



RECORD OF MODIFICATION

TO SOLID WASTE MANAGEMENT FACILITY PERMIT

Issued by the NH Department of Environmental Services, Waste Management Division (Department)
pursuant to RSA 149-M and Part Env-Sw 315 of the New Hampshire Solid Waste Rules, Env-Sw 100 – Env-Sw 2000 (Rules)

I. PERMIT/FACILITY IDENTIFICATION:

Permit No.: DES-SW-SP-03-002

Permittee: North Country Environmental Services, Inc.

Facility Name: North Country Environmental Services, Inc. Landfill---Stages IV and V

Facility Location: 581 Trudeau Road, Bethlehem, New Hampshire

Facility Type: Lined Landfill

Permit Modification Type: I-A

II. FILE REFERENCE/RECORD OF APPLICATION:

Date(s) Received: February 13, 2014; March 5, 2014; March 12, 2014; March 13, 2014; March 31, 2014; June 27, 2014; August 5, 2014; and August 11, 2014

WMD Document Log #(s): 13337, 13390, 13419, 13423, 13477, 13883, 13995, and 14056, respectively.

III. MODIFICATION: Subject to the terms and conditions provided in Section IV of this approval, this permit modification:

(1) Approves for immediate implementation certain revisions to the Facility Operating Plan, as proposed in Section IV of WMD Document Log #13337 and modified in WMD Document Log #s 13419, 13477, 13883, 13995, and 14056;

(2) Authorizes future construction and operation of a vertical and lateral expansion of the landfill, including modifications to the existing leachate, gas, and groundwater monitoring infrastructure. The expansion, referred to as Stage V, has a total capacity of 1,903,000 cubic yards, a projected life expectancy of 5.3 years, and overlies existing landfill areas referred to as Stage I (ref. permit #DES-SW-87-002), Stage II (ref. permit #DES-SW-89-009), Stage III (ref. permit #DES-SW-SP-00-003), and Stage IV (ref. permit #DES-SW-SP-03-002); and

(3) Specifies closure and post-closure requirements for the entire landfill, comprised of Stages I – V.

IV. TERMS AND CONDITIONS: See 17 terms and conditions, attached.

V. EFFECTIVE DATE: Date of signature below.

VI. AUTHORIZING SIGNATURE: The permit identified in Section I above is hereby modified as specified in Section III above, subject to terms and conditions provided in Section IV above. This authorization is based on information and representations provided to the Department by the permittee, in documents referenced in Section II above. If the information is false, misleading or incomplete, the modification may be revoked or suspended in accordance with Part Env-Sw 306 of the New Hampshire Solid Waste Rules.

BY EXERCISING ANY RIGHTS UNDER THIS AUTHORIZATION, THE PERMITTEE HAS AGREED TO ALL TERMS AND CONDITIONS OF THE PERMIT, AS MODIFIED. Failure to comply with the terms and conditions of the permit could result in civil or criminal penalties, suspension or revocation of the permit, or administrative fine. No liability is incurred by the State of New Hampshire by reason of any approval of this solid waste facility. No warranty/guarantee is intended or implied by reason of any advice given by the Department or its staff.

This permit shall not eliminate the permittee's obligation to obtain all requisite federal, state or local permits, licenses or approvals, or to comply with all other applicable federal, state, district and local permits, ordinances, laws, approvals or conditions relating to the facility.

Michael J. Wimsatt, P.G., Director
Waste Management Division

Date

8/15/14

Section IV: Terms and Conditions

Permit Administration.

(1) The permittee submitted a completed Standard Permit application form with its application for this Type I-A permit modification. The Department determined that the requirements for both a Type I-A modification of existing permit #DES-SW-SP-03-002 and a new Standard Permit were satisfied, allowing the Stage V landfill expansion to be approved by issuance of either a Type I-A modification of Permit #DES-SW-SP-003-002 or a new Standard Permit. For administrative reasons, including simplification of internal recordkeeping, the Department has elected, pursuant to its rules, to authorize development of Stage V through issuance of this Type 1-A modification to Permit #DES-SW-SP-03-002.

