



State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES

6 Hazen Drive, P.O. Box 95, Concord, NH 03302-0095
(603) 271-2900 FAX (603) 271-2456



June 26, 2003

CERTIFIED MAIL #7000 0600 0023 9934 3273
RETURN RECEIPT REQUESTED

Mr. Larry Lackey, Vice President
Permits, Compliance and Engineering
Casella Waste Systems, Inc.
3 Pitkin Court
Montpelier, VT 05602

Subject: Disposal of Regulated Asbestos Waste
Mt. View Grand Hotel, Whitefield, NH

Dear Mr. Lackey:

The Department of Environmental Services (DES) learned from recent indictments filed in the Coos County Superior Court that regulated asbestos containing materials from the Mountain View Grand Hotel were allegedly disposed at the North Country Environmental Services, Inc. (NCES) landfill in Bethlehem, New Hampshire. (See attached indictments). As the owner and operator of the landfill, NCES is responsible for ensuring compliance with all state permits, including compliance with any prohibitions against acceptance of certain waste materials.

As you know, section 7(e)(2) of the Solid Waste Permit for Stage III of the NCES landfill (DES-SW-SP-00-003), which is currently the only active landfill area, prohibits disposal of regulated asbestos waste as that term is defined in the New Hampshire Solid Waste Rules. DES cannot confirm from the criminal investigation whether asbestos waste was disposed of at the landfill because it does not have access to any files on the criminal matter. Nonetheless, DES is responsible for determining whether there has been a violation of the conditions and prohibitions in the Permit and whether administrative or civil enforcement action is appropriate.

Therefore, DES requests that NCES voluntarily provide all information in its knowledge and possession regarding acceptance or disposal of asbestos waste, including asbestos waste from the Mountain View Grand Hotel, at the NCES Landfill.

Please respond to this inquiry within 30 days of receipt of this letter. If you would like to meet to discuss the request, or if you have questions, please call me at 603-271-2926.

Sincerely,

Richard S. Reed
Administrator
Solid Waste Management Bureau

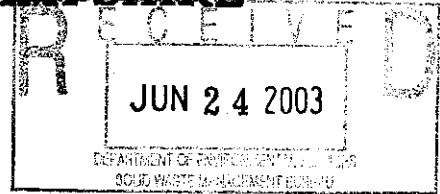
Attachments

cc: Philip J. O'Brien Ph.D., P.G., Director, WMD
Maureen D. Smith, Esq., NHDOJ
Michael E. Guilfoyle, P.E., NHDES
Brian Gould, Esq.
Town of Bethlehem
NCES file/DB

THE STATE OF NEW HAMPSHIRE

INDICTMENT

COOS, SS.



At the Superior Court, holden at Lancaster, within and for the County of Coos aforesaid, on the 21st day of May in the year of our Lord two thousand and three

THE GRAND JURORS FOR THE STATE OF NEW HAMPSHIRE, upon oath, present that

Kevin Craffey
(DOB: 5/24/64)

of Duxbury, Massachusetts, on or between January 1 and November 30, 2001 at Whitefield in the County of Coos aforesaid, with force and arms, did commit the crime of

Unlawful Disposal of Regulated Asbestos Containing Material
(RSA 141-E:15, I(a); NH Code Admin. R. Env-A 1805.0)

in that Kevin Craffey, acting in concert with others, knowingly and willfully disposed of regulated asbestos containing material at a location not licensed to receive asbestos waste by the Waste Management Division of the Department of Environmental Services (DES) in violation of Env.-A 1805.07.

Craffey, acting in concert with others, disposed of regulated asbestos containing material in dumpsters and in the ground at the Mountain View Grand Hotel. The dumpsters containing regulated asbestos containing material were disposed of at a Bethlehem landfill owned and operated by North Country Environmental Services. Neither the grounds of the Mountain View Grand Hotel nor the Bethlehem landfill were licensed to receive asbestos waste by the Waste Management Division of DES.

The said actions being contrary to the form of the Statute, in such case made and provided, and against the peace and dignity of the State.

Geoffrey J. Ransom
Geoffrey J. Ransom
Senior Assistant Attorney General

This is a true bill.

Brett Halverson
Foreperson

Name: Kevin Craffey
DOB: 5/24/64
Address: 59 Dill Hill Rd.
Duxbury, Massachusetts
RSA: (RSA 629:3; RSA 141-E:15, I(a))
NH Code Admin. R. Env-A, 1805.07, Disposal

Doc # 209725

Class B Felony

03-5-70

THE STATE OF NEW HAMPSHIRE

INDICTMENT

COOS, SS.

At the Superior Court, holden at Lancaster, within and for the County of Coos aforesaid, on the 21st day of May in the year of our Lord two thousand and three

THE GRAND JURORS FOR THE STATE OF NEW HAMPSHIRE, upon oath, present that

Jose Fonseca
(DOB: 3/6/62)

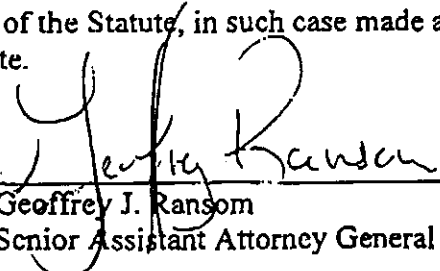
of North Dartmouth, Massachusetts, on or between April 1 and November 30, 2001 at
Whitfield, in the County of Coos aforesaid, with force and arms, did commit the crime of

Unlawful Disposal of Regulated Asbestos Containing Material
(RSA 141-E:15, I(a); NH Code Admin. R. Env-A 1805.0)

in that Jose Fonseca, acting in concert with others, knowingly and willfully disposed of regulated asbestos containing material at a location not licensed to receive asbestos waste by the Waste Management Division of the Department of Environmental Services (DES) in violation of Env.-A 1805.07.

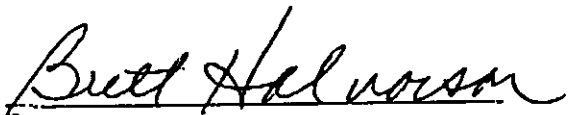
Fonseca, acting in concert with others, disposed of regulated asbestos containing material in dumpsters and in the ground at the Mountain View Grand Hotel. The dumpsters containing regulated asbestos containing material were disposed of at a Bethlehem landfill owned and operated by North Country Environmental Services. Neither the grounds of the Mountain View Grand Hotel nor the Bethlehem landfill were licensed to receive asbestos waste by the Waste Management Division of DES.

The said actions being contrary to the form of the Statute, in such case made and provided, and against the peace and dignity of the State.



Geoffrey J. Ransom
Senior Assistant Attorney General

This is a true bill.



Foreperson

Name: Jose Fonseca
DOB: 3/6/62
Address: 9 Countryside Drive
North Dartmouth, Massachusetts
RSA: (RSA 629:3; RSA 141-E:15, I(a))
NH Code Admin. R. Env-A, 1805.07, Disposal

Doc # 209729

Class B Felony