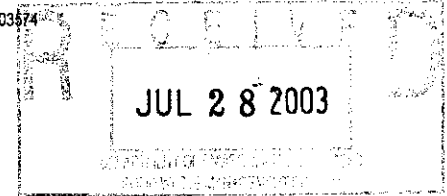


# Town of Bethlehem

*H. Guilty / JFL*

2155 MAIN STREET • POST OFFICE BOX 189 • BETHLEHEM, NEW HAMPSHIRE 03674  
603-869-3351/ 869-2042 fax 603/869-2280 email tobeth@adelphia.net



July 23, 2003

Dear General Heed:

As you know, on May 21, 2003 indictments were handed up by a Coos County Grand Jury against Mountain View principals Kevin Craffey and Jose Fonseca (Ref # 03-S-62 and 03-S-70). The two men were charged with a Class B felony for the crime of "Unlawful Disposal of Regulated Asbestos Containing Material", RSA 141-E:15, 1(a); N.H. Code Admin. R Env-A 1805.0.

According to the indictments, "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."

An indictment charging that hazardous material has been disposed of in the NCES landfill in Bethlehem is obviously of great concern to this Board and the Town because of the potential impact on the health of the residents and on the environment. As a condition of the Stage III permit granted by DES to NCES and under which the parent company Casella Waste Services Inc. operates the landfill, NCES is prohibited from accepting asbestos.

The Mountain View principals are to be tried for allegedly violating RSA 141-E:15. In a June 26, 2003 letter copied to the Town and addressed to Casella vice-president Larry Lackey, Mr. Richard Reed of DES gave Casella 30 days to "voluntarily provide all information in its knowledge and possession regarding the acceptance or disposal of asbestos waste" at the Bethlehem site.

Mr. Reed's letter deals only with the "administrative or civil enforcement action" available to the DES should NCES be found to have violated section 7(e)(2) of its current operating Permit # SW-SP-00-003.

Has the Attorney General's office opened a similar inquiry into a possible criminal violation by NCES of RSA 141-E:15? If not, the Selectboard, prompted both by its own concern and by a request by a resident, would like to know the rationale behind any decision not to enforce RSA 141-E:15 as it relates to NCES..

Sincerely, Bethlehem Board of Selectmen

Judy Wallace

George Manuppelli

Lon Weston

Kristen Reinhold

Cc: Edward Boutin, Esq  
Geoffrey J. Ransom, senior assistant Attorney General  
Richard Reed  
Bryan Gould

*M. Smith  
RJO  
MG*

