



GRANITE STATE LANDFILL, LLC

1855 VT Route 100 • Hyde Park, VT 05655 p. 802.651.5454 f. 802.888.7931

December 12, 2025

Mr. Michael Schlosser, P.E.
NHDES Alteration of Terrain Bureau
New Hampshire Department of Environmental Services
29 Hazen Drive, P.O. Box 29
Concord, NH 03302-0095

RE: Granite State Landfill, LLC
Proposed Lined Landfill – Dalton, New Hampshire
AoT Application 231113-224
Request for More Information, Letter Dated June 20, 2024
RFMI Extension Request and Waiver Request for Time Extension

Dear Mike:

Granite State Landfill, LLC (GSL) writes to request an extension to respond to NHDES-Alteration of Terrain's (AoT) request for more information (RFMI) letter dated June 20, 2024. This letter also requests a waiver of Env-Wq 1509.08(d) to extend the response deadline beyond one year of the original deadline date of October 22, 2024, established in the Request for More Information (RFMI) letter dated June 20, 2024. GSL is requesting an additional 90 days so that the response deadlines of the Wetlands and Alteration of Terrain (AoT) permit applications are synched. The current deadline to respond to the AoT RFMI is December 23, 2025 and this request would extend the deadline to March 23, 2026.

To demonstrate compliance with Section Env-Wq 1509.07 of the Rules regarding Content and Format of Deadline Extension Requests, GSL has copied that section of the Rules below in *italic type* followed by GSL's response in **bold type**.

(a) The person requesting the deadline extension shall provide the following information to the department:

(1) The name, mailing address, and daytime telephone number of the requestor and, if available, the requestor's e-mail address;

Ms. Toni King
Granite State Landfill
25 Greens Hill Lane
Rutland, VT 05701
(207) 653-4421
Toni.king@casella.com

(2) A brief description of the application to which the request relates, such as project name and town;

This request concerns the Granite State Landfill project proposed for development in the Towns of Dalton, and Bethlehem New Hampshire

(3) The date of the notice of incompleteness or request for additional information in which the deadline for which an extension is being sought was established;

Request for more information dated June 24, 2024.

(4) The deadline that was established;

Current deadline for response is December 23, 2025.

(5) A full explanation of why an extension is needed;

The applicant requests this extension due to the unsettled nature of the relevant statutory and regulatory framework. It is prudent and efficient to have resolution before updating our responses.

(6) If the extension is not needed for all of the missing components or additional information, the specific item(s) to which the request applies; and

This request for extension concerns all components of the RFMI.

(7) The alternative deadline proposed by the requestor.

March 23, 2026.

(b) If the deadline extension does not apply to all of the missing components or additional information, the applicant shall submit the item(s) to which the request does not apply by the deadline originally established.

This request for extension concerns all components of the RFMI.

(c) The person(s) requesting the deadline extension shall sign the request as specified in Env-Wq 1503.10.

This extension request is signed below.

Waiver Request:

You indicated that GSL was required to submit a waiver application, relying on N.H. Code Admin. R. Env-Wq 1509.08(d), which states that "a deadline shall not be extended for more than one year past

the original date established in the notice of incompleteness or request for additional information." GSL is requesting an additional 90 days so that the response deadlines of the Wetlands and Alteration of Terrain (AoT) permit applications are synced.

Please note that this waiver application is submitted without waiving any of GSL's rights or remedies. In particular, the governing statute for time limits applicable to alteration of terrain permitting, RSA 485-A:17, states that "[a]ny request for additional information shall specify that the applicant submit such information as soon as practicable and shall notify the applicant that if all of the requested information is not received within 120 days of the request, the department shall deny the application. *The department shall grant an extension of this 120-day time period upon the request of the applicant.*" RSA 485-A:17, II-b(a) (emphasis supplied) (emphasized language adopted in 2023).

This section of the letter has been prepared to meet the content and format requirements for waiver requests described in Env-Wq 1509.03. GSL has copied that section of the Rules below in *italic type* followed by GSL's response in **bold type**.

(a) The person requesting the waiver shall provide the following information to the department:

(1) The name, mailing address, and daytime telephone number of the requestor and, if available, the requestor's e-mail address;

Ms. Toni King
Granite State Landfill
25 Greens Hill Lane
Rutland, VT 05701
(207) 653-4421
Toni.king@casella.com

(2) The name, mailing address, and daytime telephone number of the property owner, if other than the requestor and, if available, the property owner's e-mail address;

Mr. Douglas Ingerson
104 Douglas Drive
Dalton, NH 03574
(603) 444-0676
rocks.dirt2022@gmail.com

(3) The location of the property to which the waiver request relates, if other than the mailing address of the requestor or owner, or a statement that the mailing address is the location of the property;

The proposed project is located on several lots including:
Bethlehem Tax Map 406 Lots 1 and 2
Dalton Tax Map 406 Lots 2.1, 2.2, 2.4, 2.5, and 3

(4) *The specific rule section or paragraph for which a waiver is being requested;*

Env-Wq 1509.08(d): A deadline shall not be extended for more than one year past the original date established in the notice of incompleteness or request for additional information.

