-walled. We have a total of about 500 tank systems that need upgrading by 2015 under this requirement and we are optimistic that all systems

will achieve compliance by that date. So, now in just a few years, ALL tank systems (the tank and associated piping) will be double walled and have leak monitoring. This is a monumental improvement over the conditions that existed in 1987, when unprotected bare steel, single-walled tanks were the norm.

So where were we, and where are we now? Remember, 12,000 unprotected bare steel tanks in 1987. Now, in 2012, we have no known unprotected tanks, and are less than three years away from all New Hampshire tank systems meeting state-of-the-art standards. And perhaps the most telling statistic: in 1993, our worst year ever, there were 245 reported releases from USTs. Last year, there were just 11. And those few releases were associated with tank closures, not operational failures of compliant tanks.

While it remains unseen, New Hampshire's UST program is a 25-year story of success in providing vital protection of our precious water resources and our state's economic health.

Tom Burack, *Commissioner*

ENVIRONMENTAL NEWS



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TECHNOLOGICAL ADVANCES

Merrimack Station effectively scrubs the air of pollutants

Have you noticed the big white plume over the Merrimack River in Bow? That plume is mostly moisture, and is the result of effective air pollution controls in action. Since November 2011, the Bow coal-fired, electric generating plant has emitted significantly less pollutants.

In 2006, the New Hampshire Legislature passed into law RSA 125-O that requires Public Service of New Hampshire to reduce its total mercury emissions from its coal-fired boilers 80 percent by July 1, 2013. To accomplish this, PSNH was required to install a wet flue gas desulphurization system, more commonly called “scrubber technology.” In addition to removing mercury, scrubber technology also achieves significant reductions of other pollutants, including sulfur dioxide, sulfur trioxide, and small particulate matter (soot), which has the added benefit of reducing haze and improving visibility.

In 1993, PSNH was required by the federal Acid Rain Program to install continuous emissions monitoring systems for nitrogen oxides (NO_x) and sulfur dioxide (SO₂) on its coal-fired units. The data from the monitoring systems showed that the combined SO₂ emissions from Merrimack Station were the highest of any facility in New England, New Jersey and New York at approximately 40,000 tons per year. Annual NO_x emissions were approximately 28,000 tons, and annual particulate matter emissions were approximately 2,000 tons. Over the years, through a combination of regulations and market-based approaches, PSNH has dramatically reduced its emissions of a number of pollutants. As of 2010, it has reduced its annual emissions of NO_x to 3,414 tons and particulate matter to 374 tons.



THEN. Dark clouds couldn't hide the visible pollutants emitted from Merrimack Station.

In late 2011, its scrubber technology came on-line and was connected. Preliminary measurements observed by DES and measured by the emissions monitoring system, show an approximate 95 percent reduction in SO₂ emissions. This spring, PSNH, with oversight by DES, will



NOW. The plume emitted from the PSNH Merrimack Station is now predominately steam, thanks to the scrubber technology that went on-line at the end of 2011. Photo courtesy of PSNH.

undertake additional stack testing to determine the overall reduction of mercury as a result of the scrubber's operation.

For more information on PSNH's Clean Air Project at Merrimack Station, please see www.psnh.com/EnergyProjects/Clean-Air-Project.aspx. ■

Bob Scott heads to the PUC

On March 7, Gov. John Lynch announced the confirmation of Robert Scott as a commissioner to the New Hampshire Public Utilities Commission (PUC). Scott began his new job virtually immediately.

Until his appointment, Scott served as director of the DES Air Resources Division. Since April 1995, he held multiple positions within the division, including Mobile Source Program manager, Compliance Bureau administrator, and deputy director. He was appointed director of the Air Resources Division in September 2003.

As director, he was responsible for managing the state's programs related to the protection of New Hampshire's air quality. Prior to joining state service, Scott worked as an applications engineer and production supervisor at Austin-Gordon Design in Nashua, a manufacturer of automated packaging machinery.

Scott also served in the U.S. Air Force, and is a lieutenant colonel in the Air National Guard. He is a graduate of Lehigh University, where he received a degree in mechanical engineering and also completed coursework in the in engineering management master's program at Western New England College.

