

STATE OF NEW HAMPSHIRE

INTRA-DEPARTMENT COMMUNICATION



TO: File

FROM: Jaime M. Colby, P.E., SWMB, NHDES

SUBJECT: Public Comments on Applications for Expansion and Waiver (Stage VI)
Initial Applications received March 24, 2020; assigned Application #2020-47865
North Country Environmental Services, Inc.
581 Trudeau Road, Bethlehem, NH
Permit No. DES-SW-SP-03-002

DATE: October 20, 2020

Written public comments received during the public comment period for the above-referenced application (Type I-A) to expand the North Country Environmental Services, Inc. (NCES) landfill located in Bethlehem, NH were produced pursuant to a RSA 91-A request ("Right-to-Know"). As such, NHDES has produced the written public comments through its GovQA system. To reduce duplication of records, this memorandum provides links to those public records.

Request number with hyperlink to view records	Request received date	Complete text for link to view records in GovQA
R000479-081420	8/14/2020	https://nhdes.govqa.us/WEBAPP/rs/(S(aysgyzza2mhcqkcobcja3c1z))/RequestArchiveDetails.aspx?rid=672&view=1
R000500-082120	8/21/2020	https://nhdes.govqa.us/WEBAPP/rs/(S(aysgyzza2mhcqkcobcja3c1z))/RequestArchiveDetails.aspx?rid=694&view=1
R000518-083020	8/30/2020	https://nhdes.govqa.us/WEBAPP/rs/(S(aysgyzza2mhcqkcobcja3c1z))/RequestArchiveDetails.aspx?rid=712&view=1
R000532-090820	9/8/2020	https://nhdes.govqa.us/WEBAPP/rs/(S(aysgyzza2mhcqkcobcja3c1z))/RequestArchiveDetails.aspx?rid=730&view=1
R000553-091420	9/14/2020	https://nhdes.govqa.us/WEBAPP/rs/(S(aysgyzza2mhcqkcobcja3c1z))/RequestArchiveDetails.aspx?rid=752&view=1
R000568-092120	9/21/2020	https://nhdes.govqa.us/WEBAPP/rs/(S(aysgyzza2mhcqkcobcja3c1z))/RequestArchiveDetails.aspx?rid=768&view=1

Please note that the public comment period closed on September 18, 2020 at 4 pm. Comments received after this date and time, if any, are not included in the above-provided links.

From: [Lance Miller](#)
To: [DES: SWpublic.comment](#)
Subject: In support of NCES
Date: Tuesday, August 4, 2020 5:44:15 AM

EXTERNAL: Do not open attachments or click on links unless you recognize and trust the sender.

My name is Lance Miller, and I am an employee of MBI, a trucking company that utilizes NCES multiple times daily.

I, along with dozens of other truck drivers make our living hauling waste from transfer stations throughout NH to NCES.

This facility, under Casella's management, is on the cutting edge of responsible waste management. Over the past 4 years I've been delivering there, I've witnessed an aggressive approach to managing something that is a necessary fact of life. Refuse.

I've witnessed the great care that goes into disposing of the state's garbage, in a green, responsible way. From early cell preparation, to the lining for waste water reclamation, and the careful planning of cell levels. The rigorous soil & water sampling by state and federal agencies. Right down to the employees that spend their days hand picking small bits of debris, preventing them from contaminating the nearby forests.

I'd also like to address the amount of jobs that this facility provides to the local area. Jobs that pay exceptionally well when compared to other area employment. A majority of us are homeowners in the region, and rely on these jobs to provide for our families. This expansion would guarantee we stay in the area, remaining active in our communities, and contributing to the tax base that is much needed in the north country.

In conclusion, while many people dislike the idea of landfills, they will continue to be necessary to dispose of a community's refuse. Great strides have been made in the last few years, and Casella is on the leading edge of those advancements. The infrastructure is already in place and they are committed to solving the issues associated with waste management.

I ask that you consider these factors when deciding on expansion.

Thank you
Lance Miller

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Sent from Gmail Mobile

From: [Amy Delventhal](#)
To: [DES: SWpublic.comment](#)
Subject: Dump the dump
Date: Wednesday, August 5, 2020 10:18:54 AM

EXTERNAL: Do not open attachments or click on links unless you recognize and trust the sender.

The mega, for profit NCS is ruining our beautiful area and wants to further obstruct views, add stench, continue to divide the town just to rake in huge profits for themselves at zero benefit to the Town by hauling in often-questionable out of state refuse.

Please do not allow any further expansion.

25 years ago I was involved in several meetings with John Casella et al. Not once did they bring to the table any of what had been promised for the negotiations. This man and company have repeatedly lied, filed frivolous suits to break us financially, made empty promises that they have never delivered on...they cannot be trusted and their track record shows that clearly if you take the time to look.

Our townspeople have voted against expansion many, many times--surely often enough to send the clear message that we do not want these thugs to continue. The only concession we made, which is what allows them to operate today, was based on their absolute promise in writing that they would pack up and leave without ever asking for another bit of our beautiful tourist destination Town. I don't understand how it is even possible to additional expansion to be considered.

Amy

Amy Delventhal

MasterPeace Message

INV OF PRIVACY

From: [Susan Greenlaw](#)
To: [DES: SWpublic.comment](#)
Subject: Bethlehem landfill
Date: Wednesday, August 5, 2020 4:40:39 PM

EXTERNAL: Do not open attachments or click on links unless you recognize and trust the sender.

I appreciate the opportunity to express my concerns regarding the request to expand the Casella landfill in Bethlehem, NH. I have been a resident of Bethlehem for over thirty years and during that time have witnessed Casella hold our town hostage. I wasn't always against the landfill, but after years of misleading and often false information being shared, I have had enough. As a community, we have voted down the expansion of the landfill numerous times; each time hoping this ongoing relationship would end.

I do not consider myself a committed environmentalist, but this landfill is causing me to become one. As a hiker, it is incredibly sad when the breathtaking view from a peak is marred by Mount Casella. It has gotten to the point where you can see the landfill from many roads in Bethlehem due to its height. The number of trucks traveling down Trudeau Road is disturbing not to mention the contents of those trucks. We do not trust Casella!

Bethlehem has been used to line the pockets of a corporation that is not a good neighbor. PLEASE deny them a permit because our local environment and our community has suffered enough. I hope to be reassured that we still live in a democracy.

Thank you so much for your time!

Sue Greenlaw
Bethlehem, NH

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Sue Greenlaw
Principal
Bethlehem Elementary School

From: [Barry Zitser](#)
To: [DES: SWpublic.comment](#); john.gay@casella.com; [Colby, Jaime](#)
Subject: Written Comments of Barry Zitser to include in the record of the NCES Stage VI landfill expansion application in Permit Number DES-SW-SP-03-002
Date: Tuesday, August 11, 2020 10:31:11 AM
Attachments: [Written Comments of Barry Zitser on Permit No. DES-SW-SP-03-002.docx](#)

EXTERNAL: Do not open attachments or click on links unless you recognize and trust the sender.

To: New Hampshire Department of Environmental Services (“NHDES”), Waste Management Division

Please accept these written comments for filing as part of the record in the Type 1-A Permit Modification Application of the North Country Environmental (“NCES”) for expansion of its landfill located in Bethlehem, NH (Permit No. DES-SW-SP-03-002). These written comments are being emailed so that the references which are hyperlinked in the endnotes may be accessed.

A copy of these written comments and this email is concurrently being sent to Mr. John Gay, the representative of NCES in this proceeding, and to Ms. Jaime Colby of the NHDES.

It is respectfully requested that confirmation of receipt and filing of these written comments be emailed to the undersigned.

Barry Zitser

INV OF PRIVACY

August 11, 2020

To: New Hampshire Department of Environmental Services (“NHDES”), Waste Management Division

Please accept these written comments for filing as part of the record in the Type 1-A Permit Modification Application of the North Country Environmental Services, Inc. (“NCES”) for expansion of its landfill located in Bethlehem, NH (Permit No. DES-SW-SP-03-002).

While I am still a Connecticut resident, I have a house in Bethlehem NH, where I donate time to the community, in addition to enjoying the many treasures of the North Country where I hope to retire. A copy of my resume is included in an endnoteⁱ. Although I am a member of Bethlehem’s advisory Transfer Station Committee, all of my statements herein are solely in my individual capacity, as a person with 45 years of experience in some relevant areas. As a Connecticut municipal and state official during the 1970s and 1980s, I had some involvement with solid waste-to-energy projects. As a private attorney during more recent decades, I represented the Connecticut Resources Recovery Authorityⁱⁱ in a number of disputes, involving private waste companies, landfills, and recycling mandates. I have never represented any private landfill or solid waste operator, and have sued several for unsafe practices and/or contract violations.

The two most important components of this written statement are:

I. The NHDES should issue its decision in this matter as early as possible after the close of the hearing record, currently scheduled for September 8, 2020, to enable New Hampshire towns which utilize the NCES landfill to have sufficient time for budgetary and planning purposes.

II. If the NHDES approves the expansion, the applicant should be encouraged to consider the voluntary implementation of recommendations herein in furtherance of New Hampshire’s solid waste management policies, as well as the wise use of its limited landfill capacity.

I. THERE IS A CRITICAL NEED FOR THE NHDES TO ISSUE A TIMELY DECISION TO PROVIDE NEW HAMPSHIRE COMMUNITIES WITH SUFFICIENT TIME TO PLAN FOR THE FUTURE.

While the NCES landfill has been a divisive issue in our community, I do not oppose the expansion application. During a recent roundtable discussion on solid waste, conducted by the North Country Council (“NCC”), several transfer station operators expressed concern about increased transportation costs if the NCES landfill is closed in April, which might create the need to seek additional funding from town budgets. This comes at a particularly difficult time, given the strain on many town budgets caused by the current Covid-19 pandemic.

The delay caused by NCES’s refiling, after withdrawal of its initial expansion applicationⁱⁱⁱ, has resulted in some serious planning concerns for New Hampshire communities which utilize its Trudeau Road landfill. NCES represents that it “...serves 150 communities across the state of NH...”^{iv}. Moreover, even with a final decision approving the expansion, the current Covid-19 pandemic could potentially result in construction delays.

Bethlehem is particularly affected, since the Town currently does not have a transfer station or a firm, alternative plan if its host community benefits terminate. The Bethlehem advisory Transfer Station Committee has submitted a contingency plan for consideration by the Select Board in the event of a denial or delay in a final expansion decision. If a final decision is not issued in this proceeding by October, the Transfer Station Committee has recommended that certain steps be commenced to insure that the Town has an alternative plan for solid waste management^v.

Thus, it is respectfully requested that the NHDES accord a high priority to issuing a final decision in this matter as soon as possible.

II. IF THE FINAL DECISION APPROVES THE EXPANSION, THE APPLICANT SHOULD BE ENCOURAGED TO IMPLEMENT SOME NEW VOLUNTARY PROGRAMS IN FURTHERANCE OF NEW HAMPSHIRE'S SOLID WASTE MANAGEMENT POLICIES

It is respectfully requested that if the NHDES grants approval for the landfill expansion, it favorably include the recommendations below for applicant to consider implementing on a voluntary basis. These recommendations are not only in furtherance of New Hampshire's solid waste management policies, but are also in the interests of all stakeholders. Please note that the undersigned is not requesting that any expansion be *conditioned* on the implementation of such recommendations. One would expect that a competent landfill operator would have a sufficient desire voluntarily to adopt recommendations which are clearly in the public interest.

A. NCES should consider implementing a regional food waste collection and landfill diversion program for the North Country and the New Hampshire towns which utilize its landfill.

The New Hampshire General Court has declared that "(i)t is important to reserve landfill ...capacity for solid wastes which cannot be reduced, reused, recycled or composted...", and has set a goal "...to achieve a 40 percent minimum weight diversion of solid waste landfilled...on a per capita basis..." by 2000.^{vi} This 40% goal has never been achieved, and in 2019, the legislature enacted House Bill 617 to have a Joint Committee of New Hampshire legislators study, and make recommendations concerning, the State's recycling streams and solid waste management. On November 1, 2019, the Joint Committee issued its Report, which was a call to action for New Hampshire to improve its commitment to providing for the wise management of its solid waste^{vii}.

Among the findings of the Joint Committee is that the least preferred method of waste management for purposes of conserving "...precious and dwindling natural resources..." is landfilling (Report, P. 3). The Joint Committee Report clearly finds favor with the hierarchy of waste management methods established by the New Hampshire General Court^{viii}. Furthermore, despite the recognition that there is still a need for landfilling some items, the

Joint Committee warns that New Hampshire's landfill capacity is "rapidly dwindling" (Report, P. 8). The Joint Committee clearly points to food waste diversion as perhaps the greatest opportunity to preserve New Hampshire's dwindling landfill capacity and to conserve the State's precious and dwindling natural resources:

"...very little unused food, which constitutes 22% of discarded solid waste according to EPA, is diverted for composting or other use. This constitutes a huge opportunity for additional diversion by various means. Municipalities could also save money in tipping fees by doing more composting." (Report, P. 11).

Diverting food waste from landfilling not only benefits municipalities, but other stakeholders as well. It allows landfills to be preserved for those items that cannot otherwise be diverted, reduces greenhouse gas emissions, and can result in valuable commodities that enhance agricultural production and the environment. The NHDES has been supportive of expanding composting opportunities, and "...convened a stakeholder workgroup to look at potential revisions to the current composting rules..."^{ix} Unfortunately, despite the agency's good faith efforts to achieve increased composting "...NHDES has not received applications for additional composting capacity to date"^x.

Undoubtedly, one of the reasons the NHDES has been handicapped in its efforts to pursue sound landfill diversion practices is due to general fund budget constraints. These constraints have been so severe that the NHDES has lost much of its ability to continue providing "...technical assistance, outreach and planning..." for waste reduction^{xi}.

Nevertheless, the Casella organization represents that it has such capability, and the current application provides the opportunity for the NHDES to encourage NCES to be more proactive in this area.

Despite "...decades of experience composting a variety of materials in a number of locations..."^{xii}, NCES has no food waste collection system at its Bethlehem Transfer Station or any comprehensive plan to divert food waste for the North Country communities which utilize its landfill. The Casella organization represents that it currently provides food waste

pick-up services for hundreds of businesses and institutions in the Northeast^{xiii}. It promotes its Hawk Ridge Compost Facility in Unity Maine as “always looking for more ‘stuff’ to add to our piles...”^{xiv}. These piles are not only turned into compost for soil amendment and plant growth, but are also used “...to prevent erosion, construct wetlands, to cover landfills, and remediate soils.”^{xv} The Casella organization notes that one of its “unique” soil amendment products, called Fertilimer, “...is so popular, we have a hard time keeping it around...”^{xvi}.

If NCES is “always looking for more” food waste to meet the growing demand for its “popular” composting products, it need look no further than the North Country. NCES should, at a minimum and without charge, be providing containers to the numerous schools, restaurants, food stores, and other businesses and organizations that produce food waste, and institute a collection system that will divert this food waste from landfilling. The reason that there should be no charge for such a service is because NCES will receive substantial benefits from tipping fees on the additional tonnage it will have available due to food waste diversion, as well as the potential sale of its composting products. To the extent that these benefits do not fully offset the costs of such a program, NCES can write off the difference to the additional good will it will receive from being a responsible community member.

NCES should consult with town representatives, transfer station operators, and regional organizations, such as the NCC, the Northeast Resource Recovery Association, and Pemi-Baker Solid Waste District^{xvii}, to establish such a program. The creation of regional pickup and transportation sites has also been recommended by the Joint Committee as a way to promote sound landfill diversion programs.

As a further incentive to maximize community participation, NCES may want to allocate a portion of the tonnage saved through food waste diversion to communities for free or discounted construction debris disposal for blighted properties, designated by each participating community. The Casella organization implemented such a program, in lieu of a fine, at its McKean, PA landfill.^{xviii}

B. NCES should assist its New Hampshire customers in pursuing landfill diversion programs, including encouraging out-of-state customers who utilize its Trudeau Road landfill to comply with the recycling laws and disposal bans of their own states.

The New Hampshire Joint Committee Report has noted that the state's setback in solid waste management and planning has likely contributed toward neighboring states exporting their solid waste to New Hampshire landfills (Report, P. 13). At the time the Report was issued, the existing 2018 data indicated that approximately 50% of the solid waste disposed of in the state's unrestricted landfills came from out-of-state (Report, P. 8)^{xix}. NCES, however, has recently represented that "...currently 79 percent of material it takes is from New Hampshire..."^{xx}. While our neighboring states have instituted certain disposal bans at their landfills, such as food waste, certain plastics, and construction and demolition debris, the Joint Committee noted that "(t)his makes New Hampshire's commercial landfills, with no such bans, a more attractive disposal option..." (Report, P. 13).

New Hampshire should not be a haven for those looking to avoid their own state solid waste management laws^{xxi}. Moreover, NCES should be providing assistance, on a proactive basis, to *all* of its customers who utilize its landfill on Trudeau Road, both within and outside of New Hampshire, to promote sound landfill diversion programs. It clearly has the ability and resources to provide such programs and consumer education.

The Joint Committee has noted the critical importance of consumer education in promoting recycling and other sound solid waste management practices, as well as breaking down the barriers created from inadequate information:

"Recycling's success depends on consumers. There is a great deal of consumer confusion and frustration as to what can be recycled, and how and where to do it." Report, P. 16.

The Joint Committee's then goes on specifically to identify "Casella" as an organization that provides consulting services for businesses (Report, p. 17). The Casella organization also purports to recognize that consumer education is a critical component to sound landfill diversion programs:

“Food waste diversion is new to many people, and successful programs must provide thoughtful education to drive awareness and behavior change.”^{xxii}

While the Casella organization should be commended for those consulting and landfill diversion services it currently provides, there is a lot more it could do through “thoughtful education” to address the consumer “confusion and frustration” noted by the Joint Committee.

For example, new landfilling contracts could require customers to file annually with NCES their recycling and landfill diversion programs. NCES could then comment on shortcomings in such programs, as well as offer constructive solutions and assistance in overcoming these shortcomings. It could have an outreach program for customers with existing contracts, and customers without formal contracts who have large volume disposal needs. NCES’s goal should be to promote New Hampshire’s hierarchy of sound waste management as much as reasonably and economically feasible, so as to preserve its landfill capacity for those items that cannot be otherwise diverted.

The entire Northeast has a landfill shortage problem, which may exacerbate the region’s already higher tipping fees. There is only one operating landfill in the entire state of Vermont – the Coventry landfill. Massachusetts has seen a steady closing of landfills, from more than 300 landfills in the 1980s to “...slightly more than a handful...” today^{xxiii}. The NHDES has noted that with the recent closures of the Chicopee and Southbridge landfills “...exports of waste from Massachusetts are expected to increase”^{xxiv}. Even prior to the closure of these landfills, Massachusetts was a substantial, net exporter of its solid waste^{xxv}

While Connecticut has been a leader in landfill waste diversion, it still exports hundreds of thousands of tons of solid waste each year^{xxvi}, and may be facing a retirement of its aging waste-to-energy plants in the near future. Although Connecticut’s solid waste exports are generally to states other than New Hampshire – as far away as Ohio – this still could put pressure on regional tipping fees.

The New Hampshire Joint Committee begins its Report by noting that New Hampshire’s solid waste management planning and education efforts “...have fallen far behind that of our

neighboring states and nationally...” and require “immediate attention” (Report, p. 1). Surely, the recommendations herein are modest and reasonable considering this urgent need, and are well within the ability and interests of NCES to pursue^{xxvii}

Thank you for coming to Bethlehem to hold a public hearing on the application, and for providing an internet forum and opportunity for interested parties to comment.

Very truly yours,

Barry Zitser

Email:  INV OF PRIVACY

i

Education: 1997: Master of Public Health degree, University of Connecticut Health Center Graduate School at Farmington, CT
Certified in 2008 by the National Board of Public Health Examiners, and recertified to the present date.

1973: J.D. degree, with honors, University of Connecticut School of Law, West Hartford, CT

1970: B.A. in Economics/International Development, cum laude
Clark University, Worcester, Mass.

Courts

Admitted: 1973: Connecticut State Courts.

1974: Connecticut District Court

1980: U.S. Supreme Court

1992: Court of Appeals for the Second Circuit

2014-2020: Appointed as an Attorney Trial Referee for the Judicial District of Hartford, CT

Employment: 1985-2015: Founder of Perakos & Zitser, P.C., and involved in the general

practice of law with the firm and its predecessor firm.

2002-Present: Adjunct Faculty Positions:

Adjunct Instructor in the Master of Public Health Program of the University of Connecticut Health Center Graduate School at Farmington, Connecticut

Visiting Assistant Professor in the Trinity College Public Policy Graduate Studies Program at Hartford, CT

1985-87: Corporation Counsel, Town of East Hartford. Involved in all aspects of municipal law.

