

https://www.caledonianrecord.com/news/local/casella-gives-dalton-landfill-status-expects-public-hearings-after-mid-2024/article_ae8e40bd-32e9-52da-82aa-0b5d61bc39c9.html

Casella Gives Dalton Landfill Status, Expects Public Hearings After Mid-2024

Robert Blechl rblechl@caledonian-record.com Staff Writer

Jan 16, 2024



During Monday's Dalton Select Board meeting, Joe Gay, engineer for Casella Waste Systems, presented the current status of the company's proposed commercial landfill near Forest Lake.

During a Dalton Select Board meeting on Monday, a representative for Casella Waste Systems presented the status of the company's new commercial landfill proposed near Forest Lake State Park and said a series of public hearings on the permit applications could take place in the late summer or early fall of 2024.

Among the questions asked by board members were if any expansion is being eyed beyond what is now an 18-year landfill life capacity beginning after 2026 and if Casella will be reaching out to nearby towns that would also be impacted by the project, with impacts including truck traffic.

In late 2023, following a landfill footprint that had been reduced from the originally proposed 137 acres to a current footprint of 70 acres, the company submitted revised applications for the state solid waste, wetlands, driveway, and alteration of terrain permits.

Later in January, Casella intends to submit applications for federal permits, including one for water quality.

Permits since filed for what Casella is calling the Granite State Landfill LLC are under preliminary review by the New Hampshire Department of Environmental Services to determine if they are administratively complete, after which the department, upon determining completeness, would begin a formal application review.

The driveway permit is under review by the State Department of Transportation.

“I think we mentioned before that all of these permit processes take a long time,” said Casella engineer Joe Gay, who gave the informal presentation. “We’re in the beginning stages of that ... Our landfill in Bethlehem is going to be at capacity some time in 2026, maybe 2027. Ideally, what we’d like to do is be able to transition our operations from that facility to this facility in Dalton.”

Once all permits are obtained, Casella has about three years of construction before it could begin accepting trash in Dalton, and there is a window of four or five years before it would need that capacity, he said.

While the new footprint is 70 acres, which would contain all of the waste, there would be disturbances outside of that to build the landfill and storm-water ponds, roads, and other features, said Gay.

“That encompasses about 150 acres, so just over double what the landfill footprint itself would be,” he said. “As proposed, this facility would provide about 18 years of capacity for our customer base in New Hampshire.”

There is also the potential for renewable energy projects (decomposing waste produces landfill gas that can be converted to energy) that could involve input from the community, said Gay.

He said the landfill would be sited near Chick's Sand and Gravel, with the footprint just beyond where the stone is crushed.

NHDOT is requiring safety improvements at the intersection of Route 116 and the driveway entrance, said Gay.

"What DOT wants to see is the entrance to the facility perpendicular to 116 for safety reasons," said Gay. "And they are going to require an access lane or a right-turn lane coming from the Whitefield side. Trucks and vehicles entering the landfill can get into the right-turn lane and allow vehicles to pass by. There will be an island with good sight distances on both sides."

He called the access road from Route 116 "in pretty good shape," wide, and able to hold up well for heavy vehicle traffic.

The infrastructure area would provide a collection and management point for the landfill gas that is produced by lined landfills as well as a capture point for the wastewater, or leachate, collected from inside the footprint.

"That wastewater is pumped into tanks before it's hauled offsite," said Gay.

Casella would not build the entire 70 acres in the first years of operation and would instead divide the landfill into six separate cells of about 12 to 14 acres each, as is typical in the development of modern landfills, he said.

"The wetlands application is proposing to take about 11 ½ acres of wetlands for the project, so we'll be talking about mitigation efforts for the taking of 11 ½ acres," said Gay.

Mitigation can include such measures as preserving wetlands in other areas, he said.

As for the project timeline, the state is requiring Casella to keep its Bethlehem landfill open until 2026, though the company will likely keep that facility open into 2027 before it reaches capacity, said Gay.

"At that point, we hope we're over here, built the first cell, got our infrastructure in, and begin accepting waste," he said.

In 2024, if the company begins to gain permit approvals, it can begin building certain landfill features as it goes, said Gay.

While Monday's presentation during what was a Select Board work session did not provide an opportunity for residents to ask questions, Gay said that he would be open to holding a future question-and-answer session.

He also said a host community agreement first proposed by Casella to the town several years ago when the landfill was twice as large could be revisited by other Casella staff members.

In response to a question by Dalton Select Board member Jo Beth Dudley, Gay said that while the landfill site would have renewable energy opportunities, it would not have a commercial composting facility or a transfer station because it would be an end disposal site.

Casella has proposed to build and operate a large-scale recycling facility for the state of New Hampshire, but it would not be located in Dalton, he said. Previously, Casella representatives have said that a recycling facility would be located in another part of the state.

Dudley also asked if the Dalton Conservation Commission and its experts would be able to visit the property during the time when it's most beneficial, such as when vernal pools are active.

Gay said an opportunity was extended previously for the commission to visit during the growing season, but that offer was declined, and any future visit "would be a legal question at this point."

Select Board member Carol Sheltry said the original permit application was for 38 years, and now Casella is proposing a landfill with a life of 18 years.

"Are there future expansions to go to 38?" she asked. "Are we starting out at 18 and going to 38 years?"

"We're starting at 18 and staying at 18 at this point," said Gay. "There are no plans for future expansion."

"Have you reached out to Whitefield since they are bordering all of this, and the trucks will be coming through their town?" asked Sheltry.

“Yeah, it’s a good question,” said Gay. “I don’t think we’ve gone to Whitefield. I know that we had some conversations with DOT about Whitefield, looking at some safety questions down there, but I have not been to the Whitefield Select Board.”

“Are you going to reach out to them?” asked Sheltry.

“That’s a good question,” said Gay. “That is something I will take a note of.”

“They will be affected by this as well,” said Sheltry.

“Yeah,” said Gay. “I appreciate the question and will put some consideration into that.”

“It seems like the surrounding communities, not just Whitefield, but Bethlehem, Littleton, etc. would be impacted as well,” said Dudley. “Are there plans to reach out to the broader community?”

Gay said he’s been focused on Dalton.

“I also oversee our lined landfill in Vermont and I’ve been to many of the towns for that landfill, answering questions that they might have regionally, so that is something that we can take into consideration here, I think,” he said.

Robert Blechl

Robert Scott, Commissioner
New Hampshire Department of Environmental Services
29 Hazen Drive
Concord, NH 03302-0095
robert.scott@des.nh.gov

January 13, 2024

Re: Granite State Landfill Application

Dear Commissioner Scott:

We, the appointed members of the Planning Board of the town of Dalton, write to express our concern that the newly-submitted applications to construct the “Granite State Landfill” in our town continue to assert, incorrectly, that “local approvals are not required for Dalton” (page 19 of 42 in the attached Alteration of Terrain permit application), and that “local permitting is not anticipated [because] the town of Dalton does not have a zoning ordinance” (page 39 of 111 in the attached Solid Waste permit application).

GSL is preparing several NHDES permit applications that are being submitted concurrently or are in process, which are summarized below:

- NHDES-Wetlands Standard Dredge and Fill Permit Application
 - Army Corps Wetland Application (404)
- NHDES-Waste Management Division Standard Permit for Solid Waste Landfill
- NHDES Groundwater Protection Bureau Groundwater Management Permit
- NHDES Air Resources Division Permit
- NHDES 401 Water Quality Certification
- NHDOT Driveway Permit submitted on November 3, 2020 (under review)
- NHDES Shoreland Permit

Local approvals are not required for Dalton, or in Bethlehem where the site entrance is located.

AOT permit application, page 19 of 42

Section III – Permit Status

Permitting efforts for the Granite State Landfill are ongoing. The project has or will be submitting the following permit applications.

NHDES Waste Management Division Standard Permit: Submitted herewith.

NHDES-Alteration of Terrain Permit: An AoT permit application is expected to be submitted to NHDES in the fall of 2023. The application will include full development of the landfill (70 acres), improvements to Douglas Drive, site infrastructure area, and stormwater improvements.

NHDES Wetlands: A Standard Dredge and Fill wetlands application is expected to be submitted to the NHDES Wetlands Bureau in the fall of 2023 to fill approximately 10 acres of wetlands within the landfill footprint, infrastructure area, access roads and berms, and improvements to Douglas Drive and NH Route 116.

NHDES Shoreland Permit: An NHDES Shoreland permit will be necessary for portions of the site entrance on NH Route 116 which are within 250 feet of the Ammonoosuc River.

U.S. Army Corps Wetland Permit: An Army Corps wetland permit application will be submitted concurrently with the NHDES wetlands application.

NHDES Groundwater Release Detection Permit: GSL anticipates submitting an application for a Groundwater Release Detection Permit in the summer of 2024. The hydrogeologic report presented in Section V Attachment 4 was prepared to support the upcoming application.

401 Water Quality Certification: The project will be submitting its 401 Water Quality Certification application before the end of 2023.

NHDES Air Resources Division Permit: GSL submitted this application July 5, 2023.

NHDOT Driveway Permit: A driveway permit was submitted to the NHDOT for access off Route 116 on November 3, 2020. A copy of the Driveway Permit application and Traffic Study is provided in Attachment V(5). This application is currently under review by NHDOT. No local approvals with the Town of Bethlehem are anticipated for the driveway entrance.

Local Approvals: Local permitting is not anticipated. The Town of Dalton does not have a zoning ordinance.

Solid Waste permit application, page 39 of 111

While the majority of voters of Dalton did not vote to enact permanent zoning in 2022, our Planning Board and Select Board have always had an important power under RSA 674.41(I)(d)(1) regarding private and Class VI roads.

That statute clearly prohibits any building to be erected on a lot whose access is a private or a Class VI road, unless “[t]he local governing body, after review and comment by the planning board, has voted to authorize the issuance of building permits for the erection of buildings on said road or portion thereof.”

Douglas Drive (sole access to the proposed landfill) is a private road, which is in fact how Casella Waste Systems itself prominently describes the road in the first full page of its Standard Permit for Solid Waste Landfill application (top of p. 31 of the file “5129511.pdf”) as well as page 19 of the Alteration of Terrain Permit Application. That private road begins within the town limits of Bethlehem, but the majority of its length is within the town of Dalton, as is the proposed landfill itself.

Section I – Identification

Information for Section I is provided on the application form and the two attachments following this sheet.

This Standard Permit for Solid Waste Landfill application is being submitted by Granite State Landfill, LLC (GSL) to permit the proposed Granite State Landfill in Dalton, New Hampshire. The Granite State Landfill project comprises a lined footprint of 70 acres and includes improvements **to an existing private road (Douglas Drive)** to access the landfill, and construction of the facility site infrastructure area.

GSL is subsidiary of Casella Waste Systems, Inc. It is intended that the Granite State Landfill will replace the North Country Environmental Services Landfill in Bethlehem and that the initial stage of the new landfill will be operational around the time operations end at the NCFS landfill in 2028. The project is

Solid Waste permit application, page 31 of 111

Mr. Ingerson's parcels are bounded by undeveloped wooded properties in Littleton to the west, a gun club and shooting range to the southwest, residences and undeveloped properties in Bethlehem to the south, residential properties to the southeast in Whitefield, residential properties on Forest Lake to the east, Forest Lake State Park and managed forest land in the Park to the northeast, and woodlands and an off-road driving school to the north and northwest. Forest Lake and the surrounding properties are

1101-GSL-DR-231106-AOT Report-AJS

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outside of the watershed evaluated for this project. The Dalton/Whitefield town line bisects Forest Lake.

The landfill and site infrastructure area are entirely in the Town of Dalton and the site is accessed by Douglas Drive (private road) via Route 116 in Bethlehem. The location of the landfill footprint, access roads, and infrastructure were sited such that impacts to wetlands and waterbodies are minimized and views of the landfill from roadways and abutters are limited.

AOT permit application, page 19 of 42

Therefore, we respectfully request that NH DES either:

- (1) return the AOT and the Solid Waste applications as incomplete, instructing the applicant to acknowledge in revising its applications that it must obtain building approvals from the Dalton Select Board, after the Planning Board has had an opportunity to consider the applications; or
- (2) continue to process the applications but defer a final decision on them until these two Boards inform DES that they have decided to issue the building approvals.

Thank you for your attention to this matter.

Sincerely,

Planning Board, Town of Dalton NH

cc:

Brian Gould, Esq.

gouldb@cwbp.com

Mike Wimsatt

michael.j.wimsatt@des.nh.gov

House E&A Committee

HouseEnvironmentandAgricultureCommittee@leg.state.nh.us

Senate ENR Committee

Kevin.Avard@leg.state.nh.us

Howard.Pearl@leg.state.nh.us

Regina.Birdsell@leg.state.nh.us

Debra.Altschiller@leg.state.nh.us

David.Watters@leg.state.nh.us

*Town of Dalton, NH
Board of Selectmen
756 Dalton Road
Dalton, NH 03598
selectmen@townofdalton.com*

January 9, 2023

Brian Oliver, Regional Vice President
Casella Waste Systems
110 Main Street, Suite 1308
Saco, ME 04005
Brian.Oliver@casella.com
(sent only via email)

Re: Granite State Landfill LLC
Proposed Lined Landfill-Dalton, NH
RSA 674:41 "Erection of Buildings on Streets"
NHDOT Driveway Permit Application #14656 (GSL Landfill Project)

Dear Mr. Oliver:

We write to inform you that according to RSA 674:41, "Erection of Buildings on Streets", the erection of any building on property which has as its sole access a Class VI or private road, is prohibited. Douglas Drive, which is the sole access to the proposed GSL Landfill development project, is a private road.

No approvals have been issued by the Town of Dalton as set forth in RSA 674:41.

Therefore, as the duly elected representatives of the Town of Dalton, the municipality in which the proposed Granite State Landfill development is to be sited in, we write to respectfully inform you that Casella/GSL will require approval from the Dalton Select Board before it is permitted to construct any buildings at this proposed site at Douglas Drive in Bethlehem and Dalton.

Sincerely,

Select Board, Town of Dalton

*Jo Beth Dudley, Chair
Carol Sheltry
Tamela Swan*

*Jo Beth Dudley
Carol Sheltry*

Cc:

William J. Cass, Commissioner, NHDOT william.j.cass@dot.state.nh.us

Mr. James McMahon, Engineer, NHDOT Region 1 james.f.mcmahoniii@dot.nh.gov

Robert Scott, Commissioner, NHDES robert.scott@des.nh.gov

Director Michael Wimsatt, NHDES Waste Management Division michael.wimsatt@des.nh.gov

Town of Bethlehem Select Board admin@bethlehemnh.org

Town of Whitefield Select Board administrativeassistant@whitefieldnh.org

Town of Littleton Select Board selectmen@townoflittleton.org

overlapping construction schedules. Any additional development, expansion or change in land use after a permit is issued will require reapplication to the Department and an updated Traffic Study. Clarification on land uses and related traffic has been mentioned in previous District correspondence.

Also, NHDOT Traffic's review of Page 2 of the study states the landfill opening and future years are 2026 and 2036, respectively. In the subsequent sections, years 2028 and 2038 are used. There is no documentation stating the analysis years have been updated. Please confirm opening and future years are consistent within the Traffic Study.

The updated Traffic Study includes all current and contemplated uses for Mr. Ingerson's properties. We acknowledge that any additional development, expansion or change in land use after a permit is issued will require reapplication to the Department. The landfill is expected to open in 2028, and to close approximately 18 years later (+/- 2046).

3. The applicant did not address how damage (rutting) from haul trucks often parking along the highway shoulder and the interstate on/off ramps will be discouraged while waiting for the landfill facility to open. The Applicant's response indicated Casella will provide drivers with a restroom and coffee & water at the Bethlehem landfill facility located at 581 Trudeau Road, Bethlehem, NH, and the proposed landfill will provide staging along Douglas Drive within one hour prior to the facility opening. The hours of operation were not provided for either landfill facility or a discussion on how drivers behavior will change, specifically to discourage trucks from parking along the highway outside landfill operating hours.

In addition to requiring that drivers utilize a designated route, hauler contracts/agreements will include language prohibiting parking on the highway shoulders of the interstate on/off ramp shoulders and encouraging use of the alternatives provided by GSL at the ¹NCES Landfill in Bethlehem, New Hampshire (Bethlehem Facility) site access road. The proposed resting facility at the Bethlehem Facility will be open 24 hours on days the GSL facility is operating. Staging on Douglas Drive would begin at 5:30 am, one hour before opening the facility gate. GSL expects the alternative rest arrangements will be enthusiastically used by the drivers as they are convenient, and in the case of the Bethlehem Facility, would offer welcome amenities such as indoor bathrooms and free coffee.

4. District is not comfortable with the self-imposed and enforced truck route proposal. District insists that the traffic study be adjusted to redistribute traffic volumes along the shortest truck route available. The Department views all state highways accessible to trash haul vehicles and District would not restrict haul vehicles on sections of state

¹ The Bethlehem Facility utilizes a designated route and has recently added to its Facility Rules, a requirement that haulers accessing the Bethlehem Facility not park on the shoulder of any road that approaches the Bethlehem Facility.

highway as a condition of a driveway permit.

District's position has been that the shortest haul route is the most likely route for haul vehicles traveling to and from the proposed landfill. The driveway layout, traffic study and any mitigation should review the possibility of the shortest route being used.

Casella's driveway layout, traffic study and mitigation package is based on a self-enforced proposal which is about 22 miles longer from the North at Exit 42 and over 9 miles from the South at Exit 35 according to Google Maps and is not the shortest route.

From the North on I-93

Applicant's Proposal

Exit 40 Bethlehem through Carroll/Whitefield/Bethlehem

29.7 miles

Shortest Route

Exit 42 Littleton through Littleton to Bethlehem

7.5 miles

The Applicant's Proposal is about 22 miles longer than the Shortest Route available to trucks.

From the South on I-93

Applicant's Proposal

Exit 35 Franconia through Franconia/.../Whitefield/Bethlehem

25.0 miles

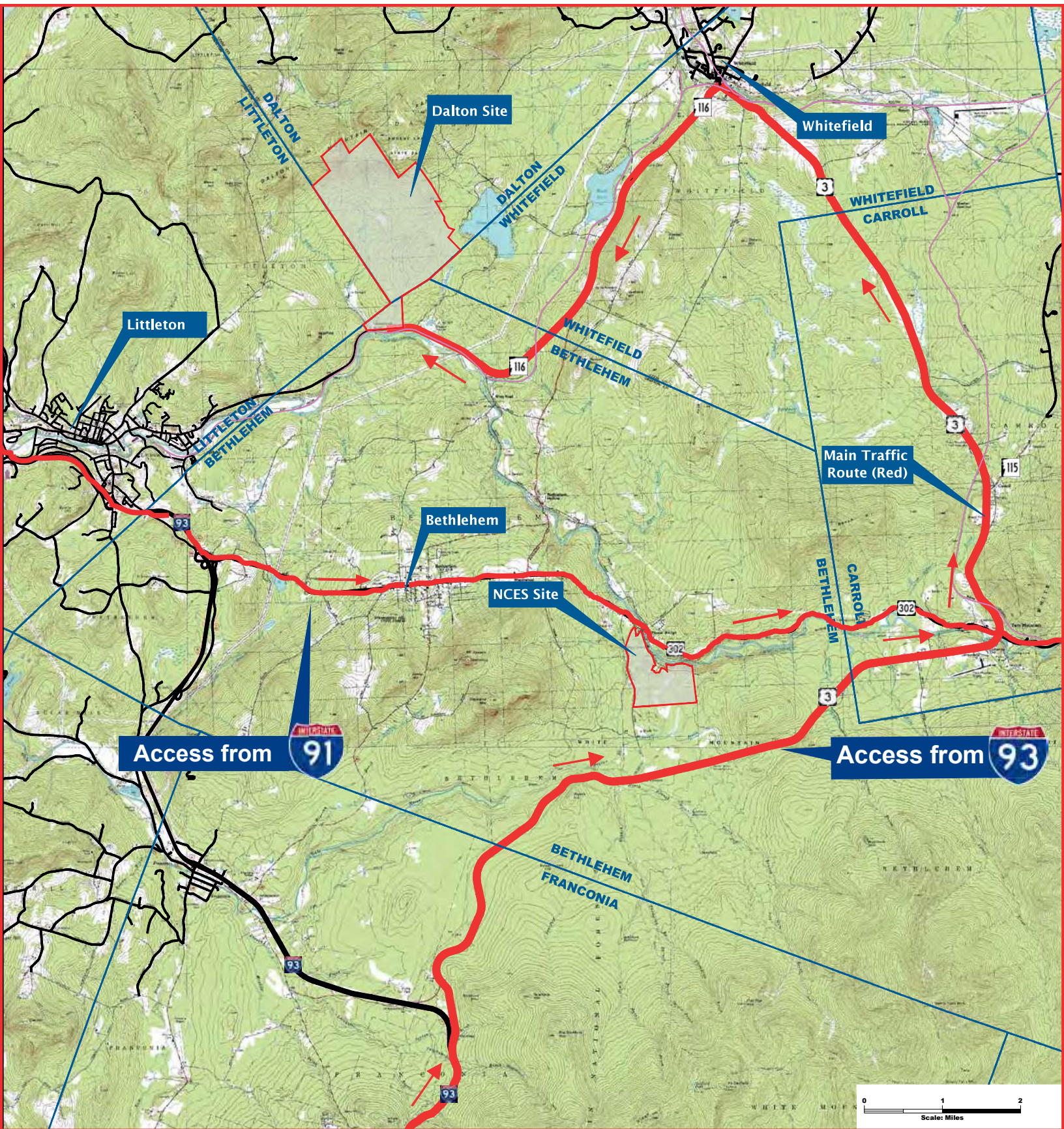
Shortest Route

Exit 41 Littleton through Littleton to Bethlehem

15.4 miles

The Applicant's Proposal is over 9 miles longer than the Shortest Route available to Trucks.

