

# WASTE MANAGEMENT COUNCIL

Minutes of April 17, 2008

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; Fuat Ari; Michael Blayney; Charles Connell; Steven Crean; Arthur Cunningham; Nancy Kinner; Elaine Lauterborn; David Tooley; Carl Quiram; and Duncan Watson.

**NHDES:** Carl Baxter, P.E., Hazardous Waste Remediation Bureau  
Michael Juranty, P.E., Oil Remediation and Compliance Bureau  
George Lombardo, P.E., Administrator, Oil Remediation and Compliance Bureau  
Frederick J. McGarry, P.E., DEE, Assistant Director, Waste Management Division  
Michael J. Wimsatt, P.E., Director, Waste Management Division

**GUESTS:** James L. Soucy, Esq., Normand and Associates Attorneys at Law

## (1) Introduction

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

## (2) Pending Business

(A) Acceptance of Minutes for Meeting March 20, 2008: A motion was made to accept the Minutes of the March 20, 2008 meeting with minor amendments. Motion made by Ms. Lauterborn, seconded by Mr. Watson. All in favor.

(B) Schedule of Next Meeting: The next meeting is scheduled for May 15, 2008 and will be held at the NHDES offices.

(C) Correspondence: The Council reviewed correspondence regarding Docket No. 08-10 WMC - Simard Family Trust Appeal.

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

Mr. Wimsatt gave a brief synopsis to the Council regarding the most recent legislation being tracked by the Waste Management Division.

- HB 1635 - relative to permits for motor vehicle salvage facilities and motor vehicle crushers.
- HB 1429 - relative to private landfills.

10:55 a.m. – Meeting interrupted by fire alarm.

11:12 a.m. – Meeting reconvened.

**(4) Appeal Status:**

Docket Number: 08-17 WMC  
Appellant: Simard Family Trust  
Subject of Appeal: February 19, 2008 Groundwater Management Permit Modification  
No. 198704094-R-001

The appeal was received on March 17, 2008.

Mr. Cunningham recuses himself from this appeal.

Attorney Soucy gave the Council a brief synopsis regarding his client's reason for appealing the February 19, 2008 Groundwater Management Permit Modification.

A motion made by Mr. Connell to hear the appeal, seconded by Ms. Kinner. All in favor.

Docket Number: 08-08 WMC  
Appellant: Richard A. Mottolo  
Subject of Appeal: January 11, 2008 Groundwater Management Permit  
No. 198704094-R-001

An appeal hearing is scheduled May 15, 2008 at 11:00 a.m.

Docket Number: 07-26 WMC  
Appellant: Simard Family Trust  
Subject of Appeal: October 30, 2007 Groundwater Management Permit  
No. GWP-198803007-L0001

The Council denied the appeal at the March 20, 2008 meeting.

Docket Number: 08-10 WMC  
Appellant: Simard Family Trust  
Subject of Appeal: January 16, 2008 Groundwater Management Permit Modification  
No. 198704094-R-001

The appeal was received on February 15, 2008. Attorney Soucy withdrew the appeal on April 10, 2008. Attorney Roth also submitted a letter confirming the withdrawal of the modification to the Auburn Road Landfill Superfund Site groundwater permit dated January 16, 2008. The permit was further modified on February 19, 2008.

**(5) Guest Speaker: George Lombardo, P.E., Director, Waste Management Division**

Mr. Juranty and Mr. Lombardo gave a brief synopsis regarding the proposed revisions to Env-Wm 1402, Control of Aboveground Petroleum Storage Facilities.

A motion was made to approve the rules. Motion made by Mr. Quiram, seconded by Ms. Kinner. All in favor.

**(6) New/Old Business**

Mr. Lombardo briefly discussed the two exercises in June, which involve the Oil Remediation and Compliance Bureau.

**(7) Adjournment**

At 11: 50 a.m., Ms. Kinner moved to adjourn the meeting. Ms. Lauterborn 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.*