

STATE OF NEW HAMPSHIRE
INTER-DEPARTMENT COMMUNICATION

DATE: November 21, 2006

AT(OFFICE): P&DRS



FROM: Wayne Wheeler, P.E.
Permitting & Design Review Section

SUBJECT: NCES/Bethlehem, New Hampshire/DES-SW-SP-03-002

TO: Michael E. Guilfooy, P.E.
Solid Waste Management Bureau

The following is a brief overview of Waste Management Divisions' permitting and compliance issues at the NCES landfill:

1. The Division is currently overseeing construction of Stage 4/Phase I of landfill construction.
2. A disposal issue at the landfill is currently under investigation by the Attorney General's Office.
3. Past Compliance Issues
 - a. Administrative Order No. WD 93-006 issued to Consumat Sanco and Casella Waste Management on September 17, 1993 for (1) exceeding maximum allowable grades and height in Stage I/Phases I – III and (2) allowing the continued presence of excessive and unpleasant odors at the Facility. Corrective action was taken.
 - b. LOD No. WMD 00-11 was issued to NCES on May 23, 2000 for exceeding the hazardous waste mixture rule. An administrative fine of \$17,000 was imposed.
 - c. A Notice of Proposed License Action No. LA 01-04 was issued to Larry Lackey of NCES. Larry Lackey's Solid Waste Operator Certification was suspended for a period of one year.
 - d. An Administrative Fine By Consent No. AF 02-006 in the amount of \$2000 was issue to NCES on March 4, 2002 for filling on the southern side slope of Stage II beyond the permitted vertical limits.
 - e. A Letter of Deficiency (LOD) was issued on May 3, 2006 for waste haulers parking on public roads outside the landfill gate and for leaving the gate open outside of operating hours. Private haulers were reminded of NCES operating requirements and an additional automatic gate was installed.