

NORTH COUNTRY ENVIRONMENTAL SERVICES INC.
Type II Permit Application
Active Gas Collection System Expansion (Stage II, Phase II)

COMPLIANCE REPORT

New Hampshire Department of Environmental Services
(Env-Wm 303.15)

(a) Applicants unable to certify compliance pursuant to Env-Wm 303.14 shall submit a compliance report as specified by (b) below.

(b) The compliance report shall include:

(1) A complete explanation of the circumstances which cause any statement in Env-Wm 303.14(b)(1) through (8) to be untrue;

Within the last five years North Country Environmental Services, Inc. (NCES) can not report that Env-Wm 303.14(b)(3) is true for the following reasons:

- A. There were periods that NCES Stage I, Phase III leachate considered Hazardous by New Hampshire Department of Environmental Services (NHDES) Env-Wm 404.02(b)(2) did not correctly meet the manifest requirements of NHDES Env-Wm 510.01(a). A letter of deficiency (LOD) and Administrative Fine related to the above was issued on May 23, 2000.**
- B. Certain Stage I, Phase III leachate shipments did not meet the requirements of NHDES Env-Wm 511.01(a).**
- C. Certain Stage I, Phase III leachate shipments did not meet the requirements of NHDES Env-Wm 511.01(b).**
- D. A failure to notify the NHDES within ten days of a constituent that was above the background value within a down gradient monitoring well Env-Wm 1403.21(c)(1).**

E. Leachate deliveries exceeding the allowable Biological Oxygen Demand loading limits at the City of Concord, New Hampshire waste water treatment facility.

(2) For each circumstance which causes a statement in Env-Wm 303.14(b)(1) through (8) to be untrue, an explanation as to why the department should not find it to be grounds for denying the requested approval pursuant to the provisions of RSA 149-M:9 IX or X; and

A,B & C NCES has remedied the production of leachate that exceeds Env-Wm 404.02(b)(2) mixture rule with the construction of the consolidation system. Having said, NCES is no longer using EPA/DOT manifests to track leachate shipments.

D. NCES has demonstrated that migratory landfill gas can condense within ground water sampling wells and cause increased concentrations of Volatile Organic Compounds. This proposed project in conjunction with the NCES Landfill Gas Migration Control Plan (Dated, May 17, 2000) and recent fugitive gas emissions will benefit the facility by increasing the influence of the negative pressure from the active gas collection and control system. The NHDES has reviewed the NCES Landfill Gas Migration Control Plan and has prescribed to its content. There is a July 15, 2000 commitment within the plan to commence with the work proposed in this application, NCES has made the necessary arrangements to proceed with this work pending NHDES approval.

E. NCES expects that the weekly BOD loading evaluation for shipments of leachate will be more consistent with the recently implemented consolidation system. NCES will continue to closely monitor the BOD loading values as required in the discharge permit to further reduce or eliminate loading limits.

(3) For each circumstance that causes a statement in Env-Wm 303.14(b)(5) through (8) to be untrue, a plan and schedule by which the applicant proposes to achieve full compliance.

A, B & C NCES has remedied the production of leachate that exceeds Env-Wm 404.02(b)(2) mixture rule with the construction of the Consolidation System. Therefore,

NCES is no longer using EPA/DOT manifests to track leachate shipments.

D. NCES shall comply with the notification period required of any constituent detected in a down gradient monitoring well that is above its background value.

E. NCES expects that the weekly BOD loading evaluation for shipments of leachate will be more consistent with the recently implemented consolidation system. NCES will continue to closely monitor the BOD loading values as required in the discharge permit to further reduce or eliminate loading limits.

(3) For each circumstance, which causes a statement in Env-Wm 303.14(b)(5) through (8) to be untrue, a plan and schedule by which the applicant proposes to achieve full compliance.

All items listed in Env-Wm 303.14(b)(5) through (8) are true.

INSTRUCTIONS
for obtaining a

Type II Modification To Solid Waste Management Facility Permit

pursuant to
RSA 149-M and New Hampshire Administrative Solid Waste Rule Env-Wm 315

Read these instructions before completing this application. For additional assistance, or to obtain a disk version of the form, contact the NH Department of Environmental Services (DES), Permitting & Design Review Section (P&DRS), at 603-271-2935 or the below noted mailing address or TDD Access: Relay NH: 1-800-735-2935.

Note: All references to this form beginning with "Form 305" are to public notices for *New Hampshire Solid Waste Rules (Relay)*. You should also refer to the *Rules* section of the DES Public Information System (pin) on the relay at 603-271-2935, or the relay TDD Access. The rules are also available on the internet at <http://www.des.state.nh.us>.

Use the attached form to obtain a "type II" permit modification. A "type II" permit modification is the regulatory mechanism by which final plans (for construction, operation, closure or financial assurance) are approved and attached to a solid waste facility permit as a condition of the permit.

