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# STATE OF NEW HAMPSHIRE

INTRA-DEPARTMENT COMMUNICATION



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**TO:** File

**FROM:** Michael Wimsatt, Director, WMD, NHDES

**SUBJECT:** Record of Telephone Conversations with Sam Nicolai, Casella Waste Systems, Inc.  
NCES Leachate Management  
NCES Landfill  
Trudeau Rd, Bethlehem, NH

**DATE:** **July 31, 2024 – Telephone Conversations of 6-4-2024 and 6-5-2024**

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At approximately 4:00 pm on 6-4-2024, following a debriefing with Jaime Colby regarding that day's NHDES site visit, I placed telephone calls in Ms. Colby's presence to both Joe Gay and Sam Nicolai. I left voice messages for each indicating that NHDES was very concerned with data indicating several feet of head on the primary liner, and providing verbal approval to haul leachate outside normal operating hours if needed to achieve compliance as soon as possible. I instructed that leachate hauling begin promptly and gave a callback number.

At 4:50 pm on 6-4-2024, Sam Nicolai returned my call. He indicated that he was surprised by my voice message, and had called Kevin Roy, who said that NCES was "100% compliant," and not storing head on the liner, and that they did not need to ship outside regular hours.

I explained the details of the January-March 2024 quarterly report, the 36" +/- regulatory compliance number, that the report showed many pressure transducer readings up to 100", and that NHDES' understanding is that 100" was a "max" reading for the pressure transducer. Sam said that he was not familiar with the specific numbers for this landfill, and that he would check back with Kevin for an explanation.

I said that I would be pleased to hear an explanation if we've got it wrong, but didn't think that we were mistaken. I said that we also received data in the quarterly report and at today's site visit that suggests that there is excess flow in the secondary that exceeds the 25 gallons per acre per day ("gpad"), and the 100 gpad, and that these were reportable as incidents and were not reported.

I stressed that these systems were not designed to be operated this way and Sam agreed. I said that the data that we have suggests 5 months of non-compliance.

Sam indicated that he would look into this and call me before 1:00 pm tomorrow.

I reiterated verbal emergency authorization to begin leachate shipping 24/7; and encouraged them to do so. I said that written approval would be issued the following day. Call ended.

On 6/5/2024 at 12:10 pm, Sam Nicolai called to follow up on the previous day's discussion. He indicated that after looking into the matter, NCES had determined that they did not need emergency authorization to ship leachate outside normal operating hours. He stated that two of the three sumps showed readings this morning of 15" to 25", which are compliant readings. He stated that only one sump shows a reading that is out of compliance (the Phase III sump, which is reading ~80"), but that the reading is faulty because there is no leachate to remove from that sump. He explained that when the pump runs, it pumps for a short time, and the transducer reading goes from 80" to 45", but then the pump shuts off because there isn't liquid to pump. The transducer reading then rebounds to ~80". NCES believes that the pressure transducer is faulty, and that there may be a problem with the check valve. He said that NCES would pull the transducer and pump to troubleshoot and fix the problem.

Sam further explained that NCES believed this equipment had been impacted by construction and knew it was a problem, but had not fixed it. He stated that he was very disappointed in how they responded to this issue, and apologized.

MJW/JMC; mjjw