The PUC is composed of three commissioners appointed by the governor and confirmed by the Executive Council to staggered six-year terms.

Congratulations, Bob! ■

Thanks to UST inspectors, environment and public protected from spills, leaks and more

Although Rob Stockman starts his workday driving out to an underground storage tank facility, also called a UST, his inspection really began weeks beforehand with a notification phone call. Prior to any UST inspection, fair warning is given to the facility owner primarily because heavy and problematic equipment must be made accessible. The owner responds that his maintenance contractor will be available to assist in the visit.

The day of an inspection starts with an opening interview with the owner where Rob introduces himself and offers support. The two review documents like annual test results, inventory records, permits, certificates and the like. Should the owner be brand new to the inspection process, Rob would help them understand their responsibilities. Not only is this meeting a chance for the owner to voice their opinions, as they often do, this is also a moment which Rob can encourage them to maintain their facility and save money in the long run.

Outside, Rob oversees the contractor taking apart portions of the underground storage tank to ensure the tank is functioning properly. This entails things like taking measurements, functionality tests, and proper return of the parts to their original designed position. Various UST components include the vents, overfill devices, pipes, any corrosion protection, leak monitoring sensors and alarms, spill or secondary containment sumps.

Most importantly among such compliance items is leak monitoring. Although regulations state that every facility must have leak monitoring, not every facility utilizes the same equipment to monitor for leaks. To Rob, this is a curve ball because he must catch improper combinations of equipment

that may interfere and potentially cause a release. Most go unnoticed because they are not in plain view, except to an inspector. Rob would either catch that something is not working properly, would ask that it be verified to work properly or know that it doesn't coincide with New Hampshire regulations. Ideally, any items found in need of correction are fixed on the spot or described in a compliance letter for the owner to complete on a separate day.

Once Rob has witnessed each piece of the UST system, he conducts an exit interview with the owner to review his findings. A compliance letter is printed on-site for the owner to have for their records, and a copy automatically gets

uploaded to the DES database upon Rob's return. He reminds them that once deficiencies are completed, they must submit confirmation to DES to come back into compliance; this ultimately keeps them eligible for state assistance should they ever have a leak. Experienced inspectors can conduct multiple inspections in one day, particularly if they are familiar with the sites' history and contractors, but regardless of how many are completed in a day, each inspection helps to protect the environment and public health.

To learn more about the DES UST Program, please see <http://des.nh.gov/organization/divisions/waste/orcb/ocs/ustp/index.htm>. ■

PetSmart pays \$15,000 in settlement of allegations of cadmium in packaging

The state recently reached a settlement with PetSmart Inc. in the amount of \$15,000. The settlement resolves allegations that PetSmart sold pet products in flexible PVC packaging that contained levels of cadmium that exceeded state regulatory limits and failed to submit Certificates of Compliance upon request.

Under the terms of the settlement, PetSmart, which operates five retail stores in New Hampshire, did not admit liability for the alleged violations, but agreed to pay a settlement totaling \$15,000 to the state. Half of this money is paid as a penalty and the remainder will be used to further enforcement of laws prohibiting toxic metals in packaging material. In addition, PetSmart will implement internal measures to ensure that no further violations occur, including measures to ensure that Certificates of Compliance are submitted on time.

Manufacturers sometimes use substances like lead and cadmium in packaging to increase flexibility or to protect from ultra-violet rays. Although these substances may pose no threat to those handling the packaging, when the packaging material is disposed of in landfills or incinerators, these toxic metals can enter the environment and pose a risk to health and safety. State law requires manufacturers and suppliers to provide a Certificate of Compliance with respect to packaging material within 60 days of a request. New Hampshire currently coordinates its implementation of the law with 10 other states through the Toxics in Packaging Clearinghouse.

For more information on toxics in packaging in New Hampshire, contact Sharon Yergeau, DES Solid Waste Compliance Assurance Section, at (603) 271-2906. ■

COLLABORATIVE EFFORT ON THE SEACOAST

The “Great Bay Dialogue” – Putting words into action

The Piscataqua Region Estuaries Partnership first convened the “Great Bay Dialogue” in December 2011 to foster increased communication, coordination and collaboration within the Great Bay Watershed. The watershed is comprised of 52 communities in New Hampshire and Maine, and the goal of the Dialogue is to harness the energies, interests and resources of this large and diverse region to reverse the decline of the ecological health of the Great Bay Estuary and its sources.

