



Dalton Conservation Commission
756 Dalton Road
Dalton, NH 03574

December 2, 2023
Via Email Only
N.H. Department of Environmental Services, Solid Waste Division

Michael Wimsatt
michael.wimsatt@des.nh.gov

Jaime Colby, P.E.
Jaime.M.Colby@des.nh.gov

Re: NHDES File Number: 2023-66600 Solid Waste Standard Permit Application; Subject Properties: Dalton Tax Map 406, Lots 2.1, 2.3, 2.4, 2.5, 3, and 3A and Bethlehem Tax Map 406, Lots 1 and 2 (“Application”)

Dear Director Wimsatt and Ms. Colby,

As the municipal conservation commission for the Town of Dalton, we write in support of the November 28, 2023 letter you received from attorney Amy Manzelli, of BCM Environmental and Land Law, urging the department to suspend the processing of the Granite State Landfill Solid Waste Permit Application, submitted October 16, 2023, for the reasons put forth in her letter to the department.

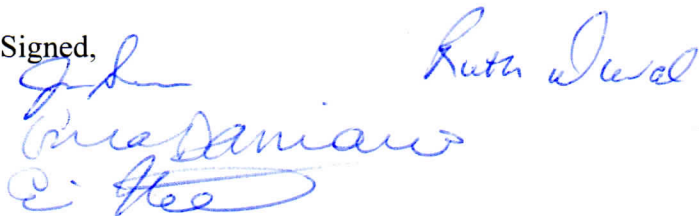
We particularly agree with attorney Manzelli that:

1. It would be a waste of taxpayer resources for NHDES to process the Application while we await the outcome of the cases before the state Supreme Court regarding 'public benefit' and RSA 149-M; and
2. It would be a waste of taxpayer resources for NHDES to process this Application while the department is simultaneously revising Env-Sw 800, as the new rules should apply to this Application because the new rules will be in response to new and evolving scientific information about public health and safety.

We concur with attorney Manzelli's conclusion that because the department is close to implementing new solid waste rules, which will likely have public health, safety, and welfare considerations which must be applied to the GSL Solid Waste Permit Application, regardless of its date of submission, as well as how RSA 149-M is to be interpreted and applied, as determined by the NH State Supreme Court, the Dalton Conservation Commission respectfully requests that the department suspend its review of the Application pursuant to Env-Sw 304.03(e).

Thank you for your attention to this matter. Please ensure that this letter becomes a part of your record in this matter.

Signed,



cc: Commissioner Robert Scott, NHDES
Commissioner Sarah Stewart, NHDNCR
Commissioner William Cass, NHDOT
Tom Brady, Coos County Commissioner
Martha McLeod, Grafton County Commissioner
Town of Dalton Selectboard
Town of Dalton Planning Board
Town of Bethlehem Conservation Commission, and Selectboard
Town of Whitefield Conservation Commission and Selectboard
Town of Littleton Conservation Commission and Selectboard
Town of Carroll Conservation Commission and Selectboard
Ammonoosuc River LAC
NH State Representative James Tierney, Coos 1
NH State Representative Jared Sullivan, Grafton 2
NH State Representative Linda Massimilla, Grafton 1
NH State Representative Matt Simon, Grafton 1
NH State Representative David Rochefort, Grafton 1
NH State Representative Seth King, Coos 4
NH State Representative Eamon Kelley, Coos 7
NH State Senator Carrie Gendreau, District 1
NH Executive Councilor Joe Kenney, District 1
NH Executive Councilor Cinde Warmington, District 2
NH Governor Chris Sununu
U.S. Senator Jeanne Shaheen
U.S. Senator Maggie Hassan
U.S. Representative Anne Kuster
Kim Cartwright, Ammonoosuc Conservation Trust
Jack Savage, Society for the Protection of NH Forests
Michelle Moren-Grey, North Country Council
Barbara Richter, NHACC
NH House Environment and Agriculture Committee
NH Senate Energy and Natural Resources Committee