In our discussions with NHDOT about this comment, you asked us to provide an analysis of traffic assuming a hypothetical scenario in which half of the traffic to and from the landfill passes through Littleton. Because we understand that there are circumstances in which NHDOT may want an assessment of traffic patterns that are different from those a facility will utilize (i.e., a designated route), we agreed to analyze the theoretical case NHDOT posed to us. The traffic study concludes that the traffic from Littleton to the site at these levels would not require a left turn lane into the GSL driveway. We also evaluated truck turning movements from Cottage Street onto NH 116 east/northbound. The truck turning movements necessary to avoid the Opera House require swinging into the oncoming west/southbound lane and in addition, would require moving the stop line back about 80 feet, a change to the intersection which would not be feasible. These operational constraints should further encourage the use



The GSL search also considered the following practical considerations:

- The landfill footprint and required setbacks should not be crossed by stationary permanent linear features such as power lines, railroad lines, pipelines or a public road that would reduce the useful landfill footprint to an area less than the search criterion. Each of these features would be difficult at best to move to accommodate a contiguous landfill footprint.
- GSL chose to avoid filling any major wetlands systems or perennial surface water identified in the National Wetland Inventory (NWI) as a baseline criterion for establishing a landfill footprint in recognition of the need to minimize significant impacts.
- The site should have direct or near direct access to a state road designed for heavy truck traffic. As a result of having regionalized landfill facilities, much of the waste will be consolidated locally at transfer stations and transported to the site using tractor trailers. GSL intends to avoid major truck traffic on secondary roads where the truck traffic would pass by residences or through congested municipal centers.
- The landfill should be naturally screened to the extent practicable from abutting and nearby residences by topography, vegetation, and distance. The NHDES rules require a 500-foot setback from the landfill waste to residential properties. Larger distances are desirable in some instances to limit potential landfill-related noise.
- The double-lined landfill technology proposed for this project has been used successfully in northern New England for over 30 years. The landfill would be subject to regular groundwater and surface water quality monitoring throughout its operating life and after closure. None-the-less in siting it is best to avoid locations directly upgradient of sensitive receptors such as public potable water supplies.
- Overly steep terrain should be avoided as the potential for instability of the waste mass increases on steeper slopes. Canyon or ravine-type topography further reduces overall stability. The flatter base area of the landfill should average slopes of 15 percent or less. Steeper slopes often lower landfill capacity due to geometric constraints so that a larger landfill footprint and more wetland filling is needed for a given capacity.
- Sites with near surface or exposed bedrock should be avoided due to difficulty in siting monitoring wells.

Other considerations included the following:

- The site should preferably be purchased from or partnered with a single owner. Finding a cooperative landowner is difficult and needing to negotiate with two or more owners to piece together a viable site would complicate and perhaps prevent the access to the land.
- The landfill footprint and setbacks should be located within only one municipality. GSL endeavors to develop a cooperative, open, and mutually beneficial relationship with the host municipality. This would include developing with the municipality a host community agreement that addresses local concerns and provides financial benefits. Conducting such negotiations with two separate municipalities rather than one would likely have a much lower probability of success.
- Each potential site should be evaluated for important natural resources such as wetlands type and function, surface water, land use, habitat value, and sensitive plant or animal species, as well as historical resources and archeologic features.

Facility Name: NORTH COUNTRY ENVIRONMENTAL SERVICES

6. Waste Landfilled from New Hampshire and Out of State (Env-Sw 1105.13 (e) & (f))

Waste Type	Source of Waste: Separate tonnages according to state: NH (combined) or other US state (s) (specify).		Tons Landfilled in 2015*
Commerical/ Industrial SW	NH Only		324.25
	Other State:	Massachusetts	208.65
		Rhode Island	58.24
	Other State:	Vermont	1.82
Construction & Demolition Debris	NH Only		75,628.40
	Other State:	Massachusetts	13,641.82
	Other State:	Rhode Island	2,349.46
Residential SW	Other State:	Vermont	2,001.79
	NH Only		144,087.31
	Other State:	Massachusetts	40,446.75
	Other State:	Rhode Island	496.64
	Other State:	Vermont	5,621.83
Other (Specify): Sludge/Grit	NH Only		2,055.59
	Other State:	Massachusetts	19,459.34
Other (Specify): Soils	NH Only		15,776.06
	Other State:	Massachusetts	12,077.74
	Other State:	Maine	130.45
	Other State:	Vermont	3,991.44
Other (Specify): Foundry Sand	NH Only		3,366.28
Other (Specify): Ash (MSW & Wood)	NH Only		16.78
Other (Specify): Ground Clean Wood & Sawdust	NH Only		1,642.03
	Other State:	Vermont	228.83
Other (Specify): Grit/Screenings	NH Only		27.27
	Other State:	Connecticut	25.57
	Other State:	Massachusetts	46.85
Other (Specify): Railroad Ties	NH Only		
	Other State:	Massachusetts	376.59

Total 2015: 344,087.78 Tons

NH Generated Waste: 242,906.88 Tons

29.5 % Out Of State Waste

6. Facility Operator Information (Env-Sw 1105.13(c))

Name	Certificate Number	Expiration Date	Still Working at Facility as of December 31?
1. STEPHEN ALLEN	030761	05/10/2017	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
2. JOSHUA CASEY	002870	09/13/2017	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
3. ROLAND DAY	PENDING	/ /	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
4. MICHELLE DEWITT	004176	12/16/2017	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
5. DON A DUNN	000513	03/15/2017	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Additional Facility Operator Information is attached to this Annual Facility Report.

7. Waste and Recyclables Received & Shipped (Env-Sw 1105.13(e), Env-Sw 1105.13(f))

Type of Waste

<input checked="" type="checkbox"/> Ash	<input type="checkbox"/> Electronic Waste	<input type="checkbox"/> Scrap Metal
<input type="checkbox"/> Asbestos	<input type="checkbox"/> Food Waste	<input type="checkbox"/> White Goods
<input type="checkbox"/> Bulky Waste	<input type="checkbox"/> Infectious Waste	<input checked="" type="checkbox"/> Other: Sludge & Grit
<input checked="" type="checkbox"/> C&D Debris	<input checked="" type="checkbox"/> Municipal Solid Waste	<input checked="" type="checkbox"/> Other: Industrial Waste
<input checked="" type="checkbox"/> Contaminated Soil	<input type="checkbox"/> Recyclable Materials	<input checked="" type="checkbox"/> Other:

Quantity of Waste

Quantity of Waste Received		Quantity of Waste Shipped	
Non-Recyclable Waste Received:		Non-Recyclable Waste Shipped:	
From NH Sources	251,699 tons	To NH Destinations	tons
From Out-of-State Sources	42% 181,307 tons	To Out-of-State Destinations	tons
Total Received	433,006 tons	Total Shipped	tons
Recyclables Received:		Recyclables Shipped:	
From NH Sources	tons	To NH Destinations	tons
From Out-of-State Sources	tons	To Out-of-State Destinations	tons
Total Received	tons	Total Shipped	tons

8. Estimated Quantity of Waste Stored at the Facility as of December 31, 2016 (Env-Sw 1105.13(i))

Type of Waste	Quantity Onsite as of Dec. 31	Type of Waste	Quantity Onsite as of Dec. 31
Ash	tons	Municipal Solid Waste	tons
Asbestos	tons	Recyclable Materials	tons
Bulky Waste	tons	Scrap Metal	tons
C&D Debris	tons	White Goods	tons
Contaminated Soil	tons	Other:	
Electronic Waste	tons	Other:	
Food Waste	tons	Other:	
Infectious Waste	tons	Other:	

6. Facility Operator Information (Env-Sw 1105.13(c))

Name	Certificate Number	Expiration Date	Still Working at Facility as of December 31?
1. SEE ATTACHED		/ /	<input type="checkbox"/> Yes <input type="checkbox"/> No
2.		/ /	<input type="checkbox"/> Yes <input type="checkbox"/> No
3.		/ /	<input type="checkbox"/> Yes <input type="checkbox"/> No
4.		/ /	<input type="checkbox"/> Yes <input type="checkbox"/> No
5.		/ /	<input type="checkbox"/> Yes <input type="checkbox"/> No

Additional Facility Operator Information is attached to this Annual Facility Report.

7. Waste and Recyclables Received & Shipped (Env-Sw 1105.13(e), Env-Sw 1105.13(f))

Type of Waste

<input checked="" type="checkbox"/> Ash	<input type="checkbox"/> Electronic Waste	<input checked="" type="checkbox"/> Scrap Metal
<input type="checkbox"/> Asbestos	<input type="checkbox"/> Food Waste	<input type="checkbox"/> White Goods
<input checked="" type="checkbox"/> Bulky Waste	<input type="checkbox"/> Infectious Waste	<input checked="" type="checkbox"/> Other: Sandblast Grit
<input checked="" type="checkbox"/> C&D Debris	<input checked="" type="checkbox"/> Municipal Solid Waste	<input checked="" type="checkbox"/> Other: Sludge, Grit & Screenings
<input checked="" type="checkbox"/> Contaminated Soil	<input type="checkbox"/> Recyclable Materials	<input checked="" type="checkbox"/> Other: BUD i.e. Sawdust, Crushed Glass, Foundry Sand

Quantity of Waste

Quantity of Waste Received		Quantity of Waste Shipped	
Non-Recyclable Waste Received:		Non-Recyclable Waste Shipped:	
From NH Sources	237853 tons	To NH Destinations	tons
From Out-of-State Sources	36% 134075 tons	To Out-of-State Destinations	tons
Total Received	371928 tons	Total Shipped	tons
Recyclables Received:		Recyclables Shipped:	
From NH Sources	48.34 tons	To NH Destinations	tons
From Out-of-State Sources	tons	To Out-of-State Destinations	48.38 tons
Total Received	tons	Total Shipped	tons

8. Estimated Quantity of Waste Stored at the Facility as of December 31, 2017 (Env-Sw 1105.13(i))

Type of Waste	Quantity Onsite as of Dec. 31	Type of Waste	Quantity Onsite as of Dec. 31
Ash	tons	Municipal Solid Waste	tons
Asbestos	tons	Recyclable Materials	tons
Bulky Waste	tons	Scrap Metal	tons
C&D Debris	tons	White Goods	tons
Contaminated Soil	tons	Other:	
Electronic Waste	tons	Other:	
Food Waste	tons	Other:	
Infectious Waste	tons	Other:	

6. Facility Operator Information (Env-Sw 1105.13(c))

Name	Certificate Number	Expiration Date	Still Working at Facility as of December 31?
1. see attached		/ /	<input type="checkbox"/> Yes <input type="checkbox"/> No
2.		/ /	<input type="checkbox"/> Yes <input type="checkbox"/> No
3.		/ /	<input type="checkbox"/> Yes <input type="checkbox"/> No
4.		/ /	<input type="checkbox"/> Yes <input type="checkbox"/> No
5.		/ /	<input type="checkbox"/> Yes <input type="checkbox"/> No

Additional Facility Operator Information is attached to this Annual Facility Report.

7. Waste and Recyclables Received & Shipped (Env-Sw 1105.13(e), Env-Sw 1105.13(f))

Type of Waste

Note: Universal Wastes and Used Oil are included in Section 11, so do not enter them here.

<input checked="" type="checkbox"/> Ash	<input type="checkbox"/> Electronic Waste	<input checked="" type="checkbox"/> Scrap Metal
<input type="checkbox"/> Asbestos	<input type="checkbox"/> Food Waste	<input type="checkbox"/> White Goods
<input checked="" type="checkbox"/> Bulky Waste	<input type="checkbox"/> Infectious Waste	<input checked="" type="checkbox"/> Other: Approved Special Waste
<input checked="" type="checkbox"/> C&D Debris	<input checked="" type="checkbox"/> Municipal Solid Waste	<input type="checkbox"/> Other:
<input checked="" type="checkbox"/> Contaminated Soil	<input type="checkbox"/> Recyclable Materials	<input type="checkbox"/> Other:

Quantity of Waste

Quantity of Waste Received		Quantity of Waste Shipped	
Non-Recyclable Waste Received:		Non-Recyclable Waste Shipped:	
From NH Sources	231,515.15 tons	To NH Destinations	tons
From Out-of-State Sources	34% 120,770.15 tons	To Out-of-State Destinations	tons
Total Received	352,285.30 tons	Total Shipped	tons
Recyclables Received:		Recyclables Shipped:	
From NH Sources	53.98 tons	To NH Destinations	tons
From Out-of-State Sources	tons	To Out-of-State Destinations	53.98 tons
Total Received	53.98 tons	Total Shipped	53.98 tons

8. Estimated Quantity of Waste Stored at the Facility as of December 31, 2018 (Env-Sw 1105.13(i))

Type of Waste	Quantity Onsite as of Dec. 31	Type of Waste	Quantity Onsite as of Dec. 31
Ash	tons	Municipal Solid Waste	tons
Asbestos	tons	Recyclable Materials	tons
Bulky Waste	tons	Scrap Metal	2 tons
C&D Debris	tons	White Goods	tons
Contaminated Soil	tons	Other:	
Electronic Waste	tons	Other:	
Food Waste	tons	Other:	
Infectious Waste	tons	Other:	

6. Facility Operator Information (Env-Sw 1105.13(c))

Name	Certificate Number	Expiration Date	Still Working at Facility as of December 31?
1. See attached		/ /	<input type="checkbox"/> Yes <input type="checkbox"/> No
2.		/ /	<input type="checkbox"/> Yes <input type="checkbox"/> No
3.		/ /	<input type="checkbox"/> Yes <input type="checkbox"/> No
4.		/ /	<input type="checkbox"/> Yes <input type="checkbox"/> No
5.		/ /	<input type="checkbox"/> Yes <input type="checkbox"/> No

Additional Facility Operator Information is attached to this Annual Facility Report.

7. Waste and Recyclables Received & Shipped (Env-Sw 1105.13(e), Env-Sw 1105.13(f))

Type of Waste

Note: Universal Wastes and Used Oil are included in Section 11, so do not enter them here.

<input checked="" type="checkbox"/> Ash	<input type="checkbox"/> Electronic Waste	<input checked="" type="checkbox"/> Scrap Metal
<input type="checkbox"/> Asbestos	<input type="checkbox"/> Food Waste	<input type="checkbox"/> White Goods
<input checked="" type="checkbox"/> Bulky Waste	<input type="checkbox"/> Infectious Waste	<input checked="" type="checkbox"/> Other: Approved Special Waste
<input checked="" type="checkbox"/> C&D Debris	<input checked="" type="checkbox"/> Municipal Solid Waste	<input checked="" type="checkbox"/> Other:
<input checked="" type="checkbox"/> Contaminated Soil	<input type="checkbox"/> Recyclable Materials	<input checked="" type="checkbox"/> Other:

Quantity of Waste

Quantity of Waste Received		Quantity of Waste Shipped	
Non-Recyclable Waste Received:		Non-Recyclable Waste Shipped:	
From NH Sources	233487.63 tons	To NH Destinations	0 tons
From Out-of-State Sources	113345.11 tons	To Out-of-State Destinations	0 tons
Total Received	346832.74 tons	Total Shipped	0 tons
Recyclables Received:		Recyclables Shipped:	
From NH Sources	59.96 tons	To NH Destinations	tons
From Out-of-State Sources	tons	To Out-of-State Destinations	56.57 tons
Total Received	59.96 tons	Total Shipped	tons

8. Estimated Quantity of Waste Stored at the Facility as of December 31, 2019 (Env-Sw 1105.13(i))

Type of Waste	Quantity Onsite as of Dec. 31	Type of Waste	Quantity Onsite as of Dec. 31
Ash	tons	Municipal Solid Waste	tons
Asbestos	tons	Recyclable Materials	tons
Bulky Waste	tons	Scrap Metal	5.39 tons
C&D Debris	tons	White Goods	tons
Contaminated Soil	tons	Other:	
Electronic Waste	tons	Other:	
Food Waste	tons	Other:	
Infectious Waste	tons	Other:	

NHDES-S-05-056

6. Facility Operator Information [Env-Sw 1105.13(c)]

Name	Certificate Number	Expiration Date	Still Working at Facility as of December 31?
1. See attached		/ /	<input type="checkbox"/> Yes <input type="checkbox"/> No
2.		/ /	<input type="checkbox"/> Yes <input type="checkbox"/> No
3.		/ /	<input type="checkbox"/> Yes <input type="checkbox"/> No
4.		/ /	<input type="checkbox"/> Yes <input type="checkbox"/> No
5.		/ /	<input type="checkbox"/> Yes <input type="checkbox"/> No

Additional Facility Operator Information is attached to this Annual Facility Report.

7. Waste and Recyclables Received & Shipped [Env-Sw 1105.13(e) / Env-Sw 1105.13(f)]

Type of Waste

Note: Universal Wastes and Used Oil are included in Section 11, so do NOT enter them here.

<input checked="" type="checkbox"/> Ash	<input type="checkbox"/> Electronic Waste	<input type="checkbox"/> Recyclable Materials
<input type="checkbox"/> Asbestos	<input type="checkbox"/> Food Waste Composted Onsite	<input type="checkbox"/> Scrap Metal
<input checked="" type="checkbox"/> Bulky Waste	<input type="checkbox"/> Food Waste Transferred to Composter/Processor	<input type="checkbox"/> White Goods
<input checked="" type="checkbox"/> C&D Debris	<input type="checkbox"/> Infectious Waste	<input checked="" type="checkbox"/> Other: Approved Special Waste
<input checked="" type="checkbox"/> Contaminated Soil	<input checked="" type="checkbox"/> Municipal Solid Waste	<input type="checkbox"/> Other:

Quantity of Waste

Quantity of Waste Received		Quantity of Waste Shipped	
C&D Debris Received:		C&D Debris Shipped:	
From NH Sources	96,992.57 tons	To NH Destinations	0 tons
From Out-of-State Sources	5,961.67 tons	To Out-of-State Destinations	0 tons
Total Received	102,954.24 tons	Total Shipped	0 tons
Recyclables Received:		Recyclables Shipped:	
From NH Sources	49.14 tons	To NH Destinations	tons
From Out-of-State Sources	tons	To Out-of-State Destinations	49.14 tons
Total Received	49.14 tons	Total Shipped	49.14 tons
Mixed Solid Waste/General Refuse Received:		Mixed Solid Waste/General Refuse Shipped:	
From NH Sources	88,075.54 tons	To NH Destinations	0 tons
From Out-of-State Sources	53,912.76 tons	To Out-of-State Destinations	0 tons
Total Received	141,988.30 tons	Total Shipped	0 tons

Total: 244,942 Tons

NH-Generated Waste: 185,068 Tons

Out-Of-State Waste: 24.4%

6. Solid Waste Facility Operator Information [\[Env-Sw 1105.13\(c\)\]](#)

Name	Certificate Number	Expiration Date	Still Working at Facility as of December 31?
1. See Attached			<input type="checkbox"/> Yes <input type="checkbox"/> No
2.			<input type="checkbox"/> Yes <input type="checkbox"/> No
3.			<input type="checkbox"/> Yes <input type="checkbox"/> No
4.			<input type="checkbox"/> Yes <input type="checkbox"/> No
5.			<input type="checkbox"/> Yes <input type="checkbox"/> No

Additional Solid Waste Facility Operator Information is attached to this Annual Facility Report.

7. Waste and Recyclables Received & Shipped [\[Env-Sw 1105.13\(e\)\]](#) / [\[Env-Sw 1105.13\(f\)\]](#)

Type of Waste

Note: Universal Wastes and Used Oil are included in Section 11, so do NOT enter them here.

<input checked="" type="checkbox"/>	Ash	<input type="checkbox"/>	Electronic Waste	<input type="checkbox"/>	Recyclable Materials
<input type="checkbox"/>	Asbestos	<input type="checkbox"/>	Food Waste Composted Onsite	<input type="checkbox"/>	Scrap Metal
<input checked="" type="checkbox"/>	Bulky Waste	<input type="checkbox"/>	Food Waste Transferred to Composter/Processor	<input type="checkbox"/>	White Goods
<input checked="" type="checkbox"/>	C&D Debris	<input type="checkbox"/>	Infectious Waste	<input checked="" type="checkbox"/>	Other: Approved Special Waste
<input checked="" type="checkbox"/>	Contaminated Soil	<input checked="" type="checkbox"/>	Municipal Solid Waste	<input type="checkbox"/>	Other:

Quantity of Waste

Quantity of Waste Received		Quantity of Waste Shipped	
C&D Debris Received:		C&D Debris Shipped: <input type="checkbox"/> Recycled <input type="checkbox"/> Disposed	
From NH Sources	88,212.75 tons	To NH Destinations	0 tons
From Out-of-State Sources	180.71 tons	To Out-of-State Destinations	0 tons
Total Received	88,393.46 tons	Total Shipped	0 tons
Recyclables Received:		Recyclables Shipped:	
From NH Sources	100.33 tons	To NH Destinations	0 tons
From Out-of-State Sources	0 tons	To Out-of-State Destinations	100.33 tons
Total Received	100.33 tons	Total Shipped	100.33 tons
Mixed Solid Waste/General Refuse Received:		Mixed Solid Waste/General Refuse Shipped:	
From NH Sources	101,574.12 tons	To NH Destinations	0 tons
From Out-of-State Sources	37,070.49 tons	To Out-of-State Destinations	0 tons
Total Received	138,644.61 tons	Total Shipped	0 tons

Total: 227,038 Tons

NH-Generated Waste: 189,786 Tons

Out-Of-State Waste: 16.4%

6. Solid Waste Facility Operator Information [Env-Sw 1105.13(c)]

Was the facility exempt from having certified Solid Waste Facility Operators working at the facility during the Reporting Year? Yes No

If Yes, cite the reason for the exemption: _____

If No, complete the table below:

Name	Certificate Number	Expiration Date	Still Working at Facility as of December 31?
1. See Attached			<input type="checkbox"/> Yes <input type="checkbox"/> No
2.			<input type="checkbox"/> Yes <input type="checkbox"/> No
3.			<input type="checkbox"/> Yes <input type="checkbox"/> No
4.			<input type="checkbox"/> Yes <input type="checkbox"/> No
5.			<input type="checkbox"/> Yes <input type="checkbox"/> No

Additional Solid Waste Facility Operator Information is attached to this Annual Facility Report.

