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Sent: Wednesday, January 21, 2026 10:05 AM
To: robert.r.scott@des.nh.gov
Cc: john.m.formella@doj.nh.gov
Subject: Letter from Town of Bethlehem Select Board

Commissioner Scott
New Hampshire Department of Environmental Services
29 Hazen Drive
Concord, NH 03301

Dear Commissioner Scott,

On behalf of the Bethlehem Select Board, we are writing regarding the recent \$1.9 million settlement involving the North Country Environmental Services (NCES) landfill and the potential allocation of those funds for future remediation needs associated with the facility.

As a host community to the NCES landfill, the Town of Bethlehem has borne — and continues to bear — long-term environmental, financial, and administrative impacts associated with landfill operations. While we recognize and appreciate the State's efforts to resolve outstanding matters related to NCES, the Select Board respectfully requests that Bethlehem be recipient of the settlement funds, or that the funds be designated for the Town's future remediation and mitigation needs as a result of landfill operations.

Our concern is not hypothetical. In Casella Waste Systems, Inc.'s most recent annual report, the company explicitly identifies challenges in obtaining adequate insurance coverage within the solid waste industry. This disclosure underscores the very real risk that future environmental remediation costs may not be fully insurable or recoverable, leaving host communities such as Bethlehem exposed to significant financial liability should conditions change or unforeseen impacts emerge. Of particular concern is the documented tear in the landfill liner system and the landfill's close proximity to the Ammonoosuc River. Given the river's significance as a regional water resource, the presence of a compromised liner heightens the Town's concern regarding the potential for leachate migration, groundwater impacts, and downstream environmental consequences. These risks underscore the importance of ensuring that adequate financial resources are available to address future remediation or protective measures should conditions worsen or additional impacts be identified.

Given this context, we respectfully request clarification from the Department on two related issues:

1. Whether settlement proceeds may be allocated or reserved for host communities, specifically Bethlehem, to address future potential remediation or mitigation projects associated with the NCES landfill; and
2. Whether the recent settlement creates any limitations, waivers, or preclusions on future legal or regulatory action by the Town of Bethlehem or the state against Casella or NCES related to environmental impacts, remediation obligations, or host-community protections.

Bethlehem has consistently acted in good faith to work collaboratively with the State, the operator, and regional partners. Our request is rooted in ensuring that the Town is not left

without adequate resources or legal recourse should future environmental conditions or liabilities arise.

We appreciate your time and attention to this matter and would welcome the opportunity to discuss these issues further with you or your staff. Please do not hesitate to contact the Town Administrator's Office if additional information would be helpful.

Thank you for your continued service and consideration.

Respectfully submitted,

Bethlehem Select Board
Town of Bethlehem, New Hampshire