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# Solid Waste Enforcement: New Hampshire Department of Environmental Services and Bethlehem Landfill Enter into Consent Decree

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The State of New Hampshire Department of Environmental Services (“NHDES”) and North Country Environmental Services (“North Country”) entered into a January 12th Consent Decree (“CD”) addressing violations of New Hampshire Solid Waste Management rules. See Docket No. 215-2026-CV-00004.

The CD addresses a Bethlehem, New Hampshire solid waste facility (“Landfill”).

A Complaint had been filed in Superior Court alleging violations of RSA 149-M, the administrative rules, and the Landfill permits.

The alleged violations include:

- The placement of waste beyond permitted limits;
- Failure to maintain the leachate collection system and failure to operate system as required resulting in a leachate discharge on site;
- Storage of amounts of leachate on the primary landfill liner greater than allowed;
- Causing secondary landfill liner flows in excess of limits and failure to conduct required investigations and report such incidents; (v) Violations related to the existence of a hole in the primary landfill liner;
- Drilling of gas monitoring wells through the “overlay liner;” and,
- Failing to place alternative daily cover at the end of a working day.

The CD provides that nothing in the document is, or should be construed as, an admission of liability by North Country.

A civil penalty of \$1,900,000 is assessed. Further, the CD describes certain supplemental environmental projects (“SEPs”) denominated:

- Saco River SEP.
- Saco River stabilization SEP.

A copy of the CD can be found [here](#).