All requested information must be provided as indicated on the attached form. Do NOT skip any question, unless instructed to do so. Do NOT mark any question "not applicable." If you need more space than provided on the form to answer a particular question and are using a paper copy of the form, attach additional pages as necessary, mark each page clearly to show both the applicant name and the question being answered, and indicate on the form that the additional pages are attached. If you are using a disk version of the form and need more space to answer a particular question, you may create the additional space on the form itself by following the instructions provided on the disk.

Submit the **THREE** copies of the completed form, **EACH bearing ORIGINAL signatures**, to:

**NH Department of Environmental Services (DES)
Waste Management Division (WMD), Permitting & Design Review Section (P&DRS)
6 Hazen Drive, PO Box 95
Concord, NH, 03301-6509**

Include the required fee (see table below). Make checks or money orders payable to "TREASURER, State of New Hampshire."

Final Design/Construction Plans for Non-Landfill Facility	NO FEE
Final Design/Construction Plans for Landfill	Initial Phase: NO FEE Subsequent Phases: FEE is calculated based on capacity & life expectancy of phase or total Env-Wm 315.003(a) or formula of CONC/P&DRS for assurance
Final Operating Plans	NO FEE
Final Closure/Closing Plans for Non-Landfill Facility or a Landfill Facility	NO FEE
Final Closure/Closing Plans for a Landfill Facility	FEE is calculated based on capacity & life expectancy of phase or total Env-Wm 315.003(b) or formula of CONC/P&DRS for assurance
Final Financial Assurance Plans	NO FEE

Your application will be processed by DES in accordance with Env-Wm 304 and Env-Wm 305.



For Office Use Only:
 WMD Log #: 200000168
 Date Rec'd.: 7-6-00 No. of Copies: 3
 Fee: \$ _____ / Check # _____
 No Fee Required



APPLICATION FORM FOR
Type II Modification
To Solid Waste Management Facility Permit

pursuant to
 RSA 149-M and New Hampshire Administrative Solid Waste Rules Env-Wm 315

SECTION I. FACILITY IDENTIFICATION

(1)	Facility name: North Country Environmental Services, Inc.
(2)	Functional Classification: <input type="checkbox"/> Collection/Storage/Transfer <input type="checkbox"/> Processing/Treatment <input checked="" type="checkbox"/> Landfill
(3)	Mailing address: 581 Trudeau Road, P.O. Box 9, Bethlehem, New Hampshire 03574
(4)	Permit number: DES-SW-89-009
(5)	Location, by street address and municipality: 581 Trudeau Road, Bethlehem, New Hampshire 03574

SECTION II. PERMITTEE IDENTIFICATION

(1)	Permittee/applicant name: North Country Environmental Services, Inc.	
(2)	Mailing address: 3 Pitkin Court, Montpelier, VT 05602	
(3)	Telephone number: (802) 223-7221	
(4)	If different than above, identify the individual associated with and designated by the permittee/applicant to be the contact individual for matters concerning this application:	
	(a) Name: David Adams	(b) Title: Sr. Project Manager
	(c) Mailing address: 3 Pitkin Court, Montpelier, VT 05602	
	(d) Telephone number: (802) 223-7221	

SECTION III. DESCRIPTION OF PROPOSED MODIFICATION

Provide a complete description of the proposed modification by answering each of the following questions. Use additional paper as necessary.

(1)	Identify the type of final plans being submitted for approval. (Check <u>one</u> that applies. If more than one applies, submit a separate application for each):			
	<input type="checkbox"/>	Final design/construction plans for non-landfill facility	<input type="checkbox"/>	Final closure plan for non-landfill facility
	<input type="checkbox"/>	Final design/construction plans for landfill:	<input checked="" type="checkbox"/>	Final closure/capping plans for lined landfill
	<input type="checkbox"/>	Initial Phase	<input type="checkbox"/>	Subsequent Phase
	<input type="checkbox"/>	Final closure/capping plans for unlined landfill	<input type="checkbox"/>	Final financial assurance plan
	<input type="checkbox"/>	Final operating plan	<input type="checkbox"/>	

(2) Provide a **BRIEF** description of the proposed modification/requested approval:

The purpose of this modification is to request approval for construction plans to expand the active gas collection system into Phase 2 of Stage II. The work shown on the accompanying plans is consistent with the conceptual design submitted with the 1999 Gas System plans for Stage II and the design depicted on the Stage III Permit Plans. The work under this modification includes installation of 5 gas extraction wells and associated piping. Two additional extraction wells and piping to connect the Stage I leachate risers to the gas extraction system are the subject of an Application for a Type III Permit Modification and are proposed to be installed following approval of the Type III Modification.

