

North Country group asks state regulators to suspend review of Dalton landfill permit applications

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Zoey Knox / NHPR

The landfill is proposed in Dalton, New Hampshire.

A lawyer for a North Country group opposing a new landfill proposed by Casella Waste Systems is asking state regulators to hold off on processing the project's permit applications.

Casella submitted a new permit application for their proposed Dalton landfill in late October, after withdrawing a previous round of applications in 2022. The landfill proposed in the current applications would be 70 acres and would receive 1,800 tons of waste every day for 18 years.

Normally, state regulators would have 60 days to determine whether the application is complete. But Amy Manzelli, a lawyer for the North Country Alliance for Balanced Change, is asking the state to wait to process the application until new solid waste rules are

finalized and cases in front of the New Hampshire Supreme Court are resolved.

Mike Wimsatt, director of the Department of Environmental Services' Waste Management Division, said state regulators have not yet responded to the letter, and declined to comment.

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In a letter to the Department of Environmental Services, Manzelli says the Department should consider the landfill under the forthcoming version of its revised solid waste rules. Those rules were last updated in 2014 and are set to be re-adopted by July 2024.

"GSL should not be permitted to escape stricter standards based on the timing of its submission," she writes. "[A]ny New Rules that address public health, safety, and welfare must be applied to the Application."

Manzelli also notes the New Hampshire Supreme Court is considering multiple cases related to how state regulators consider whether a landfill or other facility provides a "substantial public benefit."

"It would be a waste of Department time and resources to begin processing an application when a significant portion of that process—the application of the public benefit test—could completely change in the midst of the Department's consideration," she writes.

Casella has said that the conflict around the public benefit test has “created uncertainty” for their permitting process, and interfered with their application, according to an attachment in Manzelli’s letter.

Jeff Weld, Casella’s director of communications, said the company is “confident” that the request was not supported by New Hampshire law, and that the review of their project would move forward.

“This is an attempt to distract the public from having real conversations on the need for the project and to delay critical infrastructure development for people in New Hampshire, while gaining media attention for their cause. We look forward to future discussions with the people of New Hampshire and regulatory agencies based on the merits of the proposed Granite State Landfill and recycling facility, and see no reason to waste time and resources on this kind of grandstanding.”