**From:** Diane Hardy [<mailto:dhardy@newmarketnh.gov>]   
**Sent:** Monday, May 15, 2017 2:05 PM  
**To:** Ryan Wingard ([ryan.wingard@wright-pierce.com](mailto:ryan.wingard@wright-pierce.com)) <[ryan.wingard@wright-pierce.com](mailto:ryan.wingard@wright-pierce.com)>; Gary Lemay ([glemay@gomezandsullivan.com](mailto:glemay@gomezandsullivan.com)) <[glemay@gomezandsullivan.com](mailto:glemay@gomezandsullivan.com)>; 'James.guarente@gza.com' <[James.guarente@gza.com](mailto:James.guarente@gza.com)>  
**Cc:** Rick Malasky ([rmalasky@newmarketnh.gov](mailto:rmalasky@newmarketnh.gov)) <[rmalasky@newmarketnh.gov](mailto:rmalasky@newmarketnh.gov)>; Steve Fournier ([sfournier@newmarketnh.gov](mailto:sfournier@newmarketnh.gov)) <[sfournier@newmarketnh.gov](mailto:sfournier@newmarketnh.gov)>  
**Subject:** FW: Status of Emergency Action Plan and Operation and Operation, Maintenance and Response form: Newmarket  
**Importance:** High

Dear Colleagues,

We had an inquiry from one of our proposers regarding the status of the Town’ Emergency Action Plan and Operation, Maintenance and Response Form regarding the Macallen Dam.

This just came in from Jim Weber at the New Hampshire Department of Environmental Services (NHDES).  From the correspondence, there will be a need to update and revisit these documents as part of meeting the Town’s Letter of Deficiency. This is to confirm that we would like to have our consultant address that as part of the work scope for Engineering Services.

I apologize for the timing of this, but I did want to get this information to you prior to the submission of proposals tomorrow afternoon. Please confirm that you received this e-mail.

Thank you again for your interest in working with the Town of Newmarket. We look forward to your responses.

Sincerely,

Diane Hardy

**From:** Weber, James [<mailto:James.Weber@des.nh.gov>]   
**Sent:** Monday, May 15, 2017 1:40 PM  
**To:** 'Diane Hardy' <[dhardy@newmarketnh.gov](mailto:dhardy@newmarketnh.gov)>  
**Cc:** Weber, James <[James.Weber@des.nh.gov](mailto:James.Weber@des.nh.gov)>  
**Subject:** RE: Status of Emergency Action Plan and Operation and Operation, Maintenance and Response form: Newmarket

Diane,

I still have the notes on the EAP from 5/6/2015 and do not show a response form the town. I show the EAP was last updated in 2004 and last tested in 1997, so the EAP is past due on being updated, reviewed, distributed and tested.

I have a 3/18/15 OMR on file, which should be reviewed and updated if needed.

I have attached the EAP e-mail and markup and the OMR.

Let me know if you have any other questions.

Jim

James R. Weber, P.E.  
NH Department of Environmental Services  
Dam Bureau  
29 Hazen Drive, PO Box 95  
Concord, NH 03302-0095  
Tel:  (603) 271-3406  
Fax: (603) 271-6120  
DES web site:  
<http://des.nh.gov/organization/divisions/water/dam>

**From:** Diane Hardy [<mailto:dhardy@newmarketnh.gov>]   
**Sent:** Thursday, May 11, 2017 5:20 PM  
**To:** Weber, James  
**Subject:** Status of Emergency Action Plan and Operation and Operation, Maintenance and Response form: Newmarket  
**Importance:** High

Hi Jim,

I am following up on the status of a couple of items related to the Town’s Letter of Deficiency, dated September 27, 2010.

We have asked the three consultants who responded to our Request for Qualifications (RFQ) to provide assistance to us with outstanding items from the LOD to be addressed as part of the engineering services for which we have requested proposals.

I have reviewed my files and found in March 21, 2011 that you reviewed our Operation, Maintenance and Response Form and it was accepted as submitted as completed dated March 10, 2011.  There were also some follow-up  suggestions that your predecessor made to the Emergency Action Plan. In a follow-up letter that we sent on February 9, 2015, these documents were to be updated and corrected. I don’t seem to have any further in my files to indicated whether this was done or not. Would you be so kind, as to check your files and see if you have any further correspondence on this. I have attached the correspondence that I was able to find in my files. This was during the transition time between Jim Corliss and yourself, and my memory is little foggy on whether these items were further addressed, or still need to be addressed. The fact that my computer crashed a couple of times since then and I lost several files, included e-mails doesn’t help things. I am sorry for the inconvenience.

As you know, we will be in negotiations with an engineering consultant shortly, and if there are additional things that need to be addressed in either of these documents we would like to include them in the revised work scope. I would appreciate if you could check your files and see what you might have. I have left a message with your office to call me to discuss this further. The proposals are due on Tuesday, May 16 at 3:00 pm. If you could check your files before then and get back to me, I would appreciate. One of the proposers has asked for a clarification on this.

Please let me know what you find and what we need to do to further address (and/or update) these items.

Thank you Jim. As always, we appreciate your assistance.

Sincerely,

Diane Hardy