Many governmental agencies, non-profit organizations and individuals have been working for years on the challenge of cleaning up Great Bay. Yet, despite these good



efforts, pollution continues to increase and environmental pressures are growing even faster than the efforts to mitigate them, while funding sources are stretched thin. Recent work to address wastewater discharges—just one of the area’s problems—has both

heightened public interest and awakened many stakeholders to the need of better collaboration.

The Great Bay Dialogue provides a structured setting for exchanging information, problem-solving, setting priorities and taking action. Building on the momentum of its initial meeting—attended by over 100 people—teams have formed to address “structural” issues, such as financial resources, monitoring/research, integrated watershed management, and organizational coordination; and “topical” issues, such as fertilizer impact reduction, oyster restoration, septic systems, and public outreach. The teams have been holding organizational meetings throughout this winter.

The New Hampshire Charitable Foundation provided the funding to launch this effort, and allowed the group to hire a professional facilitator, Jeff Edelstein, to coordinate discussions and activities, and to serve as full-time support staff to the parties involved. Edelstein and key representatives will assess the outcomes of the various team meetings and recommend next steps for the Great Bay Dialogue soon.

More information on the Dialogue and how to participate can be found at www.prep.unh.edu/GreatBayDialogue.htm.



Watershed practitioners meet the models

The DES Watershed Assistance Section recently hosted a workshop on modeling pollutant load reduction for watershed managers at DES’s Pease Office. Experts presented five different models as attendees followed along on their laptops. Over 30 staff and volunteers from local watershed organizations learned how to model pollutant loads from nonpoint sources at the site scale. This information helps watershed managers quantify and track progress toward meeting water quality goals as they implement watershed-based plans. Sally Soule, the DES Coastal Watershed Supervisor, presented the “Region 5” model addressing pollutant load reduction from urban stormwater best management practices. (See photo on p. 6.)



Salmon Falls Watershed Collaborative wins national prize

The Salmon Falls Watershed Collaborative, an ambitious effort to protect drinking water supplies for more than 28,000 people in Maine and New Hampshire, has been awarded a 2012 “US Water Prize” by the Clean Water America Alliance.

The Salmon Falls River is the largest river system contributing to the Great Bay estuary, and was recently identified by the US Forest Service as being the most threatened in the nation with regard to a potential decline in water quality due to conversion of private forest lands to housing.

The collaborative was formed in 2009 through the efforts of the DES Drinking Water Source Protection Program and its counterpart in the Maine Center for Disease Control and Prevention Drinking Water Program in response to the national Source Water Collaborative’s search for demonstration projects.

At the outset, Environmental Protection Agency Region I was a key partner, as was the Piscataqua Region Estuaries Partnership, which serves as the lead convener. The collaborative comprises natural resource experts, municipalities, land trusts and other non-profit organizations, local water districts, and state and federal agencies. Last year, the collaborative developed an action plan to protect clean drinking water in the watershed for current and future generations.

The SFWC has received financial support from DES’s source water protection and watershed assistance programs, Maine Center for Disease Control and Prevention, and the US Environmental Protection Agency.

For a complete list of organizations involved in the SFWC, to learn more about the SFWC, or view the group’s Action Plan, please visit <http://www.prep.unh.edu/sfwc.htm>.

Summit tackles topic of climate change in Coastal New Hampshire

Coastal New Hampshire is better prepared to deal with the impacts of climate change after a first-ever Coastal New Hampshire Summit held recently in Greenland.

The event, which was hosted by the Great Bay National Estuarine Research Reserve, the Great Bay Stewards and the Science Collaborative, highlighted local climate research and climate preparedness efforts and tools, aiming to identify gaps in information and actions that could help local, state, federal and non-profit partners move forward effectively on this critical issue.

