



J. Berg/Hle

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May 3, 1996

*Via Fax 603-271-2456*  
Dr. Philip J. O'Brien, Director  
Waste Management Division  
State of New Hampshire  
6 Hazen Drive  
Concord, NH 03391

**RE: Site Inspection Report Dated 5/1/96**

Dear Dr. O'Brien:

This letter is written in response to your Agency letter concerning the North Country Environmental (NCES) landfill at Trudeau Road in Bethlehem, New Hampshire dated May 1, 1996. Firstly, let me thank your Agency for their immediate communications of the concerns regarding their site inspection to our facility on April 30, 1996.

As I shared with you, Doug Casella, John Casella and myself, accept personal accountability for the environmental performance of all of our facilities. We expect each and every one of our employees to conduct themselves in a similar fashion. As promised, Doug was immediately dispatched to the site upon receipt of your letter, and spent Thursday and Friday, May 2 and 3, at the site all day discussing the issues identified in your letter. I can assure you that we have taken immediate action to address the concerns identified, and I wish to report to you on those actions in this letter.

**Background**

As you are aware, we commenced construction of Stage II, Phase I landfill in mid-September, 1995 at the NCES site in Bethlehem, NH. Construction commenced only after receipt of final permit authority from the Agency and construction was commenced in accordance with the requirements of this permit. We also undertook, during this construction period, to complete all of the drainage swale activities, additional sedimentation basin additions, extensive rock crushing of site boulders at the site yielding approximately 50,000 yards of crushed aggregate, and related erosion control and side slope maintenance issues relating to the existing Stage I landfill. As you may recall, in late October, 1995 we completed (fully) the side slope grading, mulching and seeding of the entire Stage I landfill, and this effort was inspected by Department, via appropriate site



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inspection reports, during late 1995. We also completed all of the sedimentation and drainage ditch construction work except for outlet work prior to the initiation of Stage II construction.

Unfortunately, as you are aware, on October 23 and again in early November, 1995, the North Country region of Bethlehem, NH experienced a 1-in-100 year rainstorm which diluted the site over a course of 24 hours with approximately 6-9 inches of rain. This rainstorm unfortunately significantly damaged the work which we had already completed, including washing out over 80% of the side slope work, including the mulch and seeding, that had been accomplished and was beginning to show green growth. Additionally, this storm set back the construction of Stage II, inasmuch as cell preparations had to be recommenced and considerable soil erosion occurred on the interface slope between Stage II and Stage I with considerable material erosion being carried into the newly prepared Stage II cell floor. These storms not only dramatically set back our construction program, but occurring as late in the year as they did, made it impossible to re-establish seeding and mulching prior to the onset of winter.

The permit construction detail for Stage II required that the liner material be connected to the existing liner material Stage I, Phase 1, and in order to effect this construction detail, a portion of the Stage 1, Phase 1 lined landfill waste profile was required to be excavated and pulled back in order to expose the liner material for welding.

Because of the oncoming winter conditions, the company elected (in the second week of November) to initiate 7 day a week, 12 hours a day, of site construction, a portion of which were under artificial lights in order to attempt to complete the construction prior to the onset of winter. Despite this considerable expense of funds, we were unable, prior to the onset of snow (which occurred in the first week of December and continued throughout the month), to complete construction of Stage II, Phase 1, and the Company was required to suspend the construction until the first opportunity in the Spring of 1996.

At the time of the suspension, we had completed three quarters of the lining of Stage I and had completed the placement of cell sand liner material (protective barrier) on top of cells 1 and 2 for the facility. Because of the experience with the side slope erosion that occurred on the interface slope after the excavation of waste material to expose the liner, and because of the time of the year, we elected to minimally cover this area because of the fear that normal soil erosion (clay sediment) during the winter or spring thaw would find its way (as it had in the October rainstorm) to the floor of the newly constructed Stage II, Phase 1 landfill protective barrier. Such an erosion event would impose the additional risk



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of changing the permeability characteristics of the placed sand. We felt that this erosion control risk was a risk that we had to accept in order to minimize reconstruction activities in the Spring and the availability of Stage II, Phase 1 cell for operation early in 1996.

