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Casella Withdraws Landfill Permit Application For Dalton

Public Documents: Casella Leachate Exceedances Continue In Bethlehem

Robert Blechl rblechl@caledonian-record.com Staff Writer
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1 of 2



Gov. Kelly Ayotte on Friday visited Forest Lake State Park to greet opponents of a proposed landfill and to reaffirm her own opposition. Left to right: Ayotte, state Sen. David Rochefort, R-Littleton, and Tom Tower, of Whitefield and the vice-president North Country Alliance for Balanced Change. (Photo by Robert Blechl)

After seven deadline extensions and two years of repeated requests for more information, Casella Waste Systems has withdrawn a major permit application for a commercial landfill beside Forest Lake in Dalton before the state could approve or deny it.

This week's voluntary withdrawal of the wetlands permit application comes after the project, for more than seven years, has been a magnet of opposition in the North Country and beyond and follows Gov. Kelly Ayotte's statements that there will never be a landfill by Forest Lake State Park.

It follows, too, an April 2025 denial by the New Hampshire Department of Environmental Services of Casella's standard solid waste permit application, after DES concluded that Casella repeatedly omitted required information and has not provided evidence that it has the legal right to use the Dalton property, which it has an option to purchase, for the proposed landfill use.

Casella has appealed that denial.

On Monday, Toni King, a regional engineer for Casella, wrote DES to say that the company is formally withdrawing the wetlands permit application for what it calls the Granite State Landfill (GSL), though with the right to resubmit at a later date and in coordination with federal, state, and local approval requests.

Casella, Landfill Opponents Respond

"We withdrew the permit application to ensure that the review process is properly aligned with the solid waste permit that is currently under appeal," Casella spokesman Jeff Weld said Wednesday. "Proceeding in this manner allows the relevant regulatory considerations to be addressed in a coordinated and consistent way, rather than in parallel tracks that could create confusion or inefficiency."

Opponents, though, were encouraged by the news and, pointing to project headwinds, aren't convinced that GSL is sailing through blue skies.

“The withdrawal of Casella’s wetlands permit application is another indication of just how troubled and problematic this proposal has been from the outset,” Wayne Morrison, president of the North Country Alliance for Balanced Change, and Tom Tower, vice-president of NCABC, said in a statement.

“Despite years of review, the company has been unable to provide the information that [DES] has repeatedly requested,” they said.

It is important to note that Monday marks the second time that Casella has withdrawn its wetlands permit application, said Morrison and Tower.

“The repeated withdrawal of permit applications raises serious questions about the suitability of this site for a landfill of this magnitude,” they said. “After years of review and extensive public scrutiny, the inability to advance a critical permit only reinforces concerns that this proposal is fundamentally flawed.

“While we acknowledge Casella’s statement that it intends to continue pursuing this project, NCABC and the thousands of residents, businesses, property owners, and visitors who oppose this landfill remain equally committed to protecting the North Country, Forest Lake, and the region’s clean water resources,” said Morrison and Tower. “The withdrawal of the permit is a significant development, but it does not signal the end of this fight.”

“As Casella slinks away from this needless, ruinous vanity project, my concern as a taxpayer and former federal regulator is with DES,” said Adam Finkel, a professor of environmental health sciences and former OSHA regulator, who lives in Dalton.

“It should have taken DES seven hours to nix a project that they were still helping along seven years later,” said Finkel. “As soon as they received the application, a sensible agency would have denied it on the grounds that excess capacity already existed far into the future, and that no one in their right mind would propose dumping garbage in an active sand and gravel operation, next to a lake.”

Weld did not respond to questions about when Casella will resubmit the wetlands application and how the company will pursue GSL amid opposition at the local and state levels. He declined an opportunity to speak specifically to the governor’s opposition.

“The proposed development of GSL is driven by the demonstrated need for disposal capacity to serve customers and businesses in more than 200 New Hampshire communities currently relying on the North Country Environmental Services (NCES) Landfill in Bethlehem, which is expected to cease operations in 2027,” he said.

“If additional disposal capacity is not permitted, those communities will need to transport waste to other facilities, which could result in increased transportation costs and reduced competition in the marketplace,” said Weld. “This will impact everyone from residents and local businesses to small haulers and contractors who rely on local disposal capacity for operating their business.”

