

Bethlehem Presents Town Meeting Warrant, Seeks Casella Fine For Town

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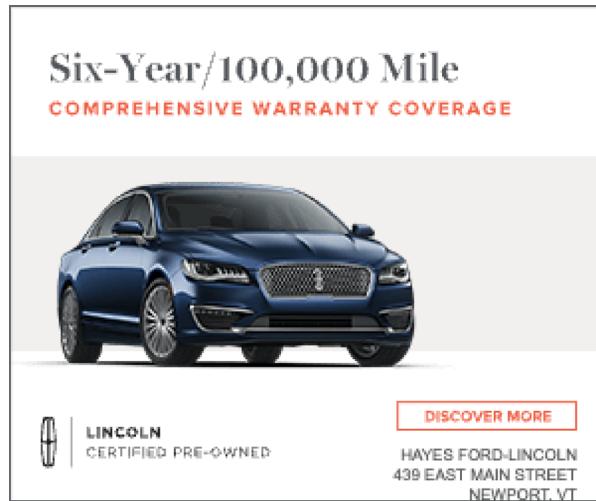


After some legal twists and turns, the Bethlehem Select Board on Monday approved an application process for short-term rental properties. (File photo)

A week after Casella Waste Systems was fined \$1.9 million for historic violations at its landfill in Bethlehem, the Select Board is asking the state to give the money directly to the town rather than deposit it in state coffers.

The request was made by resident David Van Houten and was supported by board members and other residents, who said there could be future environmental remediation needed in town from the documented mismanagement and leachate spills and overflows at the NCES landfill.

Van Houten has served on Bethlehem's energy commission, which he said was boosted in 2007 after the state, in seeking to take climate change seriously, wanted town Select Boards to appoint energy committees to conduct municipal energy audits and renewable energy projects.



A few years later, the New Hampshire Department of Environmental Services' Air Resources Division would fine Pinetree Power \$75,000 for emissions violations. Of that amount, \$69,000 went to the Bethlehem Energy Commission to remediate some of the damage done to the air in Bethlehem, said Van Houten.

The money went toward a number of town energy projects and was used to leverage grant money that allowed the town to complete a \$125,000 project with a taxpayer cost of \$10,000 and retrofit the town hall, the energy consumption of which was reduced by 60 percent, he said.

At the time, the head of DES's Air Resources Division was Robert Scott, who is now the commissioner of DES, he said.

"I think that maybe we should consider writing him a letter saying that since the damage that you're getting this money from was done in Bethlehem to our air, land, and water, we would like to have that money to establish a fund to protect our air, land, and water," said Van Houten.

Of the \$1.9 million, the New Hampshire Department of Justice allowed Casella to remediate the former town landfill in Bartlett for a credit of \$219,000 against the total fine.

When Bethlehem Selectman Mike Bruno read about Casella's fine, he said he thought it would be nice if the town of Bethlehem could get some benefit, perhaps through a fund, if there was something that needed to be done for cleaning the Ammonoosuc River.

"[Resident] Rich Southwell had brought up at the previous meeting Casella's annual report to the stockholders, where they flat out said we may not have enough insurance coverage to cover a major problem," said Nancy Strand, chair of the Select Board.

"We're going to need the money," said Van Houten.

"Richard brought it up that it's going to fall back on the state or the town, so there's a case to be made there," said Strand.

The board voted 5-0 to send a letter to Scott.

"It doesn't hurt to ask," said Strand. "I did wonder why Bethlehem is not getting anything."

"I would ask for everything," said Van Houten.

Southwell, citing the state's 59-page complaint for civil penalties filed at Grafton Superior Court that outlines years of landfill violations, also requested that the board ask the state what is Bethlehem's status if any item in the complaint causes further damage and if the town would be prejudiced from receiving any recovery money for future damage because a settlement was reached between the state and Casella.

"Are we protected, or how are we protected against that?" he asked.

"One of the items in that list was a puncture in the liner that everybody seems to know about," said Southwell. "If that liner leak creates a problem later on, are they off the hook and whose pocket do we have to go digging in to get that fixed?"

Several residents — including Strand last week in comments to New Hampshire media outlets, where she called the civil penalty a "slap on the wrist" — spoke of how small they believe the fine is when compared to Casella's overall company value and revenue stream.

In its 2025 financial reporting, Casella estimated total revenue at more than \$1.8 billion. A fine of \$1.9 million equates to about one-tenth of 1 percent of revenue.



Although some Bethlehem residents were expecting a voter petition asking the town to enter into new negotiations with Casella for landfill expansion, no such petition was filed before the Jan. 13 deadline.