“Coastal New Hampshire is already seeing the effects of a changing climate. The Climate Summit demonstrates that local research and action to understand and prepare for our changing climate are underway. There is work to be done to minimize the impacts to our economy and natural resources. The summit, through the participation of over 100 attendees from a diversity of sectors and professional fields, will help direct future efforts in the most efficient manner,” said Steve Miller, GBNERR coastal training program coordinator.

The presentations, which focused on locally generated research and planning efforts, included state climate action plans for fish and wildlife; implications for invasive species

management and drinking water resources; cost-benefit modeling for coastal New Hampshire as it deals with sea-level rise scenarios; green infrastructure solutions to help build resilience; updated flood plain mapping; and municipal challenges and opportunities for community adaptation. Each presentation was followed by a facilitated discussion to identify priorities for implementation, planning and additional research.

The event brought together a wide range of organizations and people dealing with different aspects of climate change, including representatives from the host organization, DES, NH Fish and Game, NH Coastal Adaptation Workgroup, UNH, USEPA, NOAA, local municipalities, planning commissions, engineering firms, environmental organizations, and individuals.

A call to action came from keynote speaker Dr. Cameron Wake, a UNH research associate professor at the Institute for the Study of Earth, Oceans and Space. He presented the findings from a new report called “Climate Change in the Piscataqua/Great Bay Region: Past, Present and Future.” Wake described climate change impacts that are affecting New Hampshire’s coastal communities right now, as well as future impacts that are likely to occur in the Piscataqua region. He urged participants to use the report’s findings to inform regional climate change research and preparedness efforts. A copy of the report can be downloaded from <http://carbonsolutionsne.org>. The report was funded through a Community Impact Grant from the N.H. Charitable Foundation. ■

UNH students prove pollution prevention is good for business

Would your company like to save energy? Increase profits? Reduce regulatory burden? Prevent waste and pollution? Then consider hiring a summer engineering intern from the University of New Hampshire and DES Pollution Prevention Internship Program!

The NH Pollution Prevention Program and UNH partnered to create an internship program that offers companies and organizations the opportunity to hire an intern for 10 weeks to work with them on pollution prevention projects. These projects can range from reducing energy use or water consumption, to eliminating or reducing the use of hazardous chemicals.

Since 1993, over 120 UNH students have assisted 70 New Hampshire companies with pollution prevention

projects. Most companies have realized significant savings as a result of utilizing the internship program. To date, companies have reported combined cost savings of over \$5 million. The benefits for both parties are great; the student acquires real-world experience in the field of environmental sustainability, and the company has the opportunity to reduce costs while promoting safer and healthier work and natural environments.

The cost of sponsoring a trained, engineering intern for a 10-week period beginning in late May is \$7,500, and “intern sharing” is also an option. The cost covers an intern training program at UNH, a stipend for the 10-week placement, intern support activities, and UNH/DES support during the proj-

ect period. For more information about the program and to see results from past projects, go to www.des.nh.gov and search for pollution prevention internships under the A to Z List. ■



The DES Watershed Assistance Section recently hosted a workshop on modeling pollutant load reduction for watershed managers at DES's Pease Office. See article on page 5.

CONSUMER TIPS

Wood is good, if you burn the right wood the right way

Wood is good. Wood is an excellent choice for heating your home, and many New Hampshire residents do—either as a primary or supplementary heating source. Wood is good for the state's economy too, because it's a locally grown, sustainable energy source and provides jobs. So wood is good, but wood smoke can be harmful to people's health.

How, then, do you balance the economic and practical value of burning with wood, with the need to protect the public's health?

In the January 2012 issue of *GreenWorks*, we examined how burning cleanly and efficiently is the key to heating with wood and protecting our health.

Most energy experts agree that sustainable harvested wood burned to heat homes releases no more greenhouse gases than forest regeneration can reabsorb them. In the lingo of the day, this makes it "carbon neutral." But just as important as these benefits are, we should minimize air pollution by burning clean, dry hardwood in an energy efficient wood stove. This reduces the small particles in wood smoke that cause breathing difficulties, increased heart problems and irritated eyes.

