RECORD OF MODIFICATION
TO SOLID WASTE MANAGEMENT FACILITY PERMIT

Issued by the New Hampshire Department of Environmental Services, Waste Management Division (NHDES) pursuant to RSA 149-M and Chapter Env-Sw 300 of the New Hampshire Solid Waste Rules (Rules)

I. PERMIT/FACILITY IDENTIFICATION:
   Permit No.: DES-SW-88-029
   Permittee: Androscoggin Valley Regional Refuse Disposal District (AVRRDD)
   Facility Name: Mount Carberry Secure Landfill
   Facility Location: Bean Brook Road, Success, NH
   Facility Type: Lined Landfill
   Service Type: Unlimited
   Permit Modification Type: Type I-A per Env-Sw 315.02(b)

II. FILE REFERENCE/RECORD OF APPLICATION:
   Application No.: 2020-48625
   Date(s) Received: April 2, 2020; October 8, 2020; and March 23, 2021.
   WMD Document Log No.(s): 2020-48625-01, -02 and -03, respectively.

III. MODIFICATION: This permit modification provides conditional approval to laterally and vertically expand the Mount Carberry Secure Landfill in such manner as to increase its permitted disposal capacity by approximately 4,992,000 cubic yards of air space. The expansion is referred to as Phase IIIA as depicted in the submittals referenced in Section II herein.

IV. TERMS AND CONDITIONS: Attached.

V. EFFECTIVE DATE: Date of signature below.

VI. AUTHORIZING SIGNATURE: The permit identified in Section I above is hereby modified as specified in Section III above. This authorization is based on information provided to NHDES by the permittee in documents referenced in Section II above. If the information is false, misleading or incomplete, the modification may be revoked or suspended in accordance with Part Env-Sw 306 of the Rules.

BY EXERCISING ANY RIGHTS UNDER THIS AUTHORIZATION, THE PERMITTEE HAS AGREED TO ALL TERMS AND CONDITIONS OF THE PERMIT, AS MODIFIED. Failure to comply with the terms and conditions of the permit could result in administrative, civil or criminal enforcement action and penalties, and suspension or revocation of the permit. No liability is incurred by the State of New Hampshire by reason of any approval of this solid waste facility. No warranty/guarantee is intended or implied by reason of any advice given by NHDES or its staff.

This permit shall not eliminate the permittee’s obligation to obtain all requisite federal, state or local permits, licenses or approvals, or to comply with all other applicable federal, state, district and local permits, ordinances, laws, approvals or conditions relating to the facility.

Michael J. Wimsatt, P.G., Director
Waste Management Division

April 22, 2022
Date

Waste Management Division

Digitally signed by Waste Management Division
Date: 2022.04.22 13:26:06 -04'00'

Refer questions to: Waste Management Division, 29 Hazen Drive, PO Box 95, Concord, NH 03302-0095; (603)-271-2925; solidwasteinfo@des.nh.gov
Section IV: Terms and Conditions

General Provisions

(1) This facility (Phases I through IIIA) shall comply with the requirements of the New Hampshire Solid Waste Management Act, RSA 149-M; the New Hampshire Solid Waste Rules (Rules), Env-Sw 100 et seq.; and the terms and conditions of Standard Permit No. DES-SW-88-029, as each may be amended from time to time.

(2) This permit modification has been prepared on the basis of RSA 149-M, and the Rules, in effect on the issue date of this permit modification. The meanings of specific terms are as defined in the Rules, unless specified otherwise.

(3) If a conflict exists between any provision in the Permit Modification Application identified in Section II and the provisions of this permit modification, the provisions of this permit modification shall apply.

(4) If the provisions of this permit modification conflict with any other permit modification or approval issued pursuant to RSA 149-M and the Rules prior to the effective date of this permit modification, this permit modification shall supersede the earlier provision.

(5) This approval shall not be construed in any way as: (a) authorization of any activity that occurred prior to the effective date of this approval; (b) authorization of any activity that does not comply with the requirements of RSA 149-M or Env-Sw 100 et seq.; (c) authorization of any activity that is not in compliance with other applicable federal, state, or local requirements; (d) a waiver of any cause of action for violations pre-dating this approval; or (e) elimination of any obligation to obtain requisite federal, state or local permits, licenses or approvals, or to comply with all other applicable federal, state, and local requirements.