(3) Identify, below, the preliminary plans approved in the permit which provide the basis for the final plans being submitted with this application:

check (✓) one	TYPE OF PRELIMINARY PLAN	DES Approval Date	WMD Log #
<input type="checkbox"/>	Facility design plans/specifications		
<input type="checkbox"/>	Facility operating plan		
<input checked="" type="checkbox"/>	Facility closure plan	September 15, 1998	199800399
<input type="checkbox"/>	Facility financial assurance plan		
<input type="checkbox"/>	Other plan (specify)		

(4) Submit the proposed final plans for which approval is being sought. The plans must be prepared based on the preliminary plans identified in (3) above and according to the below listed instructions. When appropriate, final plans may be presented in the form of replacement pages ready for substitution into the related approved preliminary plans, with each page being clearly marked to show the date of revision. Mark the submitted/attached plans as "Attachment III(4)".

- Facility design/construction plans must be prepared in accordance with Env-Wm 2803.05
- Facility operating plans must be prepared in accordance with Env-Wm 2805.11
- Facility closure plans must be prepared in accordance with Env-Wm 2806.04
- Financial assurance plans must be prepared as specified in Env-Wm 3100 and must include all related financial assurance documents required to effect the plan

SECTION IV. CERTIFICATION OF COMPLIANCE/ COMPLIANCE REPORT

If you are able to certify that each of the following statements are true, do so by your signature. If you are unable to certify that each of the following statements are true, you must prepare and submit a separate Compliance Report as specified by Env-Wm 303.15.

COMPLIANCE STATEMENT

The applicant shall certify that each of the statements listed in (1)-(8) below are true for each of the following individuals and entities:

- the applicant;
- the facility owner;
- the facility operator;
- all individuals and entities holding 10% or more of the applicant's debt or equity;
- all of the applicant's officers, directors, and partners; and
- all individuals and entities having managerial, supervisory or substantial decisionmaking authority and responsibility for the management of facility operations or the activity(s) for which approval is being sought.

(1) No individual or entity listed above has been convicted of or plead guilty or no contest to a felony in any state or federal court during the 5 years before the date of the application;

(2) No individual or entity listed above has been convicted of or plead guilty or no contest to a misdemeanor for a violation of environmental statutes or rules in any state or federal court during the 5 years before the date of the application;

(3) No individual or entity listed above has owned or operated any hazardous or solid waste facility which has been the subject of an administrative or judicial enforcement action for a violation of environmental statutes or rules during the 5 years before the date of the application;

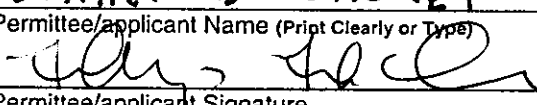
(4)	The permittee/applicant is in compliance with all civil and criminal penalty provisions of any outstanding consent agreement, settlement, or court order, to which DES is a party, and has paid or is in compliance with a payment schedule for any administrative fine assessed by DES.	
(5)	The permittee/applicant is in compliance with all terms and conditions under every outstanding court order or settlement agreement pertaining to programs implemented by DES.	
Signature of the permittee/applicant certifying the above statements are true:		
Permittee/Applicant Name (Print Clearly or Type)	Permittee/Applicant Signature	Date
OR		
Circle the untrue statement(s) and attach a Compliance Report, pursuant to Env-Wm 303.13		

SECTION V. PERMITTEE/ APPLICANT SIGNATURE REQUIREMENTS

The permittee/applicant must sign the following statement prior to submitting this application. All copies of the application filed with DES must bear the permittee's/applicant's ORIGINAL signature. If the permittee/applicant is not an individual, the application shall be signed by an individual duly authorized by the permittee/applicant.

To the best of my knowledge and belief, the information and material submitted herewith is correct and complete. I understand that any approval granted by DES based on false and/or incomplete information shall be subject to revocation or suspension, and that administrative, civil or criminal penalties may also apply.

LARRY B. LACKET
 Permittee/applicant Name (Print Clearly or Type)


 Permittee/applicant Signature

7/5/00
 Date

SECTION VI. PROPERTY OWNER SIGNATURE

If the permittee/applicant and property owner are not the same, the property owner must also sign this form as follows. All copies of the application filed with DES must bear an ORIGINAL signature. If the property owner is not an individual, the application shall be signed by an individual duly authorized by the property owner.

(1)	I hereby affirm that the permittee/applicant has the legal right to occupy and use the property on which the subject facility is or will be located for the purposes specified in this application.
(2)	I hereby affirm that I shall grant access to the property for closure and post-closure monitoring of the subject facility and site as required by RSA 149-M and the New Hampshire Solid Waste Rules, as amended.

 Property Owner Name (Print Clearly or Type)

 Property Owner Signature

 Date