



The State of New Hampshire
Department of Environmental Services

Robert R. Scott, Commissioner



VIA EMAIL ONLY

July 13, 2023

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

SUBJECT: North Country Environmental Services (NCES) Landfill, 581 Trudeau Rd, Bethlehem
Permit No. DES-SW-SP-03-002

Response to November 2021 Settlement Agreement

Dear John Gay,

The New Hampshire Department of Environmental Services, Waste Management Division (NHDES) has reviewed the engineering analyses submitted on November 1, 2021 in accordance with Condition (5)(a) of the [Settlement Agreement](#) between North Country Environmental Services (NCES) and NHDES executed November 23, 2021 (Settlement Agreement).

NHDES reviewed the submitted information and notes that the engineering analyses do not evaluate the "current conditions," as contemplated by the Settlement Agreement, but instead evaluate a hypothetical 2.5H:1V sideslope configuration. However, NHDES does not object to the alternative calculations of 2.5H:1V, accepting them as satisfying the needs of the required analysis.

In accordance with Condition (5)(c) of the Settlement Agreement, NHDES has determined that relocation of waste may be more harmful to the environment, human health and safety than leaving the waste in place as depicted on drawing no. 1, dated October 2021, prepared by CMA Engineers, Inc. and stamped by Robert J. Grillo, P.E. Accordingly, NHDES has determined that the waste alleged to have been placed above permitted limits at the NCES facility may remain in place.

NHDES does not waive any right to seek enforcement of the November 23, 2021 Settlement Agreement, the right to take any other action related to the alleged violations noted in the Settlement Agreement, or the right to take any other enforcement action.

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If you have any questions regarding this correspondence, please contact me.

Sincerely,



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Waste Management Division
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