Phase IIIA Siting

(6) On the effective date of this permit modification, the approved siting and footprint of Phase IIIA shall be as shown on Drawing No. 5 of the Phase IIIA Fill Sequence Plans prepared by CMA Engineers, Inc., dated April 2020, and entitled “Final Phase IIIA Development,” provided in the Permit Modification Application document received April 2, 2020, and assigned WMD Log No. 2020-48625-01.

Phase IIIA Design

(7) Phase IIIA shall be designed in conformance with the preliminary design identified in Condition (8) and in compliance with the requirements in effect at the time of final design approval including the following:

   (a) The landfill design requirements identified in Env-Sw 805;
   (b) The universal design requirements identified in Env-Sw 1004;
   (c) The additional design requirements identified in Env-Sw 1103; and
   (d) All terms and conditions of this permit modification.

(8) The approved preliminary design of Phase IIIA shall be as shown Drawing No. 5 of the Phase IIIA Fill Sequence Plans prepared by CMA Engineers, Inc., dated April 2020, and entitled “Final Phase IIIA Development,” provided in the Permit Modification Application document received April 2, 2020, and assigned WMD Log No. 2020-48625-01.
Facility Limits

(9) On the effective date of this permit modification, the permitted vertical and lateral limits of the Facility (Phases I through IIIA) shall be as shown on Drawing No. 5 of the Phase IIIA Fill Sequence Plans prepared by CMA Engineers, Inc., dated April 2020, and entitled “Final Phase IIIA Development,” provided in the Permit Modification Application document received April 2, 2020, and assigned WMD Log No. 2020-48625-01.

Facility Construction

(10) Prior to commencing construction of the facility, or any phase or portion thereof, the permittee shall:
   (a) Satisfy the prerequisites for construction specified in Env-Sw 1104.01;
   (b) File a Notice of Intent to Construct in accordance with Env-Sw 1104.02; and
   (c) Obtain construction approval as specified in Env-Sw 1104.03.

(11) This facility shall be constructed in accordance with the following requirements:
   (a) The landfill construction requirements in Env-Sw 805;
   (b) The additional construction requirements in Env-Sw 1104;
   (c) The final design plans and specifications approved for construction; and
   (d) All terms and conditions of this permit.

(12) Additional Construction Requirements: The following requirements apply to all construction activities at the facility.
   (a) Cover materials used during construction activities shall meet all of the same requirements for landfill cover applied during operations, as specified in Env-Sw 806.03.
   (b) Odor complaints and mitigation measures taken relative to each complaint filed during waste excavation or exposure activities shall be included in the biweekly construction reports.
   (c) Construction shall be conducted in a manner that limits to the greatest extent practicable dust, litter, insects, odors, vectors, spills, the production of leachate, fire hazards including spontaneous combustion, the generation of methane and other hazardous or explosive gases, noise, and nuisances.
   (d) Backfilling of excavated waste areas, whether excavated during construction activities or operations, shall be completed as soon as practicable.

Facility Operation

(13) Prior to commencing operation of Phase IIIA, or any portion thereof, the permittee shall:
   (a) Obtain approval of final design plans and specifications pursuant to the provisions for a Type II permit modification in Env-Sw 315;
   (b) Satisfy the prerequisites for operations specified in Env-Sw 1105.01;
   (c) File a Notice of Intent to Operate in accordance with Env-Sw 1105.02; and
   (d) Obtain operating approval as specified in Env-Sw 1105.03.

(14) Operating Requirements: This facility shall be operated in accordance with:
   (a) The Solid Waste Management Act, RSA 149-M;
   (b) Env-Sw 806, Env-Sw 1005, Env-Sw 1105, and other applicable Rules;
(c) The Approved Operating Plan of Record identified in Condition (12) herein; and
(d) The terms and conditions of this permit.

(15) Approved Operating Plan:
(a) The Approved Operating Plan of Record on the effective date of this permit modification is the operating plan approved on June 22, 2020, with the changes specified in Condition (21) herein, subject to Condition (12)(b) below.
(b) Nothing included in or omitted from the Approved Operating Plan of Record shall be construed to mean a waiver of any requirement to comply with RSA 149-M, the Rules, this permit, or other applicable federal, state, district and local permits, ordinances, laws, approvals or conditions relating to this facility.