7. Waste and Recyclables Received & Shipped [Env-Sw 1105.13(e) / Env-Sw 1105.13(f)]

Type of Waste

Note: Universal Wastes and Used Oil are included in Section 11, so do NOT enter them here.

<input checked="" type="checkbox"/> Ash	<input type="checkbox"/> Electronic Waste	<input type="checkbox"/> Recyclable Materials
<input type="checkbox"/> Asbestos	<input type="checkbox"/> Food Waste Composted Onsite	<input type="checkbox"/> Scrap Metal
<input checked="" type="checkbox"/> Bulky Waste	<input type="checkbox"/> Food Waste Transferred to Composter/Processor	<input type="checkbox"/> White Goods
<input checked="" type="checkbox"/> C&D Debris	<input type="checkbox"/> Infectious Waste	<input checked="" type="checkbox"/> Other: Approved Special Waste
<input checked="" type="checkbox"/> Contaminated Soil	<input checked="" type="checkbox"/> Municipal Solid Waste	<input type="checkbox"/> Other:

Quantity of Waste

Quantity of Waste Received		Quantity of Waste Shipped	
C&D Debris Received:		C&D Debris Shipped: <input type="checkbox"/> Recycled <input type="checkbox"/> Disposed	
From NH Sources	92,683.65 tons	To NH Destinations	0 tons
From Out-of-State Sources	191.84 tons	To Out-of-State Destinations	0 tons
Total Received	92,875.49 tons	Total Shipped	0 tons
Recyclables Received:		Recyclables Shipped:	
From NH Sources	58.48 tons	To NH Destinations	0 tons
From Out-of-State Sources	0 tons	To Out-of-State Destinations	58.48 tons
Total Received	58.48 tons	Total Shipped	58.48 tons
Mixed Solid Waste/General Refuse Received:		Mixed Solid Waste/General Refuse Shipped:	
From NH Sources	85,430.84 tons	To NH Destinations	0 tons
From Out-of-State Sources	3504.28 tons	To Out-of-State Destinations	0 tons
Total Received	88,935.12 tons	Total Shipped	0 tons

Total: 181,810 Tons, 2% Out-of-State

ENERGY

Ashland Voters Earmark Only \$1 for \$135M Waste Facility, Killing the Project For Now

By PAULA TRACY, InDepthNH.org 10 hours ago



Ashland's website

Rendering for Ashland's proposed trash-to-energy plant.

By PAULA TRACY, InDepthNH.org

ASHLAND – Voters attending a deliberative session last Saturday put an effective halt for now to the town's plans for constructing a \$135 million waste-to-energy facility.

During the deliberative session for the SB-2 town, voters passed warrant 15 on the ballot for March 12; it will read the sum of \$1, not \$135 million. It passed 41-29, said Town Clerk Pat Tucker.

The revenue bond vote on the ballot, which still requires a three-fifths vote to construct, is now just \$1. The facility was planned to be built on town-owned land near the Pemigewasset River and I-93 near its wastewater treatment plant.

Town Manager Frederick Welch said, "We won't stop discussing, researching and talking about this," though effectively with \$1, he said he wasn't about to be hiring anyone right now even if the article does pass."

"I think there was some misinformation. People don't understand," Welch said. He said there should have been additional studies the town didn't have the money for.

The town will be looking for grants to do those studies.

Welch said the town is now part of a 19-town consortium and it costs Ashland alone about \$100,000 a year to handle its trash.

Ashland and members of the consortium now take their trash to **North Country Environmental Services Landfill (NCES) in Bethlehem owned by Casella.**

Welch said he expected the Bethlehem site to be closed by 2027, leaving the consortium no place to bring their trash, but others said that is not necessarily the case.

The Department of Environmental Services said the NCES Bethlehem permit allows it to accept waste through the end of 2026.

A statement from DES said the North Country Environmental Services Landfill (NCES) in Bethlehem has not approached them to request additional capacity. “If NCES was to submit a permit application to expand the NCES landfill, NH DES would consider the application in accordance with New Hampshire solid waste state and rules.”

Jeff Weld, director of communications for Casella, said the North Country Environmental Services Landfill (NCES), which provides disposal capacity to more than 60,000 residential and commercial customers across nearly 200 communities in New Hampshire, has not been ordered to close.

“The permitted capacity in its Stage VI permit is required to last through December 2026 and due to our efforts in successfully managing and preserving that permitted capacity, the facility is expected to operate well into 2027. This aligns with the approximate timeline when the Granite State Landfill is targeted to open and provide the necessary continuity of services to those customers,” Weld said.

Cole Beale, director of Conservation for the Squam Lakes Association in nearby Holderness, said he was not really surprised by the vote at the Ashland deliberative session, noting he had been to many meetings on the subject prior to the vote.

“The concern was growing,” Beale said with people feeling the matter was “rushed” and there had not been a chance to vet downside issues.

He said Joseph Mazzone of Ashland moved to change the dollar amount in the ballot question for March 12 from \$135 million to \$1.

The SLA is a conservation group concerned with the preservation of the Squam Lakes Watershed region. Little Squam Lake is fewer than 10 miles from the site.

While the Ashland town manager said that any plant built would face the state’s most stringent air quality standards to operate, Beale noted that there are no federal PFAS standards for air.

Beale said others were concerned about the proposed location of the plant, just south of Exit 24 of Interstate 93 and the fact that the town’s water wells are located next to the site.

Beale said the SLA wants to work with Ashland on the struggles they are facing along with other communities related to solid waste and that now things will not be moving as quickly.

Welch said if the Ashland facility was built eventually the towns in the consortium are expected to then bring their trash to Ashland where it would raise revenue, which would help local taxpayers.

The plant in Ashland would generate electricity for the municipal electric department, with any excess power to be sold to the New England power grid.

Voters had been assured that there was no tax impact for the project and that in fact due to the bond, it could actually reduce costs for projected town infrastructure projects significantly through its revenue, while also providing electricity to the town electric department.

The steam production plant would burn garbage, paper, cardboard, anything combustible.

Welch said the matter can’t be voted on again until next year.

For more information on Ashland’s proposal <https://ashlandnh.org/> (<https://ashlandnh.org/>)

Permit No.: DES-SW-SP-03-002 / Type I-A Modification
 Permittee: North Country Environmental Services, Inc.
 Facility Name: North Country Environmental Services, Inc.
 Facility Location: 581 Trudeau Road, Bethlehem, NH
 October 9, 2020
 Page 8 of 11



Financial Assurance

(25) **Financial Assurance Requirements:** The permittee shall provide and continually maintain financial assurance in accordance with:

- (a) The Solid Waste Management Act, RSA 149-M;
- (b) Env-Sw 1005.08, Env-Sw 1400, and other applicable Rules;
- (c) The Approved Financial Assurance Plan of Record identified in Condition (26) herein; and
- (d) The terms and conditions of this permit.

(26) **Approved Financial Assurance Plan:** The Approved Financial Assurance Plan of Record for this facility is the financial assurance plan consisting of: Evergreen National Indemnity Company Insurance Policies No. 850599 in the amount of \$8,153,800 and No. 850600 in the amount of \$8,345,875; the Standby Trust Agreement between North Country Environmental Services, Inc. and Keybank National Association established September 18, 2013; and the last most recent closure cost estimate prepared pursuant to Env-Sw 1400.

Determination of Public Benefit:

(27) It is the determination of NHDES under RSA 149-M:11,X that operation of this facility provides a substantial public benefit, as required by RSA 149-M:11,III and IV, when facility operations conform to the following conditions:

- (a) The permittee shall limit airspace use to a maximum of 230,200 cubic yards per year, inclusive of cover materials, and preserve for use during calendar year 2026 no less than 150,000 cubic yards of capacity.
- (b) The permittee shall operate the facility through at least December 31, 2026.
- (c) The permittee shall make available disposal capacity for New Hampshire generated solid waste for the entire operating life of the facility.
- (d) The permittee shall, for each calendar year in which the facility operates:
 1. demonstrate that the sources, in aggregate, from which the permittee accepted municipal solid waste (MSW) and construction and demolition (C&D) debris for disposal achieved a minimum 30 percent waste diversion rate to more preferred methods other than landfilling as outlined in the hierarchy in RSA 149-M:3. If a minimum 30 percent diversion rate cannot be demonstrated, then the permittee shall submit to NHDES by July 1 of the following year a waste diversion report which presents the permittee's evaluation of:
 - a. the actual MSW and C&D debris waste diversion rate achieved;
 - b. the primary factors affecting the waste diversion rate; and
 - c. the practicable measures that the permittee will undertake to improve the diversion rate and an implementation schedule for doing so.
 2. the demonstration required under Condition (27)(a)1 above shall not be required to include certain sub-types of MSW and C&D debris waste based upon a demonstration by the permittee that there are no environmentally safe or economically sound diversion alternatives to landfilling such wastes.
- (e) The permittee shall assist 10 or more New Hampshire solid waste generators, inclusive of at least 5 New Hampshire municipalities, per year with establishing or improving programs that assist in the implementation of the goals and hierarchy under RSA 149-M:2 and RSA 149-M:3, respectively.

Executive Summary

This Solid Waste Management Plan provides a framework for reducing and managing solid waste that is generated, reused, recycled, or disposed in New Hampshire. This 2022 plan outlines eight goals:

1. Reduce the quantity of solid waste generated.
2. Reduce the toxicity of the solid waste stream.
3. Maximize the diversion of residential, commercial and industrial solid waste from disposal.
4. Ensure adequate capacity for management of New Hampshire-generated waste.
5. Develop local markets for waste diversion.
6. Encourage solid waste infrastructure and practices that support State and Federal climate change initiatives.
7. Ensure that solid waste policies and regulations support State and Federal environmental justice initiatives.
8. Ensure sustainable funding source(s) to support solid waste management initiatives.

The plan provides strategies for achieving each of these goals. Supporting actions are then described and grouped by strategy type. This is a ten-year plan to be carried out by the New Hampshire Department of Environmental Services (NHDES), public and private stakeholders, as well as the general public.

The majority of goals and actions in this plan are intended to achieve the state's overarching disposal reduction goal established in RSA 149-M:2 – which aims to reduce disposal of municipal solid waste (MSW) and construction and demolition debris (C&D) by 25% by 2030 and by 45% by 2050. This overarching goal applies to all MSW and C&D disposed in New Hampshire's landfills and incinerators, regardless of the source or state of origin. Reducing disposal rates requires investments in source reduction and diversion methods consistent with the New Hampshire Waste Management Hierarchy as established in RSA 149-M:3. Source reduction, also known as “waste reduction,” involves preventing waste from being generated. Diversion involves recycling, composting, anaerobic digestion, and other methods that avoid disposal of waste in landfills or incinerators.

Reaching our state's disposal reduction goal requires a collective effort from residents, businesses, and other stakeholders engaged in solid waste management. While it will be necessary to maintain safe disposal options for wastes that cannot be reduced or diverted, significant financial investments are required from the public and private sectors to build infrastructure that expands capacity for reuse, recycling, composting, and other diversion methods across New Hampshire. Additionally, statewide waste characterization and generation studies are needed to inform what waste types should be prioritized for waste reduction and diversion, as well as what facility infrastructure will be necessary to facilitate diversion.

Achieving these goals will also require public and private partners to engage in more regional, cooperative efforts. Stakeholders should explore partnerships in their neighboring areas to find ways to share resources/information and collaborate on mutual objectives. Efforts that help improve public access to more waste reduction, reuse, and diversion opportunities will have both local and widespread benefits. Those benefits include conserving limited resources, protecting public health, fostering a “greener” economy, and mitigating climate change.

As it executes this plan, NHDES will use an adaptive management approach to assess, adjust and focus the plan's implementation based on new or developing information and lessons learned. This will provide flexibility to adapt as circumstances change over the ten-year period.

The appendices at the end of this document provide additional resources and context for this plan.

I. Introduction

The New Hampshire Department of Environmental Services (NHDES) prepared this plan in accordance with the Solid Waste Management Act, RSA 149-M¹, which was established to protect human health, preserve the natural environment, and conserve precious and dwindling natural resources through the proper and integrated management of solid waste. Solid waste management is a topic that touches every person and every aspect of society. The way that we manage solid waste has implications for public health, safety, the environment, natural resource consumption, energy use and greenhouse gas emissions. Given this context, it is critical that we manage our waste to minimize negative consequences while reducing, recycling and recovering to the greatest extent practicable. To date, solid waste management in New Hampshire has heavily relied on disposal in landfills as the primary management method and has lacked consistent state-level guidance and planning. This plan establishes a framework to guide New Hampshire's solid waste management for the next ten years. The goals, strategies and actions contained in this plan are intended to inform actions and decision-making by NHDES as well as the regulated solid waste industry, municipalities, the New Hampshire General Court, businesses, non-governmental organizations and the general public.

As mandated under RSA 149-M:29, the purpose of this plan is to set out goals, strategies and actions to:

- Reduce generation of solid waste through source reduction.
- Increase diversion of waste from disposal.
- Achieve the state's solid waste disposal reduction goal established in RSA 149-M:2.
- Support the state's solid waste management hierarchy established in RSA 149-M:3.
- Maintain and ensure adequate disposal capacity for management of waste generated in New Hampshire.

II. Current Status of Solid Waste Management in New Hampshire

Waste Reduction Goal and Waste Management Hierarchy

In 1990, the General Court amended RSA 149-M to establish a waste reduction goal, which has been subsequently revised over the years. The current version of this goal, codified in RSA 149-M:2, establishes a goal to reduce disposal of municipal solid waste (MSW) and construction and demolition debris (C&D) by 25% by 2030 and by 45% by 2050. These reduction targets are to be measured on a combined basis against baseline quantities of these waste types disposed in 2018. This goal applies to all MSW and C&D disposed in New Hampshire, regardless of the source; meaning it applies to both in- and out-of-state waste.

In 2018, a total of 1,500,668 tons of MSW and C&D were disposed in New Hampshire's landfills and incinerators (1,202,916 tons of MSW and 297,751 tons of C&D). The disposal reduction goal aims to cut this baseline total by approximately 375,000 tons by 2030 (25% reduction), and by approximately 675,000 tons by 2050 (45% reduction). Achieving these targets will require robust efforts to simultaneously reduce the quantities of waste generated while also maximizing diversion from disposal through reuse, recycling, composting, or other means. Although RSA 149-M:2 discourages the disposal of recyclable materials, it does not establish recycling, composting, or other forms of waste diversion as mandatory. Meeting plan goals will require the voluntary participation of New Hampshire citizens, public and private entities, and other stakeholders.

To promote achievement of the disposal reduction goal, the General Court also established a hierarchy of waste management methods to be used in New Hampshire (see Figure 1). Codified in RSA 149-M:3,

¹[New Hampshire RSA 149-M](#)

https://www.sentinelsource.com/news/local/statehouse/future-private-landfills-could-be-banned-in-nh-under-legislation/article_d0e9baf9-56da-50ce-91ac-27b99ed32669.html

TOP STORY

Private landfill legislation

Future private landfills could be banned in NH under legislation

By Rick Green Sentinel Sta

Feb 10, 2024



Germana
Courtesy



The N.H. Statehouse in Concord.

File photo by Hannah Schroeder / Sentinel Staff

N.H. Rep. Nicholas Germana of Keene didn't think he would become knowledgeable about landfills and garbage when he joined the Legislature in late 2022, but now finds himself something of an expert.

He says this is a topic with significance to the state's environment and public health as well as consumers' pocketbooks.

Germana, a Democrat who serves on the House Environment and Agriculture Committee, is a co-sponsor of a number of bills that would change how landfills operate and are regulated in New Hampshire. One would prohibit new ones from being owned privately and another would stop the issuance of permits to build them until 2031.

“One of the things we all value about New Hampshire is the natural beauty of the state,” he said in an interview Friday. “It is just antithetical to that value of cherishing our environment for the state to become the dumping ground for other states.”

Over the summer, Germana, a history professor at Keene State College, served on a legislative study committee that examined the permitting of landfills and out-of-state waste coming into New Hampshire.

The panel’s report noted that in 2020, there was 1.9 million tons of solid waste in New Hampshire, with about half coming from out-of-state sources.

“With everything we’ve learned about PFAS chemicals and just how ubiquitous they are, it is even more important that we are super careful about the amount and different kinds of material that we are landfilling because it’s a public health issue,” he said.

Germana was referring to a class of chemicals that have been used in industry and consumer products since the 1940s and have been tied to increased risk of some types of cancer and other health problems.

There is also a financial aspect to trash disposal versus recycling. If recycling could be increased, the costs to consumers of landfilling their garbage would be reduced, he said.

Many people simply throw most recyclable materials in the garbage can. The N.H. Department of Environmental Services estimates the average municipal recycling rate to be 26 percent.

Trash from Keene is trucked to a landfill in Rochester, 90 miles to the east.

Duncan Watson, Keene’s assistant public works director, said emerging technology holds the promise of eventually reducing this trash stream and improving recycling.

“We have to do better with how we discard our resources,” he said.

New machines and facilities are beginning to emerge that will be able to more effectively remove recyclable materials from trash, Watson said.

This technology could be employed by a state-owned landfill that the legislative study committee recommends be built. Also, such a state-of-the-art recycling plant would be able to take more types of plastics than are now accepted in most communities.

Keene takes plastics with the numbers one and two, Watson said. Other types of plastic aren't prevalent enough for most communities to recycle them. But if numerous towns and cities were feeding into one large recycling plant, there could be sufficient quantities of these other types of plastics to make it feasible to recycle them, he said.

Also, if the state owned the landfill it could choose not to take any out-of-state trash. Privately owned landfills always have the option of taking trash from other states.

The House Environment and Agriculture Committee will hold a public hearing Tuesday on House Bill 1620, which would block the issuance of permits for any new landfills until 2031.

On Wednesday, the panel will hold hearings on:

House Bill 1145, which would prohibit permits from being issued to private organizations that want to open new landfills in the state

House Bill 1632, which would prohibit future landfills from accepting more than 15 percent of their solid waste from out of state

House Bill 1221, which would specify that landfills have a regional impact and that public notice of proposals to open new ones must be made to communities within 20 miles of the proposed site

Rick Green can be reached at rgreen@keenesentinel.com or 603-355-8567.



State of New Hampshire

GENERAL COURT

CONCORD

MEMORANDUM

DATE: November 1, 2023

TO: Honorable Christopher T. Sununu, Governor
Honorable Sherman Packard, Speaker of the House
Honorable Jeb Bradley, President of the Senate
Honorable Paul C. Smith, House Clerk
Honorable Tammy L. Wright, Senate Clerk
Michael York, State Librarian

FROM: Senator Kevin Avard, Chair

SUBJECT: Final Report of the Committee to Study Unlimited Service Area Permits for Landfills and Out of State Waste Coming Into New Hampshire (SB 159, Chapter 100:1, Laws of 2023)

Pursuant to SB 159, Chapter 100:1, Laws of 2023, please find enclosed the final report of the Committee to Study Unlimited Service Area Permits for Landfills and Out of State Waste Coming into New Hampshire.

I would like to thank the members of the committee who were instrumental in this study. I would also like to acknowledge all those who testified before the committee and assisted the committee in our study.

Respectfully,

Senator Kevin Avard

Enclosed: final report, meeting minutes, documents received

PDM

Committee to Study Unlimited Service Area Permits for Landfills and Out of State Waste Coming Into New Hampshire

SB 159, Chapter 100:1, Laws of 2023

FINAL REPORT

Charge of Committee

100:3 Duties: The Committee shall study unlimited service area permits for landfills and out of state waste coming into New Hampshire.

Meetings

August 16th, 2023 – Organizational Meeting, LOB 305-307

Meeting comprised of introductions, establishment of stakeholder contacts, and election of Chairman Senator Kevin Avar.

August 31st, 2023 – Regular Meeting, LOB 305-307

Director Mike Wimsatt and Ms. Leah McKenna of the Waste Management Division of N.H DES appeared before the committee.

September 14th, 2023 – Regular Meeting, LOB 101

Senior Assistant Attorney General K. Allen Brooks, Chief of the Environmental Protection Bureau, appeared before the committee.

