

North Country Environmental Services To Pay \$1.9M To Settle Solid Waste Violations in Bethlehem

By  Nancy West 8 hours ago



Attorney General John Formella

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CONCORD – North Country Environmental Services, Inc. (“NCES”), owner and operator of NCES Landfill in Bethlehem, has entered into a consent decree with the state Department of Environmental Services agreeing to pay \$1.9 million in civil penalties, according to a press release from Attorney General John Formella that was released at 8 p.m. Monday.

North Country Environmental Services is owned by Vermont-based Casella Waste Systems, which couldn't be reached for comment Monday night.

Adam Finkel, a professor of environmental science and former top federal regulator who lives in Dalton, said in an email that it may be a huge fine, but it raises concerns.

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“But... my concern is that \$219,000 of the \$\$ will go to ‘stabilize’ a **completely unrelated project in Bartlett (!)**. So the state Treasury gets \$1.7MM, a family in Bartlett gets \$200K, but as lovely as this new-found attitude is, ***the people of Bethlehem get NOTHING towards the needed remediation of the leaks into the Ammo.***

“Respectfully, I think THAT’S the story of this DOJ press release, as much as it is the good news about the fine,” Finkel said.

Finkel said in a separate email: “Maybe too tangential, but I continue to be amazed that Richard Lehman, who is simultaneously on the payroll as the Senate chief council, continues to be Casella’s attorney on these matters. He is actively suing the state on their behalf about the denial of the Dalton permit. Meanwhile, Republicans are trying to impeach Karen Hill for helping a constituent pro bono that might result in a lawsuit against the state. We are paying someone to sue the state on behalf of a private client.”

Lehmann didn’t immediately respond to a message seeking comment late Monday night. His comment will be added to this story if he responds.

Jon Swan, founder of Save Forest Lake, who has been actively opposing Casella for years, didn’t respond to a request for comment Monday night.

Formella said: “This consent decree constitutes the largest civil penalty ever obtained by the State for violations related to New Hampshire’s Solid Waste Management Act.

“Landfills are highly regulated and are designed and built to ensure safety to the public and the environment. This case demonstrates our commitment to holding accountable those that violate our statutes and rules created for the purpose of protecting the State’s environment and natural resources,” Formella said.

The consent decree settles claims related to the placement of waste beyond permitted landfill limits, leachate discharges from the leachate collection system, prohibited storage of leachate within the primary leachate collection system, prohibited flow rate exceedances within the secondary leachate collection system, facility damage reporting, drilling of gas management wells through a landfill liner, failure to appropriately apply adequate daily cover, incident reporting failures, and other related rule and permit violations, the release said.

“While we strive for waste reduction and diversion, NH residents and businesses will always generate some quantity of solid waste requiring disposal. For this reason, landfills are a necessary component of NH’s integrated solid waste management infrastructure, and must be managed properly to protect public safety, human health, and the environment,” said NHDES Commissioner Robert Scott. “NHDES takes landfill mismanagement very seriously, as demonstrated by this significant and appropriate civil penalty.”

The complaint underlying the consent decree contains several categories of violations spanning multiple years and includes potential supplemental environmental projects with a nexus to solid waste landfills.

This settlement case announced Monday night was handled in the New Hampshire Department of Justice by Assistant Attorney General Joshua Harrison and Senior Assistant Attorney General and Environmental Protection Bureau Chief, Christopher Aslin. NHDES worked extensively over multiple years to investigate these violations and collaborated with the Department of Justice to ensure accountability.