



State of New Hampshire  
DEPARTMENT OF ENVIRONMENTAL SERVICES

6 Hazen Drive, P.O. Box 95, Concord, NH 03302-0095  
(603) 271-2900 FAX (603) 271-2456

October 11, 1999

Dick Reed  
J. Bay

Mr. David E. Adams, P.E.  
Permits, Compliance & Engineering  
North Country Environmental Services, Inc.  
P. O. Box 9  
Bethlehem, NH 03574



COPY

**RE: Response to Inquiry; NCES, Inc Landfill Hazardous Waste Quarterly Activity Report-First Qtr 1999**

Dear Mr. Adams:

The New Hampshire Department of Environmental Services (NH DES) Waste Management Division is in receipt of your letter dated June 16, 1999 and the accompanying First Quarter Hazardous Waste Activity Report. In your letter, you requested clarification of the manifesting requirements for the leachate shipped from your facility in Bethlehem, NH. As we reviewed the report submission in an effort to answer your questions, we discovered several other issues, which are also addressed in this letter. I apologize for the delay in my response; your letter did not come to my attention until last week as it was attached to the back of your quarterly report submission.

The report submission for the first quarter 1999 included 11 additional shipping documents for the leachate, which is described in your cover letter as "classified as hazardous waste due to NH's mixture rule." If the waste is a hazardous waste (or if NCES is handling the waste as if it were hazardous), all the rules in the NH Hazardous Waste Rules, Env-Wm 500 are applicable to your site, as previously instructed in our letter dated March 18, 1999. This includes the requirement to use a Uniform Hazardous Waste Manifest for shipping the waste, as detailed in Env-Wm 510.01. This procedure was discussed with Larry Lackey of NCES, at a meeting held with NH DES staff on July 23, 1999. In answer to your question regarding the non-hazardous waste manifests used by Earthwatch Waste Systems, the shipping papers do not meet the requirements of the hazardous waste manifest. For NCES to be compliant with these requirements, all future shipments of hazardous waste from your facility should be on EPA form 8700-22; the Uniform Hazardous Waste Manifest. Distribution of this eight (8) part document is detailed along the bottom margin of the manifest form. I have enclosed a sample manifest showing proper completion of the document and a manifest distribution diagram for your reference.

Since most of the shipments from first quarter 1999 were made using a non-hazardous waste manifest, NH DES requests that NCES contact the treatment, storage and disposal facility (TSDF) to have them submit an "unmanifested waste report" in accordance with Env-Wm 703.05. This report should include the notation that the proper waste code for the shipment is NH11. For the four shipments sent to Connecticut, NH DES requires that NCES submit a "discrepancy report" for the waste, indicating that the correct waste code which should have appeared on the manifests is NH11, in accordance with Env-Wm 510.04(c). If there have been further shipments of hazardous waste from your facility using a non-hazardous waste manifest, an "unmanifested waste report" would be in order for each of the shipments.





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In addition to the manifesting requirements, NCES is required to comply with RSA 147-B:8 and Env-Wm 512.02; quarterly reporting and fee payment, if NCES is generating and shipping hazardous waste. The quarterly hazardous waste activity report is created from the New Hampshire Manifest Tracking System, an Oracle database containing data from hazardous waste manifests. As noted in your letter, many of the shipping documents used by NCES did not appear on this report, in part because the shipping documents used were non-hazardous waste manifests, and because NCES did not submit the non-hazardous waste manifests until after the report had been created. Based on the documentation submitted with the first quarter report, I have rectified your report to show the actual amounts of hazardous waste which have been shipped from your facility during the first calendar quarter 1999. This has resulted in a fee amount of \$18,435.36, which is due within 30 days of receipt of this letter. Enclosed, please find two (2) copies of NCES' amended first quarter hazardous waste activity report; one which should be signed and returned with payment, the other for your records.

Finally, as a result of our telephone conversation of October 8, 1999, I obtained copies of the shipping papers NCES submitted to David Bowen, NH DES Hazardous Waste Compliance Section and have used these documents to create a second quarter hazardous waste activity report for your facility. The enclosed report indicates a fee payment of \$19,907.51, also due within 30 days of receipt of this letter. As with the first quarter report, there are two copies; one to sign and return with payment, the other for your records.

Should you have any additional questions regarding the use of a hazardous waste manifest, or about this letter, please do not hesitate to contact me at (603) 271-6350.

Very truly yours,

Karen A. Way  
RCRA Information Management Specialist  
Reporting & Information Management Section  
Waste Management Division, NH DES

cc: K. Marschner, Waste Management Programs, WMD (w/o encl.)  
D. Bowen, HWCS (w/o encl.)  
R. Reed, SWCB (w/o encl.)  
encl.: NCES- James W. Bohlig, Larry B. Lackey, Lenny Wing, Donald Monahan  
First Quarter Hazardous Waste Activity Report-Amended  
Sample Manifest  
Manifest Distribution Diagram