

From: James Vernon [<mailto:jvern@nobiseng.com>]

Sent: Monday, January 16, 2017 3:12 PM

To: Chris Heep; Steve Hinton

Subject: 5 mg/L at property line requirement

1/16/17

Hi Chris and Steve,

It has come to my attention that the Applicant's attorney has made a statement that Nobis has stated that complying with a Town of Carlisle Board of Health requirement that nitrate concentrations in groundwater be 5.0 mg/L at a side-gradient or cross-gradient property boundary is impossible. This statement was made in Attorney Bobrowski's mark up of previous permit conditions for the proposed 40B project at 100 Long Ridge Road (Brem 338 01-04-2017).

In the above-referenced document, Attorney Bobrowski has suggested deleting Condition 101 and has stated "Jim Vernon has admitted impossible". This statement by Attorney Bobrowski does not accurately represent Nobis' position. Condition 101 references two requirements, but Nobis has not stated that either of the requirements is impossible. Of the two requirements referenced, Nobis has not commented on the requirement regarding zero colonies of coliform bacteria at the property line. Regarding the requirement of 5 mg/L of nitrate at the property line or less at the property line, Nobis commented, on page 7 of our September 30, 2016 report, that we consider this requirement to be "a question of policy, not of science". To my recollection, I have never stated that it would be impossible to achieve 5 mg/L at the property line, nor am I aware of any basis in Nobis' work on this project to support such a conclusion.

Thanks,

Jim

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