

Casella agrees to a settlement agreement in Bethlehem landfill lawsuit

## New Hampshire Public Radio | By Mara Hoplamazian

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*Courtesy / Casella*

A federal Clean Water Act lawsuit over alleged pollution from a Bethlehem landfill was resolved in a \$50,000 settlement agreement this week.

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The original lawsuit, brought by the Conservation Law Foundation and Community Action Works in 2018, alleges that the owners of the landfill – Casella Waste Systems and North Country Environmental Services – put pollutants into the Ammonoosuc River.

The advocacy organizations said state water testing data showed the owners of the landfill were illegally

putting pollutants, including 1,4 dioxane, into the water. 1,4 dioxane is likely a human carcinogen.

In the original lawsuit, the plaintiffs said some who live near and swim in the river have been adversely affected by the discharge of pollutants – some electing to avoid the river entirely out of concern.

The owners of the landfill must pay for restoration and protection projects on the Ammonoosuc River under the terms of the settlement agreement.

The company maintains it didn't do anything unlawful.

The companies that own the landfill also agreed to remove sediments from the drainage channel between the landfill and the river, in a similar manner to a project they completed in 2010. The settlement agreement stipulates that the work be completed within three years.

Casella has also come under scrutiny for a leachate spill at the Bethlehem landfill in 2021. Regulators at the time said it could have been the largest spill ever in New Hampshire.

Joseph Fusco, a vice president at Casella Waste Systems said the state is running out of landfill capacity and will need more soon.

"Looking at the entire picture as one of having the infrastructure necessary – including disposal capacity for the things that you can't recycle – is very important," Fusco said. "And I think this is what New Hampshire policymakers have to work through in the coming months and the coming years," he said.

But Casella's proposed expansions have been controversial.

And Conservation Law Foundation director Tom Irwin said the problems that the lawsuit addressed were bigger than just the Bethlehem landfill – they apply to landfills as a whole.

“Unfortunately, New Hampshire has been on this treadmill of constantly expanding landfill capacity. There’s now a proposal by Casella to build a brand new landfill. And it’s an approach that threatens the health of our communities and natural resources like the Ammonoosuc River,” he said.

A bill introduced for the current legislative session, HB 1420, would prohibit the state from issuing new landfill permits until New Hampshire updates its solid waste plan. The state’s current plan is from 2003.

A new working\_group, which started meeting in late 2021, is helping the state plan for solid waste management in the future. The group’s next meeting is on February 25.