1977-85: Consumer Counsel of the State of Connecticut. As head of this independent state agency, advocate for the interests of Connecticut utility consumers before state and federal agencies and courts.

1973-77: Assistant Corporation Counsel, City of Hartford. Assisted in a number of lawsuits concerning the problems affecting core cities. Drafted numerous ordinances, including affirmative action plans. Served as Vice President of the City's Alcohol and Drug Abuse Commission.

State Appointment: 1987-1995: Member of Connecticut Energy Advisory Board

Honor Society: Member Omicron Delta Epsilon (Economics) 1968

Social Interests: Devotes time to a number of social causes involving civil rights (e.g., LGBT, feminist, immigration issues), civil liberties, and health issues. Member of the Bethlehem, New Hampshire Transfer Station Committee, concerning solid waste and recycling options: 2017 to present.

Other Interests: Hiking, cross-country skiing, racquetball, and bridge. Donor of more than 200 units of blood and platelets.

ⁱⁱ The Connecticut Resources Recovery Authority is the predecessor agency of the current Connecticut Material Innovation and Recycling Authority.

iii Nothing herein should be construed as criticizing the NHDES's principled determination that the initial application did not meet the relevant public benefit requirement, without prejudice to a refiling that would meet such requirement.

iv This representation was contained in applicant's notice of the August 25th hearing in this application, which was handed out at the NCES Transfer Station on August 8th..

v The Contingency Plan of the Bethlehem Advisory Transfer Station Committee can be accessed [here](#)

vi Chapter 149-M:2.

vii The November 1, 2019 Report can be accessed at <http://www.gencourt.state.nh.us/statstudcomm/committees/1476/reports/2019%20Final%20Report.pdf>. The findings and conclusions of the Joint Committee Report appear to be entirely consistent with the findings and conclusions of the NHDES in its Biennial Solid Waste Report of October 2019, which can be accessed at <https://www.des.nh.gov/organization/commissioner/pip/publications/documents/r-wmd-19-02.pdf>.

viii The hierarchy is set forth in RSA 149-M:3.

ix See NHDES Biennial Solid Waste Report (October 2019), P. 13, which can be accessed at <https://www.des.nh.gov/organization/commissioner/pip/publications/documents/r-wmd-19-02.pdf>.

x Id.

xi Id., at P. 12. The undersigned supports substantial increased funding for the NHDES, and the Joint Committee Report similarly recommended such increased funding.

xii See <https://www.casella.com/services/composting>.

xiii See <https://www.casella.com/services/food-waste-collection>.

xiv See <https://www.casella.com/services/composting>.

xv Id.

xvi See <https://www.casella.com/products/earthlife-products/liming-agents/fertilimer-unity-maine>.

^{xvii} For example, one of the North Country's most respected experts on solid waste management, Mr. Brian Patnoe, is not only the operator of the Littleton Transfer Station, but also has affiliations with these regional organizations. He should be among the first persons consulted by NCES for advice on establishing a food waste diversion program.

^{xviii} See Deppen C. Casella settles McKean County landfill violations case. *The Bradford Era*. May 15, 2015. http://www.bradfordera.com/news/casella-settles-mckean-county-landfill-violations-case/article_328b4060-faa7-11e4-a590-4fa02c42fd28.html. Again, the undersigned is not suggesting that any condition be imposed, or punitive action be taken, to encourage any of the recommendations herein.

^{xix} This 50 percent figure is derived from all three unrestricted landfills in New Hampshire. However, the percentage of total waste accepted at the NCES landfill from out-of-state sources in 2018 was closer to one-third.

^{xx} This representation was on the NCES handout, referred to in endnote iv.

^{xxi} It is the undersigned's understanding that there are landfills that actually require users to have recycling programs as a condition of usage, although no such condition is proposed herein. The undersigned is also not suggesting the banning of out-of-state waste, or that there be any action which might be interpreted as violating the interstate commerce clause. The recommendations herein are intended to apply to, and benefit, both in-state and out-of-state customers, as well as furthering New Hampshire solid waste management policies and those of its neighboring states.

^{xxii} See <https://www.casella.com/services/food-waste-collection>.

^{xxiii} <http://www.telegram.com/news/20161022/as-states-landfills-shut-down-disposal-dilemma-mounts>

^{xxiv} See NHDES Biennial Solid Waste Report, P. 10, referenced in endnote ix.

^{xxv} See MassDEP. 2017 Solid Waste Data Update. Published 12/12/2018, which can be accessed at <https://www.mass.gov/files/documents/2018/12/11/17swdata.pdf>. In 2017, Massachusetts was a net exporter of 1,230,000 tons of solid waste.

^{xxvi} See <https://www.courant.com/news/connecticut/hc-news-ct-outofstate-trash-disposal-20191228-hprk52k2hjbzlj7xz2lztug74q-story.html>.

^{xxvii} The undersigned has seen the good, bad, and the ugly in the solid waste industry. It is my perception that the Casella organization has the professional competence and resources to operate an efficient, safe, and lawful landfill. I have visited the NCES landfill on a number of occasions, along with a former Connecticut official who has substantial expertise with solid waste management and landfills. The Casella organization appears to be making a good faith effort to pursue sound landfill practices. If this observation is erroneous, I have confidence that our judicial and regulatory systems can address any deficiencies.

From: [Peter Roy](#)
To: [DES: SWpublic.comment](#)
Subject: comment Application for expansion at NCES landfill Trudeau Rd
Date: Tuesday, August 11, 2020 7:28:07 PM

EXTERNAL: Do not open attachments or click on links unless you recognize and trust the sender.

Dear Sirs/Ms,

I think NH DES should allow the expansion of the Trudeau Rd landfill for a few reasons:

There is, in fact, a need for proper trash disposal. Although it has been said that there is enough capacity in existing landfills in NH for years. We should consider the fact that we create more trash all the time. There are more disposable products sold today than ever before. The sheer volume was unimaginable only a few years ago. Just some examples, a few years ago egg cartons only came in biodegradable cardboard. Now more companies are selling eggs in plastic non-biodegradable cartons. There are multiple aisles of disposable, single use, containers and cooking ware in every supermarket, department store, and convenience stores. There are multiple products of holiday decorations, accessories, and you name it, all single use.

The days of a lifetime of use of furniture are long gone. Couches, mattresses, bedroom sets, tables, and chairs can today be considered consumables because they wear out in about 5 to 10 years. Also the ever inventive advertising market convinces people that they need the latest item of furniture, electronics, household appliances, cars, car accessories, etc. The list of future items of trash goes on and on. The creation of any future landfills will have increasing resistance.

The pandemic has affected everything in our lives. Also, causing much more trash as most P.P.E. is single use! The economy is destined to rebound as it always has rebounded. A booming economy means MORE TRASH! The pandemic will end at some point. History has shown that people will want more stuff. When they want to get rid of old stuff and there's no legal place to put it, WHERE WILL IT GO?

It has been said that only about 2/3rds of the trash going into Trudeau Rd landfill comes from New Hampshire. This should not be a factor in your decision. Government does not tell department stores, car dealers, appliance stores, or any company where they can sell their products or services?

The record of NCES, despite what some people think, is exemplary. They are leaders in the industry. Also, despite what some out of state organizations and out of town people may suggest, the water quality of the Ammonoosuc River is still better than some other water bodies in the area.

This is only a 5.7 acre minor expansion within Bethlehem's landfill district.

It's very hard to defend landfills. Trash is nasty, dirty, and stinky. This is why some people do

not try to support landfills. We all wish there wasn't so much trash. This board knows that all persons in opposition or in support of this minor expansion are good, kind, and caring people. However, you should realize that some people labor under the impression that we can make trash go away by having no place to put it. It is a fantasy. It can be noted that, to some people, fantasy is more interesting than rational thought.

I suggest that this board of rational thinking people can come up with a sound decision.

Please acknowledge that you received my statement.

Peter Roy



INV OF PRIVACY

From: [Jade Monahan](#)
To: [DES: SWpublic.comment](#); [Wimsatt, Mike](#); [Colby, Jaime](#); [Hoyt-Denison, Pamela](#)
Subject: Fw: Please Write To NH DES
Date: Wednesday, August 19, 2020 7:44:15 AM
Attachments: [Casella Fines-Violations.pdf.pdf](#)
[Sludge July 2017 Fac Rep.png](#)
[Sludge Bethlehem Ordinance.png](#)

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To: NH Department of Environmental Services:

I write as a Franconia resident with young children. I'm also a fifth generation property owner in Twin Mountain (Carroll) and we own property in Bethlehem and Littleton. My husband and I both grew up in Littleton and have frequented Forest Lake our entire lives.

I urge you to deny the Stage VI expansion permit for the NCES landfill for the following reasons:

1. Your February 12, 2020 "Application Review Summary" cites numerous instances where the application for Type I-A Permit Modification and Waiver of Certain Design Requirements "does not satisfy requirement". Page 12 notes the absence of a drainage geocomposite or composite liner in a portion of Stage I with no leak detection and location system, which rules seem to indicate is required. Has this second application satisfied this requirement? If not, then the permit must be denied.
2. As the Conservation Law Foundation stated quite clearly in its December 20, 2019 comments on the Stage VI permit for expansion, an approval by your department would only serve to undermine waste reduction efforts across New England by the "perpetuation of a model premised primarily on disposal (contrary to the state's clear preference to move away from such a model)" and New Hampshire would continue to remain "trapped in a cycle of continuously expanding solid waste disposal capacity".
3. Furthermore, in light of the November, 2019 Legislative Report of the Committee to Study Recycling Streams and Solid Waste Management in New Hampshire, expansion would provide disposal capacity for a substantial and likely increasing volume and percentage of out-of-state waste, which is of no public benefit to the State of New Hampshire and its communities. By applying the criteria required by RSA 149-M:11, as your department did in March, 2020, the proposed expansion will not provide a substantial public benefit and thus, should be denied.
4. This latest permit application for the Stage VI expansion pushes operational capacity out to 2026 in order to overlap AVRDD/Mt. Carberry by 1 year. (Carberry's Phase IIIA permit would push their permitted life out to 2041, btw). We urge NH DES to recognize this as a ploy by NCES to once again, circumvent the permitting rules by reducing current intake to "token" levels in order to achieve that timeline. Furthermore, latest capacity calculations seem to indicate the landfill is either currently over capacity or will run out in the next 2 months. Thus, NCES will not be able to hit its target date of 2026 and thus, will still fail to satisfy the

public benefit requirement of RSA 149-M.

5. NH DES has now sent 2 letters to NCES questioning the capacity limit and operating timeline of Stage V. Data seems to confirm that NCES is either over capacity as of June, 2020 or within the next 2 months, and thus, in violation of its Stage V operating permit. How can a Stage VI permit be issued in light of this?

6. I would urge NH DES to consider the long and extensive list of lawsuits, violations, and fines attributed to this permittee relative to its operations in numerous states. (see attached pdf)

7. The last site visit by NH DES cited NCES for operational deficiencies relative to ground cover. Has NH DES been back for a follow-up site visit since? I am also concerned about what would appear to be upward trending relative to elevated levels of PFAS and 1,4-Dioxane detected in monitoring wells at the NCES facility. Is six more years of additional waste going to add to this obvious problem?

8. There is a current lawsuit in federal court against this landfill operation due to the illegal discharge of pollutants into the Ammonoosuc River in violation of the Clean Water Act. Is this a concern to NH DES and will you take this into consideration in your decision?

9. Permitting this landfill operation out to 2026 means more years of leachate production and more years of nearly 8 million gallons of PFAS and 1,4-Dioxane-laden landfill leachate being trucked yearly to the Franklin and Concord WWTPs. I have learned that neither of those facilities can treat for removal of PFAS, with the effluent winding up in the Merrimack River or being land applied as sludge/biosolids. This is a disturbing and alarming practice, with potential future liability issues, of which I would urge NH DES to take this into consideration in your decision as well as for allowing this practice to continue without address.

10. By seeking to expand landfill operations into property in the Town of Dalton, which will require the use of land for access outside of District V, NCES is in violation of the 2018 Memorandum of Understanding, the 2011 Settlement Agreement, and the zoning ordinance of the Town of Bethlehem. NCES stated that they have "town approval" in their permit application, but that is based on NCES honoring its agreements, which it isn't. I hope this will be taken into consideration.

11. The residents of the Town of Bethlehem have voted against expansion of the NCES landfill 12 times. This should serve as proof to NH DES that the residents are opposed to expansion of this landfill and I urge your department to take that into consideration and DENY the permit for Stage VI expansion.

12. It has been learned that the NCES landfill has been accepting "sludge" from out of state origins including Rhode Island and Massachusetts (1110.65 tons combined in July, 2020 alone). This is in direct violation of the zoning ordinance of the Town of Bethlehem. How can a permit be issued when in fact, this company is in violation of the local zoning ordinance?

From the Town of Bethlehem Zoning Ordinance:

Article VII Sludge

"To protect public health and welfare, and to protect surface and ground water resources, the

land spreading, stockpiling, processing, mixing and/or any other treatment of municipal sewage sludge ("Biosolids") and industrial paper mill sludge is not allowed in the Town of Bethlehem.

This article shall not apply to sewage/septage/sludge generated within the Town of Bethlehem, nor shall it apply to Class A sludge-derived products sold by the bag. (Amended 3/03)"

<http://bethlehemnh.org/wp-content/uploads/2011-ordinanceupdate2018a.pdf>

Please, deny this permit and do the right thing, call on Casella Waste Systems to finally close this blight on this long-suffering community and the North Country once and for all. I would ask NH DES to take into consideration its own mission statement when rendering a decision on this unwanted, and unneeded, landfill expansion.

“The mission of the New Hampshire Department of Environmental Services is to help sustain a high quality of life for all citizens by protecting and restoring the environment and public health in New Hampshire.”

Regards,

Jade Monahan

Date	Location	Info	Source	Source II
May-1994	Maine	Maine Energy filed a suit against United Steel Structures, Inc. to recover costs to replace the roof and walls of the Maine Energy tipping and processing building., \$800k settlement	https://ir.casella.com/static-files/b0a0949e-6f13-4401-8e6b-df2c2701b851	
Jul-1994	Newbury, VT	Casella pays \$68,500 in fines to settle claims against it by Vermont's Department of Environmental Conservation alleging, among other things, Casella operated a transfer station without a permit, failed to store sludge properly at the facility, and failed to close and cap its Newbury landfill, leaking toxic chemicals into the Wells River.	https://concernedcitizens.homestead.com/Casella.html	http://nibrantfill.freesevers.com/1207NH.html
August, 1997	Bethlehem, NH	New Hampshire Department of Environmental Services notifies Casella subsidiary North County Environmental Services Landfill that the landfill has violated reporting regulations by failing to report within the required 10-day period the presence of lead and chromium in three detention ponds, and the presence of volatile organic contaminants in landfill monitoring wells and the ponds; and that failure to submit an application to renew its permit, requiring a five-year review of water quality conditions, is "permit violation." (DES letter on file)	https://concernedcitizens.homestead.com/Casella.html	
Oct-1997	Vermont	Matthew Freidman filed civil suit for services, settled for \$350k/25k stock	https://ir.casella.com/node/10511/html	
May-1998	Angelica, NY	Hyland Landfill files suit vs Town of Angelica over permit modification	https://ir.casella.com/static-files/b0a0949e-6f13-4401-8e6b-df2c2701b851	
Sep-1998	Angelica, NY	Town of Angelica files an appeal of July injunction over zoning regulations	https://ir.casella.com/static-files/b0a0949e-6f13-4401-8e6b-df2c2701b851	
Oct-1998	Bethlehem, NH	Town of Bethlehem filed a petition for injunctive and declaratory relief against NCES. The Town's petition sought to enjoin NCES's construction of Stage II, Phase II of the landfill and to prevent any further expansion as violative of the above-noted Town zoning ordinance.	https://ir.casella.com/node/10191/html	
Oct-1998	Bethlehem, NH	NCES files suit against the Town of Bethlehem zoning ordinance is illegal and the 50 cents/ton paid to the town is an illegal exaction.	http://eannh.org/history-timeline.html	https://ir.casella.com/node/10191/html
Nov-1998	Bethlehem, NH	Town of Bethlehem filed two counterclaims seeking to establish the lawfulness of the financial exactions challenged by NCES's October 16, 1998 petition	https://ir.casella.com/node/10191/html	
Mar-1999	Bethlehem, NH	NH Environmental Action for Northern New Hampshire, Inc. ("EANNH") sought to intervene before the superior court to introduce evidence which it claimed showed that there were size limitations on the landfill implicit in the land-use approvals obtained by NCES's predecessors in 1976 and 1986. Denied and appealed.	https://ir.casella.com/node/10191/html	
Apr-1999	New York	NY Dept of Labor files suit relative to prevailing wages not being paid while working on Clinton County Landfill	https://ir.casella.com/static-files/9b0878fb-ca06-4d7c-9249-f1c3d42075fa	
Apr-1999	New Jersey	William F Kaiser brings suit for breach of contract/wrongful termination,, settlement reached for \$295,000	https://ir.casella.com/node/10511/html	
Apr-1999	Bethlehem, NH	Town of Bethlehem filed a notice of appeal with the New Hampshire Supreme Court seeking review of the superior court's order.	https://ir.casella.com/node/10191/html	
Apr-1999	New Jersey	Salvatore Russo files suit over misrepresentation of KTI, material misrepresentations, SEC violations, settled for \$925,000	https://ir.casella.com/node/10511/html	
Apr-1999	Bethlehem, NH	NCES filed a notice of cross-appeal	https://ir.casella.com/node/10191/html	
May-1999	New Jersey	Melanie Miller files suit over misrepresentation of KTI, material misrepresentations, SEC violations, settled for \$925,000	https://ir.casella.com/node/10511/html	
Jul-1999	Rome, NY	Woodstock '99, LLC file suit seeking 2,000,000 in damages for breach of two service contracts entered into by the Company for the servicing of portable chemical toilets during the Woodstock Concert held in Rome, N.Y.	https://ir.casella.com/static-files/b0a0949e-6f13-4401-8e6b-df2c2701b851	
Sep-1999	Maine	Maine AG issues consent decree relative to purchase of KTI and anti-competitive practices	https://archive.bangordailynews.com/1999/10/02/sawyer-perc-owners-agree-to-merger-conditions/	
Oct-1999	CT	Kyle Trayner filed an action in Putnam Superior Court in Connecticut against K-C International seeking approximately \$400,000 allegedly due for compensation under an employment, settlement reached in July 2000 for \$100,000	https://ir.casella.com/static-files/b0a0949e-6f13-4401-8e6b-df2c2701b851	
Dec-1999	Rutland, VT	EarthWaste Systems suit, breach of contract, \$1 million settlement	https://ir.casella.com/static-files/b0a0949e-6f13-4401-8e6b-df2c2701b851	
Jan-2000	Saco, ME	City of Saco ME files notice of claims, citing breach of contract, breach of fiduciary duties, and fraud vs Casella and subsidiary Maine Energy, settlement reached	https://ir.casella.com/static-files/b0a0949e-6f13-4401-8e6b-df2c2701b851	https://ir.casella.com/node/10511/html
Jan-2000	Bangor, ME	Energy Nationa, Inc. files suit vs Casella (as PERC partner) over disposal prices and liability in Jan 7 suit	https://archive.bangordailynews.com/2000/01/29/perc-co-owners-suit-echoes-complaints-in-towns-claim/	
Mar-2000	New Jersey	Class action suit brought forth relative to misrepresentations about KTI's financials	https://ir.casella.com/static-files/b0a0949e-6f13-4401-8e6b-df2c2701b851	
May-2000	Bethlehem, NH	NCES is assessed fines of \$134,500 by DES for violations of the NH Hazardous Waste Rules relating to the treatment and transport of their leachate.	http://eannh.org/history-timeline.html	
Jun-2000	New Hampshire	Environmental activists files appeal to NH Waste Council over permit modification request, over environmental impacts, company seeks dismissal	https://ir.casella.com/static-files/b0a0949e-6f13-4401-8e6b-df2c2701b851	https://ir.casella.com/node/10511/html
Aug-2000	Illinois	EPA issued violation notice against subsidiary New Heights Recovery and Power, citing non-compliance with construction permit related to air emissions	https://www.annualreports.com/HostedData/AnnualReportArchive/c/NASDAQ_CWST_2004.pdf?fbclid=IwAR3R47RPM4aTjk9oLO82XY3McGuPXtQOC_2IcBqpiG_oAFDjKLCIOtjTU	

