

**WASTE MANAGEMENT COUNCIL**

**Minutes of September 15, 2011**

**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; Phillip Bilodeau; Michael Blayne; Charles E. Connell; Steven Crean; Elaine Lauterborn; David Tooley

**(1) Introduction**

(A) Chairman Richards brought the meeting to order at 10:07 a.m. verifying that a quorum was present.

**(2) Pending Business**

(A) Schedule of Next Meeting: The next meeting is scheduled for October 20, 2011 and will be held at the NHDES offices.

(B) Accept Minutes of the July 21, 2011 meeting. Phillip Bilodeau moved to accept the June Minutes and Steve Crean seconded. All in favor.

**(3) Appeal Status Update: Paula Scott, Appeals Clerk**

**Pending, Appeal's.**

**Docket Number: 09-02 WMC**

Appellant: North Country Environmental Services. Inc. (NCES, INC.)

Subject of Appeal: December 12, 2008 Applications to Modify Permit # DES-SW-SP-03-002 for Stage IV Phase II of the NCES Landfill, Trudeau Road, Bethlehem NH

Presiding Officer: Not Assigned

Status: Stay remains in affect

Action needed by Council: Council request a status request

**Docket Number: 09-19 WMC**

Appellant: North Country Environmental Services, Inc. (NCES, INC.)

Subject of Appeal: March 25, 2009 Notice of Decision Regarding Applications to Modify Permit #DES-SW-SP-03-002 for Stage IV Phase II of the NCES Landfill, Trudeau Road, Bethlehem, NH

Presiding Officer: Not Assigned

Status: Stay remains in affect  
Action Needed by Council: Council request a status request

**Docket No. 10-26-AWMC – Old Dutch Mustard co. Inc. of Pioneer Point Appeal**

Subject of Appeal: Issuance of Standard Permit DES-SW-SP-10-005 issued on October 26, 2010 to Pioneer Point Ent. As well as waiver approvals DES-SW-WV-10-003 and -004.

Presiding Officer: David Conley, Esq.

Status: PHC scheduled for August 25, 2011 at 9.00 am. Notice sent July 28, 2011.

Second PHC scheduled for October 14, 2011 and notice given per Pre Hearing Order issued on August 25, 2011. Presiding Officer issued decision on Motion to Dismiss and Objection to Motion to Dismiss on August 29, 2011

Action needed by Council; None

**Docket No. 11-04 WMC –Seth Goldstein, et al Appeal**

Council's Attorney: Attorney Lisa English

Presiding Officer: David Conley: Esq.

**Status;** PHC scheduled for August 25, 2011 at 10:00 Am., Notice sent July 28, 2011. July 28<sup>th</sup> Email was received from NCES requesting to postpone PHC. August 1, 2011 presiding officer Granted NCES's request. Objection to NCES request for information filed August 2, 2011. Opposition to Appellants Objection was filed August 8, 2011. August 17, 2011 Appellant Withdrew its Objection to NCES request for information. Appellant filed motion to compel on August 29, 2011. NCES filed Objection to Motion to Compel and Motion for Extension of time on August 30, 2011. Appellant filed Objection to Motion for Extension of Time on September 8, 2011. NCES filed its Reply in support of its Motion for Extension of Time on September 9, 2011

**Docket No. 09-41 WMC – Petsmart, Inc. Appeal**

Subject of Appeal: Administrative Order No. 09-088 WMD- Toxics in Packaging File No. TP-2009-003

Presiding Office:

Status: Need order on Joint Motion for Entry and Closure which was granted on October 21, 2010.

**Docket Number 10-22 WMC –Seth Goldstein, et al Appeal**

Subject of Appeal: August 27, 2010 Type 1B permit Modification for NCES Stage IV Landfill, 581 Trudeau Road Permit# DES-SW-03-002

Presiding Officer: Attorney David Conley, Esq.

Status: Council deliberated on July 21, 2011. PO to issue draft order to the council and issue final Order within 90 days (October 19, 2011). Council voted to except the draft order

**(4) Waste Management Update: Michael Wimsatt Director**

Mr. Wimsatt gave a brief update on the Hooksett waste water treatment plant, The Budget and also The damages from Tropical storm Irene. He also gave a brief update on the PRC.

**(5) Update on Vapor Recovery Rules Michael Juranty, and Michael Fitzgerald**

Michael Juranty and Michael Fitzgerald gave a brief description to the changes in the Vapor Recovery Rules Changes to take effect January 1, 2012.

**(6) Adjournment**

Meeting was adjourned at 12:55 Elaine Luterborn made the motion to adjourn the September 15, 2011 Mr. Michael Blayney meeting seconded. All in favor

*Respectfully submitted by Pamela Werner, Waste Management Council Clerk.*

*A copy of the audio taped recording of this meeting is available upon request. Please contact Mrs. Werner at (603) 271-2905 for more information.*