



January 6, 2006

Commissioner Michael Nolin
N.H. Department of Environmental Services
6 Hazen Drive
Concord, N.H. 03302-0095

Dear Commissioner Nolin,

I am writing regarding an important issue impacting our community which your department has the ability to act on quickly and make a positive impact. Specifically, we respectfully request that the DES authorize Waste Management's use of an additional landfill gas flare so that the facility can more effectively deal with landfill odors.

Background

As you may know, the CAC is a volunteer community advisory group that was created 18 months ago to more fully address community and operational issues associated with Turnkey Recycling and Environmental Enterprise Landfill (TREE). The committee's mission is to provide input, suggestions and community feedback while developing a broader dialog with Waste Management and the various constituencies of the Turnkey facility. Mr. Trey Dykstra, formally with the DES, served as an active member on the committee representing the department until his resignation in October of this year to take a position at the DOT.

Reducing Odors

The committee's principal efforts since its creation have been the review of landfill odor issues. To improve landfill gas extraction and combustion, and reduce landfill odors, Waste Management undertook a multi-million dollar construction effort adding new gas pipelines and gas extraction wells. Additionally, improvements to the design of the gas collection systems have increased the effectiveness of the older, less efficient landfill gas extraction control systems. Other initiatives have also been undertaken to reduce the frequency of bothersome landfill odors.

Thus far the results have been positive. The Brown and Caldwell odor investigation report (which was conducted at the direction of the DES) indicated that Waste Management was now utilizing the best management practices (and in some cases exceeding them) in their efforts to control landfill odors. The overall number of resident complaints of landfill odors has been reduced considerably since their peak levels in the summer of 2004. But despite the positive progress, a significant problem looms and the reason for this is as follows.

The Challenge

Turnkey's improved landfill gas collection system has significantly increased the overall volume of landfill gas extracted from the facility. That is certainly a positive factor provided the facility can manage this gas in a manner that reduces odors while posing no environmental risks. However, Turnkey needs another flare to increase vacuum to the collection system and allow the new upgraded well field to work as designed. Simply stated, without this flare, fugitive landfill gas will increase; exacerbating the odor problems we have worked so hard to reduce.

Recommended Action

We are mindful of the complex DES policies and procedures associated with the permitting of an additional flare at Turnkey. Nevertheless, we believe the temporary approval of the use of an additional flare, which we are told is onsite and ready to be used, is unquestionably in the public interest.

Waste Management has advised the committee that its requests to utilize this additional flare, even in circumstances of combustion equipment failure, have been denied. The facility has already seen modest, but increased odor complaints. Our request is an effort to act pro-actively so the impact on the nearby residents is minimized and to avoid any further increase in odor complaints.

The committee has received no satisfactory explanation from either Waste Management or representatives from your department as to why approval of this flare, (even on a temporary, conditional basis) is not a sensible step in dealing with this issue. Although not certain, we are left with the perception that regulatory "red tape", however unintended, may be an obstacle to solving the very problems all of us are working so hard to resolve.

Thank you for your assistance and we look forward to hearing from you.



Clifford A. Newton
CAC Co-Chair
Rochester State Representative



Karen Pollard
CAC Co-Chair
City of Rochester
Economic Development Manager

cc: Mr. Mike Guilfooy, DES
Mayor Larochelle
Senator Green