Other Permit, Lawsuit And Appeal Status

On Sunday, June 21, the deadline for Casella’s alteration terrain permit application for GSL expires.

In an April 23 letter to King, Michael Schlosser, an engineer with DES’s alteration of terrain bureau, said, “this letter serves as a final notice that no further extensions will be granted ... GSL has had nearly two years to produce information responsive to the RFMI and the Department must move this application forward.”

Weld did not respond to a question asking if Casella will also be withdrawing the alteration of terrain application.

Following DES’s April 2025 standard permit application denial, Casella, in addition to its appeal before the New Hampshire Waste Management Council, sued DES.

On May 29 at Merrimack Superior Court, the lawsuit went to a hearing on motions for summary judgment. As of Wednesday, the court had not issued a decision.

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NCES In Bethlehem

On June 9, the Bethlehem Zoning Board of Adjustment granted an equitable waiver of dimensional requirements for a flare at Casella’s NCES landfill in Bethlehem. The flare was moved in 2025, only to encroach on a 30-foot setback.

After a few weeks of research and a postponed decision, zoners concluded that the error was unintentional and not made in bad faith.

Casella is leasing land in the area of the flare to Viridi Energy, which will capture landfill gas, convert it to methane, and sell it into the New England region’s commercial natural gas system.

The gas operation is part of the post-active landfill life of NCES and follows three decades of expansion.

Several residents and zoners during the two public hearings said that a lot line adjustment, rather than an equitable waiver of dimension requirements, would be the logical solution.

Resident Bob Murray began building a small ranch home on Swazey Lane and completed it 16 years later in 2006. For his approval before the board, he buried a power line, after a judge who lived in the neighborhood didn't want it going across the road from his house.

"That was my legal remedy," Murray said to zoners. "Their legal remedy is a lot line adjustment. All this paper going back and forth and they are looking for an equitable remedy that I don't think they're entitled to ... Why burden yourselves with this?"

"I agree with Bob and I was circling around the same place the last time around, which is this is not the proper remedy for this," said resident Rich Southwell. "They can just move the lots. It's definitely not a cost issue."

It's a couple hundred bucks in survey work and a trip to the planning board, he said.

"It seems like we have a little more clarity about what happened, looks like an accident, but unfortunately they're tarred with the brush of everything else that goes on down at that site," said Southwell. "There have been operational failures and mistakes for a very long time. So when somebody comes maybe not looking for the best, easiest remedy and they don't have the firmest story about what happened and how it happened, suspicions arise ..."

In January, in the largest civil penalty in New Hampshire for a landfill company, Casella was fined \$2 million by the state for years of repeated violations, for mismanagement of leachate, drilling through the landfill liner, operating the facility with a quarter-inch hole in the primary landfill liner, placing waste beyond the permitted landfill limits, and for failing to report incidents or conduct its own investigations.

In New Hampshire, landfill operators have a legal requirement to maintain no more than 12 inches of a head, or depth, of leachate, also known as garbage juice, on the landfill liner system.

According to a check of DES public records on Wednesday, leachate issues and exceedances continue at NCES.

There were four documented instances of leachate exceedances on the landfill liner, on April 22 (more than four feet, after pump equipment failures), on May 5 (when leachate reached nearly five feet on the primary liner system), on May 11 (during a power outage when leachate levels again reached nearly five feet on the liner), and on May 15 (when another equipment failure led to a leachate exceedance).

Twin Mountain, Haverhill

Outside of Dalton and Bethlehem, Casella had proposed a new transfer station in Carroll that would accommodate some 200 tons of trash daily.

That proposal drew stiff opposition, with some residents voicing suspicions that it could be the gateway to a new landfill there, which they said would lead to truck traffic, odor, noise, and tourism impacts.

In April, Weld said that Casella pulled the Carroll proposal.

On May 26, Carroll voters, by a margin of 169-11, approved two zoning amendments to restrict future private solid waste facilities and limit recycling and transfer operations to town or regional ownership.

In October in Haverhill, resident Donna Clark appeared before the Select Board regarding a partnership with Casella and a proposal to open a transfer station and recycling center on her 80-acre property along County Road.

Weld did not respond to a question asking specifically about the Haverhill proposal and if it's still on the table.

"There are no current plans to pursue a commercial transfer station in the North Country," he said.