Attorney Robert L. Best and Mr. Paul Schmidt, representatives for the Mt. Carberry Landfill, appeared before the committee.

October 5th, 2023 – Regular Meeting, LOB 101

Representatives Karen Ebel and Judy Aron of the Solid Waste Working Group appeared before the committee.

Director Mike Wimsatt and Ms. Leah McKenna of the Waste Management Division of N.H DES appeared before the committee.

October 24th, 2023 – Regular Meeting, LOB 101

Final discussion, recommendations, and review of draft report.

October 30th, 2023 – Regular Meeting, LOB 101

Final Report reviewed and approved.

Findings

The Committee finds that:

- The Solid Waste Working Group's (SWWG) initial report from November of 2022 revealed that out of the 1.9m tons of solid waste in New Hampshire, 47%; or 913,833 tons, were from out-of-state sources in 2020.
- There are six double lined MSW landfills in New Hampshire which are currently operational.
- Half of New Hampshire's landfills have limited-service areas; North Country Environmental Services in Bethlehem, Mount Carberry Secure Landfill in Success, and the Turnkey Landfill in Rochester all have unlimited service areas.
- There is a paradoxical relationship between in-state waste reductions, and out-of-state waste reception. Unilateral refusal to utilize capacity enables further exploitation by others.
- According to the SWWG, discriminatory waste bans are largely non-existent. More implicit means are employed to reduce landfill utilization from external parties.
- The New Hampshire Department of Environmental Services (NHDES) cannot independently issue limited-service area permits for landfills. That is elective to the permit applicant.
- State-owned landfills in neighboring states, namely Rhode Island, act as market participants and exclusively receive in-state waste.
- If the role of market participant is assumed, as opposed to market regulator, the State may avoid complications with the interstate commerce clause. As a participant, the State may choose business partners akin to a private enterprise.
- Broad, materially based bans are non-discriminatory and do not violate the interstate commerce clause of the U.S Constitution.
- According to the Senior Assistant Attorney General, K. Allen Brooks, a non-discriminatory policy which affects interstate commerce evenly among states is non-conflicting with the interstate commerce clause of the U.S Constitution. The issue of non-compliance is only relevant to discriminatory actions, or actions in which the burden imposed is excessive compared to the local putative benefit.
- NHDES estimated the average municipal recycling rate to be 26% in 2020.
- Viability for recycling is largely dependent on market demand. Feasibility may be influenced by geography, regional logistical capabilities, the availability of suitable infrastructure and labor, and importantly, the volume and quantity of end-product. Revenues must surpass overhead costs for any viability.
- New Hampshire has one incinerator online: 20% of all waste, and 10% of landfill waste is incinerated at Penacook.
- Incineration can reduce solid waste to 1/3 of its initial mass.

Recommendations

- 1.) The Committee to Study Unlimited Service Area Permits for Landfills and Out of State Waste Coming into New Hampshire recommends that a State-Owned Landfill be established.
- 2.) The Committee determined that said State-Owned Landfill should incorporate, in its operation, advanced recycling, incineration and a desalinization process.
- 3.) The Committee suggests the employment of incineration for the purposes of energy generation and waste reduction. The incineration plant will serve as an energy supplier for the desalinization system and its municipal hosts.
- 4.) Given the Committee's recommendations, the Committee also endorses Representative Peter Bixby's LSR 24-2131 for passage and adoption. Representative Bixby's legislation is enabling, and reflective of the Committee's recommendations.
 - o LSR 24-2131 would prohibit future landfills from being privately owned.
- 5.) Further, the Committee recommends that a moratorium be considered against the construction of new landfills. A moratorium may afford ample time for litigation, and completion of prerequisite, antecedent steps which must be taken to accommodate the new solid waste stream model and management plan.
- 6.) Finally, the State of New Hampshire ought to limit the amount of out-of-state waste as a proportion of in-state waste. The regime specifically must be in accordance with the criteria delineated by Mr. K. Allen Brooks to mitigate legal liabilities as they relate to the Interstate Commerce Clause.

Respectfully submitted,

Sen. Kevin Avard (PDM)

Senator Kevin Avard
Chairman, Senate District 12

Rep. Jim Fedolfi (PDM)

Representative Jim Fedolfi
Hillsborough County, District 30

Rep. David Rochefort (PDM)

Representative David Rochefort
Grafton County, District 1

Rep. Nicholas Germana (PDM)

Representative Nicholas Germana
Cheshire County, District 1

I. Introduction

Pursuant to NH RSA 149-M:29, II, this document reports New Hampshire's progress toward reaching the solid waste reduction goal established in RSA 149-M:2 and provides strategies for achieving the goal and additional information required by the statute. The report also includes a summary of the Solid Waste Management Bureau activities during calendar years (CY) 2020 and 2021.

In 2021, the goal in RSA 149-M:2 was amended to establish a new disposal reduction goal (effective October 9, 2021), which replaces the former "40 percent diversion" goal. While the former goal was focused on tracking the quantity of New Hampshire's solid waste diverted from disposal (that is, recycled, composted, etc.), this new goal tracks the quantity of solid waste disposed in New Hampshire's landfills and incinerators. Because disposal data can be measured with a high degree of certainty, this metric should make it easier for NHDES to track progress toward achievement of the goal over time.

As amended, the goal in RSA 149-M:2 now reads:

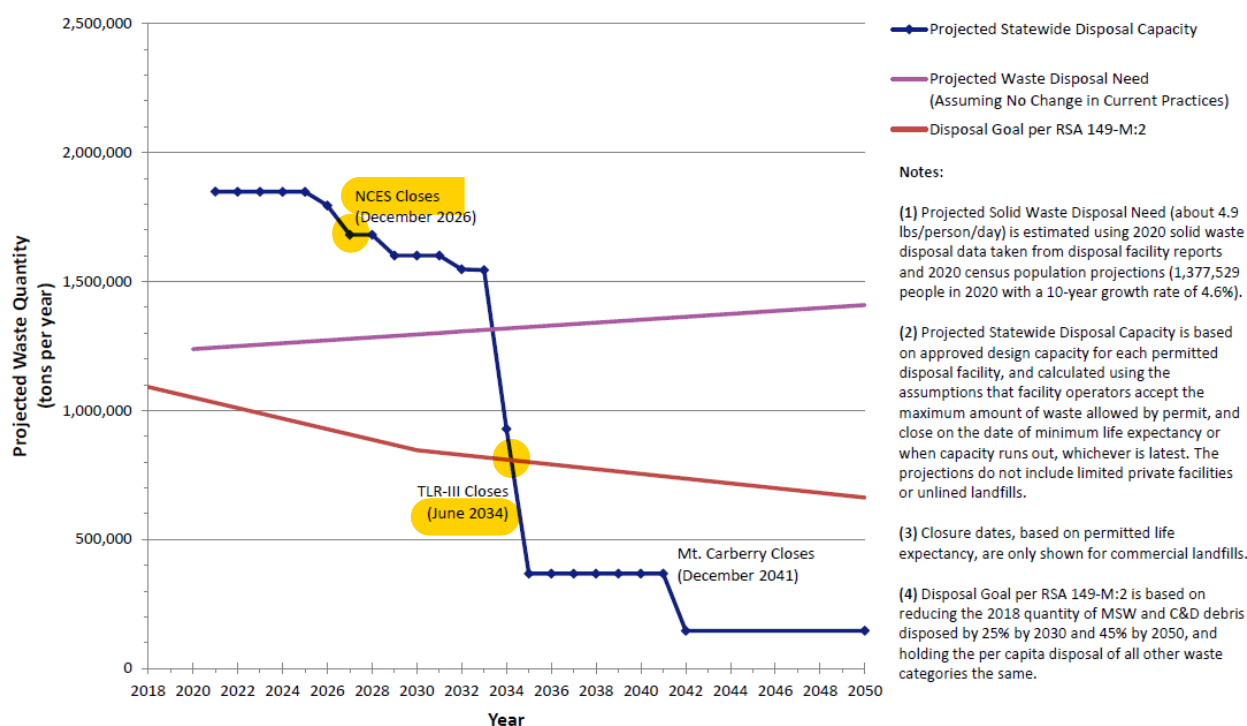
The general court further declares a goal to reduce the quantity by weight of solid waste disposed by 25 percent by the year 2030, and by 45 percent by the year 2050. For the purposes of this goal, disposal reduction targets shall apply, on a combined basis, to disposal of municipal solid waste and construction and demolition debris, and shall be measured against baseline quantities of these wastes disposed of in the year 2018. For the purposes of this goal only, municipal solid waste means solid waste generated at residences, commercial or industrial establishments, and institutions, but excludes automobile scrap and other motor vehicle waste, infectious waste, asbestos waste, contaminated soil and other absorbent media, sludge, industrial process waste, and ash other than ash from household stoves. Disposal reduction may be achieved through source reduction as well as diversion including but not limited to reuse, recycling, and composting. For the purposes of this section "goal" shall not establish a mandate. (RSA 149-M:2, II. – effective October 9, 2021)

Achieving the disposal reduction targets set by this goal will require robust efforts to simultaneously reduce the quantities of waste generated while also maximizing diversion from disposal through reuse, recycling, composting, or other means. Although RSA 149-M:2 discourages the disposal of recyclable materials, it does not establish recycling, composting, or other forms of waste diversion as mandatory. However, RSA 149-M:3 establishes a hierarchy of waste management methods to be used in New Hampshire (see Figure 1).

V. Projected Solid Waste Disposal Need and Disposal Capacity

Figure 2 illustrates NHDES’ projections for the quantity of solid waste generated in New Hampshire needing disposal compared to available permitted disposal capacity at New Hampshire’s landfills and incinerators. It is important to note that the disposal capacity projections shown below assume that statewide disposal capacity will be depleted as quickly as feasible, and that landfills will cease operations after depleting their current permitted capacity. It is likely that many of these facilities will seek additional expansions, but NHDES does not rely on hypothetical future capacity when making projections. The information displayed in Figure 2 essentially represents how long New Hampshire’s existing disposal capacity might be expected to last without the addition of any new capacity. Further explanation of the figure and how NHDES derived these projections is provided below.

Figure 2. Projected Waste Disposal Need & Capacity for New Hampshire (2022 - 2042)
 Projections Based on 2020 per capita disposal data and approved permitted facility capacity as of April 2022



Projected Waste Disposal Need

For this report, NHDES projected New Hampshire’s solid waste disposal need in accordance with RSA 149-M:11, V, which requires the department to consider disposal need over a 20-year planning period. NHDES based its projections on the following:

- The statutory requirement in RSA 149-M:11, V(a) that disposal projections account for all waste generated in New Hampshire, including waste exported to out-of-state disposal facilities.
- Disposal tonnage data reported by New Hampshire’s operating landfills and incinerators in their 2020 annual facility reports (AFRs).
- Export disposal data reported to NHDES from 2000 through 2020 plus one standard deviation to account for annual variability and unreported exports.

- Population data provided in the 2020 U.S. Census, which estimated that New Hampshire's population grew 4.6% between 2010 and 2020.¹⁰ For the purposes of this analysis, NHDES assumes this same growth rate will continue, equating to a roughly 9.2% growth in population over the 20-year planning period.
- The assumption that New Hampshire's per capita rate of disposal will remain constant over the 20-year planning period.
- The assumption that diversion rates will remain constant over the 20-year planning period.

NHDES estimated the disposal rate at New Hampshire landfills and incinerators for in-state generated solid waste in 2020 was about 4.9 pounds per person per day (including exports).¹¹ The "Projected Waste Disposal Need" line depicted in Figure 2 represents this per person disposal rate multiplied by projected population for each year of the planning period. As previously indicated, the estimates of waste disposal need in this report assume no changes in current waste disposal and diversion practices. However, as a point of reference, Figure 2 also includes a "Disposal Goal" line estimating New Hampshire's disposal need if the disposal reduction goal in RSA 149-M:2 were achieved, that is, a 25% reduction in disposal of MSW and C&D by 2030, and a 45% reduction by 2050.¹² The depiction of this goal in Figure 2 illustrates that, if the goal is to be achieved, waste reduction and diversion efforts must be increased.

Projected Waste Disposal Capacity

Projected waste disposal capacity is based on a combination of factors, including specific requirements relative to operational lifespan contained in each disposal facility's permit. NHDES estimated the statewide "Projected Waste Disposal Capacity" line shown in Figure 2 based on the following:

- Estimates of total permitted capacity for solid waste disposal facilities in New Hampshire, excluding:
 - Unlined landfills pursuant to RSA 149-M:11, V(a), and
 - Limited private facilities, which are "closed-circuit" facilities that only serve the capacity needs of the generator who owns the facility and therefore do not provide disposal capacity for the general public.
- Estimates of permitted landfill capacity converted from volumetric capacities (measured in cubic yards) to weight-based capacities (measured in tons). Because landfill permits express capacity in terms of volume, conversion to tons is necessary to align capacity values with disposal need projections, which are estimated in tons. This conversion process may introduce minor discrepancies.
- The assumption that the Wheelabrator Concord Company waste-to-energy facility will provide steady-state capacity throughout the 20-year planning period.
- The assumption that landfill operators will fill at the maximum rate allowed by the facility's permit, regardless of operational limitations.

¹⁰ 2020 [US Census data for New Hampshire](#)

¹¹ The per person disposal estimate presented here is 0.9 pounds lower than the 5.8 pounds per person per day provided in the 2019 Biennial Solid Waste Report. This is because the 2019 estimate was based on 2018 disposal data, which NHDES later determined to be erroneously high due to inconsistencies in how landfill permittees had been reporting disposal tonnages. NHDES has since rectified these inconsistencies and believes the per person disposal rate in this report to be more accurate.

¹² The disposal reduction goal in RSA 149-M:2 applies only to disposal of MSW and C&D, therefore the "Disposal Goal" line shown in Figure 2 assumes that the disposal of other waste categories (for example – asbestos waste, contaminated soils, sludge) will increase in proportion with population growth over the course of the planning period.

Assessment of Waste Disposal Need Relative to Waste Disposal Capacity

As depicted in Figure 2, NHDES estimates that New Hampshire's disposal capacity may fall short of projected disposal need starting in 2034, assuming that the TLR-III (Turnkey) facility reaches the end of its currently permitted capacity and that no additional disposal capacity is permitted by that time. This capacity shortfall is projected to range between about 950,000 tons in 2035 to about 990,000 tons by 2041. In 2042, the disposal capacity shortfall is expected to increase to roughly 1.2 million tons, assuming the Mount Carberry facility depletes its existing permitted capacity by the end of 2041. It is important to note that this analysis is simply a 'snapshot' based on current information and is not intended to be a predictive forecast. As indicated at the beginning of this section, the assumption that all of New Hampshire's commercial landfills will close after reaching their currently permitted capacity is unlikely. Even if these facilities have long-term plans to expand, such plans cannot be included in capacity projections until they are officially permitted by NHDES. Additionally, if New Hampshire achieves the disposal reduction goal in RSA 149-M:2 by reducing overall generation of solid waste and/or increasing diversion rates, it will reduce the state's overall disposal need and thereby decrease demand for disposal capacity. With such factors in mind, it is important to acknowledge that projections of disposal need and capacity are subject to change based on evolving circumstances and available data.

VI. State and Regional Trends in Solid Waste Management

Trends in New Hampshire

Landfill Expansions – Applications for landfill expansions constitute the vast majority of requests for new permitted solid waste management capacity received by NHDES. At the same time, there continues to be significant public opposition to expanding existing facilities or siting new disposal facilities.

Waste Imports – Out-of-state waste comprises roughly 50% of total waste disposed in New Hampshire facilities. Most of the out-of-state waste disposed in New Hampshire is received by the three commercial landfills (see Table 3 above). Commercial disposal facilities in New Hampshire are permitted to receive waste from both in-state and out-of-state sources. The Commerce Clause of the U.S. Constitution has commonly been interpreted to preempt a state from explicitly prohibiting or adopting policies that would restrict a commercial solid waste facility from accepting and disposing of out-of-state waste.¹⁹

Organic Waste Diversion – There has been continued interest among legislators, municipalities, regional organizations, commercial/institutional entities and members of the public on the topic of composting and organic waste diversion. Diverting organics recovers resources, reduces disposal need, has the potential to reduce waste management costs, and is consistent with the hierarchy. In an effort to address feedback from the general public and improve the State's regulatory framework for facilities that compost food waste, NHDES has been working to update New Hampshire's existing Solid Waste Rules for solid waste composting facilities (see discussion of on-going efforts in Section VIII. herein).

Legislative Attention to Waste Issues – There has been continued interest in solid waste-related issues over the last couple years, with several bills introduced during the 2020 & 2021 legislative sessions:

¹⁹ The 1978 Supreme Court Case, Philadelphia v. New Jersey, struck down a New Jersey law that prohibited the importation of waste into the state.

IX. Conclusions and Recommendations

As stated in RSA 149-M:29, II, an overarching purpose of this report is to assess progress toward achieving New Hampshire's disposal reduction goal established in RSA 149-M:2. Because the goal was established in 2021 and is to be measured against baseline disposal data from 2018, there is limited data currently available to assess progress. Data from 2018 to 2020 indicate that disposal tonnages fluctuated slightly, but this short interval is insufficient to infer an overall trend. Disposal data from the coming years will help to establish a more complete picture of where New Hampshire's disposal practices stand in relation to the goal.

Achieving the disposal reduction goal will require substantive shifts in current waste management practices toward more robust waste reduction and diversion efforts. Because the goal is not mandatory, voluntary waste reduction and diversion efforts by public and private solid waste management entities, haulers, and waste generators across all sectors will be important to New Hampshire's successful pursuit of the goal. Such efforts include financial investments to develop diversion infrastructure consistent with New Hampshire's Waste Management Hierarchy (RSA 149-M:3). NHDES' Solid Waste Management Plan²⁴ incorporates goals, strategies and actions that will guide NHDES' efforts to encourage waste reduction and diversion in support the disposal reduction goal.

²⁴ [2022 New Hampshire Solid Waste Management Plan](#)

6. Solid Waste Facility Operator Information [[Env-Sw 1105.13\(c\)](#)]

Was the facility exempt from having certified Solid Waste Facility Operators working at the facility during the Reporting Year? Yes No

If Yes, cite the reason for the exemption: _____

If No, complete the table below:

Name	Certificate Number	Expiration Date	Still Working at Facility as of December 31?
1. Paula M. Bain	004162	12/16/2023	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
2. Ellen J. Bellio	002078	05/01/2023	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
3. Michael D. Bellio	030675	05/03/2023	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
4. Ryan R. Blaney	002564	05/01/2023	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
5. Ty T. Corneau	001769	05/01/2023	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Additional Solid Waste Facility Operator Information is attached to this Annual Facility Report.

7. Waste and Recyclables Received & Shipped [[Env-Sw 1105.13\(e\)](#) / [Env-Sw 1105.13\(f\)](#)]

Type of Waste

Note: Universal Wastes and Used Oil are included in Section 11, so do NOT enter them here.

<input checked="" type="checkbox"/> Ash	<input type="checkbox"/> Electronic Waste	<input checked="" type="checkbox"/> Recyclable Materials
<input checked="" type="checkbox"/> Asbestos	<input type="checkbox"/> Food Waste Composted Onsite	<input checked="" type="checkbox"/> Scrap Metal
<input checked="" type="checkbox"/> Bulky Waste	<input type="checkbox"/> Food Waste Transferred to Composter/Processor	<input checked="" type="checkbox"/> White Goods
<input checked="" type="checkbox"/> C&D Debris	<input type="checkbox"/> Infectious Waste	<input checked="" type="checkbox"/> Other: POTW SLUDGES
<input checked="" type="checkbox"/> Contaminated Soil	<input checked="" type="checkbox"/> Municipal Solid Waste	<input checked="" type="checkbox"/> Other: NON-HAZARDOUS, NON-PCB INDUSTRIAL PROCESS WASTE

Quantity of Waste

Quantity of Waste Received		Quantity of Waste Shipped	
C&D Debris Received:		C&D Debris Shipped: <input checked="" type="checkbox"/> Recycled <input type="checkbox"/> Disposed	
From NH Sources	95,496.83 tons	To NH Destinations	1,369.08 tons
From Out-of-State Sources	2,433.73 tons	To Out-of-State Destinations	309.00 tons
Total Received	97,930.56 tons	Total Shipped	1,678.08 tons
Recyclables Received:		Recyclables Shipped:	
From NH Sources	208.32 tons	To NH Destinations	208.32 tons
From Out-of-State Sources	0 tons	To Out-of-State Destinations	0 tons
Total Received	208.32 tons	Total Shipped	208.32 tons
Mixed Solid Waste/General Refuse Received:		Mixed Solid Waste/General Refuse Shipped:	
From NH Sources	292,321.27 tons	To NH Destinations	0 tons
From Out-of-State Sources	374,025.60 tons	To Out-of-State Destinations	0 tons
Total Received	666,346.87 tons	Total Shipped	0 tons



7 Investigates: Some say drinking water for millions of Mass. residents could be at risk

BY SAMANTHA KUMMERER

FEBRUARY 8, 2024

Share





"I've been around this country and there are some really, really nice towns in other states but in the state of Massachusetts there is nothing like Hardwick," Cyran said.

She was born and raised in the rural central Massachusetts town. It's the kind of town without stop lights, where locally-grown food is on the dinner table and everybody knows everybody.

It's a piece of paradise that old and new residents treasure and will fight to protect.