(5) *A full explanation of why a waiver is being requested, including an explanation of the economic and operational consequences of complying with the rule as written;*

The applicant understands that, pursuant to RSA 485-A:17, II-b(a), a waiver may not be necessary as “[t]he department shall grant an extension of [the] 120-day time period upon the request of the applicant.” However, in accordance with guidance from the department, the applicant is submitting this waiver request. The applicant requests to extend the response deadline due to the unsettled nature of the relevant statutory and regulatory framework. In particular, GSL’s application for a standard permit for the construction of a landfill is currently pending before the Waste Management Council. Where the department is not reviewing one of the permits required to construct the landfill, it is prudent and efficient to have a resolution before updating GSL’s responses. Furthermore, not complying with the rule will not prejudice or harm any party. The statutory authority for granting extensions of time mandates that the department grant an extension when requested by the applicant. This is further supported by the department’s recently proposed rules which remove the year limit on extensions of time.

(6) *Whether the need for the waiver is temporary, and if so, the estimated length of time that the waiver will be needed;*

GSL will include this waiver request with future requests to extend the RFMI deadline, which have historically been made at 90-day intervals. The estimated length of time that the waiver will be needed is not known at this time.

(7) *If applicable, a full explanation of the alternative that is proposed to be substituted for the requirement in the rule, including written documentation or data, or both, to support the alternative;*

No alternatives are proposed at this time as an alternative is unnecessary. This is especially the case given the language in RSA 485-A:17, II-b(d).

(8) *A full explanation of why the applicant believes that having the waiver granted will meet the criteria in Env-Wq 1509.04.*

The waiver criteria of Env-Wq 1509.04 are copied below in *italic type* followed by GSL’s response in **bold type**.

(a) Granting the request will not result in an adverse impact on the environment, public health, public safety, or abutting properties that is more significant than the impact that would result from complying with the rule as written;

The waiver is from a procedural requirement of the rules and does not have any effect on the environment, public health, public safety, or abutting properties. As such, granting this waiver to extend the response deadline will not result in an adverse impact on the environment, public health, public safety, or abutting properties.

(b) One or more of the following conditions is satisfied:

(1) Granting the request is consistent with the intent and purpose of the rule being waived; or

The waiver is from a procedural requirement of the rules and does not have any effect on the environment, public health, public safety, or abutting properties. As such, granting this waiver to extend the response deadline will not result in an adverse impact on the environment, public health, public safety, or abutting properties.

(2) Strict compliance with the rule in the circumstances presented will provide no benefit to the public or the environment.

Strict compliance with the rule presents no benefit to the public. It is a procedural rule which has no impact the rights of the public and poses no harm to the public or environment.

(b) No waiver shall be granted for Env-Wq 1503.19(h).

A waiver of Env-Wq 1503.19(h) regarding NHFG consultation is not made with this request.

(b) The property owner(s) and the person(s) requesting the waiver, if other than the property owner(s), shall sign the request as specified in Env-Wq 1503.10

This waiver request is signed below by the applicant and property owner or the property owner's agent, in compliance with Env-Wq 1503.10(a)(1)a.

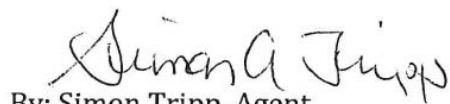
We appreciate your time spent while considering our application and should you have any further questions, please do not hesitate to contact me at (207) 653-4421.

Sincerely,

GRANITE STATE LANDFILL, LLC



Toni M. King
Region Engineer



By: Simon Tripp, Agent
Douglas Ingerson
Property Owner

cc Dalton Planning Board, email: planningboard@townofdalton.com
Bethlehem Planning Board, email: planning@bethlehemnh.org
FGC: NHFG Review: nhfgreview@wildlife.nh.gov
Douglas Ingerson, email: rocks.dirt2022@gmail.com
Andrea Brant, Chair, Ammonoosuc River LAC, email: Lacpermits@yahoo.com
Melissa Stevens, Casella, email: melissa.stevens@casella.com
Bryan Gould, CWB, email: gouldb@cwbpa.com
Adam Sandahl, P.E., CMA Engineers, email: asandahl@cmaengineers.com