Oct-2000	Hampden, ME	Casella wins summary judgment in suit filed against Town of Hampden, ME, ultimately winning right to expand	https://bangordailynews.com/2010/04/16/news/bangor/hampden-prepares-for-trash-facilities-transition/?fbclid=IwAR2OAYx0o42O_Kj-D7uc_Lxr1aeSS4RsvqBcHivC-ZLu2uwTKVLBrdH-VM
Dec-2000	New York	New York's Department of Environmental Conservation ordered Casella and two subsidiaries to repay \$90,000 to customers who had contracted for but not received recycling services	http://nobrantfill.freesevers.com/1207NH.html
Dec-2000	Potsdam, NY	NYSDEC issues consent order for a remedial investigation/feasibility study regarding PCB contamination	
Dec-2000	New Jersey	Frank Devlin files suit against Casella and subsidiaries, for breach of contract, \$700,000 settlement	https://ir.casella.com/node/10511/html
Jun-2001	New York	Daniel and Douglas Clark file suit vs Casella and Corning Community Disposal Service, Inc., alleging that the Company breached the agreement by failing to timely register the shares of stock for sale	https://ir.casella.com/node/10511/html
Jul-2001	Erie County, NY	Toxic tort lawsuit filed by residents involving Schultz Landfill involving personal injury, property damage, and nuisance conditions	https://buffalonews.com/news/cheekto-waga-toxic-suit-seeks-400-million/article_3725bd61-456f-5d18-a74a-a7754abf05b0.html?fbclid=IwAR20tM8PYL-RA6HQ0CZiqX-U1mp2zW6u6YBvl81CqgxeIPxli6rTh_JL2GI
Sep-2001	Bethlehem, NH	Casella files for declaratory relief vs Town of Bethlehem	
Nov-2001	Saco, ME	Saco, Maine, sued Casella's subsidiary, Maine Energy Recovery Co., for exceeding limits in its contract for truck traffic, the amount of trash received, and for problems with odor.	Southbridge Evening News 16-Oct-03
Nov-2001	Massachusetts	New England Waste Services served with a complaint relative to sludge used as landfill cover by 15 citizens	https://ir.casella.com/static-files/9b0878fb-ca06-4d7c-9249-f1c3d42075fa
Dec-2001	Bethlehem, NH	Town of Bethlehem files answer, asserting counter claims seeking site plan review over Stage III and methane/leachate handling facility	https://ir.casella.com/static-files/9b0878fb-ca06-4d7c-9249-f1c3d42075fa
Dec-2001	Bethlehem, NH	NCES sued over claim of non-payment of non-compete tip fees by Nancy Hager, \$479,880 settlement	
Jan-2002	Wellsboro, PA	Transfer Station (112 violations and 3 previous fines since 1997)	
Jan-2002	Biddeford, ME	City of Biddeford, ME files suit for breach of waste-handling agreement	
Jun-2002	Whitehall, NY	Robert Hathaway killed in crash with Casella contractor hauling leachate (\$1 million settlement, see 2010 suit)	https://law.justia.com/cases/vermont/supreme-court/2010/op2008-442.html
Jun-2002	Vermont	Assurance of discontinuance executed in accordance with the Vermont Attorney General's Office over anti-competitive contracts	https://ir.casella.com/static-files/9b0878fb-ca06-4d7c-9249-f1c3d42075fa
Jun-2002	Vermont	Complaint filed by Cheryl Coletti alleging breach by Casella of Noncompete Agreement	https://ir.casella.com/static-files/9b0878fb-ca06-4d7c-9249-f1c3d42075fa
Oct-2002	Biddeford, ME	City of Biddeford, ME filed a Land Use Citation and Complaint to DEP in that emissions of volatile organic compounds ("VOCs") from the odor control system exceeded DEP air license limits	
May-2003	Bethlehem, NH	NCES files appeal to Grafton Superior Court ruling in favor of Town of Bethlehem relative to Dec 4, 2001 answer/Sept 12, 2001 suit	
Sep-2003	Delaware	Suit filed by landlord relative to subsidiary Manner Resins and breach of lease agreement	
Dec-2003	Biddeford, ME	City of Biddeford sued Maine Energy in federal court under federal and state law alleging emission of VOCs without appropriate permits or appropriate control technology and is a public nuisance. The complaint sought an unspecified amount of civil penalties, damages, injunctive relief and attorney's fees. May 25, 2004, complaint dismissed without prejudice with settlement negotiations.	
April, 2004	Illinois	Illinois EPA files violation notice, against subsidiary New Heights Recovery and Power for tire shredding storage	http://www.annualreports.com/HostedData/AnnualReportArchive/c/NASDAQ_CWST_2004.pdf?fbclid=IwAR3XXjRRVIF-E4LmV7gVDY3hICP5TwgDvdgGmiZOp9JpBOSVdbPUu5c3vT0
May-2004	New York	NY Dept of Labor issues order finding relative to prevailing wages not being paid suit of April 1999	
January-5/6/2004	Southbridge, MA	Settlement reached with MA DEP and AGO relative to purchase of Wood Recycling (renamed SRDP), over prior violations, \$975,000	http://www.southbridgeeveningnews.com/Articles-c-2010-01-09-150334.113119_DEP_holding_400K_for_town.html?fbclid=IwAR1HGVOvgb_r6jiniECerqFibbJtqZ40f1o89MRwAJPCOPaWGDErv1AEwhw
Mar-2005	Hardwick, MA	MA DEP fines Casella \$18,000 plus \$1000/day if Patril Hollow Road waste site issues are not corrected.	
Mar-2005	Wellsboro, PA	Transfer Station Permit Revoked following criminal investigation into site management and record keeping	
May-2005	Maine	Maine AG serves CWS with an anti-trust summons relative to its operations with the City of Lewiston and investigation into restraint of trade or commerce practices	
Jul-2005	Bethlehem, NH	NCES Landfill notified by NH AG of an investigation into the illegal dumping of asbestos from 1999-2002 from Mountain View Grand renovation	https://ir.casella.com/static-files/8f7e8eb3-313a-4f72-8910-f44b5a97dcf4
Jul-2005	Maine	DEP	

Aug-2005	Southbridge, MA	OSHA cited Casella Waste Systems Inc. for 17 alleged serious violations of safety and health standards at the recycling center after the death of Catarino Urizar, \$12,800 .	
Oct-2005	Hardwick, MA	Casella sues Town of Hardwick ZBA and 10 individual citizens over zoning decision (3rd such suit in 15 months per news reports)	
Mar-2006	Wellsboro, PA	Transfer station pays \$50,000 fines to PA AG following investigation	
Jul-2006	Wellsboro, PA	Transfer Station \$400,000 fine by PA DEP	
Apr-2007	Vermont	Former Casella employee files suit against current employee and Casella's insurer over workplace injuries	https://ir.casella.com/static-files/8f7e8eb3-313a-4f72-8910-f44b5a97dcf4
Nov-2007	Bethlehem, NH	NCES Landfill, NH AG issues consent decree relative to violations for the illegal dumping of asbestos waste from 1999-2002 from the Mountain View Grand Hotel with a fine of \$100,000 paid to the state and an environmental education foundation	https://img1.wsimg.com/blobby/go/3a99e672-2796-498c-8250-9aae47365deb/downloads/Asbestos%20Suit%202007%20NCES.pdf?ver=1591455259207&fbclid=IwAR2t63jvRPvti4m2UZ2XTwEp3BEoZtcAg3DpcP92lvJtFI283tzWmvSPQ
May-2008		Stephen Pooler files injury suit vs CWS over injury by mechanical arm sustained while assisting All Cycle Waste route driver with cardboard pickup	https://caselaw.findlaw.com/vt-supreme-court/1607468.html?fbclid=IwAR3sgN7Fc19vqnLgCHdRii2dH-IIONi5EtNUIUX9AppjW3z73TbbnEGEr90
Jul-2008	Biddeford, ME	Clean Air Act violation, \$38,700	
Jul-2008	Sturbridge, MA	28 10-citizen groups file complain appealing 2008 Site Assignment for Southbridge Landfill (Dec 11, 2009 appeal filed v dismissal)	https://casetext.com/case/town-of-sturbridge-bd-hlth-v-leary
Aug-2008	Saco, ME	Former Saco Mayor Mark Johnson files suit vs Casella's MERC over odor nuisance	https://archive.bangordailynews.com/2008/08/28/former-saco-mayor-sues-over-merc-odors/
Feb-2009	Bethlehem, NH	Town of Bethlehem zoning enforcement action initiated vs NCES	
Dec-2009	Southbridge, MA	Casella fined \$34,314 for environmental violations by MASS DEP	http://www.theheartofmassachusetts.com/Articles-c-2009-12-14-150152.113119-Casella-fined-for-landfill-violations.html?fbclid=IwAR0RC48FL4hTcAoroMUWR4DhupamN3riuRLi9xGMwYj_m27DxDu_R5fUgQ
Sep-2010	Biddeford, ME	Casella sues City of Biddeford, ME over zoning law changes	http://www.keepmecurrent.com/sun_chronicle/news/article_a8470d48-bc45-11df-a44e-001cc4c002e0.html?fbclid=IwAR1yMF9G3vmlaR5iWanQdi373eu17c1EHzanI8ymaNTrT8GQstM8Dc5RqjM
Sep-2010	Angelica, NY	Numerous motions and appeals filed relative to a permit modification for the Hyland Landfill	http://www.dec.ny.gov/hearings/76112.html
Dec, 2010	Vermont	Casella sued by estate of Robert Hathaway, who was killed by a driver working for Casella hauling liquid waste (June 2002 accident)	https://www.vermontjudiciary.org/sites/default/files/documents/2008-442.pdf
Apr-2011	Vermont	Vermont State Attorney General fines Casella \$4.8 Million, reduced to \$1 million for anti-competitive practices	https://vtdigger.org/2011/08/13/casella-to-pay-1m-penalty-for-anti-competitive-contracts-with-consumers/?fbclid=IwAR2DT8HmcPne696SSPabbsfbsvGEPWXX5SSPNqSfWZCD939uW9Mofnllw
May-2011	Seneca, NY	Town of Seneca files lawsuit alleging various causes of action arising from the OMLA and the Host Agreement	https://www.townofseneca.com/uploads/1/8/4/9/18490564/2011-08-17_execution-ready_settlement.pdf?fbclid=IwAR1KN4Z4_WaRkiKGC0097K5NoMI7pzYbyALdLdBcixLkRO2nCaOfj66dmU
May-2011	Maine	Penobscot Energy Recovery Corporation alleges Pine Tree Waste, Inc., our subsidiary, failed since 2001 to honor a "put-or-pay" waste disposal arrangement, submits to arbitration	https://ir.casella.com/static-files/fcba2a32-1a44-402d-9788-fe1420f65009
Jan-2014	Southbridge, MA	MA DEP and AG cite for August violations of Wetlands Protection, Clean Air and Solid Waste Acts, \$200,000 fine in December	https://www.wbjournal.com/article/southbridge-landfill-to-pay-200000-civil-penalty?fbclid=IwAR2nx35DD4D8leN-Ec1VbMU_tT3jM-59Bpj6EMJyPdFfRXF6RPHGxplwzS
May-2014	Southbridge, MA	MA DEP issues UAO Unilateral Administrative Order relative to wetlands impact from stockpiled earth	https://casetext.com/case/toxics-action-ctr-inc-v-casella-waste-sys-inc
Jul-2014	New York	New York State Attorney General announces \$100,000 settlement over anti-competitive contract practices	https://ag.ny.gov/press-release/2014/ag-schneiderman-announces-settlement-protecting-competition-waste-hauling?fbclid=IwAR2PSqYvylLfh9L8NR-vYxvUtlqcAW9I9oVGj3t31adPo9GjxGVY_QiZAc
Jul-2014	Clinton County, NY	77 year old truck driver dies from injuries while delivering topsoil at Clinton County landfill	https://www.pressrepublican.com/news/local_news/man-dies-after-buried-by-dirt-in-clinton-county-landfill/article_fba78985-b5fb-5499-968f-d76440457af2.html
Sep-2014	Ontario County, NY	Trucker Kenneth Andrews is run over by a bulldozer, loses leg, numerous violations of safety rules and state regulations cited	https://www.mpnnow.com/article/20160503/NEWS/160509864?fbclid=IwAR0ZG2nTU5_fyHLRqbskhtqwn_xTrngw1hfy9nZQpOIVg7w0oA5eiVgibA
Dec-2014	Southbridge, MA	Landfill fined \$200,000 by MA DEP and AG over violations of WPCASWA from Aug, 2013 incident involving stored earth and wetlands	https://www.wbjournal.com/article/southbridge-landfill-to-pay-200000-civil-penalty
Apr-2016	Ontario County, NY	2 truck accident with injuries/hospitalizations at the landfill reported, change in traffic pattern enacted as a result	https://www.mpnnow.com/article/20160503/NEWS/160509864?fbclid=IwAR0s05oFFAHObb3xYX0GIlvzedRPEqJLhUEgxeiz1trcoL93bEUwyXLv2RU

May, 2016	Ontario County, NY	Complaint filed seeking damages relative to Sept 2014 workplace accident where Kenneth Andrews lost a leg when a bulldozer ran over him	https://www.mpnnow.com/article/20160503/NEWS/160509864
Dec, 2016	Southbridge, MA	MassDEP and SRDP entered into an Administrative Consent Order with Penalty ("December 2016 ACOP") for	https://casetext.com/case/toxics-action-ctr-inc-v-casella-waste-sys-inc
Feb, 2017	Southbridge, MA	SDRP fined more than \$24k by MA DEP for solid waste, wetlands, and air pollution control regulations	https://www.telegram.com/news/20170219/casella-landfill-in-southbridge-fined-24k-for-violations
May, 2017	Southbridge, MA	SRDP entered into a binding commitment with MassDEP, set forth in an Administrative Consent Order ("2017 Consent Order"), to fund \$5 million towards a \$10 million waterline to service homes in the vicinity of the Landfill with a municipal water supply.	https://casetext.com/case/toxics-action-ctr-inc-v-casella-waste-sys-inc
Jun-2017	Southbridge, MA	Environmental groups sue over groundwater contamination	https://www.telegram.com/news/20170609/environmental-groups-sue-casella-waste-in-southbridge
Nov-2017	Hakes Landfill	Hakes Landfill, Sierra Club and CCAC file suit -radioactive fracking waste	
May-2018	Bethlehem, NH	Environmental groups sue over contamination of the Ammonoosuc River and in violation of the federal Clean Water Act	
Jun-2018	Bethlehem, NH	The Town of Bethlehem, seeking declaratory relief with respect to some of the terms of the the "2011 Settle Nov 9, 2018 MOU	
Aug-2018	Ontario County, NY	Barbara Amidon was killed from a rock that pierced the windshield of a car she was riding in due to truck w	https://www.mpnnow.com/news/20180912/ontario-county-landfill-tackles-runoff-addresses-safety
Aug-2018	Ontario County, NY	Landfill cited for permit violations relative to storm runoff by NY DEC	
Sep-2018	Southbridge, MA	Environmental groups and 99 plaintiffs file suit vs Casella and SDRP for discharging pollutants to waters in violation of Sections 301 and 402 of the Federal CWA	https://casetext.com/case/toxics-action-ctr-inc-v-casella-waste-sys-inc
Oct-2018	Southbridge, MA	Southbridge Landfill ordered to control odor or be fined by MASS DEP	
Oct-2018	Southbridge, MA	\$85,323 fine for violations of solid waste and air pollution control regulations	
Nov-2018	Southbridge, MA	Suit filed against SRDP by town settled relative to continuance of waste collection (timeline reduced from 2027 to 2024)	
Apr-2019	Hakes Landfill	Suit filed over concerns about radioactive fracking waste	
Jun-2019	Southbridge, MA	Southbridge Recycling & Disposal Park \$136,500 fine by MASS DEP for violations of various DEP solid waste management regulations	
Sep-2019	Ontario County, NY	Richard Vandemortel and Deb Vandemortel plus over 1000 plaintiffs file class action lawsuit over odor and diminished property values due to the operations of the Ontario County Landfill, operated by Casella Waste Systems	
Oct-2019	Bethlehem, NH	NCES notified by NH DES of an exceedance of 1,4-Dioxane and elevated levels of PFAS at test wells	
Oct-2019	Bethlehem, NH	NCES Landfill cited for inadequate daily cover	
Jan-2020	Ontario County, NY	Ontario County Landfill, NY violation issued by NY DEC for excessive hydrogen sulfide emissions (41 violations)	https://waterfrontonline.blog/2020/06/19/feeling-pressure-from-several-sides-casella-ramps-up-efforts-to-suppress-foul-odors-at-ontario-county-landfill/
Apr-2020	Ontario County, NY	2nd violation issued by NY DEC for excessive hydrogen sulfide emissions (48 violations)	https://waterfrontonline.blog/2020/06/19/feeling-pressure-from-several-sides-casella-ramps-up-efforts-to-suppress-foul-odors-at-ontario-county-landfill/
Apr-2020	Dalton, NH	Casella files defamation suit against 21 individual defendants (1 named, 20 DOE) and the Forest Lake Association for defamation in opposition to proposed landfill development in Dalton, NH next to Forest Lake State Park	https://www.SaveForestLake.com under files section for all docs
Jun-2020	Saranac Lake, NY	Biker Josh Collins killed in collision with Casella garbage truck, fault TBD	https://www.adirondackdailyenterprise.com/news/local-news/2020/06/local-man-dies-in-collision-with-truck/

NORTH COUNTRY ENVIRONMENTAL SERVICES INC

Origin/Material Report

Transactions from 07/01/2020 through 07/31/2020

Inbound Tickets Only

Third Party and Intercompany Customers

Recycle and Disposal Material

Material Summary

	Cubic Yards	Tons
MA - MASSACHUSETTS		
CONSTRUCTION DEBRIS	0.00	252.31
GRIT AND SCREENINGS	0.00	288.51
SLUDGE	0.00	1,088.57

Article VII Sludge

To protect public health and welfare, and to protect surface and ground water resources, the land spreading, stockpiling, processing, mixing and/or any other treatment of municipal sewage sludge ("Biosolids") and industrial paper mill sludge is not allowed in the Town of Bethlehem.

This article shall not apply to sewage/septage/sludge generated within the Town of Bethlehem, nor shall it apply to Class A sludge-derived products sold by the bag. (Amended 3/03)

From: [Gabriella Horvath](#)
To: [DES: SWpublic.comment](#)
Subject: Stage VI Expansion NCES Landfill
Date: Wednesday, August 19, 2020 8:48:16 AM

EXTERNAL: Do not open attachments or click on links unless you recognize and trust the sender.

To: NH Department of Environmental Services:

I am a landowner in Bethlehem NH and have an interest in ending the NCES landfill. Please consider the following and deny the permit.

Thank you,

Gabriella Horvath - INV OF PRIVACY

I urge you to deny the Stage VI expansion permit for the NCES landfill for the following reasons:

1. Your February 12, 2020 “Application Review Summary” cites numerous instances where the application for Type I-A Permit Modification and Waiver of Certain Design Requirements “does not satisfy requirement”. Page 12 notes the absence of a drainage geocomposite or composite liner in a portion of Stage I with no leak detection and location system, which rules seem to indicate is required. Has this second application satisfied this requirement? If not, then the permit must be denied.
2. As the Conservation Law Foundation stated quite clearly in its December 20, 2019 comments on the Stage VI permit for expansion, an approval by your department would only serve to undermine waste reduction efforts across New England by the “perpetuation of a model premised primarily on disposal (contrary to the state’s clear preference to move away from such a model)” and New Hampshire would continue to remain “trapped in a cycle of continuously expanding solid waste disposal capacity”.
3. Furthermore, in light of the November, 2019 Legislative Report of the Committee to Study Recycling Streams and Solid Waste Management in New Hampshire, expansion would provide disposal capacity for a substantial and likely increasing volume and percentage of out-of-state waste, which is of no public benefit to the State of New Hampshire and its communities. By applying the criteria required by RSA 149-M:11, as your department did in March, 2020, the proposed expansion will not provide a substantial public benefit and thus, should be denied.
4. This latest permit application for the Stage VI expansion pushes operational capacity out to 2026 in order to overlap AVRDD/Mt. Carberry by 1 year. (Carberry’s Phase IIIA permit would push their permitted life out to 2041, btw). We urge NH DES to recognize this as a ploy by NCES to once again, circumvent the permitting rules by reducing current intake to “token” levels in order to achieve that timeline. Furthermore, latest capacity calculations seem to indicate the landfill is either currently over capacity or will run out in the next 2 months. Thus, NCES will not be able to hit its target date of 2026 and thus, will still fail to satisfy the public benefit requirement of RSA 149-M.

5. NH DES has now sent 2 letters to NCES questioning the capacity limit and operating timeline of Stage V. Data seems to confirm that NCES is either over capacity as of June, 2020 or within the next 2 months, and thus, in violation of its Stage V operating permit. How can a Stage VI permit be issued in light of this?

6. I would urge NH DES to consider the long and extensive list of lawsuits, violations, and fines attributed to this permittee relative to its operations in numerous states. (see attached pdf)

7. The last site visit by NH DES cited NCES for operational deficiencies relative to ground cover. Has NH DES been back for a follow-up site visit since? I am also concerned about what would appear to be upward trending relative to elevated levels of PFAS and 1,4-Dioxane detected in monitoring wells at the NCES facility. Is six more years of additional waste going to add to this obvious problem?

