

STEPHEN R. FOURNIER
TOWN ADMINISTRATOR

sfournier@newmarketnh.gov
www.newmarketnh.gov



TOWN HALL
186 MAIN STREET
NEWMARKET, NH 03857

TEL: (603) 659-3617
FAX: (603) 659-8508

FOUNDED DECEMBER 15, 1727
CHARTERED JANUARY 1, 1991

TOWN OF NEWMARKET, NEW HAMPSHIRE
OFFICE *of the* TOWN ADMINISTRATOR

Press Release

Contact: Steve Fournier, Town Administrator
Phone: (603) 659-3617

FOR IMMEDIATE RELEASE
December 10, 2012

After reviewing permit issued by the EPA, the Town has decided to accept the permit and enter into an Administrative Order on Consent (AOC). We do not agree that EPA and DES have addressed all of the uncertainties about the health of Great Bay. However, we feel that it is in the best interest of our community to work with the EPA to protect Great Bay instead of entering into a lengthy and costly legal process.

The Town needs to begin right away to design, build and operate a new treatment plant, irrespective of the nitrogen discharge limit included in the final permit. The Town has an antiquated facility presently that needs to be upgraded in order to satisfy more than just nitrogen removal. Meeting the water quality standard for dissolved oxygen in the Lamprey River is one such additional challenge.

While the AOC cannot change the final permit discharge limit for nitrogen of 3.0 mg/l, EPA will allow a compliance schedule of up to fifteen (15) years to achieve that lowest discharge level. An interim limit of 8.0 mg/l -- the level advocated by the Great Bay Municipal Coalition -- will be in place until then. Furthermore, the Final Permit was changed to include a seven-month seasonal average limit for nitrogen, instead of a monthly average. This modification is a better gauge of compliance than a more limited monthly average, and is more acceptable for the Town.

The Administrative Order on Consent also provides a degree of rate certainty and stability for ratepayers and taxpayers. The final permit and the compliance schedule that will be issued by

EPA along with the final permit effectively provides potentially for up to fifteen (15) years before the Town would have to build and operate additional treatment facilities to bring the discharge levels down to 3.0 mg/l.

Moreover, the AOC incorporates the adaptive management approach that the Great Bay Coalition communities have long advocated. After the new treatment facility is built and operating, EPA will allow a period of up to five (5) years of additional study and analysis of the nitrogen issues in Great Bay and the tidal rivers, monitoring the health of the Great Bay over that period of time as the new treatment facilities around the estuary are making substantial reductions in the nitrogen loadings into the Bay. That additional period of monitoring and analysis may lead to a conclusion that the 3.0 mg/l limit is more stringent than it needs to be. If so, EPA will not require the Town to meet that limit.

The Town fully expects that its new treatment facility will accomplish nitrogen removal to a degree that will bring the discharge well below the 8.0 mg/l interim limit, and will very likely approach the range of 5.0 mg/l. In addition, as required by the Administrative Order on Consent the Town will continue to address nitrogen loadings from stormwater and “non-point” sources. If the Town’s new treatment plant is as efficient in nitrogen removal as we expect and if the continuing constructive efforts of Newmarket and its sister communities in the Great Bay Estuary to deal with nitrogen loadings are successful, there will be added reason for EPA to conclude that the additional expenditure that would be necessary to ensure a treatment level of 3.0 mg/l will not, in fact, be necessary in the future.

The Town continues to support the need to address the need to reduce nutrients being discharged into the Great Bay Estuary. It is a special resource for all the Seacoast communities and its residents and visitors. The Town will continue to play a lead role in maintaining and improving the quality of Great Bay and its tributaries.

-END-