(2) Stages IV and V of this facility are designed to overlie Stages I – III. The layout of Stage V incorporates certain areas of Stage IV as it was originally designed when permit #DES-SW-SP-03-002 was issued for Stage IV on March 13, 2003 and as subsequently modified. To the extent there are inconsistent provisions in permit #DES-SW-87-002 for Stage I inclusive of all modifications to date, permit #DES-SW-89-009 for Stage II inclusive of all modifications to date, permit #DES-SW-SP-00-003 for Stage III inclusive of all modifications to date, and the provisions of permit #DES-SW-SP-03-002 inclusive of all modifications relative to Stage IV prior to the effective date of this modification, the terms of this modification shall supersede the inconsistent provisions and apply to all areas.

Facility Limits.

(3) The approved footprint and final grades of this facility, encompassing Stages I – Stage V, are as shown on design plan sheet #2 of 5, titled “Stage V Landfill Expansion, Closure Plan Drawings, Final Grading Plan” provided in the permit modification application document submitted August 5, 2014 and assigned WMD Document Log #13995.

Stage IV Operations.

(4) Continued operations in Stage IV shall be in accordance with:

- (a) RSA 149-M;
- (b) The NH Solid Waste Rules, Env-Sw 100-2000, as applicable, specifically including but not limited to Env-Sw 1005, Env-Sw 1105, Env-Sw 806, and Env-Sw 900;
- (c) The facility limits specified in condition (3) above; and
- (d) The Approved Operating Plan of Record, which on the effective date of this permit modification is the proposed Operating Plan found in Section IV of the permit modification application submitted to the Department on February 13, 2014 (WMD Document Log #13337) as revised by subsequent permit modification application submittals received on March 12, 2014 (WMD Document Log #13419), March 31, 2014 (WMD Document Log #13477), June 27, 2014 (WMD Document #13883), August 5, 2014 (WMD Document Log #13995), and August 11, 2014 (WMD Document Log #14056), which per condition (15) herein the permittee is required to submit as a final comprehensive document in .pdf format, to be appended to this permit modification.

Stage V Construction.

(5) Prior to commencing construction of Stage V, the permittee shall:

- (a) Submit and obtain approval of final design plans and specifications as specified in Env-Sw 1104.01, based on the preliminary design plans and specifications provided in the permit modification application documents identified in Section II of this approval, such plans and specifications to also include an Odor Control Plan to be implemented during construction;
 - (b) File a Notice of Intent to Construct as specified in Env-Sw 1104.02, such notice to include reference to an approved Alteration of Terrain Permit needed for construction; and
 - (c) Obtain approval to commence construction as specified in Env-Sw 1104.03.
- (6) Stage V shall be constructed in accordance with the following requirements:
- (a) The landfill construction requirements in Env-Sw 805, subject to the provisions of Waiver Approval #DES-SW-WV-14-003 dated August 15, 2014, attached herewith;
 - (b) The additional construction requirements in Env-Sw 1104.04 through Env-Sw 1104.08;
 - (c) All terms and conditions of this permit; and
 - (d) The final design plans and specifications approved for construction pursuant to condition (5) above.
- (7) To limit noise, no construction shall occur between the hours of 6:00 p.m. and 7:00 a.m.

Stage V Operations.

- (8) Stage V shall be operated in accordance with:
- (a) RSA 149-M;
 - (b) The NH Solid Waste Rules, Env-Sw 100-2000, as applicable, specifically including but not limited to Env-Sw 1005, Env-Sw 1105, Env-Sw 806, and Env-Sw 900;
 - (c) The Approved Operating Plan of Record;
 - (d) The facility limits specified in condition (3) above; and
 - (e) The provisions of the public benefit determination provided in conditions (13) and (14) herein.
- (9) Prior to commencing operation of Stage V, the permittee shall:
- (a) Satisfy the prerequisites for operations specified in Env-Sw 1105.01;
 - (b) File a Notice of Intent to Operate in accordance with Env-Sw 1105.02;
 - (c) Obtain operating approval as specified in Env-Sw 1105.03.