8. There is a current lawsuit in federal court against this landfill operation due to the illegal discharge of pollutants into the Ammonoosuc River in violation of the Clean Water Act. Is this a concern to NH DES and will you take this into consideration in your decision?

9. Permitting this landfill operation out to 2026 means more years of leachate production and more years of nearly 8 million gallons of PFAS and 1,4-Dioxane-laden landfill leachate being trucked yearly to the Franklin and Concord WWTPs. I have learned that neither of those facilities can treat for removal of PFAS, with the effluent winding up in the Merrimack River or being land applied as sludge/biosolids. This is a disturbing and alarming practice, with potential future liability issues, of which I would urge NH DES to take this into consideration in your decision as well as for allowing this practice to continue without address.

10. By seeking to expand landfill operations into property in the Town of Dalton, which will require the use of land for access outside of District V, NCES is in violation of the 2018 Memorandum of Understanding, the 2011 Settlement Agreement, and the zoning ordinance of the Town of Bethlehem. NCES stated that they have "town approval" in their permit application, but that is based on NCES honoring its agreements, which it isn't. I hope this will be taken into consideration.

11. The residents of the Town of Bethlehem have voted against expansion of the NCES landfill 12 times. This should serve as proof to NH DES that the residents are opposed to expansion of this landfill and I urge your department to take that into consideration and DENY the permit for Stage VI expansion.

12. It has been learned that the NCES landfill has been accepting "sludge" from out of state origins including Rhode Island and Massachusetts (1110.65 tons combined in July, 2020 alone). This is in direct violation of the zoning ordinance of the Town of Bethlehem. How can a permit be issued when in fact, this company is in violation of the local zoning ordinance?

From the Town of Bethlehem Zoning Ordinance:

Article VII Sludge

"To protect public health and welfare, and to protect surface and ground water resources, the land spreading, stockpiling, processing, mixing and/or any other treatment of municipal sewage sludge ("Biosolids") and industrial paper mill sludge is not allowed in the Town of

Bethlehem.

This article shall not apply to sewage/septage/sludge generated within the Town of Bethlehem, nor shall it apply to Class A sludge-derived products sold by the bag. (Amended 3/03)"

<http://bethlehemnh.org/wp-content/uploads/2011-ordinanceupdate2018a.pdf>

Please, deny this permit and do the right thing, call on Casella Waste Systems to finally close this blight on this long-suffering community and the North Country once and for all. I would ask NH DES to take into consideration its own mission statement when rendering a decision on this unwanted, and unneeded, landfill expansion.

“The mission of the New Hampshire Department of Environmental Services is to help sustain a high quality of life for all citizens by protecting and restoring the environment and public health in New Hampshire.”

From: [THOMAS TOWER](#)
To: [DES: SWpublic.comment](#); [Wimsatt, Mike](#); [Colby, Jaime](#); [Hoyt-Denison, Pamela](#)
Subject: Please Deny Stage VI Expansion of NCES Bethlehem
Date: Wednesday, August 19, 2020 10:22:31 AM

EXTERNAL: Do not open attachments or click on links unless you recognize and trust the sender.

Good morning members of the NH DES. I am writing to urge you to NOT consider the stage VI expansion to the NCES landfill in Bethlehem for the following reasons:

As the Conservation Law Foundation stated quite clearly in its December 20, 2019 comments on the Stage VI permit for expansion, an approval by your department would only serve to undermine waste reduction efforts across New England by the “perpetuation of a model premised primarily on disposal (contrary to the state’s clear preference to move away from such a model)” and New Hampshire would continue to remain “trapped in a cycle of continuously expanding solid waste disposal capacity”.

Furthermore, in light of the November, 2019 Legislative Report of the Committee to Study Recycling Streams and Solid Waste Management in New Hampshire, expansion would provide disposal capacity for a substantial and likely increasing volume and percentage of out-of-state waste, which is of no public benefit to the State of New Hampshire and its communities. By applying the criteria required by RSA 149-M:11, as your department did in March, 2020, the proposed expansion will not provide a substantial public benefit and thus, should be denied.

Lastly,

The residents of the Town of Bethlehem have voted against expansion of the NCES landfill 12 times. This should serve as proof to NH DES that the residents are opposed to expansion of this landfill and I urge your department to take that into consideration and DENY the permit for Stage VI expansion.

Best regards,

Tom Tower

INV OF PRIVACY

From: [Lorraine Virge](#)
To: [DES: SWpublic.comment](#)
Subject: dump closing
Date: Thursday, August 20, 2020 4:37:47 PM

EXTERNAL: Do not open attachments or click on links unless you recognize and trust the sender.

i was told today that unless something changes that the bethlehem dump would be closing next april . so i am writing in regard to that statement . we live in an apartment in Bethlehem . Every week we take our trash to the dump . sometimes twice weekly if we have too much . The apartment we live in does not have a dumpster and only has one trash can that holds trash that is picked up once weekly . There are 5 apartments in our building . we need the dump , otherwise what would we do with our trash ? we have frequently donated items to others in need in the building at the dump . others who can use the items will no longer have access to them if this change goes through . Also from time to time we buy a new piece of furniture or appliance . we have to dispose of our old one if its no longer useable for donation . What are people supposed to do if we no longer have a place to drop it off ? I mean even if you guys did a once a year dispose of your old items day . What do we do with it in the mean time ? we live in an apartment and have no extra room for it .Please reconsider this decision ! I'm sure there are many many people in town who fel the same way . And maybe a lot of them haven't even been told about this possibility .
thank you for your time .
Lorraine Virge

From: [scott wynott](#)
To: [DES: SWpublic.comment](#)
Subject: 2831
Date: Monday, August 24, 2020 8:05:33 PM

EXTERNAL: Do not open attachments or click on links unless you recognize and trust the sender.

To Whom it May Concern,

My name is Scott Wynott and am a truck driver who has been hauling to NCES since 1994. I have seen numerous improvements since Cassella Waste took over management. They State of the Art equipment. If they have any problems with system failure they are available 24/7. I have worked in many landfills in my 40 years of driving truck and this is by far the best managed facility I have been to. They are always updating the equipment and staying current with federal laws. They seem to truly care about the environment for future generations.

Sincerely,

Scott Wynott

From: [weetamooc](#)
To: [DES: SWpublic.comment](#)
Cc: [Wimsatt, Mike](#); [Colby, Jaime](#); [pamela.hoyt-dennison@des.nh.gov](#)
Subject: Testimony concerning Stage VI Bethlehem Landfill Expansion
Date: Tuesday, August 25, 2020 1:16:44 PM

EXTERNAL: Do not open attachments or click on links unless you recognize and trust the sender.

Dear NH Department of Environmental Services,

We urge you to enact due diligence concerning your mission statement which reads:

The mission statement of the NH Department of Environmental Services is to help sustain a high quality of life for all citizens by protecting and restoring the environment and public health in NH.

Please implement your pledge by denying, again, Casella Waste Systems's requested permit for a Stage VI expansion of the Bethlehem NH landfill.

We trust that, in terms of protecting our high quality of life, environment and public health, you will acknowledge and learn from the lengthy list of lawsuits, violations and fines as a result of Casella's operations in New England and Bethlehem. This includes alleged illegal discharge of pollutants into the Ammonussoc River, in violation of the Clean Water Act.

DES has stated that eventually all landfills leak. They leak PFAS and other toxic chemicals which have proven to cause long lasting, deep harm to people and the environment.

There is not much doubt that this expansion would not even be necessary if it wasn't for up to 50% of it's trash being trucked into our precious NH wilderness from other New England states. Insult upon injury.

Instead, NHDES, let's work together to create a plan to reduce a disposal based model of waste management, as NH has clearly stated it prefers.

We have the will to do this!

Most sincerely, and with gratitude for your careful consideration of the safety for the people and environment of NH,

Nancy and Wayne Morrison



INV OF PRIVACY

Sent from my iPhone

From: [Jim Doucette](#)
To: [DES: SWpublic.comment](#)
Subject: Opposition to Bethlehem/NCES Landfill Expansion Permit No. DES-SW-SP-03-002
Date: Tuesday, August 25, 2020 3:50:21 PM
Attachments: [PastedGraphic-4.tiff](#)

EXTERNAL: Do not open attachments or click on links unless you recognize and trust the sender.

To: NH Department of Environmental Services

Re: Opposition to Bethlehem/NCES Landfill Expansion Permit No. DES-SW-SP-03-002

I'm writing to urge you to deny the Stage VI expansion permit for the NCES/ Bethlehem landfill. I oppose this expansion for many reasons, including:

It's unclear that the expansion would provide a public benefit, especially with evidence suggesting a lack of transparency in NCES's capacity numbers to date and as projected.

It would reward a company with a history of lawsuits, violations and fines regarding its operations in Bethlehem and throughout New England, including alleged illegal discharge of pollutants into the Ammonoosuc River in violation of the Clean Water Act.

it would encourage an increase in out-of-state trash that is of no public benefit to New Hampshire.

It undermines waste reduction efforts by perpetuating a disposal-based model that is contrary to the state's clear preference to move away from this model.

Thank you for considering my opinion.

Sincerely,

James Doucette



INV OF PRIVACY

From: [Libbie Wilson](#)
To: [DES: SWpublic.comment](#)
Subject: Opposition to Bethlehem/NCES Landfill Expansion Permit No. DES-SW-SP-03-002
Date: Tuesday, August 25, 2020 8:50:50 PM

EXTERNAL: Do not open attachments or click on links unless you recognize and trust the sender.

I'm writing to urge you to deny the Stage VI expansion permit for the NCES/ Bethlehem landfill. I oppose this expansion for many reasons, including:

It's unclear that the expansion would provide a public benefit, especially with evidence suggesting a lack of transparency in NCES's capacity numbers to date and as projected.

It would reward a company with a history of lawsuits, violations and fines regarding its operations in Bethlehem and throughout New England, including alleged illegal discharge of pollutants into the Ammonoosuc River in violation of the Clean Water Act.

it would encourage an increase in out-of-state trash that is of no public benefit to New Hampshire.

It undermines waste reduction efforts by perpetuating a disposal-based model that is contrary to the state's clear preference to move away from this model. I have lived in New Hampshire for over a decade and the beauty of Forrest Lake is unparalleled. Please don't allow this company to destroy the gem of the north country.

Thank you for considering my opinion.

Sincerely,

Libbie Wilson

INV OF PRIVACY

From: [Justin Boswell](#)
To: [DES: SWpublic.comment](#)
Subject: Opposition to Bethlehem Dump Expansion
Date: Tuesday, August 25, 2020 9:26:06 PM

EXTERNAL: Do not open attachments or click on links unless you recognize and trust the sender.

To: NH Department of Environmental Services

Re: Opposition to Bethlehem/NCES Landfill Expansion Permit No. DES-SW-SP-03-002

I'm writing to urge you to deny the Stage VI expansion permit for the NCES/ Bethlehem landfill. I oppose this expansion for many reasons, including:

It's unclear that the expansion would provide a public benefit, especially with evidence suggesting a lack of transparency in NCES's capacity numbers to date and as projected.

It would reward a company with a history of lawsuits, violations and fines regarding its operations in Bethlehem and throughout New England, including alleged illegal discharge of pollutants into the Ammonoosuc River in violation of the Clean Water Act.

it would encourage an increase in out-of-state trash that is of no public benefit to New Hampshire.

It undermines waste reduction efforts by perpetuating a disposal-based model that is contrary to the state's clear preference to move away from this model.

As an owner of a second home in the White Mountains of New Hampshire and former resident, I grew up on the natural beauty that New Hampshire has to offer, granting an expansion will remove this charm that myself and all other residents of New Hampshire have the privilege to enjoy.

Thank you for considering my opinion.

Sincerely,

Justin Boswell

INV OF PRIVACY

From: [Sarah Jane Hunt](#)
To: [DES: SWpublic.comment](#)
Subject: Opposition to Bethlehem/NCES Landfill Expansion Permit No. DES-SW-SP-03-002
Date: Tuesday, August 25, 2020 11:35:38 PM

EXTERNAL: Do not open attachments or click on links unless you recognize and trust the sender.

To: NH Department of Environmental Services

Re: Opposition to Bethlehem/NCES Landfill Expansion Permit No. DES-SW-SP-03-002

As an out of state resident with a second home in northern New Hampshire, I am writing to urge you to deny the Stage VI expansion permit for the NCES/ Bethlehem landfill. I oppose this expansion for many reasons, including:

It's unclear that the expansion would provide a public benefit, especially with evidence suggesting a lack of transparency in NCES's capacity numbers to date and as projected.

It would reward a company with a history of lawsuits, violations and fines regarding its operations in Bethlehem and throughout New England, including alleged illegal discharge of pollutants into the Ammonoosuc River in violation of the Clean Water Act.

it would encourage an increase in out-of-state trash that is of no public benefit to New Hampshire.

It undermines waste reduction efforts by perpetuating a disposal-based model that is contrary to the state's clear preference to move away from this model.

One of the things I most enjoy about my time in Northern New Hampshire is the pristine nature of the forests and rivers that provide so much enjoyment for me and my family. I feel it is in the state's best interest to encourage waste reduction and preservation of the public lands.

Thank you for considering my opinion.

Sincerely,

Sarah Jane Hunt

INV OF PRIVACY

From: [Bonnie Boswell](#)
To: [DES: SWpublic.comment](#)
Subject: Dumps in Northern N.H.
Date: Wednesday, August 26, 2020 9:24:20 AM

EXTERNAL: Do not open attachments or click on links unless you recognize and trust the sender.

To: NH Department of Environmental Services

Re: Opposition to Bethlehem/NCES Landfill Expansion Permit No. DES-SW-SP-03-002

I'm writing to urge you to deny the Stage VI expansion permit for the NCES/ Bethlehem landfill. I oppose this expansion for many reasons, including:

It's unclear that the expansion would provide a public benefit, especially with evidence suggesting a lack of transparency in NCES's capacity numbers to date and as projected.

It would reward a company with a history of lawsuits, violations and fines regarding its operations in Bethlehem and throughout New England, including alleged illegal discharge of pollutants into the Ammonoosuc River in violation of the Clean Water Act.

it would encourage an increase in out-of-state trash that is of no public benefit to New Hampshire.

It undermines waste reduction efforts by perpetuating a disposal-based model that is contrary to the state's clear preference to move away from this model.

Finally, I pray that the entire state of New Hampshire and New England has the will and strength to stop Cassila from making Coos County the DUMP of New Hampshire. Please I literally beg of you stop this company from using us any further. Thank you for considering my opinion.

Sincerely,
Bonnie Boswell

August 25, 2020

To Department of Environmental Services,
Public Comment for NCES landfill stage VI permit application,



Those of you who have been reviewing and approving permits for North Country Environmental Services for years may be as surprised as I am that this permit application is even on the table. You will remember that in 2011, John Casella signed a Settlement Agreement with the Town of Bethlehem that promised that NCES would never expand further if the town approved 10 more acres. The agreement included the end of lawsuits filed between NCES Bethlehem as well as the promised that NCES would not purchase any more land in Bethlehem. and thus the landfill would be capped in about April 2021. So why are we being faced with this expansion?

NCES broke their promise and purchased 100 adjoining acers. Then in 2018 NCES filed a \$200,000 abatement despite the fact that they supplied the figures that their taxes were based on. To avoid more expensive and lengthy legal fights with NCES, The Bethlehem Selectboard was advised by counsel and entered into a Settlement Agreement. In the eyes of many, NCES used this abatement to trick the town into agreeing to allow them to expand. This suspicion is magnified since NCES had the Select Board sign a confidentiality agreement so voters can't even know the details of the settlement.

The suspicions of being hoodwinked is also because in 2012 many people voted to accept a ten acre expansion because they believed it would mean the town would finally be done with more garbage being trucked from multiple states polluting our environment. But NCES broke that agreement and purchased more land. They proved their intent to landfill it because in 2017 and 2018 NCES had warrant articles on our ballot asking for a 100 acre expansion. Naturally, the town voted them both down. The town does not want further expansion. Stage VI is a manipulation by this untrustworthy company.

Another concerning aspect of Stage VI is that NCES plans to use land outside of District V. District V is the only zone in which landfill activity is allowed. The bordering land (that they bought even though they promised they wouldn't) is actually in District II. The Bethlehem Zoning Ordinances Article III A:1 proves this is prohibited. "No solid waste disposal facility, or expansion of any existing solid waste facility or landfills shall be located in any district except District V". I am not sure how the Board was tricked into accepting the terms in the Abatement Settlement that included this expansion, especially permitting the use of land outside of District V. I can only suspect that it was because The Town has become leery of being sued by NCES over the years.

North Country Environmental Services is already polluting the environment and has been non-compliant with the DES permit and regulations many times over the years. They have

received many letters of deficiency for violations including tears in liners, insufficient cover, and eroded runoff swales. Please abide by the Statement of Purpose in 149-M, *"It is the declared purpose of the general court to protect human health, to preserve the natural environment, and to conserve precious and dwindling natural resources through the proper and integrated management of solid waste."* Please follow the NHDES mission statement "to help sustain a high quality of life for all citizens by protecting and restoring the environment and public health. Bethlehem has voted NO 14 times to limit expansion because the people of Bethlehem believe it is our responsibility to protect the environment, our neighbor's health, and we need your support. It would be irresponsible to grant a permit to increase the size since the landfill is already failing and mismanaged. It is your responsibility to help protect the town of Bethlehem from further contamination.

Putrid odors and intrusive noises invade our homes, businesses, and yards. I have personally felt nauseated numerous times while in my yard from the odor. The nauseating odors are a combination of a stench from garbage, sludge and the rotten egg scent that comes from the greenhouse gases being released. Many residents, as well as tourists, have been offended by these odors around town and as they drive past NCES. USEPA verifies that landfill gas causes adverse effects to human health and is a large contributor to greenhouse gases. You need to protect the well-being of those living near a landfill by denying this permit.

Speaking of toxic sludge. Bethlehem has an ordinance Article VII (amended March 2003) that prohibits sludge. "To protect public health and welfare, and to protect surface and ground water resources, the land spreading, stockpiling, processing, mixing and/or any other treatment of municipal sewage sludge (Biosolids") and industrial paper mill sludge is not allowed in the Town of Bethlehem." Therefore, NCES is currently violating this local ordinance. NCES doesn't report all the sludge that is being dumped. Can't the sludge be a major contributor to the groundwater pollution? It definitely creates air pollution.

Of course, NCES denies odor and noise complaints. Here is an example of how NCES is not being forthright in those denials. Last fall, I contacted NCES and DES with an "extreme noise" complaint. I received a message from the landfill manager that said there is no way that I was hearing loud noise. It was a DES representative who informed me that the reason the landfill had been being excessively loud was because they were capping the section of the landfill that was facing my home. A drive by showed me a bulldozer going up and down the side of the landfill was responsible for the constant beeping and loud grinding sounds that had been disturbing my sleep and outside activities for days. It seems that if NCES can't be upfront and honest with this simple information... one has to wonder what else do they deny?

It is also the responsibility of NHDES to protect the Ammonoosuc River, a designated protected river. The seep running into the river has been going on for years. At one time DES required NCES to clean up the discharge channel. However, it did not take long for it to return. Furthermore, there is a lawsuit pending by National Environmental Law Center on behalf of Toxic Action Center and Conservation Law Foundation challenging that the drainage channel that is flowing directly into the Ammonoosuc River is a violation of the Federal Clean Water Act. DES has a rule, that if the court concurs with the lawsuit, would prohibit expansion. *RSA 149-M :12 Criteria for Approval, Suspension, or Revocation Section I: The Department shall approve an application for a permit only if it determines that the facility or activity for which the permit is sought will: in paragraph (c) Comply with federal and state air or water pollution statutes, regulations, and rules.* DES should at least hold off considering but especially granting, this permit until the court rules on whether or not the toxic seep is a violation of the Clean Water Act. How can DES approve a permit with the uncertainty of a possible violation of a Federal Law? Has DES investigated the drainage channel recently for themselves?

Contamination of groundwater and the stratified drift aquifer under this landfill is a major concern. In 2019 a report says that there were tears in liners. These tears are an indication of what is to come with respects to leaks and contamination. Leaks are not surprising since EPA says all liners will. Water tests have, for years, shown dangerous levels of toxins such as the cancer-causing compounds 1,4 dioxin and arsenic. There are elevated levels of leachate between the primary and secondary liners. The recent tests by Sanborn and Head prove elevated toxins in the test wells. There are many homes with wells tapping into the aquifer. Allowing more trash to be dumped at an already faulty system with a risk of a major contamination is not acceptable. Especially since *RSA 149-M :6 IV (b) It is DES's responsibility to investigate any condition which is believed to be in violation, or which presents a substantial threat to human health or the environment* How long will it be before people in Bethlehem find themselves in the same predicament with contaminated wells as Southbridge, Massachusetts?

