



# THE STATE OF NEW HAMPSHIRE

## Waste Management Council

Arthur J. Cunningham, Vice Chairman, Acting/ Chairman

PO Box 95, 29 Hazen Drive, Concord, New Hampshire 03302-0095

Council Clerk/Secretary (non-appeal related): (603) 271-2905; Appeals Clerk (appeal related only): (603) 271-6072

TDD Access: Relay NH 1-800-735-2964

Council Website: <http://www.des.nh.gov/councils/>

**Minutes of March 20, 2014**  
**Waste Management Council Meeting**  
**29 Hazen Drive, Room 112, 113, and 114**  
**Concord, New Hampshire 03301**

**Members Present:** Vice Chairman Arthur Cunningham, Mike Durfor, Fred McGarry, Daniel Sweet, Nancy Kinner, Steve Crean, Dave Tooley

**Members Not Present:** Phillip Bilodeau, Duncan Watson, Chuck Connell

**Council Clerk:** Pamela Werner

**Council Appeals Clerk:** Paula Scott

**NHDES-WMD Personnel:** Michael Wimsatt, Michael Juranty

**Call to Order:**

Vice Chairman Cunningham called the meeting to order at 10:20 AM, verifying that a quorum was present.

**Schedule of Next Meeting:**

The next meeting is scheduled for April 17, 2014, and will be held at the NHDES offices.

**Approval of Minutes:**

Fred McGarry made the motion to accept the February 20, 2014 minutes, Mike Durfor seconded. All in favor

**Status of Appeals:**

Vice Chairman Cunningham introduced Paula Scott, Appeals Clerk.

**Docket No. 14-01 WMC – Brighter Horizons Environmental Inc.**

Fred McGarry made the motion to accept the appeal. Mike Durfor seconded, all in favor

**Division Activities & Legislative Update:**

Vice Chairman Cunningham introduced Mike Juranty, Oil Compliance section of the Waste Management Division.

Mr. Juranty gave a presentation overview of the AST section of the Waste Management Division. Mr. Juranty explained the Rules, Funding, Staffing, Spill Response, AST Statistics, Storage, and SPCC plans. He also touched on the Portland Montreal Pipeline and the storage of Non Petroleum substances.

Vice Chairman Cunningham introduced Michael Wimsatt, Waste Management Division Director.

Mr. Wimsatt Made the announcement that Mr. Gary Lynn is the new administrator of the MTBE Bureau. He also announced that Ms. Sarah Yuhas Kirn is the new administrator for the Oil Compliance and Remediation Bureau. He also gave a brief synopsis of HB 1304 Fluorescent lamp storage bill. The sharps bill, HB 1570 paint stewardship, SB 252 and SB 347 removal of submerged vehicles. He also discussed financial assurance for Solid Waste landfills.

**New/Old Business:**

Mike Durfor would like to personally thank Mr. Michael Wimsatt for arranging the presentations overviews of each Bureau in the Waste Management Division to the Council.

**Public Commentary:**

No members of the public provided comments.

**Adjourn**

Having no further business to discuss, Nancy Kinner entered the motion to adjourn Mike Durfor seconded. All were in favor. The Waste Management Council adjourned at 12:45 on March 20, 2014.

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.

To: Waste Management Council

From: Paula Scott, Appeals Clerk

Re: Status on Pending Appeals

Date: March 20, 2014

*Upcoming Council Meetings: Apr 17, 2014; May 15, 2014; Jun 19, 2014; Jul 17, 2014; Aug 21, 2014; Sep 18, 2014; Oct 16, 2014; Nov 20, 2014; Dec 18, 2014*

#### **I. New Appeals**

##### **Docket No. 14-01 WMC – Brighter Horizons Environmental, Inc.**

Subject: 1/22/14 Denial of Certified Waste Derived Product Application, WMD Log #12965

Hearing Officer: Not assigned

Status: 2/21/14 rec'd Notice of Appeal. 2/24/14 issued Receipt of Appeal letter. Council to accept or dismiss appeal.

#### **II. Decisions that need to be written/finalized and issued.**

#### **III. Hearings or PHCs Pending**

##### **Docket No. 13-16 WMC – M.T. McCarthy Unit 1 Realty Holdings, LLC**

Subject: 10/17/13 Imminent Hazard Administrative Order #13-017 WMD

Hearing Officer: David Conley (appointed by AG on 1/16/14)

Status: 11/15/13 rec'd Notice of Appeal. 11/19/13 sent insufficient appeal letter. 12/17/13 rec'd revised appeal. 12/20/13 sent receipt of revised appeal. Council to accept or dismiss appeal at its Jan. 16, 2014, meeting. 1/22/14 issued appeal accepted letter. 2/12/14 issued Notice of Pre-hearing Conference scheduled for Mar. 12, 2014. 3/12/14 issued PHO with the PHC being continued and scheduled for April 9, 2014 at 11 a.m.

#### **IV. Inactive/Status Letter or Pending Settlement/Withdrawal**