"We have so many things that are so important in this town that you cannot replicate anywhere else. Once it's gone or any of this is gone, it will never ever come back," Cyran said.

Cyran is among a group of residents who believe their way of life will be under threat if a landfill expands and reopens in town.

Last July, local businessmen and Casella Waste Systems proposed reopening a landfill that hasn't been operational since 2007.

Casella, the owner of the current landfill site, proposed making the existing site five times larger to accommodate 350,000 tons of trash a year.

"It's a good site. It has the existing infrastructure. It has the ability to expand and provide some needed disposal capacity for Massachusetts," explained Casella's director of communications Jeff Weld.

The dump initially opened in the late 1960's and Cyran grew up just a mile from it. She remembers dumping car batteries and dead pigs in it during the early days.

"We didn't know back then what we were doing," she said.

She feared what those items would do to her community and joined residents in the fight to shut the dump down nearly 20 years ago.

"It was a very difficult and bitter battle. The town was very divided and it was actually rather ugly," said another Hardwick resident Dr. Richard Romano.

When he heard the proposal last summer, he got flashbacks.

"It was Groundhog's Day. I can't believe they are back," he said.



“We believe it represents a great opportunity for people there to really experience some significant economic development and benefit from proposed close community agreement that would come along with this resource,” Weld said.

It’s a lucrative offer that supporters believe their small town needs right now. Supporters are pushing for the money to be used to fund an ambulance and new fire truck in town and advertise the funds could be used to decrease property taxes.

“I think the financial benefits are significant and could provide some significant relief to the town,” Weld said.

For others, the potential health and environmental ramifications aren’t worth the money.

“It would absolutely not be worth poisoning our air, our water, our soil, making our street a hazard for people, animals, children,” explained Hardwick resident Lisa Cohen.

Cohen, Cyran and Romano are a part of the group, Hardwick Village for Responsible Growth, that has concerns over the health and environmental impacts of expanding the landfill. They are also concerned about the uptick in truck traffic that goes along with bringing thousands of tons of trash in each week.

“Health effects are huge, environmental effects, pollution, water pollution, noise pollution,” said Hardwick resident Lisa Cohen.

Weld said these concerns are based on fear. Landfills are regulated by state and federal agencies and have to meet certain standards.

“We really pay close attention to is air emissions and air quality. Modern gas collection infrastructure allows us to keep that gas from escaping into the air, to take that gas and potentially turn it into renewable natural gas,” Weld said.

Boston College professor and public health physician Dr. Philip Landrigan has studied the impacts of toxic chemicals on human health.

“Chemicals in drinking water can cause disease here and now, but they can also cause damage to the cells in the human body which increase risk for heart disease, cancer, neurological disease, and other health problems years and decades later,” he said.

Opponents of the Hardwick project said their fear is not just for themselves but millions of other people.

“It’s not just our little town... it’s all of Massachusetts that stands to be at risk,” Cohen said.



“You would be exposing people of all ages, pregnant women, young children, little babies to toxic chemicals that can cause reproductive problems, loss of intelligence, increase their risk for chronic disease. It’s a risk we cannot take,” Landrigan said.

Landrigan said if chemicals from the dump site leak out, even small doses have the potential to impact health.

Weld said the landfill is outside the watershed and will not impact the Quabbin Reservoir.

“These facilities are highly regulated, highly engineered liner systems, air quality controls and monitoring,” Weld said. He explained the dump would be double lined to keep contaminants from leaking out into the ground and water.

Landrigan said even with layers of protection, eventually landfills leak and the chemicals get out.

“Obviously we need landfills. Society generates waste and it has to go somewhere but we have to be intelligent; we have to be smart. We can’t put landfills a mile from the biggest reservoir in Massachusetts that supplies the city of Boston and 40 other cities and towns. It just doesn’t make sense,” Landrigan said.

Hardwick town administrators told 7 Investigates they have not received “a formal application on any landfill extension” and have no comment.

Weld said Casella should have updates on the proposal soon.

Despite the lack of a proposal, the streets of Hardwick are already littered with signs urging residents to vote ‘yes’ or ‘no’ on the dump.

Ultimately, the decision will fall with the citizens of Hardwick who will need to approve numerous rezoning measures.

Residents said given what’s at stake they believe there is no time to waste in preparing for those votes.

“It jeopardizes everything. It jeopardizes everything that makes Hardwick special,” Cohen said.

Residents opposing the expansion want the state’s Department of Conservation & Recreation to step in and take Hardwick off the list of potential locations for a regional waste disposal site.



Town of Hardwick

Select Board Meeting

7/18/23



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HARDWICK PROJECT OVERVIEW

Reopen existing Hardwick facility in conjunction with the adjacent David G. Roach & Sons gravel pit to construct state-of-the-art low emission landfill

- Approximately 48 acres
- Anticipated Facility Hours: Monday - Friday 7am - 4pm & Saturday 7am - 11:30am
- Will abide by all local and state regulations for truck routes
 - Approximately 50 trucks per day and routes will avoid center of Town of Hardwick
- Acceptance of 350,000 tons of MSW and C&D material per year



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TECHNOLOGICAL ADVANCEMENTS

- Installation of state-of-the-art odor management infrastructure
- Anticipated management of landfill leachate through existing Gilbertville WWTP which will create an additional revenue source for Town of Hardwick
- Evaluate including infrastructure designed to convert landfill gas to a renewable resource
- Project will go through a very robust review and permitting process



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BENEFITS TO THE TOWN OF HARDWICK

- Host Community Agreement between Hardwick and Casella will be for the life of the Landfill (approximately 13 years) and Casella will perform all closure and post-closure requirements.
- Significant value to Hardwick residents over the life of the Host Community Agreement
 - Proposed Host Fee Payment of \$6.00 per ton to the Town of Hardwick – approximately \$2.1 million per year
 - Approximately \$500,000 per year in leachate delivery payments at peak generation
 - Hardwick will also receive a portion of net revenue associated with any renewable energy project constructed
- Local business owners, David G. Roach & Sons, will be involved in Landfill operations.
- Casella will develop Odor and Nuisance Control Plans in coordination with Town of Hardwick.
- Town Landfill Oversight Program
 - Casella will help pay the cost of maintaining an independent Landfill monitor and engineering consultant at site (to be retained and managed by Town of Hardwick Boards of Health and Selectmen).



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ANTICIPATED PROJECT TIMELINE

Time Period	Activity
July 2023	Town of Hardwick Select Board Meeting Presentation
Fall 2023	Town Meeting
November 2023 - November 2026	Project Permitting - Construction (approximate)
November 2026 - September 2027	Project Construction
December 2027	Project Permitting - Authorization to Operate
January 2028	Facility Operational



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VOTING INITIATIVES

Residents would need to vote on the following:

- Relocation or termination of Patrill Hollow Road
- Bylaw amendment to increase the maximum allowable structure height
- Rezoning of Landfill property
- Zoning amendment to permit Landfill in industrial district



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Host Community Agreement

This Host Community Agreement (“Agreement”) is made this ___ day of _____, 2023 by and between the Town of Hardwick, Massachusetts, a municipal corporation, acting through its Board of Selectmen, having a mailing address of P.O. Box 575, Gilbertville, Massachusetts 01031 (the “Town”), and Hardwick Landfill, Inc., a Massachusetts corporation, having a place of business at 25 Greens Hill Lane, Rutland, VT 05701 (the “Company”).

WHEREAS, the Company is the owner of the so-called Hardwick Landfill, located on Patrill Hollow Road in Hardwick (the “Hardwick Landfill”);

WHEREAS, the Company owns or has options to purchase land on Patrill Hollow Road that abuts the Hardwick Landfill (the “Property”);

WHEREAS, the Company intends to seek permits to reopen the Hardwick Landfill, and to develop the Property as a landfill (collectively, the “Landfill”), which will require a change in zoning of the Property and several approvals and permits from the Town;

WHEREAS, subject to obtaining requisite approvals for the Landfill, the Company desires to relocate a portion of Patrill Hollow Road located on the Property to improve the safety of the road and reduce the amount of land to be consumed by the Landfill; and

WHEREAS, the Town is desirous of entering into this Agreement with the Company concerning the operation of the Landfill, and to commemorate the host fee benefit to the Town.

NOW, THEREFORE, in consideration of these promises and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereto, each intending to be legally bound, agree as follows:

1. DEFINITIONS

For the purpose of this Agreement, the following words and phrases shall have the following meanings:

1.01 "Acceptable Waste" shall mean “solid waste” as that term is now or hereafter defined in 310 CMR 19.000; provided, however, that Acceptable Waste shall include Special Waste to the extent the Company obtains necessary MassDEP approval to dispose of Special Waste at the Landfill, but shall not include Excluded Waste.

1.02 “All Required Approvals” shall mean all final, unappealable permits and approvals necessary for operation of the Landfill, including: (a) site assignment from the Hardwick Board of Health for the Landfill; (b) approval for relocation or termination of a portion of Patrill Hill Road; (c) approval by the Town of zoning bylaw amendments necessary for operation of the Landfill; (d) approval of the proposed height of the Landfill; and (e) solid waste management facility permit for the Landfill from the MassDEP.

The KANE Republican

THE VOICE OF BEAUTIFUL KANE, PENNSYLVANIA

LOOK FOR MORE INSIDE

Wall Street climbs to the edge of another milestone

Page 2

Slippery Rock Cross Country team earns All-Academic Honors

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Casella Waste Systems addresses the transfer of Massachusetts trash to McKean County

By Theresa Auriemmo
Special to the Republican

McKean County - In a recent Mount Jewett Borough Council meeting, Don Shonts, the Division Manager for Casella Waste Systems, attended to address questions regarding the planned transfer of trash from Holyoke, Massachusetts, to the McKean County Landfill. Shonts aimed to provide clarity and transparency regarding the company's operations amid community concerns.

Casella Waste Systems, Inc., the owner of the McKean County Landfill, is a prominent landfill operator in the Northeast, man-

aging millions of tons of solid waste annually. The company provides comprehensive waste management solutions, including collection and disposal services through its facilities across the region.

Before the meeting commenced, Shonts emphasized that the railroad transfer had received approval from the Department of Environmental Protection (DEP) and the Genesee & Wyoming Railroad. He outlined key details, indicating that the landfill is permitted to accept up to 6,000 tons of waste daily, though it presently receives only 180 to 200 tons. The landfill has been operating

at a deficit due to the cessation of drill cuttings from Marcellus Shale. The influx of trash from Holyoke is expected to alleviate the deficit and contribute to operational sustainability.

Shonts clarified that Casella owns a collection transfer station in Holyoke, where approximately 200 tons of trash are generated daily. The trash will be transported to the McKean County Landfill via rail, with deliveries potentially ranging from 4 to 8 cars at a time. The transit from Holyoke to McKean County and back is estimated to take about two weeks.

See Casella on Page 2

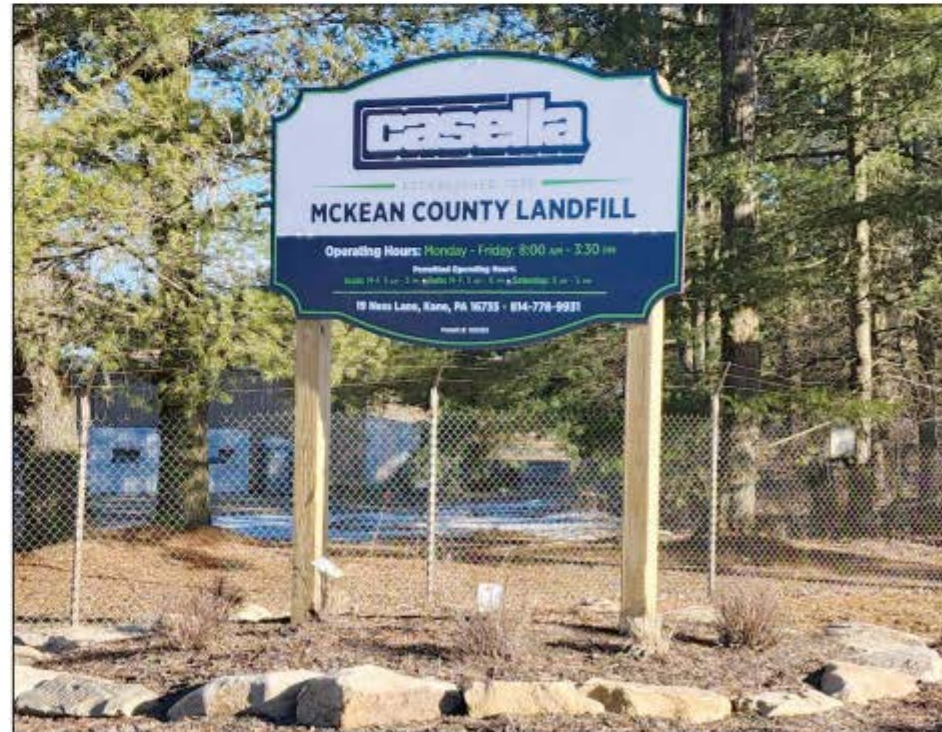


Photo By Theresa Auriemmo
The Casella sign stands tall at the entrance of the McKean County Landfill, where community discussions address the transfer of Massachusetts trash.

CASELLA

FROM PAGE 1

During the meeting, Councilman Brett Morgan expressed that the primary concern wasn't the prospect of additional trash, but rather the concern of whether the trash would linger in the borough, espe-

cially during the summer months.

In response, Shonts, representing Casella Waste Systems, reassured the council by detailing the company's plans. Casella is in the process of constructing five and a half rails, spanning roughly a mile from Campbelltown Road to Johnson-

burg, adjacent to the landfill. Shonts emphasized that the intention is for all waste to seamlessly flow to the McKean County Landfill without lingering in town. He assured that any empty containers would be picked up during the day, minimizing the chance of trains sitting idle in the area. He

did acknowledge that occasional delays might occur, particularly during shift changes.

Councilman Tom Geer inquired about the timeline for the project. Shonts indicated that while rail installation is ongoing, he anticipates partial operation by June and full functionality by year-end.

https://www.bradfordera.com/news/mckean-landfill-looking-at-expansion/article_f28dd6fc-504d-5f63-8b7e-e58b9b8e6caf.html

McKean Landfill looking at expansion

By MARCIE SCHELLHAMMER marcie@bradfordera.com

Jun 16, 2022



The McKean Landfill in Sergeant Township, as seen from above, may be expanding in the future.

Photo by Tom Huntoon

The McKean Landfill in Sergeant Township is growing, with the potential to be more than 25 times larger than it is currently.

“The landfill already has a permitted expansion,” explained spokesman Joseph Fusco, responding by email from the company’s Vermont headquarters, “and currently has enough capacity for up to 20 years.”

That capacity, via permitted expansion, is over 30 million cubic yards of permitted airspace (space yet to be filled); currently, the landfill is at 1.2 million metric ton capacity.

“The McKean Landfill is being developed to eventually accept municipal solid waste (MSW) and construction and demolition debris (C&D) from what is primarily our service area in New England, upstate New York and Pennsylvania,” Fusco said.

Currently, he explained, most of the waste at the landfill “originates in McKean County and surrounding counties in Pennsylvania, and from the southern tier of New York state.”

In the fourth quarter of 2020 earnings call, the transcript of which is available online, CEO John Casella spoke of the company being well positioned, with the McKean Landfill space, to fill in with the pending closure of the Materials Innovation and Recycling Authority facility in Connecticut.

According to trade publication Waste Dive, “The McKean expansion could potentially help position the site to be able to take on some of the 700,000 tons of waste that once went to MIRA, or take advantage of side effects from that closure.”

A Casella investor presentation last year indicated the McKean landfill was rated to accept 312,000 tons per year of municipal solid waste. A message sent to the Pennsylvania Department of Environmental Protection seeking current information was not immediately returned.

The Waste Dive article continued, quoting John Casella as saying the closure of the Connecticut facility, “along with other supply and demand imbalances in the Northeast, could mean a rise in disposal prices throughout the region by somewhere between 5% and 6%.”

A message sent to Fusco seeking comment about rates was not immediately returned on Wednesday.

At the McKean County Planning Office, Laura Lord said they’ve seen nothing yet regarding a landfill expansion.

“There’s been talk but there’s nothing presented to us yet,” she said.

Casella bought the landfill in 2011 from Rustick LLC, which was in bankruptcy. The price was \$500,000, along with the assumption of contractual obligations.

According to a release from Casella in 2011, the roughly 230 acre landfill is permitted by the Pennsylvania Department of Environmental Protection to accept 1,000 tons per day of MSW by truck and 5,000 tons per day by rail.

MEMORANDUM OF UNDERSTANDING

North Country Environmental Services, Inc. ("NCES") and the Town of Bethlehem, New Hampshire ("Town"), enter into this memorandum to memorialize the terms upon which they have agreed to settle the pending litigation between them in the Grafton Superior Court (i.e., Docket Nos. #215-2001-EQ-00177 and #215-2009-EQ-00025) (the "Litigation"). The parties contemplate preparing and executing a written agreement setting out the detailed provisions of the settlement (the "Settlement Agreement") and until the Settlement Agreement is executed by both parties neither party shall be bound. Notwithstanding the foregoing, the parties agree to cooperate and negotiate in good faith in the drafting of the Settlement Agreement based on the terms in this memorandum.

The essential terms of the parties' agreement are:

1. NCES will provide weekly curbside pickup and disposal of municipal solid waste and curbside pickup of commingled recyclables to all Bethlehem residences, including those residences within the Bethlehem Village District, at no charge. This obligation shall commence upon final approval by the Town's voters of the Settlement Agreement and any amendments to the Town's ordinances contemplated by the Settlement Agreement and will continue until NCES's permitted disposal capacity expires (the "Post-Settlement Agreement Life of the Facility"). To the extent that the Bethlehem Village District has independent authority over management of solid waste generated within its boundaries, the District may elect whether to accept the services to be provided by NCES under this Memorandum of Understanding.

2. During the Post-Settlement Agreement Life of the Facility, NCES will accept and dispose of all wastes, including those bulky items such as white goods and consumer electronics that cannot be picked up curbside, that it is permitted to accept at its transfer station at Trudeau Road. This service shall be free of charge to all Town residents but not to commercial enterprises. NCES will not accept construction and demolition debris at the transfer station, nor may residents bring those wastes that may be picked up curbside to the transfer station. Commercial enterprises may not use the transfer station.

3. During the Post-Settlement Agreement Life of the Facility, NCES will pay the Town a host community fee of \$0.25 (twenty-five cents) per ton of waste NCES accepts for disposal through December 31, 2017, and \$0.75 (seventy-five cents) per ton of waste commencing on January 1, 2018, and continuing until facility closure. The parties will agree on a method to monitor wastes so disposed of.

4. NCES and the Town will agree on the description of the boundaries of a ten-acre expansion of District V as defined in the Town's zoning ordinance, such expansion to be to the North of the current District V. NCES and the Town will also agree on a proposed amendment to the Town's zoning ordinance to effectuate the ten-acre expansion of District V. NCES will confine the future expansion of the landfill and all future landfill infrastructure within the reconfigured District V, the total area of which will be sixty-one acres. NCES will not expand the landfill into the 7.29-acre area abutting Trudeau Road. NCES will not expand the landfill

into the approximately 5 acres in the northeast corner of the current 51 acres. As to the 7.29 and 5 acre areas, NCES will not expand the waste footprint into these areas but may use these areas for landfill-related operations such as weigh scales, offices, landfill gas flares and stormwater management.

5. The parties agree that the currently permitted maximum height of the landfill is 1,473 feet above a standard datum used to measure elevation in the State of New Hampshire. NCES agrees that the landfill area will be closed to a final capped height of 1483 feet above the same standard datum, and once the final cap is placed shall not be reopened for further solid waste placement that may be afforded by subsidence. NCES will not substantially discontinue ongoing landfilling operations for the purpose of allowing subsidence to take place but it may landfill in areas of the site where subsidence has taken place during ongoing landfilling activities on the site.

6. Except to the extent permitted by NHDES for Stage IV capacity, NCES will not use mechanically stabilized earthen ("MSE") berms or any similar structure to enable it to increase the grade of the sideslopes of any landfill cell within District V from the grades NHDES approves for the construction of that cell. The intent of this provision is (a) to allow NCES to use conventional berming methods, such as compacted earthen materials, riprap, and erosion matting, in the construction of any such landfill cell as are reasonably necessary and included in the design of the cell and (b) to prevent NCES from constructing an MSE berm or any similar structure along the perimeter of the cell so as to allow the disposal of additional waste on established sideslopes once the currently permitted Stage IV capacity has been exhausted.

7. During the Post-Settlement Agreement Life of the Facility the Town will continue to use the methodology prescribed by the New Hampshire Board of Tax and Land Appeals ("BTLA") in Docket Nos. 19709-02PT / 20384-03PT / 21064-04PT to determine the value of NCES's property for purposes of assessing ad valorem property taxes. For the 2011 tax year, NCES will pay the Town property taxes in an amount of the greater of \$200,000 or the tax payable under the BTLA methodology described in this paragraph.

8. NCES will grant to the Town or its designee a conservation easement on all land within the 47-acre parcel that lies outside of the ten-acre expansion of District V.

9. NCES, its parent, affiliates, successors or assigns agree not to purchase, lease, rent, develop, or otherwise acquire or seek permits to use any other property in the Town of Bethlehem (other than the expanded District V) for the purpose of a landfill. This includes any entity over which NCES, its parent, affiliates, successors or assigns has any control, or in which it has any ownership interest.