One only has to look at the landfill to see that it is towering over the trees. This could be another violation. The 2011 Agreement with Bethlehem says " the final closed and capped landfill shall not exceed 1,483 feet above NAVD88 at any location in NCES's property." NCES has been non-compliant in many areas over the years so what proof is there that the height restrictions are being met? When was the last time DES had a surveyor check the height of the landfill? NHDES should not even consider granting this permit until you are sure this is not another area where NCES is non-compliant.

Also in question is NCES' recycling rate. *New Hampshire's RSA 149-M:2 Waste Reduction Goal I.: The general court declares its concern that there are environmental and economic issues pertaining to the disposal of solid waste in landfills and incinerators.*

It is important to reserve landfill and incinerator capacity for solid waste which cannot be reduced, reused, recycled or composted. The general court declares that the goal of the state, by the year 2000, is to achieve a 40% minimum weight diversion of solid waste landfilled or incinerated on a per capita basis." NCES doesn't require haulers to be free of recyclables like Mt. Carberry. It is rumored around Bethlehem that our recycling is just dumped into the landfill. Do you have proof that Bethlehem's recycling is sent to a zero-sort recycling plant? Is NCES helping NH reach its nineteen year old 40% recycling goal? What is the recycling rate that NCES meets?

The previous permit application, that NCES withdrew for Stage VI was because it did not meet the public benefit requirements. Even though they adjusted their figures, NCES is not needed, since Mt. Carberry has submitted a permit application that would allow for 16+ years of capacity. Furthermore, the benefits of Mt Carberry is it's a locally controlled landfill that helps NH meet its Solid Waste goals. Carberry takes more care because it is not a commercial financial gain endeavor like NCES. This small expansion is not needed to meet NH waste disposal needs and should be denied.

Another way NCES is not compliant with 149M and their permit is that they have been fast filling and will not meet the requirements set forth in their operating permit for Public Benefit of NH trash. This is unacceptable and they should not be rewarded with a new permit. This brings me, however, to a red flag that I found in *149-M: 6 Responsibilities paragraph XI : Assess a surcharge on the disposal of out-of-state solid waste in the amount of \$1 per ton, which shall be assessed against the person transporting the out-of-state solid waste to the facility and not assessed against the facility....The proceeds shall be used by the department to reduce and offset general fund expenditures for solid waste management"* So I have to ask, if this is true, how much does this income weigh in the decision of granting permits to this landfill versus the weight of the community's repeated 14 votes that rejected expansion? the negative impact on the Ammonoosuc River Watershed and all the towns downstream? and NCES's repeated violations? How much revenue does DES receive for out of state waste being trucked to NCES? And since this revenue is being generated from out of state trash being trucked into and polluting Bethlehem how much does DES return in value to our community? It seems that if there is money being collected at the expense of Bethlehem there should be more manpower for DES to inspect NCES landfill more regularly. I'd bet with more frequent inspections you would find more violations,

Finally, DES knows that for years NCES landfill has frequently been delinquent and non-compliant with following the rules set forth in the operating permit, 149M and ENV-SW 800s. A few of the non-compliant areas that tests have shown or DES personal have reported and/or witnessing at NCES during random site visits over the past years include problems such as polluting the groundwater, insufficient cover, not reporting required

leachate data, sediment blocking drainage culverts, accepting asbestos, landfilling truckloads of American flags, odor and noise migrating off site, attracting wild animals such as bears and ravens, having clogged storm drains, fast filling and running out of room for NH waste, spilling leachate. How many more protocols set forth in the Waste Management rules and important procedures, that were made to protect the environment and well-being of the town, are being neglected or violated? Since NCES does not follow the rules it is up to NHDES to deny this permit in order stop the landfill from further jeopardizing the health of residents of Bethlehem and the Ammonoosuc River Watershed.

It is the duty of NHDES to investigate the concerns and thoroughly answer the questions being raised during this public comment period. After doing so there should be enough evidence to deny this Stage VI permit.

Thank you,

Andrea Bryant

Andrea Bryant

INV OF PRIVACY

Q: Absence of drainage geocomposite or composite liner in a portion of Stage I w/ no leak detection/location system - required by the rules *

Johanna Swann
1483 ft height
140ft above
Permitted
RECEIVED
AUG 13 6:50 AM
DEPARTMENT OF ENVIRONMENTAL SERVICES
SOLID WASTE MANAGEMENT BUREAU

What makes this "Plan B" better than their initial Plan A?

According to 2015 New Hampshire Revised Statutes
Title X - PUBLIC HEALTH

Chapter 149-M - SOLID WASTE MANAGEMENT
Section 149-M:11 - Public Benefit Requirement

I (c) Facilities necessary to meet state solid waste capacity needs must be designed and operated in a manner which will protect the public health and the state's natural environment.

① --There is a current lawsuit in federal court against this landfill operation due to the illegal discharge of pollutants into the Ammonoosuc River in violation of the Clean Water Act. Is this a concern to NH DES and will you take this into consideration in your decision?

② --There have been detections of 1,4-Dioxane and Dichlorodifluoromethane (DCDFM; Freon 12 groundwater monitoring results from April, 2020 as well as elevated PFAS levels in several test wells. Will this improve or worsen with time and more waste added to this potential future Superfund site?

③ --And 6 more years of all of those millions of gallons of leachate produced and shipped down to the Concord and Franklin WWTPs, with all those PFAS winding up in the Merrimack River with the effluent?

II. The department shall determine whether a proposed solid waste facility provides a substantial public benefit based upon the following criteria:

(a) The short- and long-term need for a solid waste facility of the proposed type, size, and location to provide capacity to accommodate solid waste generated within the borders of New Hampshire

① --Your March, 2020 determination ^{was} that the NCES facility's Stage VI expansion would NOT satisfy this requirement. Has that changed? If so, how?

② --By reducing intake to "token" levels to be able to reach 2026, something of which Director Wimsatt stated was not acceptable in his October 18, 2019 Notice of Findings? IF they'd shown this kind of restraint & respect in the past, we wouldn't be here

③ --By shooting for 2026, one year beyond the current permitted life of Mt. Carberry in Success, Casella is playing games with the math and its intake volume...

--However, I have been doing the math, based on the data provided by NCES in its 2018 and 2019 Annual Facility Reports and using Mike Wimsatt's math, converting cubic yards to tons via a .76 conversion rate. The math does not add up, as the NCES facility is currently over capacity as of mid-June, 2020 or in the next 2 months. They won't reach March 31, 2021, a violation of the Stage V permit. Thus, they won't be able to make 2026 due to this shortfall in capacity life. Thus, no substantial public benefit, and one year should not be considered substantial considering Mt Carberry's Phase IIIA expansion permit gives them another 16 years of permitted life to 2041. While not "permitted", I think common sense should be applied. *There is plenty of existing capacity in NH for NH waste. Dalton made the switch this year and at a cost savings to the town.*

-- I have also discovered that Casella's Engineer Joe John Gay is using a conversion rate of .85. Where is the oversight from NH DES? Casella appears to be playing fast and loose with its data and math, and an audit should be performed before any approval is granted in order to confirm the data provided in this application and compared with the reality on the ground.

--There is some suspicion that NCES/Casella is currently operating outside of the Stage V permitted area, possibly in violation, and in anticipation of a Stage VI permit approval. Apparently, this was also the case with the Stage III expansion.

A SITE VISIT / INSPECTION IS LONG OVERDUE along w/ a height & capacity survey by independent contractor

III (b) The ability of the proposed facility to assist the state in achieving the implementation of the hierarchy and goals under RSA 149-M:2 and RSA 149-M:3.

(c) The ability of the proposed facility to assist in achieving the goals of the state solid waste management plan, and one or more solid waste management plans submitted to and approved by the department under RSA 149-M:24 and RSA 149-M:25. *Here's the problem:*

--Landfilling is the least preferred method in the waste management hierarchy

--The state of NH has not updated its Solid Waste Plan since 2003

--This from a February, 2020 NH Business Review article on landfill expansion: "We are falling down on the job -- we know that," said Michael J. Wimsatt, the director of DES' Solid Waste Division.

* 2018 MOU - violation by Casella w/ ^{its other} expansion into Dutton
b/c land outside of PLST V is needed for ACCESS

It is troubling that here we are 20 years later, with the private waste industry directing policy as the amount of out of state waste landfilled over the last 20 years has increased 400%. The ship is rudderless, as NH DES is admittedly understaffed and underbudgeted, and it is equally concerning that the compliance division within NH DES has not conducted a site visit of the NCS facility since last August, 2019 where non-compliance relative to ground cover was cited with no follow up visits since. How can we expect NH DES to fulfill its mission and ensure that the health and environment of the people of Bethlehem and the North Country will be protected if this further expansion is approved?

IV. The department shall also consider as part of its public benefit determination:

(a) The concerns of the citizens and governing bodies of the host municipality, county, and district and other affected persons.

--I have a petition to present to NH DES from over 100 residents of Bethlehem who want you to not only DENY this permit, AGAIN, but call for the final closure of this controversial, toxic landfill once and for all. Hasn't this town suffered long enough?

--The citizens of Bethlehem have voted 12 times over the last 25 years AGAINST expansion. Doesn't that tell you something about the concerns of the citizens in making a determination about this permit?

--Furthermore, during the HB1319 hearing, it was learned that landfill expansions are considered "new" and go thru the same scrutiny as a new landfill, including a background check. I have here a very incomplete 5-page Excel spreadsheet detailing the long and controversial history of this company and the many, many lawsuits, violations, and fines relative to its operations not only here in Bethlehem, but in many other states from Maine to Illinois. Shouldn't their past record be taken into consideration?

Your mission statement: ***"The mission of the New Hampshire Department of Environmental Services is to help sustain a high quality of life for all citizens by protecting and restoring the environment and public health in New Hampshire."***

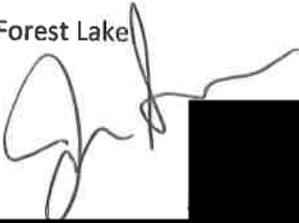
Will you be living up to that mission by permitting this unwanted, and un-needed expansion? Please, do the right thing, both by following your own rules and regulations, common sense, and your heart. Deny this permit, and let's close this terrible chapter in Bethlehem's history.

* If you approve this permit, it should be contingent upon an audit by NH DES relative to capacity & height *

Thank you,

Jon Swan

Save Forest Lake



INV OF PRIVACY

INV OF PRIVACY

INV OF PRIVACY

To: NH Department of Environmental Services

We, the undersigned, as residents of the Town of Bethlehem, urge you to deny the Stage VI expansion permit for the NCES landfill for the following reasons:



1. Your February 12, 2020 "Application Review Summary" cites numerous instances where the application for Type I-A Permit Modification and Waiver of Certain Design Requirements "does not satisfy requirement". Page 12 notes the absence of a drainage geocomposite or composite liner in a portion of Stage I with no leak detection and location system, which rules seem to indicate is required. Has this second application satisfied this requirement? If not, then the permit must be denied.
2. As the Conservation Law Foundation stated quite clearly in its December 20, 2019 comments on the Stage VI permit for expansion, an approval by your department would only serve to undermine waste reduction efforts across New England by the "perpetuation of a model premised primarily on disposal (contrary to the state's clear preference to move away from such a model" and New Hampshire would continue to remain "trapped in a cycle of continuously expanding solid waste disposal capacity".
3. Furthermore, in light of the November, 2019 Legislative Report of the Committee to Study Recycling Streams and Solid Waste Management in New Hampshire, expansion would provide disposal capacity for a substantial and likely increasing volume and percentage of out-of-state waste, which is of no public benefit to the State of New Hampshire and its communities. By applying the criteria required by RSA 149-M:11, as your department did in March, 2020, the proposed expansion will not provide a substantial public benefit and thus, should be denied.
4. This latest permit application for the Stage VI expansion pushes operational capacity out to 2026 in order to overlap AVRRDD/Mt. Carberry by 1 year. (Carberry's Phase IIIA permit would push their permitted life out to 2041). We urge NH DES to recognize this as a ploy by NCES to once again, circumvent the permitting rules by reducing current intake to "token" levels in order to achieve that timeline.
5. NH DES has now sent 2 letters to NCES questioning the capacity limit and operating timeline of Stage V. Data seems to confirm that NCES is over capacity as of June, 2020 and thus, in violation. How can a Stage VI permit be issued in light of this?
6. We would urge NH DES to consider the long and extensive list of lawsuits, violations, and fines attributed to this permittee relative to its operations in numerous states. (see attached spreadsheet)
7. The last site visit by NH DES cited NCES for operational deficiencies relative to ground cover. Has NH DES been back for a follow-up site visit since? We are also concerned about what would appear to be upward trending relative to elevated levels of PFAS and 1,4-Dioxane detected in monitoring wells at the NCES facility.
8. There is a current lawsuit in federal court against this landfill operation due to the illegal discharge of pollutants into the Ammonoosuc River in violation of the Clean Water Act.
9. Permitting this landfill operation out to 2026 means more years of leachate production and more years of nearly 8 million gallons of PFAS and 1,4-Dioxane-laden landfill leachate being trucked yearly to the Franklin and Concord WWTPs. We have learned that neither of those facilities can treat for removal of PFAS, with the effluent winding up in the Merrimack River or being land applied as sludge/biosolids. This is a disturbing and alarming practice, with potential future liability issues, of which we urge NH DES to take into consideration.
10. By seeking to expand landfill operations into property in the Town of Dalton, which will require the use of land for access outside of District V, NCES is in violation of the 2018 Memorandum of Understanding, the 2011 Settlement Agreement, and the zoning ordinance of the Town of Bethlehem.
11. The residents of the Town of Bethlehem have voted against expansion of the NCES landfill 12 times. This should serve as proof to NH DES that the residents are opposed to expansion of this landfill and we urge your department to take that into consideration and DENY the permit for Stage VI expansion.

Furthermore, we would urge your department to do the right thing and call on Casella Waste Systems to finally close this blight on our community once and for all. Our community has suffered enough and we ask NH DES to take into consideration its own mission statement when rendering a decision on this unwanted, and unneeded, landfill expansion. Thank you.

"The mission of the New Hampshire Department of Environmental Services is to help sustain a high quality of life for all citizens by protecting and restoring the environment and public health in New Hampshire."

Name **Address in Bethlehem, NH 03574** **Email/Phone**

- ① Wendy M. Whiton [Redacted] INV OF PRIVACY
- ② Wendy M. Whiton [Redacted] INV OF PRIVACY
- ③ Christopher P. Union [Redacted] INV OF PRIVACY
- ④ Justin Whiton Cheser Whiton [Redacted] INV OF PRIVACY
- ⑤ [Redacted] [Redacted] INV OF PRIVACY
- ⑥ Amy B. Delventhal [Redacted] INV OF PRIVACY
- ⑦ Gene Delventhal - Parker [Redacted] INV OF PRIVACY
- ⑧ Micah Delventhal - Saffian [Redacted] INV OF PRIVACY
- ⑨ Christopher Whiton [Redacted] INV OF PRIVACY
- ⑩ NANCY DICKOWSKI [Redacted] INV OF PRIVACY
- ⑪ Nancy Dickowski [Redacted] INV OF PRIVACY
- ⑫ SIGMUND DICKOWSKI [Redacted] INV OF PRIVACY
- ⑬ Sigmund Dickowski [Redacted] INV OF PRIVACY
- ⑭ J. Fonte [Redacted] INV OF PRIVACY

Name **Address in Bethlehem, NH 03574** **Email/Phone**

- ⑮ Michael Roberts [Redacted] INV OF PRIVACY
- ⑯ Alex Shea [Redacted] INV OF PRIVACY

Furthermore, we would urge your department to do the right thing and call on Casella Waste Systems to finally close this blight on our community once and for all. Our community has suffered enough and we ask NH DES to take into consideration its own mission statement when rendering a decision on this unwanted, and unneeded, landfill expansion. Thank you.

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	<u>Name</u>	<u>Address in Bethlehem, NH 03574</u>	<u>Email/Phone</u>
13	John Polaski	[REDACTED]	INV OF PRIVACY
14	Lennie Fillius	[REDACTED]	INV OF PRIVACY
15	MARY Fillius	[REDACTED]	
16	Joycel. Menard	[REDACTED]	
17	Judy Currier	[REDACTED]	INV OF PRIVACY
18	Frank W. Lich	[REDACTED]	
19	Joanne Blaney	[REDACTED]	INV OF PRIVACY
20	Taylor Cookson	[REDACTED]	
21	Mike Kenly	[REDACTED]	INV OF PRIVACY
22	Betsy Phillips	[REDACTED]	
23	Chuck Phillips	[REDACTED]	
24	L. Nancy DiGirollo	[REDACTED]	INV OF PRIVACY
25	auto B. [unclear]	[REDACTED]	INV OF PRIVACY
26	Judith Dobson Judy Wilson	[REDACTED]	INV OF PRIVACY
27	Nicolaus T	[REDACTED]	INV OF PRIVACY
28	Melissa Sheehan	[REDACTED]	

Name	Address in Bethlehem, NH 03574	Email/Phone
29	<u>FRANK Pinter</u>	INV OF PRIVACY
30	<u>Annalisa Blake</u>	INV OF PRIVACY
31	<u>Walt Friedman</u>	INV OF PRIVACY
32	<u>William Shmores</u>	INV OF PRIVACY
33	<u>Kevin Honath</u>	INV OF PRIVACY
34	<u>Kristina Zantini</u>	INV OF PRIVACY
35	<u>JANE STORELLA</u>	INV OF PRIVACY
36	<u>KEVIN GORDON</u>	INV OF PRIVACY
37	<u>Heidi Gordon</u>	INV OF PRIVACY
38	<u>Tom Once</u>	INV OF PRIVACY
39	<u>Rossie Hauke</u>	INV OF PRIVACY
40	<u>Tom Lally</u>	INV OF PRIVACY
41	<u>Chad Proulx</u>	INV OF PRIVACY
42	<u>STEPHEN McLAUGHLIN</u>	INV OF PRIVACY
43	<u>Joy Sullivan</u>	INV OF PRIVACY
44	<u>Eddie Di</u>	INV OF PRIVACY
45	<u>Thomas Martin</u>	INV OF PRIVACY
46	<u>DONALD Johnson</u>	INV OF PRIVACY
47	<u>Morris Manning</u>	INV OF PRIVACY
48	<u>Dana Wilson</u>	INV OF PRIVACY
49	<u>JEAN MARCOUX</u>	INV OF PRIVACY

Name

Address in Bethlehem, NH 03574

Email/Phone

50 CHESTER P. WENTWORTH

51 Rachel Marcoux

52 Alvin D Davis

53 Matt Kristoff

54 Janet Williams

55 Fred Champagne

56 Maureen Thoma

INV OF PRIVACY

57 Christopher Daley

58 Catherine Dorley

59 Mazie R Cash

60 Jue Greenlaw

61 Tan Bowling

62 Diane Noyes

63 Mitra Karimian

64 Edna Lubaguban

INV OF PRIVACY

65 Barbara Thompson

66 Alcub Roland Shick

67 Ayla prestley

68 Ag. Niquie

INV OF PRIVACY

69 Reese Pacini

70 Savanta Lassen

INV OF PRIVACY

Name

Address in Bethlehem, NH 03574

Email/Phone

71	Quinton Paradise	[REDACTED]	INV OF PRIVACY
72	MAE DESTROIS MAISSONS	[REDACTED]	
73	CARL BRETTON	[REDACTED]	INV OF PRIVACY
74	Danulle Whitcomb	[REDACTED]	INV OF PRIVACY
75	Mary Ellen Russell	[REDACTED]	INV OF PRIVACY
76	Michael Goodwin	[REDACTED]	
77	Emma Adich Jordan	[REDACTED]	
78	Stephen Healey	[REDACTED]	
79	Ch Kuhn	[REDACTED]	INV OF PRIVACY
80	Greg Moore	[REDACTED]	
81	Jeb Wennrich	[REDACTED]	
82	Cole Wennrich	[REDACTED]	
83	Randy Smith	[REDACTED]	
84	Andrea Smith	[REDACTED]	
85	Ken Smith	[REDACTED]	
86	Nate Storella	[REDACTED]	
87	Ryan Bouldin	[REDACTED]	INV OF PRIVACY
88	Elizabeth Levy	[REDACTED]	
89	Michelle Houle	[REDACTED]	
90	Ed Shanshala	[REDACTED]	
91	Johanna Greenlan	[REDACTED]	

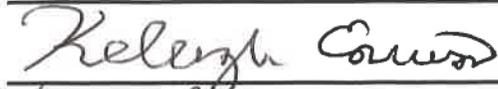
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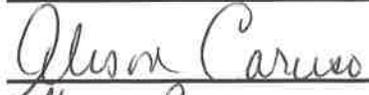
"The mission of the New Hampshire Department of Environmental Services is to help sustain a high quality of life for all citizens by protecting and restoring the environment and public health in New Hampshire."