Facility Closure.

- (10) The permittee shall close the entire facility (Stages I – V) in accordance with:
- (a) RSA 149-M;
 - (b) The NH Solid Waste Rules, Env-Sw 100-Env-Sw 2000, as applicable, specifically including but not limited to Env-Sw 1006, Env-Sw 1106, Env-Sw 807, and Env-Sw 900;
 - (c) An approved Final Closure Plan, pursuant to condition (11) below; and
 - (d) The facility limits specified in condition (3) above.
- (11) The permittee shall submit and obtain approval of a final closure plan, including final design plans and specifications for constructing the capping system, prepared on the basis of the preliminary design plans provided in the Approved Closure Plan of Record, which on the date of this permit modification

is the plan found in Section V of the permit modification application document submitted February 13, 2014 (ref. WMD Document Log #13337) as revised by subsequent permit modification application submittals received March 12, 2014 (WMD Document Log #13419), June 27, 2014 (WMD Document Log #13883), and August 5, 2014 (WMD Document Log # 13995), which per condition (16) herein permittee is required to submit as a final comprehensive document in .pdf format, to be appended to this permit modification.

Financial Assurance.

(12) The permittee shall provide and continually maintain financial assurance as specified in Env-Sw 1400.

Stage V Determination of Public Benefit.

(13) In accordance with RSA 149-M:11, III, and V, the Department has reviewed the projected 20-year solid waste disposal capacity needs for the State of New Hampshire in the short-term and the long-term on the date of permit issuance; the type, size, and location of the facility; the extent to which Stage V can satisfy that need; and waste diversion activities of the permittee, as outlined in its application. Based on this review, the Department has determined that Stage V can provide a substantial public benefit, as required by RSA 149-M:11, X, if the operation of Stage V conforms with the following conditions:

(a) The permittee shall operate Stage V in a manner that provides 5.3 or more years of disposal capacity for New Hampshire solid waste generators, as represented in the application for permit modification. Although facility capacity may be depleted at a variable rate over the life of the facility, the permittee shall control the capacity depletion rate so as to fulfill the 5.3-year requirement in good faith, which shall preclude operating the facility at token capacity levels in order to achieve 5.3 years of life.

(b) The permittee shall operate Stage V in a manner that assists in achieving the implementation of the hierarchy and goals under RSA 149-M:2 and 3 as required by RSA 149-M:11, III(b) and shall avoid to the extent possible the disposal of recyclable material in the landfill.

(c) To assure compliance with (a) and (b) above, in the annual facility report required by Env-Sw 1105.07(b) during the period of Stage V operations, the permittee shall provide:

(i) A capacity availability analysis that identifies the remaining operating life of Stage V, based on current and historic rates of use and the total projected life of the facility. If the total projected life identified in any annual facility report is less than 5.3 years, the permittee shall identify measures to be taken to adjust facility operations to provide at least 5.3 years of total facility life.

(ii) Information to clearly demonstrate:

- (A) How facility operations have assisted and will continue to assist the State in achieving the hierarchy of waste management methods and goals of RSA 149-M:3; and
- (B) How facility operations have complied with the requirements of RSA 149-M:2.

(14) If the Department is not satisfied that the information provided by the permittee per paragraph (c)



above meets the requirements of RSA 149-M:11, the Department may, in accordance with Env-Sw 306, take the following actions:

- (a) Set a maximum disposal rate for the facility, subject to annual readjustment based on remaining facility capacity and actual capacity-need projections; and/or
- (b) Stipulate other appropriate controls for assuring that the facility continues to provide a substantial public benefit.

Additional Submittals.

(15) Within 30 days of the issue date of this permit modification, the permittee shall submit in .pdf format a final comprehensive copy of the Approved Operating Plan of Record, with a signed statement certifying that the submitted plan is a true and complete copy of the Approved Operating Plan of Record, to be appended to this permit for recordkeeping purposes.