To read the complete "Wood is Good" article, please see <http://des.nh.gov/organization/commissioner/pip/newsletters/greenworks/documents/201201-greenworks.pdf>. The UNH Cooperative Extension and EPA's Burnwise program provide additional helpful information on wood burning safety, energy efficiency and other wood burning related topics. ■

APPLICATION UPDATE

Updated permit application forms unveiled for Land Resources Management programs

To provide a higher quality, more streamlined permitting process, most Land Resources Management programs have updated their permit application forms. This applies to the Alteration of Terrain Bureau, Subsurface Systems Bureau, Wetlands Bureau and the Shoreland Program. If you provide permit applications to the public or submit permit applications to DES, please discard old permit application forms and check that you have the newest versions. All current application forms have a revision date of "01/01/2012" noted in the footer, and are available from the respective DES program web page. As of April 1, 2012, the Land Resources Management programs will no longer accept outdated permit application forms. Going forward, all LRM permit application forms will be simultaneously updated every six months, with the next scheduled updates occurring on July 1, 2012. For more information, please see the LRM web page at <http://des.nh.gov/organization/divisions/water/lrm/index.htm>. ■

THEN & NOW IN PHOTOS



Cains Pond, then and now. Before restoration (left), shallow depths and dense invasive plant growth impeded navigation. After restoration, navigation was restored and pre-development pond depths were achieved. Photos by Duncan Mellor, Waterfront Engineers.

Cains Pond Restoration in Seabrook

The DES Watershed Assistance Section, with the help of Section 319 funding, worked with the Seabrook Conservation Commission to restore Cains Pond to a healthy, community asset. ■



Small boat navigation on the Cains Pond was not possible before restoration, but residents enjoy many recreational activities on the pond once again. Photo: Sue Foote, Seabrook Conservation Commission.

LOOKING BACK

DES comes of age

A look back at the agency's first five years

Reprinted from Environmental News, Special Edition, December 1992; by then Commissioner Robert Varney

Five full years have now passed since the N.H. Department of Environmental Services was established in 1987. During those years, much progress has taken place in protecting our state's precious environment. This special issue of *Environmental News* takes a look back at this time period.

Created by consolidating four previously separate agencies under one department, DES was commissioned with the awesome responsibility to manage programs in the fields of air pollution control, waste management, water resources management, and water supply and pollution control.

Working with our governors and legislators, municipal officials, environmental groups, business and industry officials, and countless others from the general public, DES has achieved a host of accomplishments. These accomplishments cover a broad range – from streamlining the State's environmental permitting process, to improving wetlands protection methods, to making strides in protecting groundwater, to increasing environmental education and public involvement efforts.

Our efforts are beginning to draw praise and recognition. EPA, the federal agency that awards DES half of its operating budget, has recently praised DES's performance with such accolades as "incredibly well organized and on-target with respect to priorities." Similarly, a 1992 New Hampshire legislative study of DES concluded that the agency "is doing an exemplary job and ... has exceeded the expectations of the legislature."

In short, I feel that our agency's dedicated staff can be justifiably proud of an initial legacy that has set the tone for the years of important work that still lie ahead. We now look back at our first five years as a solid foundation from which to meet the future environmental challenges of ensuring the utmost protection and continued wise management of New Hampshire's very special natural heritage. ■

UPCOMING EVENTS

- March 23 **2012 NH Water and Watershed Conference.** Plymouth State University, Plymouth, NH. See <http://www.plymouth.edu/center-for-the-environment/2012-nh-water-watershed-conference/>
- April 21 **Discover WILD New Hampshire Day.** See below.
- May 15-16 **The New England Interstate Water Pollution Control Commission Annual Nonpoint Source Meeting.** Hosted by DES; Sheraton Hotel, Portsmouth, NH. See <http://www.neiwpc.org/npsconference/index.asp>

Join us for
**Discover WILD
New Hampshire
Day!**
April 21, 2012
admission is free!



Discover WILD New Hampshire Day is co-sponsored by N.H. Department of Environmental Services, N.H. Fish & Game Department, and Wildlife Heritage Foundation of New Hampshire.



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CORRECTION

In the January/February issue, the two cover photos of the Nashua River were taken in Massachusetts and not Nashua.

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