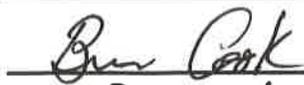
Name Address in Bethlehem, NH 03574 Email/Phone

(101)   INV OF PRIVACY
Adam Caruso

(102)   INV OF PRIVACY
Thomas Caruso

(103)   INV OF PRIVACY
Keleigh Caruso

(104)   INV OF PRIVACY
Alison Caruso

(105)   INV OF PRIVACY
Brian Cook

(106)   INV OF PRIVACY
Kathryn Cook

From: [Kristy Wells](#)
To: [DES: SWpublic.comment](#)
Subject: No Expansion - Forest Lake and Landfill
Date: Thursday, August 27, 2020 8:40:11 AM

EXTERNAL: Do not open attachments or click on links unless you recognize and trust the sender.

Good morning!

Please do the right thing regarding the landfill expansion near Forest Lake. My family loves Forest Lake. We are a retired military family and we chose to retire in New Hampshire and make it our home up here in the north country because of the small town communities and the outdoor resources.

Please remember what is important to your state's residents - community voice, and outdoor resources.

Thank you,
Kristy Wells

From: [Paul Nandico](#)
To: [DES: SolidWasteInfo](#)
Subject: Re: Thank you for attending NHDES Public Hearing - NCES Application for Solid Waste Landfill Expansion
Date: Thursday, August 27, 2020 11:07:24 AM

EXTERNAL: Do not open attachments or click on links unless you recognize and trust the sender.

Thank you for having it. I appreciated the chance to hear and share. I probably valued the comments by the one man (Mike?) the most, who was very realistic and said no one has an option for landfills that is being used, so let's keep this going for now while other options are developed and implemented. Perhaps it would pacify those opposed to the landfill if the additional liner was required (the one NCES desire a waiver from implementing). However, it sounds like views were mostly set in concrete. If they opposed it 20 years ago, they still oppose it today. I am not opposed. It helps keep taxes in line (coming from an area of a state where my annual taxes for 40 acres with a house and business were... \$145... a YEAR). Plus, they have done well at keeping it clean, from what I can see... and (not) smell.

I found it interesting that the one man commented on the noise of the rock quarry, but not the noise of the landfill. We were not there to discuss the rock quarry, but, whether he realizes it or not, he actually made a favorable point for the landfill in my eyes by what he said.

Anyway, thank you. I trust that you'll do the right thing. I'm not worried about it. As the one man said, the river is cleaner now than when he enjoyed it as a child. And, I can attest that a friend of mine's place on the river has pollutants from the old dam type place nearby that are undoubtedly adding iron and such to the water. He keeps cleaning stuff up that floats downstream from there. Yet, to me, iron in the water is a good thing. We need iron in our diets.

Well, thank you again. Have a great day. Oh, and thank you for the grace you displayed in taking the questions and comments and the manner in which they were responded to. In some cases, you were directly attacked. I regret that happened by my fellow citizens. If anything, I have always found the DEQs to be more cautious than needed, so find it very odd to have the multiple activist groups speaking out against your division of the government.

INV OF PRIVACY

From: [Gary Ghioto](#)
To: [DES: SWpublic.comment](#); [Wimsatt, Mike](#); [Colby, Jaime](#); [Hoyt-Denison, Pamela](#)
Subject: NCES landfill public comments DES
Date: Thursday, August 27, 2020 2:34:15 PM

EXTERNAL: Do not open attachments or click on links unless you recognize and trust the sender.

Dear DES officials,

I urge you to deny the Stage VI expansion permit for the NCES landfill that is currently under review/action by the NH Department of Environmental Services.

The people of Bethlehem have continually spoken in opposition to any expansion of the NCES facility. DES must take into consideration the conflict and division caused by this landfill and its unwarranted expansion in making its decision.

Many, many people in surrounding North Country towns are alarmed with the continuous growth of a landfill that takes so much out-of-state refuse and waste from half of NH's communities. With capacity available at the Turnkey landfill in Rochester, it makes sense that DES encourage these communities to use that facility.

North country communities can send their waste to Mount Caberry. Bethlehem is not needed and the town has already paid the price in division, truck traffic and alleged pollution of the Ammonoosuc River.

There is no public benefit for this expansion as other facilities can take this waste.

Please deny this permit.

Sincerely,

Gary Ghioto

INV OF PRIVACY

From: [Sarah Dickerman](#)
To: [DES: SWpublic.comment](#)
Subject: Bethlehem landfill expansion
Date: Thursday, August 27, 2020 3:19:26 PM

EXTERNAL: Do not open attachments or click on links unless you recognize and trust the sender.

My name is Sarah Dickerman, and I grew up in Bethlehem, and have lived there for most of my life. More than just the town of Bethlehem depends on the NCES landfill in Bethlehem. Many people make their livelihood working either on the premises, or trucking to the NCES landfill in Bethlehem. I have worked at the dump picking up excess trash that has drifted out, because they care that much about keeping the environment and the people of Bethlehem safe. I have been to almost every meet and greet they have held up there, where we have lunch, and take tours, and educate and familiarize ourselves on how the Bethlehem NCES landfill is operated, and taken care of by Casella. It is a very well run facility, and very clean. The people who run the NCES landfill in Bethlehem are very knowledgeable, friendly and willing to answer all your landfill questions. Unfortunately, garbage is a fact of life, and everyone needs a responsible outlet to remove and properly take care of it for them. NCES, managed by Casella is that someone. At this site in Bethlehem there is the opportunity to continue providing responsible trash removal and containment. Landfills are a fact of life, they are not currently going anywhere, and we have an excellently planned, prepared and responsible facility right in our backyard. Please also consider all of the benefits Bethlehem has reaped over the years of having the NCES landfill in our town, from the lower taxes they provide from being in our tax base to helping the town rebuild our condemned town pool, and beyond. NCES is willing and able to expand for all of our trash removal and containment needs for another several years to come if we just let them. They need us, and we need them. Please consider these aspects while determining the future for NCES in Bethlehem.

Thank you,
Sarah Dickerman

From: [Stephanie Fuller](#)
To: [DES: SWpublic.comment](#)
Subject: Deny landfill
Date: Thursday, August 27, 2020 8:35:11 PM

EXTERNAL: Do not open attachments or click on links unless you recognize and trust the sender.

I'm writing to you to deny and request to close the Casella expansion landfill that is to go near Forest Lake Park. It is not needed nor wanted! Forest Lake is a beautiful place for families to enjoy the clean lake waters in a serene setting in NH. In this area there are not many places that you can do that. The wildlife surrounding the area would be greatly affected as well. Thank you for your consideration.

[Sent from Yahoo Mail for iPhone](#)

From: [The Cooks](#)
To: [DES: SWpublic.comment](#)
Subject: NCES Landfill Expansion (Permit #DES-SW-SP-03-002)
Date: Friday, August 28, 2020 10:30:32 AM
Attachments: [Landfill Expansion 2020 Arguments.docx](#)

EXTERNAL: Do not open attachments or click on links unless you recognize and trust the sender.

NHDES,

The attached document provides my written comments regarding the NCES landfill expansion application.

To summarize:

- 1) This expansion is not necessary because there is sufficient permitted landfill capacity through 2026.
- 2) The daily truck loads to fill the estimated capacity of 1.24 million cubic yards over 5.3 years equates to 7-8 trash hauler loads per day, 125 cubic yards per trailer load. This does not appear to make economic sense for NCES. Is their plan to fast fill this space once permitted?
- 3) The berm for this expansion is outside District V, on adjacent land that is not zoned for landfill activities. The application should be rejected for this reason alone.

If you find yourself in the position to approve this application, please make the approval contingent upon the town of Bethlehem's decision to review the zoning of this adjacent land. Otherwise, reject the application and require NCES to resubmit with the berm within District V.

Regards,

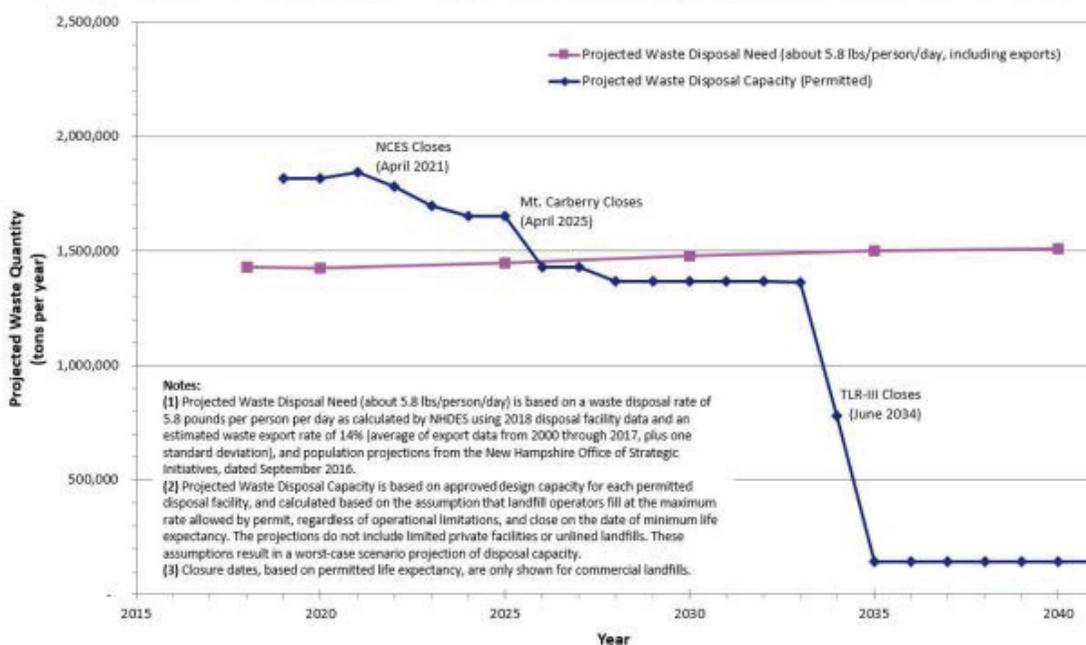
Brian Cook
Bethlehem, NH

NHDES,

Kathy and I are residents of Bethlehem NH. I am writing this letter to make my case as to why the landfill expansion waiver should not be granted to NCES.

Earlier this year, NHDES found that the Stage VI expansion application (Permit #DES-SW-SP-03-002), did not demonstrate a worthwhile public benefit to allow the expansion. NCES made modifications to the application to reduce the fill rate so that the life expectancy of this expansion would be extended through 2026. The adjusted expansion fill rate averages to be 0.23 million cubic yards per year. Even with NCES closing April 2021, the state of New Hampshire has permitted landfill capacity through 2025 and “near” capacity (small deficit) through 2026 (NHDES Biennial Solid Waste Report 2019).

Figure 2. Projected Waste Disposal Need & Capacity for New Hampshire (2020 - 2040)



Does the additional capacity of 0.23 million cubic yards for 2026 demonstrate a worthwhile public benefit? The town of Bethlehem has voted “NO” repeatedly against landfill expansions; many times ending in New Hampshire Superior Court for a decision. The town majority wants the landfill capped and closed. Allowing this expansion will add five more years of town discontent, while providing a small public benefit for New Hampshire for one year.

Also, a trash hauler trailer can transport approximately 125 cubic yards of trash. This equates to 1871 truckloads per year, which is equivalent to 7.5 truckloads per day. Does this make economic sense for NCES to keep the landfill open for this amount of daily trash? I have seen as many as 7 trucks queued along Route 3 for the landfill’s 6:30AM opening.

The viability of this expansion is dependent on building the berm outside of District V, on land that is not zoned for landfill activities. Even though the Bethlehem Select Board may have granted approval for this expansion plan in a November 2018 meeting, the plan violates the November 22, 2011 settlement

agreement between NCES and the Town of Bethlehem. This agreement included the following expansion conditions:

- 1) NCES would not expand the landfill or develop new landfill capacity within Bethlehem outside of District V.
- 2) NCES would not purchase land for the purpose of developing or operating a landfill outside of District V.
- 3) NCES would not seek additional permits from federal, state, or local level to develop or operate a landfill outside of District V.
- 4) The final height of the NCES landfill would not exceed 1483 feet above sea-level after capping.

Also, there may have been a misunderstanding between the Bethlehem select board and NCES about the extent of the expansion. Within the select board 11/19/2018 minutes, the expansion area is described as the two acres of setback land. However, this expansion plan involves 5.71 acres; the difference being the berm has been moved outside of District V.

The berm is a landfill component; a landfill is not viable without it. The 100 foot setback requirement from the property line has applied to the berm in the past. Also, the Bureau of Tax and Land Appeals formula has included the berm. Waiving the setback requirement because NCES owns the adjacent land is one thing, but the berm must be within the District V footprint. Otherwise, this constitutes an expansion outside of the District V boundary, and a town vote is required for this type of expansion approval. Thus, any approved expansion application by NHDES should require the berm to be within the District V boundary, to align with Bethlehem's zoning laws and past agreements with NCES.

For this reason, NHDES should not approve this current plan. An approval would set the wrong precedence for future decisions on similar matters.

Brian Cook

Kathryn Cook

<https://www4.des.state.nh.us/IISProxy/IISProxy.dll?ContentId=4834448>

<https://www4.des.state.nh.us/IISProxy/IISProxy.dll?ContentId=4834449>

<https://www.des.nh.gov/organization/commissioner/pip/publications/documents/r-wmd-19-02.pdf>

<http://bethlehemnh.org/project/11-19-2019-sb-minutes/>

From: [sarah doucette](#)
To: [DES: SWpublic.comment](#)
Subject: Comment: Bethlehem/NCES Landfill Expansion Permit No. DES-SW-SP-03-002
Date: Friday, August 28, 2020 10:44:21 AM
Attachments: [NH DES SWM - Comments Public Hearing 82520 \(SCD\).pdf](#)

EXTERNAL: Do not open attachments or click on links unless you recognize and trust the sender.

Greetings, please consider my testimony and further comments attached in opposition to

**Bethlehem/NCES Landfill Expansion
Permit No. DES-SW-SP-03-002**

Thank you all for your service to the State,

Sarah Doucette
Whitefield, NH

PS Please send me any follow up information and the final report that you generate.

TO: NH Department of Environmental Services/SWM Bureau
swpublic.comment@des.nh.gov

FROM: Sarah Doucette
Whitefield, NH 03598

INV OF PRIVACY

RE: My opposition to Bethlehem/NCES Landfill Expansion
Permit No. DES-SW-SP-03-002

(Excerpts from these comments were given as testimony during the Public Hearing Webinar, Bethlehem, NH on 8/25/20. The full text is below.)

I am Sarah Doucette of Whitefield. Greetings and thank you for the opportunity to address the Stage VI expansion proposal.

I spoke against the last Stage VI expansion request in December and the issues I raised remain — the difficulty of DES assuring effective oversight here, particularly concerns about the water pollution evidenced in monitoring wells and timely cover, alongside the questionable history Casella carries with violations, deficiencies, fines and lawsuits at other sites well as here. I will not reiterate these issues tonight, but make other points to support denying this revised application.

We are blessed with people in our community who are diligent and capable of combing NCES reports, DES regulations, details and statistics and you will have their insights tonight. Rather I want to speak to the bigger picture of how this **decision on Stage VI is pivotal for the reform of solid waste management** (SWM) in NH at a time when everyone acknowledges that a new vision is desperately needed.

At this juncture, you regulators at DES in SWM are the gatekeepers — a challenging task especially given the inadequacy of your resources and funding, past and present. I respect and lean on your integrity and earnest effort as we all move toward better and more protective SWM protocols for the land, water and people of NH.

I have **two underlying themes**:

1. It has been clear to the legislature and attentive NH citizens since 1990 or before that **landfilling is the least desired** means of dealing with our trash and the out of state trash that comes along with it when we contract with private companies like Casella.
2. The **mission of DES**, recalled repeatedly during hearings, says **nothing about fostering the economic advantage** of out of state, commercial landfill corporations like Casella. DES's mission is "to help sustain a high quality of life for all citizens by protecting and restoring the environment and public health in New Hampshire."

The **SWM Bureau** is further charged —



To promote responsible waste management and ensure wastes/regulated materials are properly handled and disposed. Conduct prompt remediation to restore contaminated sites to productive use while protecting the environment and public health.

Why has Casella enjoyed the foothold many of us are trying to dislodge tonight even after Bethlehem has voted Casella out of town more times than most of us can count? It seems that Casella has filled a void in legislative and regulatory capacity and willpower for decades in NH. It would be easy to lean into Casella again now with their short term solution to SWM — more and more trash piling up in the White Mountains.

It is widely acknowledged that this relatively cheap and dirty system has to stop as soon as possible. The Stage VI expansion request is the **perfect opportunity to change course**. There is no capacity need in our state from all indications that I can find as I have searched over months for credible information. **Mt. Carberry and Turnkey appear to be entirely capable** of meeting the capacity needs of the state of NH for some decades to come.

Permitting Stage VI here and then Dalton's designated Granite State Landfill would be devastating because, as the *Field of Dreams* movie attests, "**if you build it, they will come.**" Let's cut off further landfill development first in Bethlehem with this permit being denied — and ultimately in Dalton too. **Let's not expand capacity** at either site. Further expansion would entirely upend our long held statewide dream of cutting down on landfill dependence. Casella's perceived service to NH's SWM program has run its course.

We cannot overlook the strife and environmental and public health devastation that so called “host” towns like Bethlehem endure living alongside a landfill. **No community wants that** — and that fact is an unmistakable signal that landfills are a flawed system for SWM that must be rethought and replaced. We have the suggestions of the House’s Committee on SWM issued in Nov 2019 and excellent models for managing waste from other states that are more protective of their landscapes and public health than NH has been.

While I have heard **SWM officials attest** repeatedly that they are guided in part by public input, albeit to an extent that cannot be quantified, I have also listened to many citizens’ questions to SWM diverted by the statement that SWM must be guided by rules and regulations after seeing applications — that is the limit of their decision making purview. This leaves me fearful that only comments directed at rules and regs from the public are pertinent. And that brings me back to DES’s marvelous mission statement.

I respectfully ask you, the decision makers for Stage VI in Bethlehem and other proposed landfill ventures, to **stand back far enough** to see your mission alongside the state’s clear avowal of wanting a new system for SWM. **The opportunity is now** and you are the people who can make a terrific impact, a “thank heaven, finally,” change in NH’s SWM future. Please take this powerful step toward our long held, collective vision of not trashing our state for the benefit of anyone’s corporate bottom line — or due to our own lack of commitment and will.

The **denial of the Stage VI expansion would be the ultimate “public benefit.”**

Thank you again for the opportunity to speak.

From: [Lucysgolden](#)
To: [DES: SWpublic.comment](#)
Subject: Oppose Casella Expansion Bethlehem
Date: Saturday, August 29, 2020 3:44:14 PM

EXTERNAL: Do not open attachments or click on links unless you recognize and trust the sender.

Dear NH DES,

As a 40 year resident of NH's North Country, I feel compelled to write to you to ask that you do not approve Casella's requested Stage 4 expansion in Bethlehem. There is clear evidence of environmental degradation resulting from the current landfill and it seems irresponsible and short-sighted to permit the landfill to grow in its location next to an aquifer. Please support our natural environment by denying the request.

Thank you,

Lucy Golden, Franconia, NH

Sent from my iPhone

From: [Jeffrey DeRosa](#)
To: [DES: SWpublic.comment](#)
Subject: Opposition to Bethlehem/NCES Landfill Expansion Permit No. DES-SW-SP-03-002
Date: Sunday, August 30, 2020 3:29:20 PM

EXTERNAL: Do not open attachments or click on links unless you recognize and trust the sender.

To: NH Department of Environmental Services

Hello,

I'm writing to urge you to deny the Stage VI expansion permit for the NCES/ Bethlehem landfill. I oppose this expansion for many reasons, including:

- 1) It's unclear that the expansion would provide a public benefit, especially with evidence suggesting a lack of transparency in NCES's capacity numbers to date and as projected.
- 2) It would reward a company with a history of lawsuits, violations and fines regarding its operations in Bethlehem and throughout New England, including alleged illegal discharge of pollutants into the Ammonoosuc River in violation of the Clean Water Act.
- 3) It would encourage an increase in out-of-state trash that is of no public benefit to New Hampshire.
- 4) It undermines waste reduction efforts by perpetuating a disposal-based model that is contrary to the state's clear preference to move away from this model.

Thank you for considering my opinion.

