

Bethlehem

Residents Challenge Landfill Addition On Many Counts

BY PETER RIVIERE
Staff Writer

Editor's Note: This story is the second of a two-part series covering the Department of Environmental Services' hearing Tuesday on the permit application for a new trash cell at the North Country Environmental Services landfill on Trudeau Road.

Residents mixed history, economics and concerns about health and pollution in their effort Tuesday night to convince waste management division employees of the New Hampshire Department of Environmental Services to turn down the permit application filed by North Country Environmental Services for a new 6.5-acre landfill cell.

The public hearing was held at the

Bethlehem Elementary School.

In place of jargon about slope angles, impermeable glacial till, fugitive emissions, leachate collection systems, contamination attenuation and more chemical names than most have heard in a lifetime, residents used practical numbers and emotional concerns about escalating cancer rates and odor from the landfill to plead with state officials to deny the permit application for another trash cell.

The new cell would merge with two existing phases covering 25.2 acres and, if approved, allow the present 90-foot pile height to climb 30 more feet skyward.

Speaker after speaker referred to the many votes the town has taken at town meetings to prohibit landfill expansion.

The votes, six since 1987, have been ig-

nored as cell after cell was added to the operation without additional public hearings.

Even the transfer of ownership from Consumat Sanco to Casella Waste Systems was handled without a hearing, complained residents.

What DES officials got Tuesday night was a litany of challenges to their ability and political willingness to deny landfill application permits anywhere in the state.

"Your job is not to listen to the people here tonight but to ensure landfill capacity," said attorney Jack Yazinski, who represents AWARE and Environmental Action of Northern New Hampshire.

Resident Len Reed offered landfill records to show that 16,000 tons annually is dumped by 27 local towns and another

52,000 tons by "private haulers," presumably most of them servicing local clients, leaving 52,000 tons annually imported from out of the area.

Reed produced data marking New Hampshire the No. 1 trash importing state in the nation on a per capita basis.

"This leads me to believe the state of New Hampshire is very much on the side of entrepreneurial efforts," he said.

Richard Reed (no relation), the hearing officer and a compliance official with DES, said the state could deny the permit if it found that the acreage was simply too large, but that because of constitutional

rights allowing unfettered interstate trade, the state cannot limit out-of-state trash from being imported and dumped in landfills similar to NCE's Bethlehem facility.

Ted Wilkinson cataloged a "richly detailed history of operational problems with the landfill operation," starting with spikes in water quality issues, air quality problems and potential liabilities from the primary and secondary liner systems.

Stan Harrison said the question was not

See **Landfill**, Page A16

Landfill

Continued from Page A1

...if the double liner would fail but "when."

When that occurs, said Harrison, the company's \$10 million pollution insurance would not come close to covering remediation and liability exposure.

It is unlikely that liability would pierce Casella Waste Systems' "corporate veil," said Rita Farrell, a summer resident and business writer for Reuters News Service who pointed to NCES as a "stand-alone corporation" which could be bankrupted

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by the parent company, Casella. Casella, she said, would be indemnified from financial liability for any problems.

Farrell asked NCES chief financial officer Gerry Cifor if the company was the target of acquisition by a larger waste handling company since its stock is selling for about a quarter of its value, according to some business analysts.

Cifor said the Casella corporate officers hold enough shares (about 38 percent of the company) to ward off any hostile takeover.

Farrell also queried if the 15 lawsuits now filed against the company would have any measurable impact on the company's ability to pay the interest costs on the \$450 million line of credit recently approved by the Bank of Boston.

She also asked why the company's recent Stock Exchange Commission filing didn't list the New Hampshire Supreme Court appeal by the town as a continuing liability.

Cifor said the lawsuits typically are settled out of court at the behest of the insurance carriers and that the Supreme Court challenge was included in the Stock Ex-

change Commission filing.

Moderator Reed said the company's permit application would be decided on "science and technology issues" and "information that has substantiated basis is of extreme concern to us in the permitting process." Many residents proffered emotional comments that Reed discounted saying, "This is not an emotional issue."

Virginia Jeffries, who is completing a family medicine residency in Concord, said she is concerned about proceeding without knowing what's in the waste stream coming into the landfill.

"I am sensing that DES is not seeing the big picture and protecting the environment. My perception is you're interested in meeting the letter of the law and not in the long-term interest of the residents."

Steve Huntington said, "The sentiment is we don't want the landfill for whatever reasons."

Another summer resident who planned to retire here in the next few years, Bruce Swanson, said since the growth of the landfill, the once pure air for which Bethlehem had a national reputation is now polluted, property values are depressed

and a mountain of trash is rising on the horizon, obliterating his view of the surrounding White Mountains.

"How much money do you need?" he asked the NCES operatives. "Enough to bury the town? You've ruined it for me."

A nearby neighbor from the Beech Hill area, Jean Boisseau, said she was re-searching her deed and found prohibitions on keeping chickens in her yard but now has seagulls who live off the landfill in her vegetable garden.

"You people are killing my family. You need to get out of town."

Jody Blaney said she represents the face of the nameless, faceless people victimized by environmental problems and likened her medical history to that of a woman in the popular movie "Erin Brockovich."

"I have lost both breasts and my uterus to cancer. There's no question in my mind it's the environment that causes most of these cancers. I wish this hearing could last long enough for the kids to show up in the morning so they could ask what you're

putting in their town."

Attorney Yazinski and Selectman Norm Brown both scolded the DES officials for proceeding with the permitting process while litigation that should determine the validity of the town's variances and special exceptions are resolved.

"That the appeal has been accepted by the court indicates a different context to the appeal," said Brown.

Yazinski asked if once capacity was permitted for a landfill, would DES have any control over how the capacity is utilized.

Michael Dilbooy, an agency engineer, said, "We wish we did."

Harrison said since this was a new landfill permit, changes can be accounted for from the first permit.

"You guys (DES) allowed a landfill to be sited on what turns out to be an aquifer. This is now known — it's new information and the permit must be denied."

Reed earlier informed one questioner that the state has no regulations permitting siting a landfill over an aquifer but does

for siting in or near a wetlands area.

George Manupelli, a longtime critic and opponent of the landfill, said he was disgusted by what he heard Tuesday night.

"I haven't heard any of you mention people all night. How is it you can take a small, picturesque, New Hampshire town and turn it into a dump in perpetuity. Everything I have here is being degraded. What is the benefit to the community of smelting contaminated soil from Enfield, Conn. (dumped at the landfill)?"

He ridiculed calls by DES officials for residents to notify the agency and the company when the odor permeates the atmosphere beyond the dump.

"There isn't anyone in town who doesn't know the landfill has an odor problem," said Ron Weston.

Judy Moriarty of Claremont, who is fighting incinerator and ash landfill issues there, said, "Oh yes this is an emotional issue. There is no public benefit to the environment of approving this permit. Protect the environment. Do your jobs."

Boera