10. The Town will convene a special town meeting as promptly as reasonably possible to seek voter approval of the Settlement Agreement and of any amendments to the Town's zoning ordinance contemplated by the Settlement Agreement.

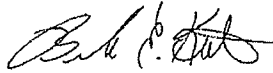
11. The Town's board of selectmen agrees to support publicly the approval of the Settlement Agreement and any amendments to the Town's zoning ordinance contemplated by the Settlement Agreement.

12. Upon Town voters' approval of the Settlement Agreement and any amendments to the Town's zoning ordinance contemplated by the Settlement Agreement, the Litigation will be dismissed with prejudice as to all parties.

13. NCES, its affiliates, successors, or assigns, will not in the future seek judicial relief claiming that any condition herein is an unlawful exaction.

14. The Settlement Agreement will be enforceable through petition by either party filed in the Grafton County Superior Court.

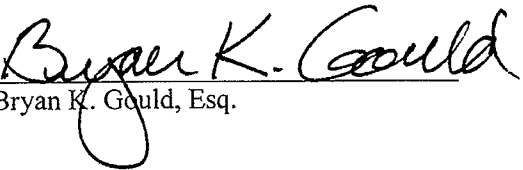
Town of Bethlehem,
By Its Counsel,
Boutin & Altieri, PLLC



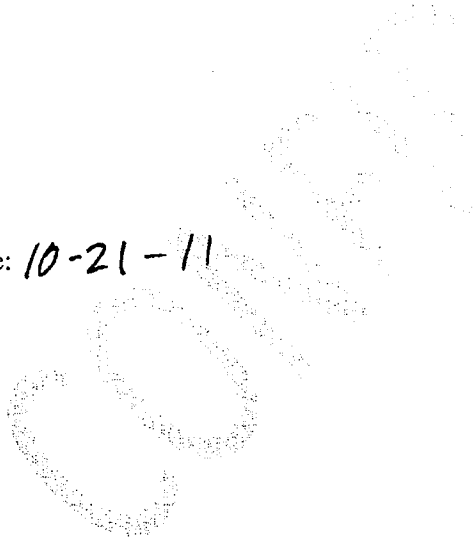
By: _____
Brenda E. Keith, Esq.

Date: October 21, 2011

North Country Environmental Services, Inc.,
By Its Counsel,
Olson & Gould, P.C.

By: 
Bryan K. Gould, Esq.

Date: 10-21-11



outside of the watershed evaluated for this project. The Dalton/Whitefield town line bisects Forest Lake.

The landfill and site infrastructure area are entirely in the Town of Dalton and the site is accessed by Douglas Drive (private road) via Route 116 in Bethlehem. The location of the landfill footprint, access roads, and infrastructure were sited such that impacts to wetlands and waterbodies are minimized and views of the landfill from roadways and abutters are limited.

Surface water and groundwater flow at the site is generally east to west towards the Alder Brook wetland complex. A ridgeline east of the landfill acts as a groundwater and surface water divide between the Alder Brook and the Forest Lake drainage basins. The landfill and disturbed area are entirely within the Alder Brook drainage basin.

GSL is preparing several NHDES permit applications that are being submitted concurrently or are in process, which are summarized below:

- NHDES-Wetlands Standard Dredge and Fill Permit Application
 - Army Corps Wetland Application (404)
- NHDES-Waste Management Division Standard Permit for Solid Waste Landfill
- NHDES Groundwater Protection Bureau Groundwater Management Permit
- NHDES Air Resources Division Permit
- NHDES 401 Water Quality Certification
- NHDOT Driveway Permit submitted on November 3, 2020 (under review)
- NHDES Shoreland Permit

Local approvals are not required for Dalton, or in Bethlehem where the site entrance is located.

Upon approval of these permits, which are expected to be received between 2024 and 2026, GSL would purchase two parcels (site) needed for the project from Mr. Ingerson. These lots are depicted on the enclosed Abutter Exhibit in Appendix P and identified by Town of Dalton records as:

- Map 406 Lot 2.1
- Map 406 Lot 3

GSL and Mr. Ingerson will establish easements across the GSL lots for Mr. Ingerson to access his existing sand and gravel mining and tree harvesting operations which are not covered by this application.

Similarly, easements will be established across Ingerson parcels for GSL to access the landfill site. Parcels requiring easements from Mr. Ingerson to GSL include:

- Map 405 Lot 33
- Map 406 Lot 2.3
- Map 406 Lot 2.4
- Map 406 Lot 2.5
- Map 406 Lot 1 (Bethlehem)

The project is redesigning the site entrance at Route 116 from the current configuration to meet required traffic safety criteria, which include connecting the entrance at 90 degrees as part of the NHDOT Driveway Permit for the project. This modification, depicted on the enclosed plans, is part of several improvements at the driveway entrance and includes an inbound deceleration lane and outbound acceleration lane on Route 116. These improvements are covered by this application. The site entrance, Route 116 improvements, and the southern portion of Douglas Drive are within the quarter-mile designated river corridor of the Ammonoosuc River, which is on the opposite side (south) of Route 116 from the site entrance, therefore the Ammonoosuc River Local Rivers Advisory Committee is being provided a copy of this application. Parts of the Route 116 improvements are also within the protected shoreland of the Ammonoosuc River, which will require an NHDES-Shoreland Permit.

Douglas Drive will be paved throughout and widened to a width of 32-feet in most locations of the approximately 1.5-mile length of road to the landfill. Existing culverts along Douglas Drive will also be replaced during construction with new corrugated HDPE pipe (N-12 or approved equivalent) as depicted on the enclosed plans. Additionally, GSL will be providing two new replacement open bottom culverts at stream crossing locations. Wetland impacts associated with the installation of these culverts are covered by the Standard Dredge and Fill application for the project, which is being filed by GSL concurrently with this application.

The landfill containment system is designed to meet and exceed current NHDES-WMD waste containment standard rules and regulations. A geosynthetic clay liner, not required by the regulations, will be added to the containment system to provide superior containment barrier properties. The landfill containment system includes the following layers, from bottom to top:

- 12-inch low-permeability soil layer
- Secondary 60-mil high density polyethylene (HDPE) geomembrane liner
- Secondary drainage geocomposite (HDPE drainage net between bonded layers of 8 oz non-woven geotextile fabric)
- 12" drainage sand
- Geosynthetic clay liner (GCL – not required by NHDES Solid Waste Rules)
- Primary 60-mil HDPE geomembrane liner
- Primary drainage geocomposite
- 18-inches of drainage sand

ACCESS AGREEMENT AND OPTION TO PURCHASE REAL ESTATE

THIS AGREEMENT is dated as of December 11th, 2018 (the "Effective Date") and is by and between J.W. Chipping Corp. and Douglas Ingerson ("Sellers") d/b/a Chick's Sand & Gravel (Sellers collectively, jointly and severally, and with their permitted successors and assigns, the "Sellers"), having a mailing address of 104 Douglas Drive, Bethlehem, New Hampshire 03574, and North Country Environmental Services, Inc. (the "NCES"), a Virginia corporation, having a mailing address of P.O. Box 866, Rutland, Vermont 05702 (the "Agreement").

PREAMBLE

A. Sellers own approximately 1,976 +/- acres of partially developed land located in the Town of Dalton, Coos County, New Hampshire, known as Tax Parcels 405-33, 406-1, 406-2.1, 406-2.3, 406-2.4, 406-2.5, 406-3 and 406-3.1; in the Town of Littleton, Grafton County, New Hampshire, known as Tax Parcel 25-15; and in the Town of Bethlehem, Grafton County, New Hampshire, known as Tax Parcel 406-1 (collectively, the "Property").

B. NCES is considering the possibility of purchasing certain portions of the Property (together with all necessary easements for ingress and egress thereto, the "Candidate Land") in two phases for the purpose of constructing and operating thereon a commercial landfill and related improvements, including, without limitation, offices, maintenance buildings, scales and scale houses, a transfer station, landfill gas management and beneficial use facilities, leachate facilities and storage, flare locations, storm water management areas, berms, and buffers (collectively, the "Landfill"). The Candidate Land is divided into the "Phase I Candidate Land" and the "Phase II Candidate Land" and is shown conceptually on the plan attached hereto as Attachment A (the "Conceptual Plan").

C. Sellers have agreed to grant NCES the exclusive right to perform certain due diligence with respect to the Candidate Land for certain periods of time and options to purchase all, a portion, or portions of the Candidate Land, all in accordance with the terms and conditions of this Agreement.

MUTUAL COVENANTS

NOW, THEREFORE, for and in consideration of the mutual covenants herein contained and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

1. Options to Purchase; Right of First Refusal; Purchase Price; Other Consideration.
 - 1.1.1 Options Granted. Sellers grant the following two options (the "Options") to NCES:
 - (a) Sellers hereby grant to NCES the exclusive right and option (the "Phase I Option"), for a period of [REDACTED] from the date hereof (the "Phase I Option Period"), to purchase the Phase I Option Parcel (as described in

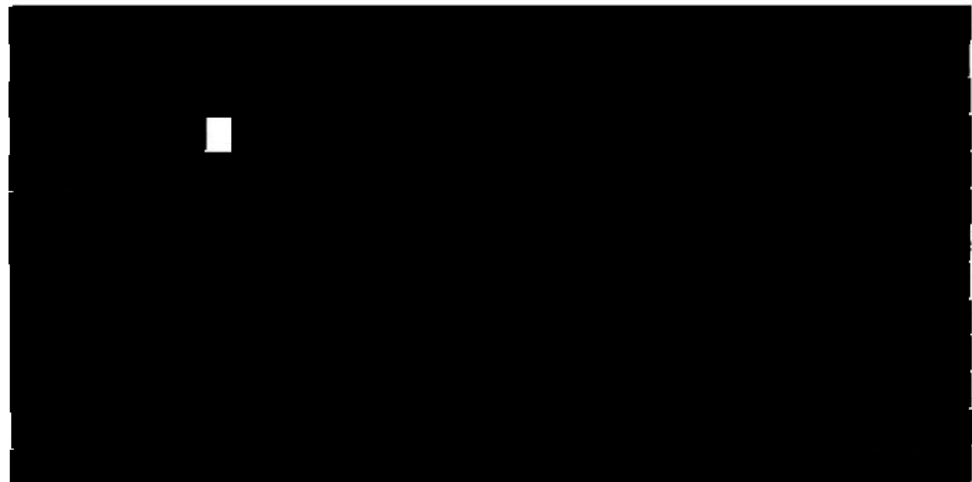
Section 5.2(a)) for the price and upon the terms and conditions set forth below. The date of the expiration of the Phase I Option Period (as the Phase I Option Period may be extended by NCES as provided below) is referred to as the "Phase I Option Expiration Date." NCES may exercise the Phase I Option by giving Sellers written notice of its exercise on or before the Phase I Option Expiration Date. If NCES fails to exercise the Phase I Option on or before the Phase I Option Expiration Date, then any Option Payments (as defined herein, and if such payment is not returned or returnable to NCES in accordance with this Agreement) then paid by NCES shall be retained by Sellers as earned compensation for the granting of the Phase I Option, and this Agreement shall be of no further force or effect. The exercise and purchase contemplated by this Section 1.1(a) is referred to as "Phase I."

- (b) Sellers hereby grant to NCES the exclusive right and option (the "Phase II Option"), for a period of [REDACTED] from the date of the exercise of the Phase I Option (the "Phase II Option Period"), to purchase the Phase II Option Parcel (as defined in Section 5.2(a)) for the price and upon the terms and conditions set forth below. The date of the expiration of the Phase II Option Period is referred to as the "Phase II Option Expiration Date." NCES may exercise the Phase II Option by giving Sellers written notice of its exercise on or before the Phase II Option Expiration Date. The exercise and purchase contemplated by this Section 1.1(b) is referred to as "Phase II."

The Phase I Option Parcel and the Phase II Option Parcel are referred to jointly as the "Option Parcels" and singularly as an "Option Parcel." Each of Phase I and Phase II is referred to singularly as a "Phase." The Phase I Option Payment and the Phase II Option Payment are referred to jointly as the "Option Payments" and singularly as an "Option Payment."

1.2 **Sales of Remaining Property; Right of First Refusal.**

- (a)



2.5 Notice of Designation. If NCES, in its sole and absolute discretion, determines that the Candidate Land for a Phase is suitable for development of the Landfill and that the development of the Landfill on the Candidate Land for that Phase is feasible, then NCES may, on or before the applicable Option Expiration Date, give the written notice specified by Section 1.1 to Sellers for that Phase, which notice shall include a plan or survey prepared by a licensed surveyor or engineer (the “Designated Property Plan”) for that Phase identifying with reasonable particularity (i) such portion of the Property as is suitable for such development (in each case, the “Designated Property”) and (ii) the portion of the Remaining Property over which Sellers will convey an access easement, substantially in the form of Attachment C, giving NCES and its customers full, unfettered rights of ingress and egress from a public street of unlimited intensity to the Designated Property over and from Douglas Drive (the “Access Easement”). If NCES gives such notice to Sellers, for all purposes under this Agreement the Designated Property Plan for that Phase shall supersede the Conceptual Plan as to that Phase and the Designated Property for that Phase shall supersede the Candidate Land for that Phase.

3. Zoning and Other Regulatory Approvals.

3.1 Pre-Exercise Approvals. Without limiting the right to undertake any other inspections or investigations hereunder, at any time prior to either Option Expiration Date NCES may investigate whether its intended purchase of either of the Option Parcels and use of the Candidate Land is permitted under the applicable provisions of any municipal land use law and

may take steps to obtain all final, unappealed, and unappealable governmental approvals, permits, licenses, and the like from any federal, state, county, municipal, or other governmental authority or agency having jurisdiction over the Candidate Land, duly issued in accordance with applicable laws, statutes, codes, rules, and regulations required or advisable to permit the conveyance of the Option Parcels to NCES as separate lots and the construction by NCES of the Landfill on the Option Parcels and all site improvements associated therewith, in form and subject to such conditions as are acceptable to NCES in its sole and absolute discretion (collectively, the "Approvals"). The Approvals may include, without limitation and if required by law, (i) subdivision (or lot line adjustment) approval from the Dalton Planning Board, (ii) site plan approval from the Dalton Planning Board, (iii) wetlands, alteration of terrain, solid waste and other environmental permits from the N.H. Department of Environmental Services, U.S. Environmental Protection Agency, and U.S. Army Corps of Engineers, and (iv) driveway permits from the N.H. Department of Transportation. Nothing in this Agreement shall be construed to create an obligation on the part of NCES to seek or obtain any or all of the Approvals. It is understood and agreed that NCES shall have sole and absolute discretion prior to the applicable Option Expiration Date to decide whether to seek or obtain any or all of the Approvals, and its decision to seek or obtain one or more of the Approvals shall not obligate NCES to seek or obtain any other Approvals, nor shall NCES be obligated to pursue to final determination any application or request, once made, for one or more of the Approvals.

[REDACTED]

[REDACTED]

[REDACTED]

8. Notices. Wherever notice to any party hereto is required or permitted hereunder, such notice shall be in writing and shall be effective when (a) delivered in person, (b) deposited in the United States Mail, certified or registered, properly addressed, return receipt requested, and postage prepaid, or (c) sent by electronic transmission (email or facsimile) to such party at the address set out below or at such other address as is specified by written notice given in accordance herewith:

If to Sellers: Douglas Ingerson
104 Douglas Drive
Bethlehem, New Hampshire 03574
Phone: (603) 616-6378
Email: rocksrus1313@gmail.com

If to NCES: North Country Environmental Services, Inc.
25 Greens Hill Lane
P.O. Box 866
Rutland, Vermont 05702
Attention: David L. Schmitt, General Counsel
Phone: (802) 772-2257
Fax: (802) 775-6198
Email: David.Schmitt@casella.com

NEW HAMPSHIRE DEPARTMENT OF TRANSPORTATION

District 1, 641 Main St, Lancaster, NH 03584
District 2, 8 Eastman Hill Road, Enfield, NH 03748
District 3, 2 Sawmill Rd, Gilford, NH 03249

District 4, 19 Base Hill Road, Swanzey, NH 03446
District 5, 16 East Point Drive, Bedford, NH 03110
District 6, PO Box 740, Durham, NH 03824

APPLICATION FOR DRIVEWAY PERMIT

Pursuant to the provisions of Revised Statutes Annotated, Chapter 236, Section 13 (printed on reverse of application) and amendments thereto, and Declaratory Ruling 2000-01 permission is requested to: **Alter 1 driveway entrance(s) to my property on the North side of NH Route 116 the Town of Bethlehem** at a location which will meet the requirements for safety specified in said statutes.

The driveway entrance(s) requested is (are) for access to: **Industry**

Describe nature and size of industry, business or subdivision: **Proposed solid waste disposal facility and existing enterprises previously permitted (Mining, Drag Strip, Asphalt Plant, etc.)**

7 Feet East of Utility Pole Number: PSNH 331 82

825 Feet West of West Forest Lake Road

Town Tax Map # 406 and Lot # 001

As the landowner (or designated applicant) I agree to the following:

1. To construct driveway entrance(s) only for the bonafide purpose of securing access to private property such that the highway right-of-way is used for no purpose other than travel.
 2. To construct driveway entrance(s) at permitted location(s).
 3. To construct driveway entrance(s) in accordance with statutes, rules, standard drawings, and permit specifications as issued by the New Hampshire Department of Transportation.
 4. To defend, indemnify and hold harmless the New Hampshire Department of Transportation and its duly appointed agents and employees against any action for personal injury and/or property damage sustained by reason of the exercise of this permit.
 5. To furnish and install drainage structures that are necessary to maintain existing highway drainage and adequately handle increased runoff resulting from the land development and obtain all easements thereto.
 6. I am the owner or a duly authorized agent of the owner of the parcel upon which the driveway will be constructed. I have provided accurate and complete title and subdivision information concerning the parcel to the Department. I understand that the Department is relying on this information in considering this application and that the Department does not perform independent title research or make judgments about title or access disputes.
- For new driveway(s), include copy of current deed and, if not the same, previous deed dated prior to July 1, 1971 of the parcel. If this parcel is part of a larger tract subdivided after July 1, 1971, then provide complete subdivision plans and deed history dating back to at least July 1, 1971.
 - Attach sketch or plan showing existing and proposed driveway(s) and the adjacent highway indicating distance to town road, town line, or other readily identifiable feature or landmark and also to the nearest utility pole (including pole numbers)

Douglas G Ingerson

Signature of Landowner (Applicant)

Douglas Ingerson

Printed Name of Landowner

Date:

11/3/20

104 Douglas Drive

Mailing Address

Dalton, NH 03598

Town/City, State, Zip Code

Telephone

[REDACTED] cell

Number(s)

Contact/Agent, if not Landowner:

John Gay, Casella Waste Systems, Inc. john.gay@casella.com, (802) 236-5973

FOR OFFICE USE ONLY:

GPS N = _____ GPS W = _____
Section: _____ Width: _____ Speed: _____
Right of Way: _____ Drainage: _____ SLD: _____
Conditions: _____
Permit Number Assigned: _____

§ 236:13 Driveways and Other Accesses to the Public Way. – I. It shall be unlawful to construct, or alter in any way that substantially affects the size or grade of, any driveway, entrance, exit, or approach within the limits of the right-of-way of any class I or class III highway or the state-maintained portion of a class II highway that does not conform to the terms and specifications of a written permit issued by the Commissioner of transportation.

II. Pursuant to this section, a written construction permit application must be obtained from and filed with the department of transportation by any abutter affected by the provisions of paragraph I. Before any construction or alteration work is commenced, said permit application shall have been reviewed, and a construction permit issued by said department. Said permit shall:

- (a) Describe the location of the driveway, entrance, exit, or approach. The location shall be selected to most adequately protect the safety of the traveling public.
- (b) Describe any drainage structures, traffic control devices, and channelization islands to be installed by the abutter.
- (c) Establish grades that adequately protect and promote highway drainage and permit a safe and controlled approach to the highway in all seasons of the year.
- (d) Include any other terms and specifications necessary for the safety of the traveling public.

III. For access to a proposed commercial or industrial enterprise, or to a subdivision, all of which for the purposes of this section shall be considered a single parcel of land, even though acquired by more than one conveyance or held nominally by more than one owner:

- (a) Said permit application shall be accompanied by engineering drawings showing information as set forth in paragraph II.
- (b) Unless all season safe sight distance of 400 feet in both directions along the highway can be obtained, the commissioner shall not permit more than one access to a single parcel of land, and this access shall be at that location which the commissioner determines to be safest. The commissioner shall not give final approval for use of any additional access until it has been proven to him that the 400-foot all season safe sight distance has been provided.
- (c) For the purposes of this section, all season safe sight distance is defined as a line which encounters no visual obstruction between 2 points, each at a height of 3 feet 9 inches above the pavement, and so located as to represent the critical line of sight between the operator of a vehicle using the access and the operator of a vehicle approaching from either direction.