Sincerely,

Jeffrey DeRosa

INV OF PRIVACY

From: [David Wilson](#)
To: [DES: SWpublic.comment](#)
Subject: Opposition to Bethlehem/NCES Landfill
Date: Sunday, August 30, 2020 9:25:47 PM

EXTERNAL: Do not open attachments or click on links unless you recognize and trust the sender.

To: NH Department of Environmental Services

Re: Opposition to Bethlehem/NCES Landfill Expansion Permit No. DES-SW-SP-03-002

I'm writing to urge you to deny the Stage VI expansion permit for the NCES/ Bethlehem landfill. I oppose this expansion for many reasons, including:

It's unclear that the expansion would provide a public benefit, especially with evidence suggesting a lack of transparency in NCES's capacity numbers to date and as projected.

It would reward a company with a history of lawsuits, violations and fines regarding its operations in Bethlehem and throughout New England, including alleged illegal discharge of pollutants into the Ammonoosuc River in violation of the Clean Water Act.

It undermines waste reduction efforts by perpetuating a disposal-based model that is contrary to the state's clear preference to move away from this model.

Thank you for considering my opinion.

Sincerely,

David Wilson

INV OF PRIVACY

David Wilson
Whitefield, N.H.

From: [Keith Ashton](#)
To: [DES: SWpublic.comment](#)
Subject: NCES landfill expansion
Date: Monday, August 31, 2020 9:47:40 AM

EXTERNAL: Do not open attachments or click on links unless you recognize and trust the sender.

My name is Keith Ashton. My family and I own a home on Forest Lake in Dalton. I am writing to voice my opposition to (and concern over) the proposed Stage VI expansion of the NCES landfill. A waiver is being sought by the operator of this landfill that would permit the expansion despite there being an ongoing rules violation by the operator (they still lack the required Stage I leak detection and location system); such a system is required by the state for a number of serious environmental and pollution liability reasons. I am very concerned that a waiver would set a regrettable precedent. It would also undermine the serious work that state representatives (and concerned citizens) have made toward protecting the environment from landfill externalities. I respectfully request that DES deny the permit.

Keith Ashton

INV OF PRIVACY

From: [Colles Stowell](#)
To: [DES: SWpublic.comment](#)
Subject: Opposition to Bethlehem/NCES Landfill Expansion Permit No. DES-SW-SP-03-002
Date: Monday, August 31, 2020 5:00:27 PM

EXTERNAL: Do not open attachments or click on links unless you recognize and trust the sender.

To: NH Department of Environmental Services

I'm writing to urge you to deny the Stage VI expansion permit for the NCES/ Bethlehem landfill. I have property in Lancaster on and near Martin Meadow Pond. I belong to the Friends of Martin Meadow Pond, a grassroots nonprofit aimed at promoting the welfare of the lake, its ecology, and the flora and fauna that depend on it. What happens on Forest Lake affects all of us who support protecting healthy natural resources.

I oppose this expansion for many reasons, including:

- It's unclear the expansion would provide a public benefit, especially with evidence suggesting a lack of transparency in NCES's capacity numbers to date and as projected.
- It would reward a company with a history of lawsuits, violations and fines regarding its operations in Bethlehem and throughout New England, including alleged illegal discharge of pollutants into the Ammonoosuc River in violation of the Clean Water Act.
- it would encourage an increase in out-of-state trash that is *of no public benefit to New Hampshire*.
- It undermines waste reduction efforts by perpetuating a disposal-based model that is contrary to the state's clear preference to move away from this model.

Thank you for considering my opinion.
Sincerely,

Colles Stowell

INV OF PRIVACY

From: [Gary Ghioto](#)
To: [DES: SWpublic.comment](#)
Subject: NCES expansion plan under DES consideration
Date: Monday, August 31, 2020 9:25:59 PM

EXTERNAL: Do not open attachments or click on links unless you recognize and trust the sender.

To: NH Department of Environmental Services

Re: Opposition to Bethlehem/NCES Landfill Expansion Permit No. DES-SW-SP-03-002

I'm writing to urge you to deny the Stage VI expansion permit for the NCES/ Bethlehem landfill. I oppose this expansion for many reasons, including:

It's unclear that the expansion would provide a public benefit, especially with evidence suggesting a lack of transparency in NCES's capacity numbers to date and as projected.

It would reward a company with a history of lawsuits, violations and fines regarding its operations in Bethlehem and throughout New England, including alleged illegal discharge of pollutants into the Ammonoosuc River in violation of the Clean Water Act.

it would encourage an increase in out-of-state trash that is of no public benefit to New Hampshire.

It undermines waste reduction efforts by perpetuating a disposal-based model that is contrary to the state's clear preference to move away from this model.

Thank you for considering my opinion.

From: [E Johnson](#)
To: [DES: SWpublic.comment](#)
Subject: Please DENY NCES a stage VI permit in Bethlehem
Date: Tuesday, September 1, 2020 1:20:16 PM

EXTERNAL: Do not open attachments or click on links unless you recognize and trust the sender.

NH DES,

As a reminder, the mission of the NH DES is to help sustain a HIGH quality of life for all citizens by PROTECTING and RESTORING the environment and public health in New Hampshire. The About DES web page emphasizes important goals of ensuring high quality of water, ecology, and recreational benefits. The economic health of the North Country is reliant on these goals being achieved.

I am asking you to DENY North Country Environmental Services (i.e. Casella Waste Systems) a stage VI expansion permit.

The reasons are several, but the two I would like to highlight are:

1. There is no public benefit to this project. We have seen clearly that NH has landfill capacity through the next several decades at Carberry and Turnkey landfills. Casella, and local supporters of the landfill, are on record with statements that the primary reason for this permit is personal/corporate FINANCIAL benefit, NOT environmental, public or local benefit. Even the few local Bethlehem residents that support this cite a need to continue receiving Casella money for the town – but they also admit this is coming to an end soon. DES needs to stand up and acknowledge that New Hampshire has sufficient landfill capacity for New Hampshire.
2. Casella has proven time and again they will break and bend rules and agreements with DES and the town of Bethlehem. Your organization is aware of this. They are requesting waivers for design requirements – why? Is the lifespan of the landfill short enough that Casella simply doesn't want to spend the money? At the very least DES should deny their application with the stipulation that ALL requirements are met fully. Do not grant it with conditions. Deny it.

Granting a Stage VI permit in Bethlehem erodes the public benefit of the North Country, by extension the rest of New Hampshire, and only serves to benefit Casella Waste Systems.

Erik Johnson
Dalton Homeowner

From: [Gabriella Horvath](#)
To: [DES: SWpublic.comment](#)
Subject: Stage VI Expansion Permit Bethlehem
Date: Tuesday, September 1, 2020 1:25:55 PM

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Hello,

My husband and I own a small vacation property in Bethlehem NH and would like to communicate our opposition to the Stage VI expansion of the NCES landfill. Bethlehem has struggled for years to end this source of pollution and it needs to stop--the people have spoken more than once. Please review the points below and deny the permit!

Thanks very much,
Gabriella Horvath
Steve Farrell

INV OF PRIVACY

1. The February 12, 2020 "Application Review Summary" from NH DES cites numerous instances where the application for Type I-A Permit Modification and Waiver of Certain Design Requirements "does not satisfy requirement". In particular, page 12 notes the "absence of a drainage geocomposite or composite liner in a portion of Stage I with no leak detection and location system". The rules seem to indicate this is required and the current application still seeks a waiver. Rules are rules for a reason, and for this reason, NH DES needs to deny this permit request for expansion.
2. This expansion does NOT provide a "substantial public benefit" as per RSA 149-M:11 and therefore, must be denied.

From: [Janet Damiano](#)
To: [DES: SWpublic.comment](#)
Subject: NCES expansion
Date: Tuesday, September 1, 2020 2:49:05 PM

EXTERNAL: Do not open attachments or click on links unless you recognize and trust the sender.

To the NH DES,

My husband and I are opposed to the Stage VI expansion of the NCES landfill on Trudeau Road in Bethlehem, due to design flaws which do not meet requirements.

Please deny this permit.

We also oppose the proposed landfill in Dalton, NH. We believe the landfill would be detrimental to its location so close to Forest Lake State Park!

Thank you for your consideration!

Paul and Janet Damiano

INV OF PRIVACY

Sent from my iPhones

From: [Annalisa Blake](#)
To: [DES: SWpublic.comment](#)
Subject: Public comment
Date: Tuesday, September 1, 2020 3:23:22 PM

EXTERNAL: Do not open attachments or click on links unless you recognize and trust the sender.

I am writing today to request that you DENY the Stage VI expansion permit for the NCES landfill in Bethlehem, NH for the following reasons (amongst others previously and clearly stated and voted upon):

1. The February 12, 2020 "Application Review Summary" from NH DES cites numerous instances where the application for Type I-A Permit Modification and Waiver of Certain Design Requirements "does not satisfy requirement". In particular, page 12 notes the "absence of a drainage geocomposite or composite liner in a portion of Stage I with no leak detection and location system". The rules seem to indicate this is required and the current application still seeks a waiver. Rules are rules for a reason, and for this reason, NH DES needs to deny this permit request for expansion.

2. This expansion does NOT provide a "substantial public benefit" as per RSA 149-M:11 and therefore, must be denied.

Thank you for doing the right thing!
Annalisa Blake

INV OF PRIVACY

From: [Annie Lynch-Ambrose](#)
To: [DES: SWpublic.comment](#)
Subject: CASELLA ...NO !!!
Date: Tuesday, September 1, 2020 7:02:16 PM

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Please deny the application of the Bethlehem landfill...there is no public good due to contamination and odor ...Dalton also does not need this due to the close proximity to Forest Lake and the State Park...my own home is 1/2 mile as the crow flies to the proposed landfill...I also have a 250 foot dug well on my property...I ask you deny all expansions and applications from CASELLA in any way shape or form...We don't need or want this predatory business in the north country !! Think of our land and our children and our children's children...thank you for your time

Annie Lynch Ambrose

INV OF PRIVACY

From: [Andrea Knowles](#)
To: [DES: SWpublic.comment](#)
Subject: DENY - NCES landfill expansion permit
Date: Tuesday, September 1, 2020 6:49:05 PM

EXTERNAL: Do not open attachments or click on links unless you recognize and trust the sender.

As a Bethlehem resident, I am requesting that you DENY the Stage VI expansion permit for the (Casella) NCES landfill for the following reasons:

1. The February 12, 2020 "Application Review Summary" from NH DES cites numerous instances where the application for Type I-A Permit Modification and Waiver of Certain Design Requirements "does not satisfy requirement". In particular, page 12 notes the "absence of a drainage geocomposite or composite liner in a portion of Stage I with no leak detection and location system". The rules seem to indicate this is required and the current application still seeks a waiver. Rules are rules for a reason, and for this reason, NH DES needs to deny this permit request for expansion.
2. This expansion does NOT provide a "substantial public benefit" as per RSA 149-M:11 and therefore, must be denied.

I do not want to live in a dump town where toxic waste and garbage from other states are being trucked into the landfill with no environmental oversight!
The smell, the leaching of toxins, the unsightly trash along the rivers and streams are proof that NCES is not being compliant to regulations.

Please end this process!

Thank You.
Sincerely,
Andrea Knowles
Bethlehem, NH

From: don@hilliardre.com
To: [DES: SWpublic.comment](#)
Subject: Please deny the Bethlehem Landfill expansion request from Casella
Date: Thursday, September 3, 2020 12:28:26 PM

EXTERNAL: Do not open attachments or click on links unless you recognize and trust the sender.

To Whom it may concern,

As a resident, property, and business owner in Bethlehem I am outraged that Casella continues to pursue this expansion after continually being voted down by the town.

Enough is enough! They need to adhere to what the town wants, and it is not them. They are like little children that cannot take no for an answer.

My residence is approximately 4 air miles from this dump and when the wind blows the right way I can smell the dumps odor, still after all these years! Unacceptable!

The February 12, 2020 "Application Review Summary" from NH DES cites numerous instances where the application for Type I-A Permit Modification and Waiver of Certain Design Requirements "does not satisfy requirement". In particular, page 12 notes the "absence of a drainage geocomposite or composite liner in a portion of Stage I with no leak detection and location system".

Also this expansion does not benefit the public at all, the only party to benefit will be Casella and it's employs.

For all of the reasons I emphatically implore you to vote this waiver down, and let the landfill close as scheduled.

I thank you for your time and consideration.

Don Hilliard

Principal Broker Hilliard Real Estate

O. 603-869-3669

C. 603-728-8659

www.hilliardre.com

NH RE Brokers License No. 074541

MA RE Brokers License No. 137589

Please [click here](#) to view the New Hampshire Brokerage Relationship Disclosure Form, which is required by NH Law to be presented at the first business meeting with a consumer, prior to any discussion of confidential information. Our first business meeting could occur via email, text, or phone. Please print, sign and return via email or scan.

From: [lyoungribe](#)
To: [DES: SWpublic.comment](#)
Subject: Please Deny The Stage VI Expansion of the NCES Landfill
Date: Thursday, September 3, 2020 3:58:08 PM

Dear Madam/Sir:

I am writing to urge you to deny the Stage VI expansion permit for the NCES landfill.

I would remind you of the mission statement of the New Hampshire Department of Environmental Services which “is to help sustain a high quality of life for all citizens by protecting and restoring the environment and public health in New Hampshire.” For this reason alone, you cannot support this expansion. If you do, then you deny your own mission.

There is nothing about a landfill that sustains a high quality of life for all citizens. Moreover, the inherent design flaws in the proposed Stage VI expansion do not meet requirements. This must be denied since Casella is seeking a waiver due to the absence of a drainage geocomposite or composite liner in a portion of Stage I with no leak detection and location system which the rules clearly state is a requirement.

These rules were established not to be ignored but rather to be adhered to in determining what is permissible and must be abided by if you are true to your mission to “protect and restore the environment and public health in New Hampshire.”

We are in a time of extraordinary crises in the health and survival of our planet. As an Indigenous First Nation’s leader, I know only too well the danger of turning a blind eye to the wanton destruction of the environment. We must come to understand that the environment is a public health issue and without a strong and healthy environment, we as citizens cannot also enjoy healthy lifestyles. Further, this expansion is not in the public’s best interest and does nothing to provide a “substantial public benefit” per RSA 149 and does not meet nor satisfy RSA 149. In fact, it will do the opposite.

I urge you to be on the right side of history and side with the Planet, the Environment, and the will of North Country residents. Do your part in future-proofing the “high quality of life” here in New Hampshire and deny the Stage VI expansion permit for the NCES landfill. Your denial will go a long way in helping New Hampshire to save and protect the environment and perhaps the planet for generations to come.

Thank you for your attention.

My Kindest Regards,

Lance Young-Ribeiro (wompsikuk mukquoshim)

Chief Sachem & Chairman, Nemasket Tribal Council
Long-time Visitor to Forest Lake

From: [Lynda Payette](#)
To: [DES: SWpublic.comment](#)
Subject: Fw: support for NCES
Date: Thursday, September 3, 2020 9:15:16 PM

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To Whom it Concerns,

My husband and I have lived in Bethlehem, NH (full-time), for 50 years and we are in support of NCES's continued service to our community. We have seen first-hand what NCES has brought to our town for many years and it would be a shame to see all these services discontinue. NCES was there funding sports jackets for high school students, along with funding basketball courts and tennis courts, a learning center at the Landfill for elementary school children and many other ways of contributing to the community. Whenever there was a need, they were there for the kids. We are very much in support of the continued services; trash removal, transfer station and the fees and taxes through the host community agreement. NCES is our number one revenue and would be such a shame to take that away from a well-runned Lanfill.

Thank you for your time and consideration.

Sincerely,
Jim and Lynda Payette

INV OF PRIVACY

Sent: Thursday, September 3, 2020 8:15 PM
Subject: support for NCES

From: [Kim Tower](#)
To: [DES: SWpublic.comment](#)
Subject: This matters to us
Date: Friday, September 4, 2020 8:41:03 AM

Dear Madam/Sir:

I am writing to urge you to deny the Stage VI expansion permit for the NCES landfill.

I would remind you of the mission statement of the New Hampshire Department of Environmental Services which “is to help sustain a high quality of life for all citizens by protecting and restoring the environment and public health in New Hampshire.” For this reason alone, you cannot support this expansion. If you do, then you deny your own mission.

There is nothing about a landfill that sustains a high quality of life for all citizens. Moreover, the inherent design flaws in the proposed Stage VI expansion do not meet requirements. This must be denied since Casella is seeking a waiver due to the absence of a drainage geocomposite or composite liner in a portion of Stage I with no leak detection and location system which the rules clearly state is a requirement.

These rules were established not to be ignored but rather to be adhered to in determining what is permissible and must be abided by if you are true to your mission to “protect and restore the environment and public health in New Hampshire.”

We are in a time of extraordinary crises in the health and survival of our planet. As an Indigenous First Nation’s leader, I know only too well the danger of turning a blind eye to the wanton destruction of the environment. We must come to understand that the environment is a public health issue and without a strong and healthy environment, we as citizens cannot also enjoy healthy lifestyles. Further, this expansion is not in the public’s best interest and does nothing to provide a “substantial public benefit” per RSA 149 and does not meet nor satisfy RSA 149. In fact, it will do the opposite.

I urge you to be on the right side of history and side with the Planet, the Environment, and the will of North Country residents. Do your part in future-proofing the “high quality of life” here in New Hampshire and deny the Stage VI expansion permit for the NCES landfill. Your denial will go a long way in helping New Hampshire to save and protect the environment and perhaps the planet for generations to come.

Thank you for your attention.

My Kindest Regards,
Kimberly Tower

From: [Kristen Harvey](#)
To: [DES: SWpublic.comment](#)
Subject: Please don't allow NCES landfill
Date: Saturday, September 5, 2020 8:30:43 AM

EXTERNAL: Do not open attachments or click on links unless you recognize and trust the sender.

Please deny the Stage VI expansion permit for the NCES landfill in Bethlehem. Thank you!

Kristen Harvey

From: [Jane Storella](#)
To: [DES: SWpublic.comment](#)
Subject: NCES Stage VI Permit (Number DES-SW-SP-03-002)
Date: Saturday, September 5, 2020 9:45:35 AM

EXTERNAL: Do not open attachments or click on links unless you recognize and trust the sender.

My name is Jane Storella I live in Bethlehem. I am asking that 2nd expansion attempt by Casella Waste Systems for their NCES landfill in Bethlehem, NH be denied. It is the right decision to make in order for Bethlehem's business, and residential community to continue with our upward trajectory.

Thank you,
Jane Storella



Virus-free. www.avast.com

From: [Jennine Lawson](#)
To: [DES: SWpublic.comment](#)
Subject: Dalton Bethlehem Landfill Expansion
Date: Saturday, September 5, 2020 10:33:11 AM

EXTERNAL: Do not open attachments or click on links unless you recognize and trust the sender.

As a former employee of Casella, I write to you not as someone who just wants to raze a multi million dollar company to the ground. I have only one problem wirh Casella and that us their lack of budgetary planning to keep their workers employed instead of their race car running.

But I digress...

Dalton and Bethlehem are not where you want to build or expand landfills. These are places where people come to see the beauty of nature and experience the serene green and white mountains.

I am not going to include all of the environmental impact information because I know you already have it.

I am simply asking you to do the right thing for the land and the people.

My husband has been a New Englander hus entire life and going back generations to the first people natives.

This land needs better care instead of a bigger trash bin.

[Sent from Yahoo Mail on Android](#)

From: [Andrew Bouldin](#)
To: [DES: SWpublic.comment](#)
Subject: Comment on NCES Stage VI Expansion
Date: Saturday, September 5, 2020 8:26:32 PM

EXTERNAL: Do not open attachments or click on links unless you recognize and trust the sender.

Department of Environmental Services,

Thank you for the opportunity to provide comment on the application for the stage VI expansion of the NCES landfill. I believe this application should be denied as it fails to meet the requirements set out in statute.

First and foremost, the applicant has not shown substantial public benefit as defined in RSA 149-M:11. In determining whether a proposed solid waste facility provides a substantial public benefit, statute requires DES to consider the following criteria:

- ***The short and long-term need for a solid waste facility of the proposed type, size, and location to provide capacity to accommodate solid waste generated within the borders of New Hampshire.*** We have significantly more capacity than we need if we consider just in-state solid waste. The biggest contributing factor in New Hampshire's solid waste disposal capacity projections is out-of-state trash. Some argue that we need to compensate for the large amount of out-of-state trash coming into these facilities when deciding whether to approve these permits, but the statute is clear. The legislature intends DES to only concern itself with solid waste "generated within the borders of New Hampshire." Likewise, if out-of-state trash is an issue, the legislature must decide what to do about it.
- ***The ability of the proposed facility to assist the state in achieving the implementation of the hierarchy and goals under RSA 149-M:2 and RSA 149-M:3.*** It should be abundantly clear to any observer that this proposed landfill expansion does nothing to assist New Hampshire in achieving its goal of respecting the solid waste hierarchy spelled out in RSA 149-M:3. In fact, expanding landfills continues to be the very crutch that's causing New Hampshire to fail at realizing these goals.
- ***The ability of the proposed facility to assist in achieving the goals of the state solid waste management plan, and one or more solid waste management plans submitted to and approved by the department under RSA 149-M:24 and RSA 149-M:25.*** Under the solid waste management plan, each municipality is responsible for continued and ongoing planning for solid waste management within its boundaries. Just as the state itself has enough capacity for its short and long-term needs, so do the towns. Again, the issue in New Hampshire is out-of-state trash, which is outside the scope of the

considerations defined in statute by the legislature.