As you are aware, once the onset of winter occurs, a landfill is a difficult property to effect remediation on and often you are dealing with either frozen soils or covered lands that are impossible to work with during the winter environment. Because of the critical importance of being responsive at the site, we staged the remobilization of our construction effort to begin in the Spring of 1996, as soon as weather was permitting, and was in fact mobilizing our forces on the date that the State inspector arrived for his periodic inspection.

#### Remediation Status

As of 12:00 noon, May 3, 1996, we have fully mobilized our construction forces and we currently have in excess of 15 construction hands, including equipment on site addressing not only the issues identified in your letter, as well as other issues related to the construction of Phase II, Stage 1 and the recovery from the damage that occurred from the late October/November rainstorms to the side slopes and drainage swales/sedimentation basins.

I believe it is essential that we report to you, item by item, to your letter and our expectations of completion of remedial actions therein. I have asked Larry Lackey to prepare such a response and to have it to your Department before the end of today. Based on my discussions with Doug this morning, we have initiated immediate side slope repair efforts and will mulch and seed (as soon as weather permits) over the next 10-14 days. We expect to have all side slope erosion control measures completed prior to May 15, with a majority of the work completed within the next 7 days.

We have mobilized, not only our construction forces, but the liner contractor and they have been on the site since Thursday morning completing Stage II, Phase 1, including construction weld in Stage I, Stage II. The area of waste (approximately 20 x 100 feet) from the Stage I waste pile will be recovered upon the completion of the connection, which is expected sometime next week, and will be covered with sand to minimize any adverse erosion impact to the newly construction Stage II, Phase 1 lined landfill. The sand material will complete the immediate cover across this entire area and will eliminate any exposed waste protruding through the side slope.

In accordance with your instructions, we have initiated immediate sampling of the sedimentation basin and have ordered expedited results to be delivered to the Agency within 24 hours of receipt by NCES. As you are aware the analytical work for BOD will



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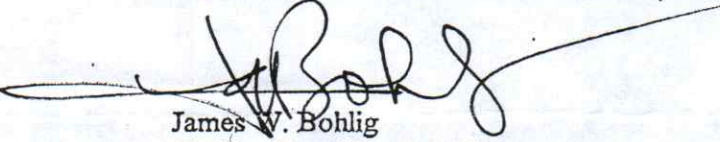
require up to 5 days to complete the results, and as such, we will expedite that as well, but that information will come subsequent to the balance of the analytical work. We will provide a detailed explanation of the data within 2 days of receipt by us. Additionally, we will also provide a report within 2 days, providing a written explanation for the presence of the gray water in the storm water management system. Our initial investigation lends us to believe that it resulted from the severe erosion run-off resulting from last Fall's storm and subsequent winter snow thaw and encapsulated material placed on the side slopes to assist in the seeding, mulching and growth of a strong grass cover.

John, Doug and I wish to thank Jim Berg and Dick Reid for their letter and wish to assure them, and most importantly you, that their concerns are our concerns. We apologize for not being able to remediate the site from the weather events which significantly contributed to some of the issues. However, there is no excuse for the daily coverage, and I have taken management steps to ensure that this will not happen again. We will welcome a visit at any time from appropriate State employees to document the progress we are making on the items identified.

We sincerely value the hard work toward rebuilding the environmental reputation of this landfill, and take as a personal disappointment that we have not been able to meet our own personal high standards for operating solid waste facilities. We thank you for your Department's attention to detail, and we look forward to your next site visit. It is my intention to thoroughly discuss this letter and our remediation actions with the Selectboard at our annual meeting on May 6. Thank you very much.

Sincerely,

NEW ENGLAND WASTE SERVICES, INC.



James W. Bohlig  
Sr. Vice President & COO

cc: Board of Selectmen, Town of Bethlehem  
Richard S. Reid, Waste Management Compliance Bureau