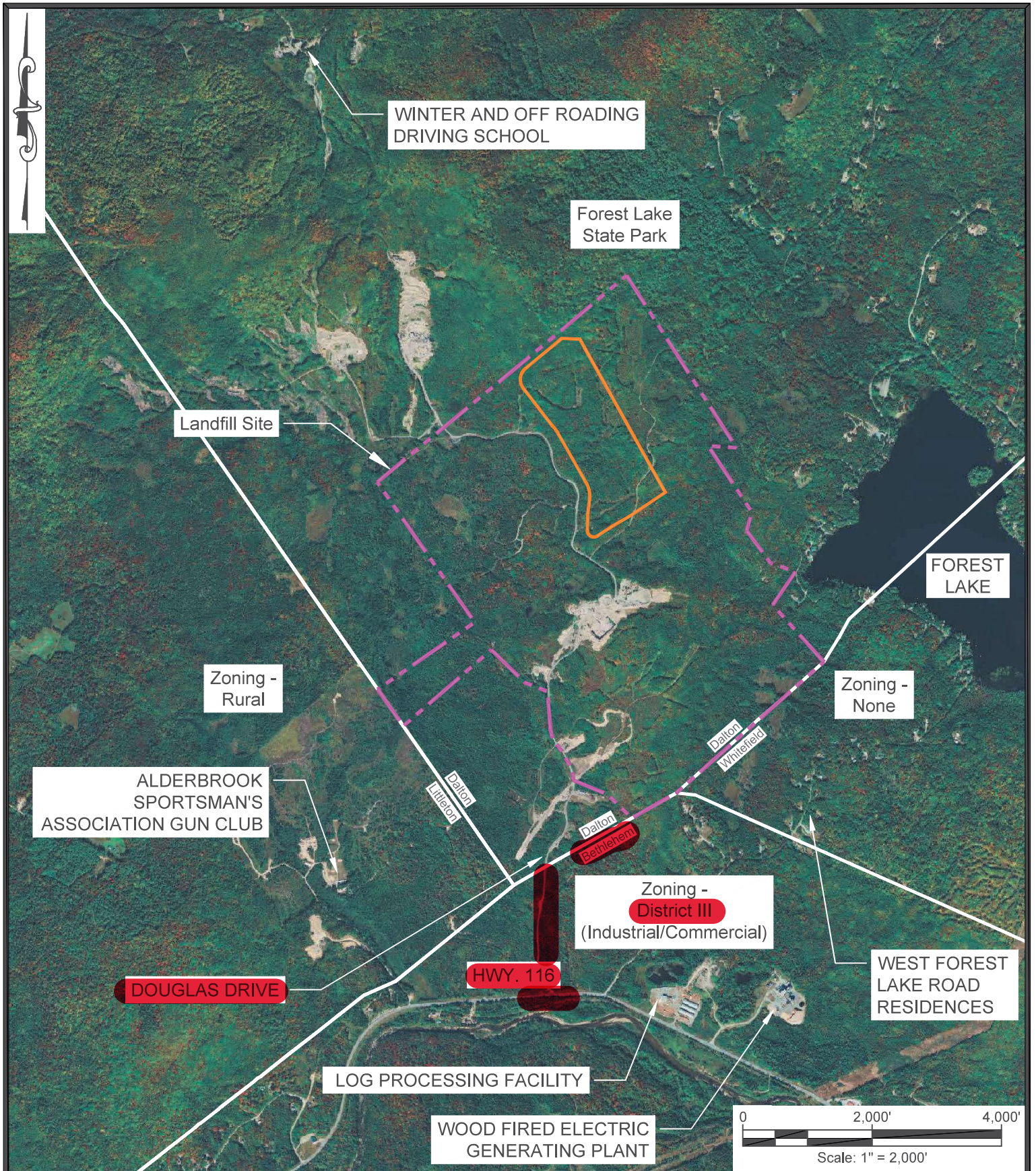
IV. No construction permit shall allow:

- (a) A driveway, entrance, exit, or approach to be constructed more than 50 feet in width, except that a driveway, entrance, exit, or approach may be flared beyond a width of 50 feet at its junction with the highway to accommodate the turning radius of vehicles expected to use the particular driveway, entrance, exit or approach.
- (b) More than 2 driveways, entrances, exits or approaches from any one highway to any one parcel of land unless the frontage along that highway exceeds 500 feet.

V. The same powers concerning highways under their jurisdiction as are conferred upon the commissioner of transportation by paragraphs I, II, III and IV shall be conferred upon the planning board in cities and towns in which the planning board has been granted the power to regulate the subdivision of land as provided in RSA 674:35, and they shall adopt such regulations as are necessary to carry out the provisions of this section. Such regulations may delegate administrative duties, including actual issuance of permits, to a highway agent, board of selectmen, or other qualified official or body. Such regulations, or any permit issued under them, may contain provisions governing the breach, removal, and reconstruction of stone walls or fences within, or at the boundary of, the public right of way, and any landowner or landowner's agent altering a boundary in accordance with such provisions shall be deemed to be acting under a mutual agreement with the city or town pursuant to RSA 472:6, II (a).

VI. The commissioner of transportation or planning board shall retain continuing jurisdiction over the adequacy and safety of every existing driveway, entrance, exit, and approach to a highway, whether or not such access was constructed or installed pursuant to a permit under this section, and, unless the access is a public highway, the owners of property to which the access is appurtenant shall have continuing responsibility for the adequacy of the access and any grades, culverts, or other structures pertaining to such access, whether or not located within the public right of way. If any such access is or becomes a potential threat to the integrity of the highway or its surface, ditches, embankments, bridges, or other structures, or a hazard to the safety of the traveling public, by reason of siltation, flooding, erosion, frost action, vegetative growth, improper grade, or the failure of any culvert, traffic control device, drainage structure, or any other feature, the commissioner of transportation or planning board or their designee may issue an order to the landowner or other party responsible for such access to repair or remove such hazardous condition and to obtain any and all permits required therefor. The order shall describe the hazard, prescribe what corrective action or alteration in the location or configuration of such access shall be required, and set a reasonable time within which the action shall be completed. Such an order shall be sent by certified mail, and shall be enforceable to the same extent as a permit issued under this section. If the order is not complied with within the time prescribed, the commissioner or planning board or their designee may cause to be taken whatever action is necessary to protect the highway and the traveling public, and the owner or other responsible party shall be civilly liable to the state or municipality for its costs in taking such action.

§ 236:14 Penalty. – Any person who violates any provision of this subdivision or the rules and regulations made under authority thereof shall be guilty of a violation if a natural person, or guilty of a misdemeanor if any other person; and, in addition, shall be liable for the cost of restoration of the highway to a condition satisfactory to the person empowered to give such written permission.



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Granite State Landfill, LLC
Granite State Landfill
Dalton, New Hampshire
Standard Permit for Solid Waste Landfill

Surrounding Land Use - Aerial

Figure 2

Date	Location	Info	Source	Source II
Sep-1988	Whitehall, NY	NY Attorney General's Office announces lawsuit vs Casella for operating w/out a license in NY & violation of consent order, potential of \$10 million in fines	https://www.newspapers.com/clip/11165570/the-post-star/	Appendix W
Jun-1993	Vermont	Vermont competitor Mithoef Construction files suit against Casella Waste alleging, among other things	https://concernedcitizens.homestead.com/Casella.html	
May-1994	Maine	Maine Energy filed a suit against United Steel Structures, Inc. to recover costs to replace the roof and walls of the Maine Energy tipping and processing building., \$800k settlement	https://ir.casella.com/static-files/b0a0949e-6f13-4401-8e6b-df2c2701b851	
Jul-1994	Newbury, VT	Casella pays \$68,500 in fines to settle claims against it by Vermont's Department of Environmental Conservation alleging, among other things, Casella operated a transfer station without a permit, failed to store sludge properly at the facility, and failed to close and cap its Newbury landfill, leaking toxic chemicals into the Wells River.	https://concernedcitizens.homestead.com/Casella.html	http://nobrantfill.freesevers.com/1207NH.html
August, 1997	Bethlehem, NH	New Hampshire Department of Environmental Services notifies Casella subsidiary North County Environmental Services Landfill that the landfill has violated reporting regulations by failing to report within the required 10-day period the presence of lead and chromium in three detention ponds, and the presence of volatile organic contaminants in landfill monitoring wells and the ponds; and that failure to submit an application to renew its permit, requiring a five-year review of water quality conditions, is "permit violation." (DES letter on file)	https://concernedcitizens.homestead.com/Casella.html	
Oct-1997	Vermont	Matthew Freidman filed civil suit for services, settled for \$350k/25k stock	https://ir.casella.com/node/10511/html	
May-1998	Angelica, NY	Hyland Landfill files suit vs Town of Angelica over permit modification	https://ir.casella.com/static-files/b0a0949e-6f13-4401-8e6b-df2c2701b851	
Sep-1998	Angelica, NY	Town of Angelica files an appeal of July injunction over zoning regulations	https://ir.casella.com/static-files/b0a0949e-6f13-4401-8e6b-df2c2701b851	
Oct-1998	Bethlehem, NH	Town of Bethlehem filed a petition for injunctive and declaratory relief against NCES. The Town's petition sought to enjoin NCES's construction of Stage II, Phase II of the landfill and to prevent any further expansion as violative of the above-noted Town zoning ordinance.	https://ir.casella.com/node/10191/html	
Oct-1998	Bethlehem, NH	NCES files suit against the Town of Bethlehem zoning ordinance is illegal and the 50 cents/ton paid to the town is an illegal exaction.	http://eannh.org/history-timeline.html	https://ir.casella.com/node/10191/html
Nov-1998	Bethlehem, NH	Town of Bethlehem filed two counterclaims seeking to establish the lawfulness of the financial exactions challenged by NCES's October 16, 1998 petition	https://ir.casella.com/node/10191/html	
Mar-1999	Bethlehem, NH	NH Environmental Action for Northern New Hampshire, Inc. ("EANNH") sought to intervene before the superior court to introduce evidence which it claimed showed that there were size limitations on the landfill implicit in the land-use approvals obtained by NCES's predecessors in 1976 and 1986. Denied and appealed.	https://ir.casella.com/node/10191/html	
Apr-1999	New York	NY Dept of Labor files suit relative to prevailing wages not being paid while working on Clinton County Landfill	https://ir.casella.com/static-files/9b0878fb-ca06-4d7c-9249-f1c3d42075fa	
Apr-1999	New Jersey	William F Kaiser brings suit for breach of contract/wrongful termination,, settlement reached for \$295,000	https://ir.casella.com/node/10511/html	
Apr-1999	Bethlehem, NH	Town of Bethlehem filed a notice of appeal with the New Hampshire Supreme Court seeking review of the superior court's order.	https://ir.casella.com/node/10191/html	
Apr-1999	New Jersey	Salvatore Russo files suit over misrepresentation of KTI, material misrepresentations, SEC violations, settled for \$925,000	https://ir.casella.com/node/10511/html	
Apr-1999	Bethlehem, NH	NCES filed a notice of cross-appeal	https://ir.casella.com/node/10191/html	
May-1999	New Jersey	Melanie Miller files suit over misrepresentation of KTI, material misrepresentations, SEC violations, settled for \$925,000	https://ir.casella.com/node/10511/html	
Jul-1999	Rome, NY	Woodstock '99, LLC file suit seeking 2,000,000 in damages for breach of two service contracts entered into by the Company for the servicing of portable chemical toilets during the Woodstock Concert held in Rome, N.Y.	https://ir.casella.com/static-files/b0a0949e-6f13-4401-8e6b-df2c2701b851	
Sep-1999	Maine	Maine AG issues consent decree relative to purchase of KTI and anti-competitive practices	https://archive.bangordailynews.com/1999/10/02/sawver-perc-owners-agree-to-merger-conditions/	
Oct-1999	CT	Kyle Trayner filed an action in Putnam Superior Court in Connecticut against K-C International seeking approximately \$400,000 allegedly due for compensation under an employment, settlement reached in July 2000 for \$100,000	https://ir.casella.com/static-files/b0a0949e-6f13-4401-8e6b-df2c2701b851	
Dec-1999	Rutland, VT	EarthWaste Systems suit, breach of contract, \$1 million settlement	https://ir.casella.com/static-files/b0a0949e-6f13-4401-8e6b-df2c2701b851	
Jan-2000	Saco, ME	City of Saco ME files notice of claims, citing breach of contract, breach of fiduciary duties, and fraud vs Casella and subsidiary Maine Energy, settlement reached	https://ir.casella.com/static-files/b0a0949e-6f13-4401-8e6b-df2c2701b851	https://ir.casella.com/node/10511/html
Jan-2000	Bangor, ME	Energy Nationa, Inc. files suit vs Casella (as PERC partner) over disposal prices and liability in Jan 7 suit	https://archive.bangordailynews.com/2000/01/29/perc-co-owners-suit-echoes-complaints-in-towns-claim/	
Mar-2000	New Jersey	Class action suit brought forth relative to misrepresentations about KTI's financials	https://ir.casella.com/static-files/b0a0949e-6f13-4401-8e6b-df2c2701b851	
May-2000	Bethlehem, NH	NCES is assessed fines of \$134,500 by DES for violations of the NH Hazardous Waste Rules relating to the treatment and transport of their leachate.	http://eannh.org/history-timeline.html	

Dec-2003	Biddeford, ME	City of Biddeford sued Maine Energy in federal court under federal and state law alleging emission of VOCs without appropriate permits or appropriate control technology and is a public nuisance. The complaint sought an unspecified amount of civil penalties, damages, injunctive relief and attorney's fees. May 25, 2004, complaint dismissed without prejudice with settlement negotiations.	https://www.sec.gov/Archives/edgar/data/911177/000110465906043029/a06-14010_110k.htm
April, 2004	Illinois	Illinois EPA files violation notice, against subsidiary New Heights Recovery and Power for tire shredding storage	http://www.annualreports.com/HostedData/AnnualReportArchive/c/NASDAQ_CWST_2004.pdf?fbclid=IwAR3XXRRVIF-E4LmV7gVDY3hICP5TmgDvdgGmiZOp9JpBOSVdbPUu5c3VTQ
May-2004	New York	NY Dept of Labor issues order finding relative to prevailing wages not being paid suit of April 1999	https://ir.casella.com/static-files/f0489ac8-127c-4e5b-902c-702f2d4aceee
January-5/6/2004	Southbridge, MA	Settlement reached with MA DEP and AGO relative to purchase of Wood Recycling (renamed SRDP), over prior violations, \$975,000	http://www.southbridgeeveningnews.com/Articles-c-2010-01-09-150334.113119_DEP_holding_400K_for_town.html?fbclid=IwAR1HGVOvgb_r6inijCErqFibbJtozZ40Fio89MRwAJPCOPaWGDEr_v1AEwhw
Jan-2005	Vermont	Claimant Scott Cousino died as a result of an accident that arose out of and in the course of his employment for Casella Waste Management	https://outside.vermont.gov/dept/Labor/WorkersComp/2006/12-06WC%20S.%20C.%20v.%20Casella%20Waste%20Management%20(March%202010,%202006).pdf
Jan-2005	Chittenden County, VT	All Cycle Waste driver killed when truck rolled over him	https://www.sec.gov/Archives/edgar/data/911177/000110465906043029/a06-14010_110k.htm
Mar-2005	Hardwick, MA	MA DEP fines Casella \$18,000 plus \$1000/day if Patrill Hollow Road waste site issues are not corrected relative to unacceptable waste, odor, and stormwater controls.	https://www.recyclingtoday.com/article/ma-dep-fines-landfill-for-violations/
Mar-2005	Wellsboro, PA	Transfer Station Permit Revoked following criminal investigation into site management and record keeping	https://www.sec.gov/Archives/edgar/data/911177/000110465906043029/a06-14010_110k.htm
May-2005	Maine	Maine AG serves CWS with an anti-trust summons relative to its operations with the City of Lewiston and investigation into restraint of trade or commerce practices	http://www.tiogapublishing.com/news/operation-permit-for-w
Jun-2005	Chittenden County, VT	State Attorney for Chittenden initiates criminal investigation into January fatality, 4 violations, \$28,000 fine	https://www.sec.gov/Archives/edgar/data/911177/000110465906043029/a06-14010_110k.htm
Jul-2005	Bethlehem, NH	NCES Landfill notified by NH AG of an investigation into the illegal dumping of asbestos from 1999-2002 from Mountain View Grand renovation	https://ir.casella.com/static-files/8f7e8eb3-313a-4f72-8910-f44b5a97dcf4
March, 2005	Maine	Environmental Exchange files anti-competitive suit vs Casella over charges of monopolizing waste handling in Maine	https://dntwasteme.wordpress.com/2013/01/07/financial-problems-plague-casella-waste/
Aug-2005	Southbridge, MA	OSHA cited Casella Waste Systems Inc. for 17 alleged serious violations of safety and health standards at the recycling center after the death of Catarino Urizar, \$12,800 .	https://www.telegram.com/article/20070920/NEWS/709200585
Oct-2005	Hardwick, MA	Casella sues Town of Hardwick ZBA and 10 individual citizens over zoning decision (3rd such suit in 15 months per news reports)	https://www.telegram.com/article/20061110/news/611100493
Dec-2005	New York	Suit filed in NY Supreme Court by 100 residents challenging the legality of the OML Agreement relative to the Chemung County Landfill	https://www.sec.gov/Archives/edgar/data/911177/000110465906043029/a06-14010_110k.htm
Dec-2005	Ware, MA	Casella files suit vs Town of Ware relative to truck traffic restrictions passed by the town	https://www.sec.gov/Archives/edgar/data/911177/000110465906043029/a06-14010_110k.htm
Feb-2005	MA	MA attorney general's office announced a settlement with Casella for nearly \$80,000 in back pay owed to 30 employees, complete with testimony about poor working conditions and intimidation. The company paid a \$5,500 penalty.	https://drive.google.com/file/d/1pfY4OmiZY6NP_FT_b_C5ZYvzEv0M1EwV/iew
Mar-2006	Wellsboro, PA	Transfer station pays \$50,000 fines to PA AG following investigation	https://digboston.com/special-investigation-living-on-scrap/
Jul-2006	Wellsboro, PA	Transfer Station \$400,000 fine by PA DEP	https://www.sec.gov/Archives/edgar/data/911177/000110465906043029/a06-14010_110k.htm?fbclid=IwAR1boWnWcT4JGRi_p7-
Apr-2007	Vermont	Former Casella employee files suit against current employee and Casella's insurer over workplace injuries	http://www.tiogapublishing.com/news/operation-permit-for-wellsboro-transfer-station-revoked-by-dep/article_ab118db1-2ab8-54e2-9d1d-fc33b89a3b8c.html
Aug-2007	Chemung, Ontario, Clinton Counties	NY DOL issued a letter opinion that cell construction work and other construction activities, with respect to landfill sites operated by the Company in New York State (Chemung, Ontario and Clinton County), is providing a "public purpose," and accordingly are subject to the Prevailing Wage laws.	https://ir.casella.com/node/12161/html
Nov-2007	Bethlehem, NH	NCES Landfill, NH AG issues consent decree relative to violations for the illegal dumping of asbestos waste from 1999-2002 from the Mountain View Grand Hotel with a fine of \$100,000 paid to the state and an environmental education foundation	https://img1.wsimg.com/blobby/go/3a99e672-2796-498c-8250-9aae47365deb/downloads/Asbestos%20Suit%202007%20NCE%20S.pdf?ver=1591455259207&fbclid=IwAR2t63jvRPvti4m2UJZXTtwEp3BEoZtcAq3DncP92IzVtIF283tzWmvSPQ
May-2008	Williston, VT	Stephen Pooler files injury suit vs CWS over injury by mechanical arm sustained while assisting All Cycle Waste route driver with cardboard pickup	https://caselaw.findlaw.com/vt-supreme-court/1607468.html?fbclid=IwAR3sgN7Fc19vqnLgChdRii2dH-IIONi5ETnUIUX9AppiW3z73TbbnEGEr90