(16) Authorized Wastes:
(a) Subject to (b) below, this facility is authorized to landfill the following types of solid waste only:
   1. Municipal solid waste, as defined in Env-Sw 103.47;
   2. Construction and demolition debris, as defined in Env-Sw 102.42;
   3. Auto shredder and metal shredder residue;
   4. Bulky waste, as defined in Env-Sw 102.23;
   5. Wastewater treatment plant sludge from the Town of Gorham and the City of Berlin and other municipalities approved by AVRRDD;
   6. Asbestos waste, as defined in Env-Sw 102.14, subject to Env-Sw 901;
   7. Infectious waste, as defined in Env-Sw 103.28, treated to achieve the standard specified in Env-Sw 904.03(a);
   8. Bottom ash, as defined in Env-Sw 102.22, and fly ash, as defined in Env-Sw 103.07, subject to Env-Sw 902;
   9. Soils and other absorbent media with contamination as defined in Env-Or 602.07, subject to Env-Sw 903;
   10. White Mountain Paper Company in Gorham, NH mill-generated wastes:
       a. Lime waste;
       b. Wastewater treatment plant sludge;
       c. Grit;
       d. Mill trash;
       e. Off-specification mill products;
       f. Asbestos waste; and
       g. Demolition debris.
(b) This facility is not authorized to landfill the following types of waste:
   1. Infectious waste, as defined in Env-Sw 103.28, that has not achieved the standard specified in Env-Sw 904.03(a)
   2. Contained gaseous waste;
   3. Liquid waste (i.e., waste deemed to contain “free liquids” as determined by Method 9095B, Paint Filter Liquids Test, described in “Test Methods for Evaluating Solid Wastes: Physical/Chemical Methods Compendium,” EPA Pub No. SW-846);
   4. Whole tires, in bulk;
   5. White goods, as defined in Env-Sw 104.66;
   6. Hazardous waste as defined by RSA 147-A:2 and the New Hampshire Hazardous Waste Rules (Env-Hw 100 et seq.), including hazardous waste from out-of-state conditionally-exempt small-quantity
generators;
7. Polychlorinated biphenyls (PCBs) that are regulated under the Toxic Substances Control Act, as amended (ref. 40 CFR Part 761);
8. Chlorofluorocarbons (CFCs), as prohibited by Title 6 of the Clean Air Act, as amended (ref. 40 CFR Part 82);
9. Radioactive materials as defined and regulated by the New Hampshire rules for the control of radiation, He-P 4000;
10. Other wastes which, based on quantity, condition or other specific characteristics, the facility operator determines are unsuitable or inappropriate for landfilling at this facility; and
11. Any other waste that is prohibited from disposal in a solid waste landfill under RSA 149-M, Env-Sw 806.12, or any other state or federal regulation.

