

# WASTE MANAGEMENT COUNCIL

Minutes of August 16, 2007

State of New Hampshire  
Department of Environmental Services  
29 Hazen Drive, Room 112, 113, and 114  
Concord, New Hampshire 03301

**MEMBERS PRESENT:** G. Bradley Richards, Chairman; Ronald Allard; Charles Connell; Arthur Cunningham; Anthony Illacqua; Nancy Kinner; and Elaine Lauterborn.

**NHDES:** Paul L. Heirtzler, Esq., Administrator, Waste Programs  
Thomas Siegle, Solid Waste Management Bureau  
Michael J. Wimsatt, P.G., Director

**GUESTS:** Gary A. Braun, Esq., Winer and Bennett  
Dorothy Clarke, Esq., Associate of Corporation Counsel,  
Office of Corporate Counsel  
Maureen Smith, Esq., Department of Justice  
William Straub, P.E., CMA Engineers

## (1) Introduction

(A) Chairman Richards brought the meeting to order at 10:05 a.m. verifying that a quorum was present.

## (2) Pending Business

(A) Acceptance of Minutes for Meeting May 17, 2007: A motion was made to accept the Minutes of the May 17, 2007 meeting. Motion made by Mr. Allard, seconded by Ms. Kinner. All in favor.

(B) Schedule of Next Meeting: The next meeting is scheduled for September 20, 2007 and will be held at the NHDES offices.

## (3) Guest Speaker: **Michael J. Wimsatt, P.G., Director Waste Management Division**

On July 19, 2007, the DES hosted the fifth segment in the ongoing series to familiarize the Waste Management Council with DES's prevention preparedness and spill response efforts in the New Hampshire Coastal area. Mr. Wimsatt thanked the Council for their attendance.

Mr. Wimsatt updated the Council on various changes within the Department. Bobbi Benedict recently joined the Commissioner's office staff as Commissioner Burack's Administrative Assistant. Kate Peters recently joined the Governor's office as a special assistant for policy. She will be responsible for handling environmental, energy, transportation and agricultural issues for the Governor.

**(4) Appeal**

Docket Number: 07-08 WMC

Appellant: City of Nashua  
Subject of Appeal: Nashua Four Hills Landfill – Type 1-A Permit  
Modification and Waiver  
Permit No. DES-SW-SP-005

On May 23, 2007, Attorney Gary A. Braun filed a *Petition to Intervene* on behalf of Jensens, Inc., and Clifford & Elaine McIntyre (Intervenors). On June 13, 2007 the Intervenors filed an *Answer and Request for Dismissal*.

On June 20, 2007, Attorney Maureen D. Smith filed a *Motion to Stay Appeal* on behalf of the State of New Hampshire Department of Environmental Services Waste Management Division (DES).

On June 20, 2007, the Intervenors filed an *Object to Motion to Stay Appeal*.

The parties provided background information regarding Docket No. 07-08 WMC. A motion was made to accept the appeal (07-08 WMC). Motion made by Mr. Allard, seconded by Ms. Lauterborn. All in favor.

A motion was made to accept the intervenors status. Motion made by Mr. Allard, seconded by Ms. Kinnder. All in favor.

A motion was made to deny the *Motion to Stay* and to schedule a hearing on October 18, 2007. Motion made by Ms. Lauterborn, seconded by Ms. Kinner. All in favor.

**(5) Old Business**

**Construction and Demolition Debris (C&D):  
Paul L. Heirtzler, Esq., Administrator, Waste Programs**

Mr. Heirtzler gave a brief synopsis to the Council regarding subcommittee meetings that were held at DES regarding C&D and provided a copy of notes on the DES 3R C&D Task Force, C&D Wood Subcommittee meeting of August 7, 2007.

Mr. Heirtzler continued further with discussion and answered several questions from the Council.

**(6) Adjournment**

At 12:05 p.m., Mr. Cunningham moved to adjourn the meeting. Mr. Allard seconded. The Council unanimously agreed to adjourn.

*Respectfully submitted by Almorinda M. Samson, Waste Management Council Clerk. A copy of the audio taped recording of this meeting is available upon request. Please contact Ms. Samson at (603) 271-2905 for more information.*