Jul-2008	Biddeford, ME	Clean Air Act violation, \$38,700	
Jul-2008	Sturbridge, MA	28 10-citizen groups file complaint appealing 2008 Site Assignment for Southbridge Landfill (Dec 11, 2009 appeal filed v dismissal)	https://casetext.com/case/town-of-sturbridge-bd-hlth-v-leary
Aug-2008	Saco, ME	Former Saco Mayor Mark Johnson files suit vs Casella's MERC over odor nuisance	https://archive.bangordailynews.com/2008/08/28/former-saco-mayor-sues-over-merc-odors/
Nov-2008	Philadelphia, PA	Class action lawsuit filed in United States District Court Eastern District of Pennsylvania against Blue Mountain Recycling, LLC ("BMR") and the Company, alleging discriminatory hiring practices at BMR's facility in Philadelphia.	https://ir.casella.com/node/12161/html
Feb-2009	Bethlehem, NH	Town of Bethlehem zoning enforcement action initiated vs NCES	
Dec-2009	Southbridge, MA	Casella fined \$34,314 for environmental violations by MASS DEP	http://www.theheartofmassachusetts.com/Articles-c-2009-12-14-150152_113119-Casella-fined-for-landfill-violations.html?fbclid=IwAR0RC48FL4hTcaOroMUWR4DhupamN3riuRLi9xGMwYi_m27DxldU_R5fUgQ
Sep-2010	Biddeford, ME	Casella sues City of Biddeford, ME over zoning law changes	http://www.keepmeccurrent.com/sun_chronicle/news/article_a8470d48-bc45-11df-a44e-001cc4c002e0.html?fbclid=IwAR1yMF9G3vmlaR5iWAnQdi373eu17c1EHZani8ymaNTrT8GQstM8Dc5RqjM
Sep-2010	Angelica, NY	Numerous motions and appeals filed relative to a permit modification for the Hyland Landfill	http://www.dec.ny.gov/hearings/76112.html
Dec, 2010	Vermont	Casella sued by estate of Robert Hathaway, who was killed by a driver working for Casella hauling liquid waste (June 2002 accident)	https://www.vermontjudiciary.org/sites/default/files/documents/2008-442.pdf
Apr-2011	Vermont	Vermont State Attorney General fines Casella \$4.8 Million, reduced to \$1 million for anti-competitive practices	https://vt.digger.org/2011/08/13/casella-to-pay-1m-penalty-for-anti-competitive-contracts-with-consumers/?fbclid=IwAR2DT8HmcPne696SSPabbslfbbsvgEPWx5SSPNqSiWZCD939uW9Mofnlw
May-2011	Seneca, NY	Town of Seneca files lawsuit alleging various causes of action arising from the OMLA and the Host Agreement	https://www.townofseneca.com/uploads/1/8/4/9/18490564/2011-08-17_execution-ready_settlement.pdf?fbclid=IwAR1KN4Z4_WaRkKGC0097K5NoMl7pzYbyALldLdBcixkRO2nCaOfJ66dmU
May-2011	Maine	Penobscot Energy Recovery Corporation alleges Pine Tree Waste, Inc., our subsidiary, failed since 2001 to honor a "put-or-pay" waste disposal arrangement, submits to arbitration	https://ir.casella.com/static-files/fcba2a32-1a44-402d-9788-fe1420f65009
Jan-2014	Southbridge, MA	MA DEP and AG cite for August violations of Wetlands Protection, Clean Air and Solid Waste Acts,	https://www.wbiournal.com/article/southbridge-landfill-to-pay-200000-civil-penalty?fbclid=IwAR2nx35DD48leN-Ec1VbMU_tT3iM-59Bpi6EMjyPdFFRXF6RPHGxplwzZs
May-2014	Southbridge, MA	MA DEP issues UAO Unilateral Administrative Order relative to wetlands impact from stockpiled earth	https://casetext.com/case/toxics-action-ctr-inc-v-casella-waste-sys-inc
Jul-2014	New York	New York State Attorney General announces \$100,000 settlement over anti-competitive contract practices	https://ag.ny.gov/press-release/2014/ag-schneiderman-announces-settlement-protecting-competition-waste-hauling?fbclid=IwAR2PSqYvLLfJh9LNR-vYxvTlqcAW9I9oVgJ3t31adPo9GixGVY_QIZAc
Jul-2014	Clinton County, NY	77 year old truck driver dies from injuries while delivering topsoil at Clinton County landfill	https://www.pressrepublican.com/news/local_news/man-dies-after-buried-by-dirt-in-clinton-county-landfill/article_fba78985-b5fb-5499-968f-d76440457af2.html
Sep-2014	Ontario County, NY	Trucker Kenneth Andrews is run over by a bulldozer, loses leg, numerous violations of safety rules and state regulations cited	https://www.mpnnow.com/article/20160503/NEWS/160509864?fbclid=IwAR0ZG2nTU5_fvHLRqbskhtqWN_xTmgw1hfY9nZQpOIVg7w0oA5eiVgibA
Dec-2014	Southbridge, MA	Landfill fined \$200,000 by MA DEP and AG over violations of WPCASWA from Aug, 2013 incident involving stored earth and wetlands	https://www.wbiournal.com/article/southbridge-landfill-to-pay-200000-civil-penalty
May-2015	McKean, PA	Casella Waste Management of Pennsylvania Inc. reaches \$20,750 settlement for its violations of the Solid Waste Management Act at the McKean County Landfill in Hutchins between May and August of 2014. In May 2014, DEP inspected the McKean County Landfill three times. During the inspections, DEP observed the waste slope as too steep, exceeding the 50 percent grade limit. The slope was poorly maintained, with little space in the perimeter berm to collect stormwater. As a result, heavy rains caused solid waste, cover soil, and leachate to flow over the lined perimeter berm. Two Notices of Violation were issued for the violations identified during DEP's inspections. On August 1, DEP again inspected the landfill and observed eight leaking containers filled with residual waste that were stored outside of the lined disposal area. Inspectors also found a high volume of exposed waste with inadequate cover throughout the site. It was also determined that one slope still exceeded the grade limit and, as a result, several erosion gullies had formed on some slopes. An additional NOV was issued on August 5 for these violations.	https://www.sharonherald.com/news/local_news/dep-announces-settlement-against-casella-waste-management/article_59a0ea78-fe54-11e4-b3f0-b35468c6959c.html https://www.bradfordera.com/news/casella-settles-mckean-county-landfill-violations-case/article_328b4060-faa7-11e4-a590-4fa02c42fd28.html

Sep-2015	Essex, VT	Casella truck driver David Rochon of Fairfax cited with gross negligent operation with serious injuries resulting, leaving 53-yr old Dorothy Watson in critical condition	https://www.burlingtonfreepress.com/story/news/2015/09/29/essex-crash-aftermath/73023592/
Apr-2016	Ontario County, NY	2 truck accident with injuries/hospitalizations at the landfill reported, change in traffic pattern enacted as a result	https://www.mpnnow.com/article/20160503/NEWS/1605098647fbcid=IwAR0s05oFAHObb3xYX0GIlvzedRPEqLhUEgzelz1t rcoL93bEUwyXlv2RU
May, 2016	Ontario County, NY	Complaint filed seeking damages relative to Sept 2014 workplace accident where Kenneth Andrews lost a leg when a bulldozer ran over him	https://www.mpnnow.com/article/20160503/NEWS/160509864
Dec, 2016	Southbridge, MA	MassDEP and SRDP entered into an Administrative Consent Order with Penalty ("December 2016 ACOPI")	https://casetext.com/case/toxics-action-ctr-inc-v-casella-waste-sys-inc
Feb, 2017	Southbridge, MA	SDRP fined more than \$24k by MA DEP for solid waste, wetlands, and air pollution control regulations	https://www.telegram.com/news/20170219/casella-landfill-in-southbridge-fined-24k-for-violations
May, 2017	Southbridge, MA	SRDP entered into a binding commitment with MassDEP, set forth in an Administrative Consent Order ("2017 Consent Order"), to fund \$5 million towards a \$10 million waterline to service homes in the vicinity of the Landfill with a municipal water supply.	https://casetext.com/case/toxics-action-ctr-inc-v-casella-waste-sys-inc
Jun-2017	Southbridge, MA	Environmental groups sue over groundwater contamination	https://www.telegram.com/news/20170609/environmental-groups-sue-casella-waste-in-southbridge
Aug-2017	St Albans, VT	1 worker killed, 2nd injured in vehicle accident when garbage truck was struck by a van	ont/2017/08/11/one-killed-st-albans-crash/558762001/
Nov-2017	Hakes Landfill	Sierra Club and CCAC file suit over radioactive fracking waste at the Hakes Landfill	https://treichlerlawoffice.com/waste/hakes/index.html
Dec-2017	Middlebury, VT	VOSHA inspection of a Casella facility in Middlebury 2017 turned up minor violations, for which the company paid a \$2,800 fine.	https://www.vermontpublic.org/vpr-news/2022-04-26/casellas-dominance-in-the-northeast-leads-to-monopoly-concerns-in-vermont
May-2018	Bethlehem, NH	Environmental groups sue over contamination of the Ammonoosuc River and in violation of the federal Clean Water Act	https://www.wamc.org/post/lawsuit-alleges-new-hampshire-landfill-contaminated-river
Jun-2018	Bethlehem, NH	The Town of Bethlehem, seeking declaratory relief with respect to some of the terms of the the "2011 Settlement Agreement". By the Parties' agreement, the Town filed a motion for voluntary nonsuit of the 2018 Action, which the court granted on July 27, 2018.	https://img1.wsimg.com/blobby/go/b3bb6ff3-3cd9-4836-b1ad-60c099baa44c/downloads/2018%20MOU%20NCES%20Bethlehem.pdf?ver=1618245049178
Aug-2018	Ontario County, NY	Barbara Amidon was killed from a rock that pierced the windshield of a car she was riding in due to truck Landfill cited for permit violations relative to storm runoff by NY DEC	https://www.mpnnow.com/news/20180912/ontario-county-landfill-tackles-runoff-addresses-safety
Aug-2018	Ontario County, NY	Landfill cited for permit violations relative to storm runoff by NY DEC	correct-landfill-violations-in-ontario-county/
Sep-2018	Southbridge, MA	Environmental groups and 99 plaintiffs file suit vs Casella and SDRP for discharging pollutants to waters in violation of Sections 301 and 402 of the Federal CWA	https://casetext.com/case/toxics-action-ctr-inc-v-casella-waste-sys-inc
Oct-2018	Southbridge, MA	Southbridge Landfill ordered to control odor or be fined by MASS DEP	https://www.telegram.com/news/20181008/state-orders-casella-to-control-smell-of-southbridge-landfill-or-face-fine-of-up-to-25000
Oct-2018	Southbridge, MA	\$85,323 fine for violations of solid waste and air pollution control regulations	https://regionalassociations.org/southbridge-recycling-disposal-park-assessed-85323-penalty-by-massdep-for-violating-solid-waste-air-pollution-control-regulations/
Nov-2018	Southbridge, MA	Suit filed against SRDP by town settled relative to continuance of waste collection (timeline reduced from 2027 to 2024)	https://www.globenewswire.com/news-release/2018/12/03/1660823/0/en/Casella-Waste-Systems-Inc-Announces-Settlement-of-Southbridge-Litigation.html
Apr-2019	Hakes Landfill	Suit filed over concerns about radioactive fracking waste	https://www.stargazette.com/story/news/local/2019/04/12/campbell-landfill-expansion-triggers-lawsuit-over-radiation-worries/3446546002/
Jun-2019	Southbridge, MA	Southbridge Recycling & Disposal Park \$136,500 fine by MASS DEP for violations of various DEP solid waste management regulations	https://www.mass.gov/news/massdep-assesses-136500-penalty-to-southbridge-landfill-operator-for-nuisance-odor-solid-waste
Sep-2019	Ontario County, NY	Richard Vandemortel and Deb Vandemortel plus over 1000 plaintiffs file class action lawsuit over odor and diminished property values due to the operations of the Ontario County Landfill, operated by Casella Waste Systems	https://waterfrontonline.files.wordpress.com/2020/06/casella-suedontariosept2019.pdf
Oct-2019	Bethlehem, NH	NCES notified by NH DES of an exceedance of 1,4-Dioxane and elevated levels of PFAS at test wells	https://www.nhpr.org/post/state-presses-casella-pfas-dioxane-contamination-bethlehem-landfill#stream/0
Oct-2019	Milford, ME	Casella employee Ryan Leeman, 39, struck and killed by co-worker driving a Casella garbage truck in residential neighborhood	https://www.wmtw.com/article/man-killed-in-milford-workplace-accident-update/29553630
Oct-2019	Bethlehem, NH	NCES Landfill cited for inadequate daily cover	https://www.caledonianrecord.com/news/local/des-casella-deficient-in-daily-landfill-cover-groundwater/article_168ac934-a702-5fbf-8a5f-f6a5edef4550.html

Jan-2020	Ontario County, NY	Ontario County Landfill, NY violation issued by NY DEC for excessive hydrogen sulfide emissions (41 violations)	https://waterfrontonline.blog/2020/06/19/feeling-pressure-from-several-sides-casella-ramps-up-efforts-to-suppress-foul-odors-at-ontario-county-landfill/
Mar-2020	Painted Post, NY	24 year old Casella employee killed in 1-vehicle crash involving the garbage truck he was driving	https://www.stargazette.com/story/news/public-safety/2020/03/25/savre-man-killed-steuben-county-crash-new-york-state-police/5079570002/
Apr-2020	Ontario County, NY	2nd violation issued by NY DEC for excessive hydrogen sulfide emissions (48 violations)	https://waterfrontonline.blog/2020/06/19/feeling-pressure-from-several-sides-casella-ramps-up-efforts-to-suppress-foul-odors-at-ontario-county-landfill/
Apr-2020	Dalton, NH	Casella files defamation suit against 21 individual defendants (1 named, 20 DOE) and the Forest Lake Association for defamation in opposition to proposed landfill development in Dalton, NH next to Forest Lake State Park	https://www.SaveForestLake.com
Jun-2020	Saranac Lake, NY	Biker Josh Collins killed in collision with Casella garbage truck, fault TBD	https://www.adirondackdailventerprise.com/news/local-news/2020/06/local-man-dies-in-collision-with-truck/
Oct-2020	Bethlehem, NH	NCES cited by NHDES for inadequate daily cover (LOD issued Feb 2, 2001)	http://www4.des.state.nh.us/IIProxy/IIProxy.dll?ContentId=4902539
Apr-2021	Bethlehem, NH	NCES cited by NHDES for failure to operate only within the permitted vertical and lateral limits of the landfill	http://www4.des.state.nh.us/IIProxy/IIProxy.dll?ContentId=4916381
May 1-3, 2021	Bethlehem, NH	NCES reports to NHDES of leachate "spill" of 154,000 Gallons over 2 days, May 1-3, 2021	https://www.caledonianrecord.com/news/local/state-investigating-significant-landfill-leachate-spill/article_f7c325bc-c57d-5b77-a331-654e2eae202d.html
June, 2021	Hanover, NH	Two people from Canaan seriously injured when a Casella Waste Systems driver, Joshua Wilson, ignored posted road restrictions, lost control of his trash truck, ran a stop sign and slammed into their car	https://www.vnews.com/Two-injured-in-crash-with-Casella-trash-truck-40783701?fbclid=IwAR0Ghtc6CmdYueddWz7pPBm8Nf1iOanZ3KA5u1j7nd8DuWOGCegbYXGbi8
July, 2021	Ontario County, NY	Casella to pay \$750,000 into a settlement fund and another \$900,000 for odor-control measures at the landfill.	https://fingertakes1.com/2021/07/13/casella-settles-class-action-odor-lawsuit-over-ontario-county-landfill/
Jul-2021	Bethlehem, NH	NHDES issues "Administrative Order" for permit violations relative to filling outside of permitted areas at the NCES Landfill	https://www.caledonianrecord.com/news/local/state-tells-casella-to-stop-placing-waste-outside-of-permitted-landfill-limits/article_dcbf068f-111a-5831-90af-bcc9fc94cff.html
Jul-2021	Bethlehem, NH	NHDES issues "Letter of Deficiency" for May 1-3 154,000 gallon leachate "spill" at the NCES Landfill	https://www.caledonianrecord.com/news/local/casella-slapped-with-operating-deficiency-for-leachate-spill/article_ec7c92b0-a06e-5e0b-a368-9f874402e2%80%a6%201%5%20https://www.caledonianrecord.com/news/local/casella-slapped-with-operating-deficiency-for-leachatespill/%20article_ec7c92b0-a06e-5e0b-a368-9f874402e8e8.html
Aug-2021	Addison, VT	Casella Waste Collection driver Jeremy Jaquith Spaulding was killed when crushed between two dumpsters, OSHA investigating, possible equipment malfunction	https://vtdigger.org/news-brief/sanitation-worker-crushed-to-death-in-addison/
Oct-2021	Rutland, VT	3 former Casella drivers file lawsuit for violations of labor laws while employed in Vermont, Maine and Massachusetts between 2018 and 2021	https://www.vpr.org/vpr-news/2022-02-16/former-drivers-sue-casella-saving-the-company-did-not-pay-them-for-overtime?ct=t(ENEWS_2_16_2022)
Jan-2022	Bethlehem, NH	Casella settles Clean Water Act lawsuit for \$50,000 charitable donation to non-profit with site remediation	https://www.caledonianrecord.com/news/local/after-four-years-federal-clean-water-act-lawsuit-settled/article_317231b6-b8d8-50be-a232-72e6bf5d6727.html
Apr-2022	Vermont	OSHA fines Casella \$16,383 for not providing driver Jeremy Spaulding with proper training, August 2021	https://www.vermontpublic.org/vpr-news/2022-04-26/casellas-dominance-in-the-northeast-leads-to-monopoly-concerns-in-vermont
Apr-2022	Ontario County, NY	Notice of violation issued for exceeding hydrogen sulfide odor limits allowed in its permit	https://www.fltimes.com/news/casella-receives-notice-of-violation-from-dec-for-landfill-odors/article_b792be4d-3548-5c55-bf69-e8f0a1e8b06b.html
Nov-2022	Ontario County, NY	New York State Department of Environmental Conservation slaps Ontario County, Casella with \$500,000 fine for multiple landfill violations from 2015-2022	https://www.fltimes.com/news/new-york-state-department-of-environmental-conservation-slaps-ontario-county-casella-with-500-000-fine/article_5a2abee6-084b-5f0f-a7c0-835562b4c09d.html
Nov-2022	Concord, NH	New Hampshire Waste Management Council reaffirmed its decision in CLF appeal of NCES Stage VI expansion permit by concluding that the Stage VI expansion of the North Country Environmental Services (NCES) landfill in Bethlehem lacks a "substantial public benefit" as required under state statute	https://img1.wsimg.com/blobby/go/3a99e672-2796-498c-8250-9aae47365deb/downloads/Council%20Reaffirms%20Casella%20Landfill%20Expansion%20L.pdf?ver=1667997946983

May-2023	Concord, NH		https://www.caledonianrecord.com/news/local/casella-drops-defamation-lawsuit-against-dalton-landfill-opponent/article_763dc91b-54c8-5171-8e11-91909345872a.html
Jul-2023	Rutland, VT	Casella Drops Defamation Lawsuit Against Dalton Landfill Opponent \$6.2 million legal settlement charge in connection with the settlement of a class action litigation matter relating to Fair Labor Standards Act	https://www.insidermonkey.com/blog/casella-waste-systems-inc-nasdaqcwt-q2-2023-earnings-call-transcript-1173795/



The State of New Hampshire
Department of Environmental Services

Robert R. Scott, Commissioner



October 31, 2019

CERTIFIED MAIL
7018 2290 0001 5884 7390
RETURN RECEIPT REQUESTED

LETTER OF DEFICIENCY
No. WMD LOD 19-132

North Country Environmental Services, Inc.
1855 Route 100
Hyde Park, VT 05655
Email: john.gay@casella.com

ATTN: John Gay, E.I., Engineering Manager

SUBJECT: North Country Environmental Services, Inc. Landfill
581 Trudeau Road, Bethlehem, NH
Solid Waste Permit No. DES-SW-SP-03-002

Inadequate Daily Cover

Dear Mr. Gay:

The New Hampshire Department of Environmental Services (NHDES) issues this Letter of Deficiency (LOD) to notify North Country Environmental Services, Inc. (NCES) that NHDES has identified a compliance deficiency concerning operation of the NCES landfill in Bethlehem, NH, and to request that NCES take specific action to address the deficiency. **The deficiency was identified during a focused inspection of the facility on August 15, 2019, as described in the attached inspection report. The purpose of the inspection was to determine the facility's compliance status relative to select provisions of the New Hampshire Solid Waste Rules, Env-Sw 100 et seq., (Rules) related to working face cover requirements, specifically the requirements in Env-Sw 806.03, as well as the Approved Operating Plan of Record (dated October 2016).**

NHDES hereby requests that NCES address the deficiency identified below, in the manner specified below.

(1) Failure to apply and maintain cover materials as required

At the time of the inspection on August 15, 2019, which began prior to the commencement of daily operations at the facility, NHDES personnel observed exposed waste at two separate working faces.

Env-Sw 806.03(a) requires that an approved cover material be applied over all sides and working faces of a landfill in a manner and at a frequency required to achieve the performance objectives specified in Env-Sw 806.03(a)(1) through (7). In addition, landfills receiving municipal solid waste (MSW) are required to place cover material over all exposed waste no less frequently than **at the end of each operating day**, pursuant to Env-Sw 806.03(c). Further, Section 3.7.3, *Landfill Cover*, of the Approved Operating Plan of Record also requires that soil or a NHDES approved Alternative Daily Cover (ADC) material be applied to the working face at the conclusion of each working day.

NHDES notes that NCES personnel stated that nuisance wildlife was responsible for much of the exposed waste observed on August 15, 2019. While NHDES agrees that wildlife may be responsible for some of the exposed waste observed at the time of inspection, Env-Sw 806.03(a)(2) also requires cover material be applied in a manner and at a frequency required to minimize the potential to attract and harbor vectors.

Requested Response Actions:

NHDES requests that NCES ensure that **adequate and compliant cover materials are applied and maintained at the facility at all times, in compliance with the Rules and the facility's Approved Operating Plan of Record.**

NHDES requests that within 30 days of this letter of deficiency, NCES provide to its landfill operators training on the cover requirements in Env-Sw 806.03 and the Approved Operating Plan of Record. Within 7 days after the training, provide to NHDES documentation of attendees, training agenda, and the date and length of the training.

In addition, NCES personnel stated that they are working with various state and federal agencies to address nuisance wildlife (i.e., vectors). NHDES requests that within 30 days of this letter of deficiency, NCES submit to NHDES a plan identifying specific measures that NCES will take to control vectors to the greatest extent practicable, and an associated implementation schedule.

Please address all matters related to this Letter of Deficiency to:

Tyler J. Davidson, Waste Management Specialist
NHDES/WMD
P.O. Box 95, Concord, NH 03302-0095
Telephone: 603-271-2927
Email: tyler.davidson@des.nh.gov

A copy of the New Hampshire Solid Waste Rules, Env-Sw 100 et seq., is available on the NHDES website at <http://des.nh.gov/organization/commissioner/legal/rules/index.htm> or by