

February 12, 2024

Via Email

New Hampshire Department of Environmental Services

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

Jaime Colby
Supervisor, Engineering and Permitting Section
Jaime.M.Colby@des.nh.gov

**Re: NHDES File Number: 2023-66600 Solid Waste Standard Permit
Application; Subject Properties: Dalton Tax Map 406, Lots 2.1, 2.3, 2.4,
2.5, 3, and 3A and Bethlehem Tax Map 406, Lots 1 and 2
("Application")
Letter from Calex Reviewing Application**

Dear Director Wimsatt and Ms. Colby,

I write in continued representation of North Country Alliance for Balanced Change ("NCABC") regarding the Application of Granite State Landfill, LLC, a subsidiary of Casella Waste Systems, Inc., ("GSL" or "Applicant") for a Standard Permit for Solid Waste Landfill ("Application") to the Solid Waste Management Bureau ("Bureau") of the New Hampshire Department of Environmental Services ("Department") for its proposed landfill on the private road of Douglas Drive in Dalton and Bethlehem, New Hampshire ("Landfill" or "Proposal"). Please make this letter part of your record in this matter.

Please find enclosed the opinion of Professional Geologist Muriel S. Robinette of Calex Environmental Consulting.

As you will read in her analysis, in Ms. Robinette's professional opinion, the Application lacks information to characterize the risk assessment for leachate contamination to water resources, especially groundwater. This dearth of data is of dire import because the landfill would generate leachate for many decades and because it would be relatively close to Forest Lake, the Ammonoosuc River, and other water resources.

As Ms. Robinette explains in technical terms, the Applicant only scratched the surface in providing data the Department can use to understand possible pathways. Instead of performing enough field studies, the Application's hydrogeological study is limited to the investigation and quantification of only shallow groundwater conditions at the site and vicinity and wrongfully relies on assumptions to characterize the overall risk. The

Department cannot know, based on the Application, the fate and transport of leaking leachate.

The Applicant was to provide this information so the Department may meet its various legal obligations set forth throughout RSA 149-M and the implementing rules, including Env-Sw 314.10(b)(5), to:

- achieve the statute’s purposes to “protect human health,” “preserve the natural environment”, and “conserve precious and dwindling natural resources through the proper and integrated management of solid waste;” (RSA 149-M:1);
- issue a permit only in compliance with laws and rules (RSA 149-M:9, X; M:12, I);
- meet the capacity needs of the state while minimizing adverse environmental, public health and long-term economic impacts by permitting only facilities designed and operated in a manner which will protect the public health and the state’s natural environment (RSA 149-M:11, I); and
- approve permits only if the facility will comply with federal and state air or water pollution statutes, regulations, and rules (RSA 149-M:12).

Given the deficits noted in the enclosed analysis, the Department cannot sustainably render any findings on these requirements.

Please review and consider the enclosed opinion of Calex by Muriel S. Robinette as part of your review of this Application. Thank you for your attention to this matter.

Very truly yours,



Amy Manzelli, Esq.
Licensed in New Hampshire
(603) 225-2585
manzelli@nhlandlaw.com

Enclosure

cc: Clients

Town of Dalton Conservation Commission and Zoning Board,
town.clerk@townofdalton.com; adminassistant@townofdalton.com
Town of Dalton Selectboard, selectmen@townofdalton.com



Town of Dalton Planning Board, planningboard@townofdalton.com
Town of Littleton Selectboard, selectmen@townoflittleton.org
Town of Bethlehem Selectboard c/o Town Administrator Mary Moritz
admin@bethlehemnh.org
Town of Carroll Selectboard, selectmen@townofcarroll.org
Town of Whitefield Selectboard c/o Judy Ramsdell, Administrative Assistant
administrativeassistant@whitefieldnh.org
North Country Council, mmoren@nccouncil.org; nccinc@nccouncil.org
Ammonoosuc River Local Advisory Committee, Richard Walling, Chair,
onthefarm21@gmail.com