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Casella Waste Systems files lawsuit against state for denying its Dalton landfill permit



Casella Waste Systems currently collects Allentown's curbside trash and recycling. The company's ten-year contract with the town will conclude at the end of the month and continue in a new three-year extension that includes higher costs adjusted to meet the current market. However, due to the increased cost of waste disposal, the town decided to cut curbside recycling at a deliberative session on Feb. 3. GEOFF FORESTER

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[Landfill](#)

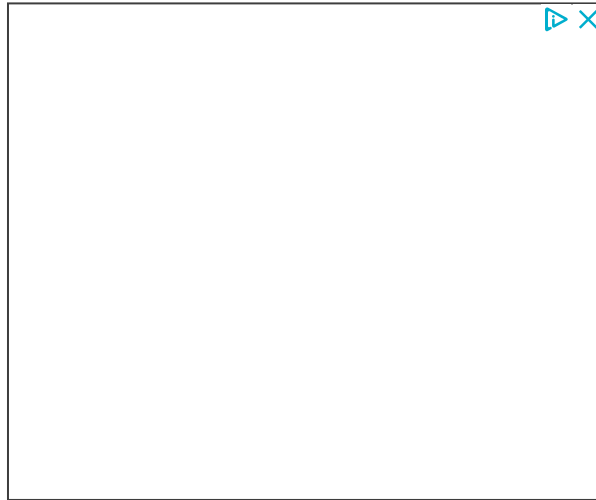
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After state regulators rejected Casella Waste Systems' crucial permit to build a landfill in New Hampshire's North Country, the Vermont-based company is now taking legal action against the state.

On Tuesday, Casella Waste Systems filed a lawsuit against the New Hampshire Department of Environmental Services, arguing that the state's denial of its solid waste permit application was incorrect.

In the denial letter to Casella last week, the state wrote that the primary reason was that Casella didn't submit all the necessary documents in time, despite getting earlier feedback that their submission was incomplete.



But in the lawsuit filed at the Merrimack Superior Court, Casella's lawyers argue that "dormancy" isn't a valid reason to deny the application.

The company is also challenging the legal foundation of that decision, claiming the rules the environmental agency used to deny the permit overstep its authority.

Casella had proposed the Granite State Landfill (GSL) in Dalton, near Forest Lake, submitting its initial application in October 2023. Since then, the company has submitted ten supplemental documents, including one on Feb 27 of this year.

"In no way could GSL's application be considered 'dormant' within the ordinary meaning of that word," wrote the waste management company's attorneys.

This permit is one of the many permit applications the company has submitted. While the others, like the wetland permit application, remain active, the project cannot move forward without a solid waste permit.

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Tom Irwin, vice president and director of the Conservation Law Foundation in New Hampshire, stated that regardless of whether the Department of Environmental Services considers the application, "the bottom line is that this landfill is not needed in New Hampshire."

Casella has also filed an appeal with the state's Waste Management Council. Eric Steinhauser, representing Sanborn Head and Associates Inc., an engineering firm providing technical expertise for Casella's proposed landfill in Dalton, is also a member of the council.

Another reason the state rejected the permit was that the site report, which includes important details like soil suitability and surface and groundwater elevation, wasn't updated to meet the new solid waste rules that took effect on Dec 21, 2024.

According to the rules, an application is considered dormant if the applicant doesn't submit the requested information within a year of being notified that their application is incomplete by the department.

Casella's deadline was Feb 28.

But Casella's lawyers argue that they didn't have a full year to update the application to meet the new rules — they only had two months.

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