(16) Within 30 days of the issue date of this permit modification, the permittee shall submit a copy of the Approved Closure Plan of Record in .pdf format, with a signed statement certifying that the submitted plan is a true and complete copy of the Approved Closure Plan of Record, to be appended to this permit modification for recordkeeping purposes.

(17) Within 90 days of the date of this approval, the permittee shall engage the services of a qualified consultant and submit a proposed scope of work for conducting a study to determine if there are additional methods available to control odors at the landfill. Following the Department's review of the proposed scope of work, the permittee shall address all Department comments and submit a revised scope of work to the Department. Within 180 days of Department approval of the scope of work, the permittee shall conduct the study in conformance with the scope of work and submit a report of the study and findings to the Department.



WAIVER APPROVAL

Issued by the NH Department of Environmental Services, Waste Management Division (Department)
pursuant to RSA 149-M and Part Env-Sw 202 of the New Hampshire Solid Waste Rules, Env-Sw 100 – Env-Sw 2000 (Rules)

I. IDENTIFICATION OF FACILITY/ACTIVITY:

Waiver Approval No.: DES-SW-WV-14-003

Applicant Name/Address: North Country Environmental Services, Inc., PO Box 866, Rutland VT 05702

Facility Name and Location: North Country Environmental Services, Inc. Stage V Landfill, 581 Trudeau Road, Bethlehem, NH

Related Regulatory Activity: Type I-A Permit Modification of Permit #DES-SW-SP-03-002, dated August 15, 2014, granting approval to develop a vertical and lateral expansion of the landfill, referred to as Stage V.

II. FILE REFERENCE/RECORD OF APPLICATION:

Date(s) Received: February 13, 2014; March 5, 2014; March 12, 2014; March 31, 2014; and June 27, 2014

WMD Log #(s): 13337, 13390, 13419, 13477, and 13883

III. SECTION OF RULES BEING WAIVED:

(1) Based on information in the application demonstrating that the design intent of the rule is met by the existing system, the requirement in Env-Sw 805.07(a)(1) for geonet to be incorporated throughout the entire leachate collection and removal system of the bottom-most liner is waived relative to development of Stage V over existing Phases I through III of Stage I where geonet is not incorporated throughout the entire leachate collection and removal system for the bottom-most (secondary) liner.

(2) Based on information in the application demonstrating that strict adherence to the rule is not relevant to meeting performance objectives except when operations first commence in a new cell, the requirement in Env-Sw 805.07(b)(1) for leak detection and location systems to be designed using a maximum time of concentration equal to 24 hours is waived relative to development of Stage V over those areas of existing Phases I through III of Stage I where the maximum time of concentration exceeds 24 hours in the leachate collection and removal system for the bottom-most (secondary) liner.

IV. TERMS AND CONDITIONS: None.

V. EFFECTIVE DATE/DURATION OF WAIVER: Effective from the date of signature below.

VI. AUTHORIZATION: This approval grants to the applicant (identified in Section I above) a waiver to the requirement(s) set forth in the rules cited in Section III above, as the rules relate to the facility or activity specified in Section I above, subject to the conditions specified in Section IV above. The waiver is valid for the period of time specified in Section V above and is granted on the basis of information supplied by the applicant. If that information is false, misleading or incomplete, this approval may be revoked or suspended.

BY EXERCISING ANY RIGHTS UNDER THIS AUTHORIZATION, THE APPLICANT HAS AGREED TO ALL TERMS AND CONDITIONS. Failure to comply with the terms and conditions could result in civil or criminal penalties, suspension or revocation of this approval or any permit to which it may apply. No liability is incurred by the State of New Hampshire by reason of any approval of this waiver or the facility or activity to which it relates. No warranty/guarantee is intended or implied by reason of any advice given by the Department or its staff.

This approval shall not eliminate the applicant's obligation to obtain all requisite federal, state or local permits, licenses or approvals, or to comply with all other applicable federal, state, district and local permits, ordinances, laws, approvals or conditions relating to the approved activity.


Michael J. Wimsatt, P.G., Director
Waste Management Division

8/15/14
Date