The fact that the state currently has excess disposal capacity at existing facilities is well established by the DES in their previous Application Review Summary dated February 12, 2020 where they state "*pursuant to RSA 149-M:11,V(d), no capacity need is deemed to exist for the proposed type of facility (i.e., landfill), because such need shall be deemed to exist "...to the extent the proposed facility satisfies that need."* The proposed facility cannot satisfy a need for disposal capacity when that need does not exist during the time the proposed facility would be accepting solid waste for landfilling."

Casella has resubmitted the application in hopes that DES will come up with a different answer when looking at the same facts. What has changed since February? The clear and honest answer is that nothing has changed since February of this year, and therefore this new application should be denied as it no more satisfies the substantial public benefit requirement than the first application did.

In addition, it is notable that statute further directs DES to consider ***the concerns of the citizens and governing bodies of the host municipality, county, and district and other affected persons***. My understanding is that the people of Bethlehem and the surrounding area have been very clear about where they stand on this proposed expansion and the landfill as a whole. I will let them speak for themselves, but I want to point out that the legislature considered public concern to be so important to the consideration of a permit application, that it gave it its own paragraph within the relevant statute.

In addition to the public benefit determination, the legislature spelled out additional guidelines in RSA 149-M:9 which I'd like to speak to. It states that a permit may be denied if the applicant fails to demonstrate sufficient ***reliability, expertise, integrity, or competence*** to operate a solid waste facility. The applicant, Casella Waste Systems, has had a troubling history operating solid waste facilities in the Northeast. DES should consider past behavior to be a predictor of future performance as it considers the following sample of violations and fines brought against Casella Waste Systems:

- **July 1994:** Newbury, VT -- Casella pays \$68,500 in fines to settle claims against it by Vermont's Department of Environmental Conservation alleging, among other things, Casella operated a transfer station without a permit, failed to store sludge properly at the facility, and failed to close and cap its Newbury landfill, leaking toxic chemicals into the Wells River.
- **May 2000:** Bethlehem, NH -- NCEC is assessed fines of \$134,500 by DES for violations of the NH Hazardous Waste Rules relating to the treatment and transport of their leachate.
- **April, 2002:** The Pennsylvania Department of Environmental Protection fines Casella Waste Management of Pa. Inc. \$34,681 for numerous violations at its waste transfer

station in Delmar Township, Tioga County, and at a site in Ulysses Township, Potter County. The violations included failure to properly maintain plumbing, causing the loading and unloading bay drains to be clogged by solids; depositing leachate onto the gravel parking area behind the loading bay and to the side of the approach to the unloading pad; and failure to have grates on the unloading bay drains. (Pa. DEP Press Release, on file; see www.dep.state.pa.us)

- **March, 2005:** Massachusetts fined Hardwick Landfill owner Casella Waste Systems Inc. \$18,000 and told the company daily fines up to \$1,000 could ensue should Casella fail to correct problems at the Patrill Hollow Road waste site. (*Worcester Telegram & Gazette News*, March 11, 2005)
- **October, 2006:** The City of Saco, Maine, after finding dealing with Casella was costing over \$600,000 per year in legal fees and administrative time, decided on a 20-year with an alternative disposal facility, at an additional cost of \$200,000 per year. City Councilor Ron Michaud said, "One of the most important things to me in any business relationship is a sense of trust. We've had 20 years of empty promises [with Casella subsidiary Main Energy]." KeepMEcurrent.com, Oct. 6, 2006; *Courier (Biddeford, Saco, Old Orchard Beach)*, Oct. 4, 2006).
- **March 2007:** The Pennsylvania Department of Environmental Protection permanently revoked Casella Waste Management of Pennsylvania's Wellsboro transfer station permit effective March 17 and ordered the facility closed because the company repeatedly violated the Pennsylvania Solid Waste Management Act and its DEP permit. The DEP found the transfer station exceeded its daily allowable waste receipts on 197 days.
- **July 2008:** Biddeford, ME -- Clean Air Act violation, fine \$38,700
- **September, 2009:** Southbridge, MA — Casella Waste Systems has been fined \$34,314 over environmental violations found by state inspectors two years ago.
- **August 2011:** Casella Waste Systems fined \$1 Million for deliberate anti-competitive contract violations in Vermont.
- **December 2014:** Southbridge, MA -- Landfill fined \$200,000 by MA DEP and AG over violations of WPCASWA from Aug, 2013 incident involving stored earth and wetlands
- **February 2017:** Southbridge, MA -- Casella Waste Systems Inc., Rutland, Vermont, has been fined more than \$24,000 after violating solid waste, wetlands and air pollution control regulations at its landfill in Southbridge, Massachusetts, by the state's Department of Environmental Protection.
- **October 2018:** Southbridge, MA -- MassDEP issues \$85,323 fine for violations of solid waste and air pollution control regulations
- **June, 2019:** Southbridge, MA -- The state Department of Environmental Protection has fined Southbridge Recycling & Disposal Park \$136,500 for violating a consent order from October concerning solid waste and air pollution control regulations.
- **March 2020:** Representatives from Casella Waste Systems apparently distributed a hit piece about a prominent activist to members of the New Hampshire House of Representatives on the day of the vote on HB 1319 in an effort to derail the bill.

What is clear to me is that Casella Waste Systems is trying to capitalize on perceived landfill capacity limitations in New Hampshire so that they can use our natural resources as a site to dump out-of-state trash, and make a lucrative profit doing so. I am confident that their long and consistent history of violations and fines is rivaled only by the list of violations that have not yet been discovered by state regulators. I believe that the **reliability, expertise, integrity, and competence** stipulations defined in statute were designed to protect the state of New Hampshire from just this sort of applicant and DES should apply heavy scrutiny when considering whether to approve this application.

In summary, this second application for a stage VI expansion at NCES should be denied by DES for the reasons that the first application was denied: the applicant has not met the requirements set out in the statute, and furthermore, the applicant has an extremely questionable track record operating solid waste facilities and otherwise conducting business in the state of New Hampshire and surrounding region.

Thanks for your time and consideration,

Rep. Andrew Bouldin
Hillsborough District 12 (Manchester Ward 5)
Cell: 603-397-7526

From: [frankie scheys](#)
To: [DES: SWpublic.comment](#)
Subject: NCES Stage VI Permit (Number DES-SW-SP-03-002)
Date: Sunday, September 6, 2020 1:15:59 PM

EXTERNAL: Do not open attachments or click on links unless you recognize and trust the sender.

My vote is an unequivocal NO. [Did we learn nothing from allowing the Bethlehem landfill?](#)

Frankie Scheys

Sent from [Mail](#) for Windows 10

..

From: [Peggy Davis](#)
To: [DES: SWpublic.comment](#)
Subject: Bethlehem and Dalton landfills.
Date: Sunday, September 6, 2020 5:02:01 PM

EXTERNAL: Do not open attachments or click on links unless you recognize and trust the sender.

Please do not allow Casella to expand in Bethlehem or build a new landfill in Dalton. They do not care about our beautiful home in the North Country. They do not care about anything or anyone other than filling their own pockets. They don't even care about their own employees. They do not need to expand and have already made a bad impact in Bethlehem. Now they want to ruin Dalton and our beautiful Forest Lake as well. Is that what we want for our children and grandchildren. Our future generations to come? As a resident of Bethlehem I have seen how underhanded they are. I knew that before we even bought our home here that they were bad news. Now they want to put another landfill in my backyard basically. When is it time to say enough is enough with this company? We have beautiful resources and a beautiful state park that will be ruined and wasted to line the pockets of a bad company. I understand we need to have a solution to our trash disposal but Casella is not the answer! Thank you.

Sent from my iPhone

From: [Peg Parenteau](#)
To: [DES: SWpublic.comment](#)
Subject: Stop the Bethlehem Expansion
Date: Monday, September 7, 2020 10:35:15 AM

EXTERNAL: Do not open attachments or click on links unless you recognize and trust the sender.

Good Morning

I am a resident of Whitefield New Hampshire and have owned property here since 1985.

Please halt the expansion of the Bethlehem landfill.

A stage VI expansion application

Has been applied for

DES-SW-SP-03-002

And please deny the application for a landfill in Dalton.

State regulators can halt this practice of destroying our beautiful north country.

Please do the right and stop this insane money motivated destruction of our natural resources

STOP THE DIVIDE

NO CASH FOR TRASH

The future generations are counting on you. Thank you for your time.

Sincerely

Margaret (peg) Parenteau

INV OF PRIVACY

Sent from my iPhone

From: [Claire Lupton](#)
To: [DES: SWpublic.comment](#)
Subject: Opposition to Bethlehem/NCES Landfill Expansion Permit No. DES-SW-SP-03-002
Date: Monday, September 7, 2020 11:04:22 AM

EXTERNAL: Do not open attachments or click on links unless you recognize and trust the sender.

To: NH Department of Environmental Services

Re: **Opposition to Bethlehem/NCES Landfill Expansion** Permit No. DES-SW-SP-03-002

As a longtime homeowner in Whitefield who cares deeply about the North Country, I'm writing to urge you to **deny the Stage VI expansion permit** for the NCES/ Bethlehem landfill. I oppose this expansion for many reasons, including these:

It's unclear that the expansion would provide a **public benefit**, especially with evidence suggesting a lack of transparency in NCES capacity numbers to date and as projected.

It would **reward a company with a history of lawsuits, violations and fines** regarding its operations in Bethlehem and throughout New England, including alleged illegal discharge of pollutants into the Ammonoosuc River in violation of the Clean Water Act.

It would open our pristine lakes, streams and forests – the keystone of our vibrant tourist economy and the reason many of us choose to live here -- to the **many threats posed by a huge dump** at the edge of Forest Lake and Forest Lake State Park: foul smell, contaminated soil and water, toxic spills, scavenger animals polluting our waterbodies, and huge increases in traffic on our local roads.

It would **encourage an increase in out-of-state trash** that is of no public benefit to New Hampshire.

It **undermines waste reduction efforts** by perpetuating a disposal-based model that is contrary to the state's clear preference to move away from this model.

Please deny this landfill expansion application!

Thank you for considering my opinion.

Sincerely,

Claire Lupton

INV OF PRIVACY

From: [JS](#)
To: [DES: SWpublic.comment](#)
Subject: The Casella Waste Systems proposal
Date: Monday, September 7, 2020 11:29:45 AM

EXTERNAL: Do not open attachments or click on links unless you recognize and trust the sender.

Dear New Hampshire DES,

My family has lived in New Hampshire for generations. My great-grandfather was Chief Justice of the state's Superior court.

I'm writing to you from my home in Whitefield, a town with nothing to gain and much to lose should Casella Waste Systems be permitted to proceed with a Dalton landfill.

I'm told that heavy truck traffic to and from the landfill would punish the people and roads of Whitefield daily, devastating quality of life through air pollution and congestion. As many as 90 tractor-trailers per day would pass through the center of town.

I respectfully ask that you consider this factor in addition to the countless other environmental threats of the proposed landfill to area towns, and do the right thing for the greater good. Please reject the proposed Casella landfill in Dalton.

Sincerely,

Jeff Sawyer

INV OF PRIVACY

From: [Alessandra Nichols](#)
To: [DES: SWpublic.comment](#)
Subject: Please Deny The Stage VI Expansion of the NCES Landfill
Date: Monday, September 7, 2020 1:51:23 PM

I am adding my name to this letter by *Lance Young-Ribeiro (wompsikuk mukquoshim)*. Our waterways are sacred and need to be protected. Accepting trash with serious pollutants from other places where they are not wanted only profits Casella. This is criminal and needs to be stopped. I thank you for addressing this immediately.

Sincerely Alessandra Nichols

A concerned citizen living in East Charleston Vt, in the northeast kingdom.

Dear Madam/Sir:

I am writing to urge you to deny the Stage VI expansion permit for the NCES landfill. I would remind you of the mission statement of the New Hampshire Department of Environmental Services which "is to help sustain a high quality of life for all citizens by protecting and restoring the environment and public health in New Hampshire." For this reason alone, you cannot support this expansion. If you do, then you deny your own mission.

There is nothing about a landfill that sustains a high quality of life for all citizens. Moreover, the inherent design flaws in the proposed Stage VI expansion do not meet requirements. This must be denied since Casella is seeking a waiver due to the absence of a drainage geocomposite or composite liner in a portion of Stage I with no leak detection and location system which the rules clearly state is a requirement.

These rules were established not to be ignored but rather to be adhered to in determining what is permissible and must be abided by if you are true to your mission to "protect and restore the environment and public health in New Hampshire."

We are in a time of extraordinary crises in the health and survival of our planet. As an Indigenous First Nation's leader, I know only too well the danger of turning a blind eye to the wanton destruction of the environment. We must come to understand that the environment is a public health issue and without a strong and healthy environment, we as citizens cannot also enjoy healthy lifestyles. Further, this expansion is not in the public's best interest and does nothing to provide a "substantial public benefit" per RSA 149 and does not meet nor satisfy RSA 149. In fact, it will do the opposite.

I urge you to be on the right side of history and side with the Planet, the Environment, and the will of North Country residents. Do your part in future-proofing the "high quality of life" here in New Hampshire and deny the Stage VI expansion permit for the NCES landfill. Your denial will go a long way in helping New Hampshire to save and protect the environment and perhaps the planet for generations to come.

Thank you for your attention.

My Kindest Regards,

Lance Young-Ribeiro (wompsikuk mukquoshim)

Chief Sachem & Chairman, Nemasket Tribal Council

Long-time Visitor to Forest Lake

Alessandra Nichols

From: [laurieboswell](#)
To: [DES: SWpublic.comment](#)
Subject: Bethlehem - landfill expansion
Date: Wednesday, September 9, 2020 7:44:16 AM

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Dear Committee Members,

I am writing to voice my opposition to the proposed expansion of the NCES landfill in Bethlehem.

I live in a neighboring town and know that the residents of Bethlehem have voted 12 times to oppose expansion of the landfill. The current Plan B proposal from Casella violates zoning regulations in Bethlehem. The environmental damage has been documented. We smell the impact of the landfill 10 miles away. The north country is tired of being the dumping ground for southern NH and other parts of New England. We depend upon tourism and value our quality of life.

Please turn down the request for expansion.

Yours,
Laurie Boswell
Franconia, NH

From: [Melanie Harding](#)
To: [DES: SWpublic.comment](#)
Subject: landfill
Date: Wednesday, September 9, 2020 11:28:13 AM

EXTERNAL: Do not open attachments or click on links unless you recognize and trust the sender.

I have lived in Bethlehem, NH for over 46 years and have voted "no" on any and every landfill creation and expansion warrant article. The "no" vote has won more than once or twice, and the landfill just keeps expanding. That makes me question the meaning of voting and the meaning of democracy. Over the years while on my way to work in Bretton Woods, I have often smelled the unpleasant odor emanating from the landfill. I worry about the proximity of the landfill to the river in the event of landfill leakage or some other catastrophe.

Please listen to voters and do not approve Casella expansion in Bethlehem or landfill creation in nearby Dalton. Please help preserve our beautiful North Country.

Sincerely,

Melanie Harding
Bethlehem, NH

From: [Denny Ruprecht](#)
To: [DES: SWpublic.comment](#)
Subject: Opposition to Proposed Landfill at Forest Lake
Date: Wednesday, September 9, 2020 11:56:50 AM

EXTERNAL: Do not open attachments or click on links unless you recognize and trust the sender.

Please add my name to the voices opposed to the proposed landfill at Forest Lake.

Regards,

Rep. Dennis Ruprecht
Grafton 15
Bath, Benton, Easton, Landaff, Haverhill, Orford, Piermont, Warren

From: [Cyndi Keller](#)
To: [DES: SWpublic.comment](#)
Subject: Casella permit applications
Date: Wednesday, September 9, 2020 1:11:09 PM

EXTERNAL: Do not open attachments or click on links unless you recognize and trust the sender.

I want to write I. Support of casella's applications for expansion of the landfill in bethlehem nh. They have been amazing for this town. They have helped lower our taxes and have always been there to support whatever organization asks for their help, even those that are mean and Nasty to them, especially if it is for kids

From: INV OF PRIVACY
To: [DES: SWpublic.comment](#)
Subject: Trudeau Road Landfill Expansion
Date: Thursday, September 10, 2020 10:12:59 AM
Attachments: [Scott and Marie Stevenson NHDES 09102021.docx](#)

EXTERNAL: Do not open attachments or click on links unless you recognize and trust the sender.

Please the late date of this submission. We have been out of town.

Sincerely,

Scott and Marie Stevenson



Scott and Marie Stevenson

INV OF PRIVACY

Recipient's Name

Street Address

Address 2

City, ST ZIP Code



Scott and Marie Stevenson

September 10, 2020

NHDES
29 Hazen Drive
Concord, NH 03302

To Whom it may concern,

We are writing this letter to express our feelings about the expansion requested by Casella for their landfill on Trudeau Road in Bethlehem, NH.

As residents of Bethlehem for over 50 years we feel that the denial of this expansion would be a mistake. Casella has been a good neighbor and benefit to the town of Bethlehem. The benefits include the free curbside trash pick-up, the free disposal of appliances, furniture, electronic devices, all types of light bulbs, tires batteries, metals, used oil and the lowering of our property taxes.

Many people talk about pollution and environmental concerns but have no test results to support these allegations and show no concern for other worse situations along the Ammonoosuc River. As lifelong, and multi-generational, residents of Bethlehem we feel insulted by these unfounded allegations and the reputation that they are giving the town. These people have bought or built houses in our town after the opening of the landfill and now are showing concern about the landfill that been in existence since before they moved here. They also call Bethlehem the "Garbage Town", as an employee of the NHDOT Construction Bureau for over 36 years I have never heard anyone else refer to Bethlehem in such terms.

As for the Ammonoosuc River it is cleaner now than when we were young in the 1970's and earlier. At that time the Mount Washington Hotel and most of the people and towns near the Ammonoosuc River released raw sewage into the river. At that time we swam and played in the river. The claim that the ground water and aquifer are being polluted were disproved when my artesian well and other on Trudeau Road were tested by NHDES approximately 1 ½ years ago.

We all agree that everyone creates trash but the people that are complaining about the landfill have no alternative solution and feel that this will be taken care of overnight. This expansion would give the State of New Hampshire and everyone that uses the landfill time to come up with a viable alternative.

Sincerely,

Scott and Marie Stevenson

INV OF PRIVACY

INV OF PRIVACY

From: DES: SWpublic.comment
To: ["Andrew Bouldin"](#)
Subject: RE: Comment on NCES Stage VI Expansion
Date: Thursday, September 10, 2020 12:39:00 PM

Good Afternoon Representative Bouldin your comment was received and recorded. Thank you for your submission. Nelson

Nelson E. Ordway, Executive Secretary
New Hampshire Department of Environmental Services,
Waste Management Division, Solid Waste Compliance Bureau
29 Hazen Drive, PO Box 95
Concord, NH 03302-0095
phone: 603.271.2925
fax: 603.271.2456

*E-mail: nelson.ordway@des.nh.gov

Think Green!

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From: Andrew Bouldin <Andrew.Bouldin@leg.state.nh.us>
Sent: Thursday, September 10, 2020 10:34 AM
To: DES: SWpublic.comment <DES-swpublic.comment@des.nh.gov>
Subject: Re: Comment on NCES Stage VI Expansion

EXTERNAL: Do not open attachments or click on links unless you recognize and trust the sender.

DES,

I received a bounce back email when I submitted my written testimony below. Can you confirm that my message was received and has been added to the record?

Thanks,

Rep. Andrew Bouldin
Hillsborough District 12 (Manchester Ward 5)
Cell: 603-397-7526

From: DES: SWpublic.comment <DES-swpublic.comment@des.nh.gov>
Sent: Saturday, September 5, 2020 8:26 PM
To: Andrew Bouldin <Andrew.Bouldin@leg.state.nh.us>
Subject: Automatic reply: Comment on NCES Stage VI Expansion

I will be out of the office Friday, September 4, 2020 and Tuesday, September 8, 2020. State Offices are closed Monday, September 7, 2020 in observance of Labor Day. If you need immediate assistance, please contact 271-3899. Thank you and enjoy your day.

Nelson E. Ordway, Executive Secretary, Solid Waste Management Bureau, Waste Management Division, Department of Environmental Services.