(17) Additional Operating Requirements:
(a) Routine operations, including waste acceptance, waste placement, leachate removal, inspections, monitoring, and maintenance, shall be limited to between 6 am and 6 pm.
(b) Backfilling of excavated waste areas, whether excavated during construction activities or operations, shall be completed as soon as practicable.
(c) Starting October 1, 2022, the permittee shall be prohibited from accepting sludges not treated for odors prior to receipt at the facility.
(d) The permittee shall submit with the quarterly operations reports required pursuant to Env-Sw 806.08(g):
   1. A summary of all complaints received during the quarter, including:
      i. The permittee’s investigation and response actions;
      ii. An analysis of the most likely causes of the complaints;
      iii. An analysis of the effectiveness of the permittee’s measures taken to address the complaints and abate the conditions that likely caused the complaints;
      iv. An analysis of additional practicable measures warranted to prevent the reoccurrence of conditions that likely caused the complaints, and, if such measures are identified, the date by which the permittee shall implement the additional measures; and
   2. A trend analysis of leachate flows, presented numerically and graphically, for each leachate flow monitoring point.
(e) By August 31, 2023 and by August 31 each year operations take place thereafter, the permittee shall submit an annual odor control evaluation report for July 1 through June 30 (preceding), prepared and signed and stamped by a third-party qualified professional, which provides a comprehensive assessment of all odor control measures employed at the facility during the reporting period based on a comprehensive cause and effect evaluation of all odor incidents, response measures, and corrective actions, and includes no less than the following content:
   1. Facility Description, including a description of the landfill gas collection and control system, and facility changes since the previous reporting year;
   2. Odor Control Evaluation, consisting of a review and evaluation of odor control practices and measures employed by the facility during the reporting period, including a comparison of those practices with industry standard and best practices; a review of odor control methods used at the facility specifically including but not limited to control measures employed for areas used to stage trucks waiting to off-load, the working face, locations under construction, and locations without final cap; and an assessment of the effectiveness of odor control measures based on an evaluation of records compiled for odor events including, construction related odors, landfill gas odors, leachate odors, and control methods...
used;
3. Landfill Gas Collection System Analysis, including system design and development (i.e., phased installation, system and well field coverage, system design), and landfill gas collection, recovery and efficiency;
4. Odor Complaint Analysis, including geographical trends, weather-related trends, temporal trends (e.g., time-of-day, seasonal), waste composition trends, working face location trends, landfill cover trends, landfill gas system function trends, and a summary;
5. Conclusions and Recommendations, including such relative to daily and routine operations, landfill gas system operations, leachate management practices, construction practices, and odor complaint reporting and response procedures; and
6. Implementation plan, including dates by which the permittee has already or shall timely implement the recommendations and a status update regarding the implementation of recommendations in prior odor control evaluation reports.
7. Figures, Tables and Attachments, including a site locus map, a gas extraction well location plan, a figure showing odor complaints by location, figures showing graphical trends of landfill gas and waste composition data relative to odor complaints and weather, tables summarizing final cover installation and daily cover use as well as annual odor complaints and surface emissions monitoring results, and logs of odor complaints and waste loads rejected due to odors.

(f) By January 1, 2023 and during the remaining operating life of the facility, the permittee shall post to its existing publicly accessible internet webpage contact information for the public to notify the permittee of a potential issue related to dust, litter, insects, odors, vectors, spills, noise, and other nuisances or conditions of concern to the public.

(18) Public Benefit Requirement:
(a) This facility shall be operated in such a manner as to provide a substantial public benefit in accordance with the public benefit provisions provided in Condition (24) herein.
(b) The permittee shall keep records to document compliance with Condition (18)(a) above.

Facility Closure

(19) Closure Requirements: The permittee shall close and provide post-closure inspection, maintenance and monitoring of this facility in accordance with:
(a) The Solid Waste Management Act, RSA 149-M;
(b) Env-Sw 807, Env-Sw 1006, Env-Sw 1106, and other applicable Rules;
(c) The Approved Closure Plan of Record identified in Condition (20); and
(d) The terms and conditions of this permit.

(20) Approved Closure Plan:
(a) The Approved Closure Plan of Record on the effective date of this permit modification is the closure plan approved June 22, 2020, subject to Condition (20)(b) below.
(b) Nothing included in or omitted from the Approved Closure Plan of Record shall be construed to mean a waiver of any requirement to comply with RSA 149-M, the Rules, this permit, or other applicable federal, state, district and local permits, ordinances, laws, approvals or conditions relating to the facility.

(21) Prior to construction of the capping system or any portion thereof, the permittee shall obtain approval from
NHDES of final design plans and specifications for constructing the capping system or the relevant portion thereof, prepared on the basis of the preliminary design plans provided in the Approved Closure Plan of Record and submitted in accordance with Env-Sw 315.

Financial Assurance

(22) Financial Assurance Requirements: The permittee shall provide and continually maintain financial assurance in accordance with:

(a) The Solid Waste Management Act, RSA 149-M;
(b) Env-Sw 1005.08, Env-Sw 1400 and other applicable Rules; and
(c) The Approved Financial Assurance Plan of Record identified in Condition (19) herein; and
(d) The terms and conditions of this permit.

(23) Approved Financial Assurance Plan of Record: The Approved Financial Assurance Plan of Record for this facility is the financial assurance plan consisting of: Trust Agreement No. 6000640 established at the Northway Bank, N.A. in the amount of not less than $11,654,690, dated February 9, 2007; and the last most recent closure cost estimate prepared pursuant to Env-Sw 1400.

Determination of Public Benefit

(24) It is the determination of NHDES under RSA 149-M:11,X that operation of this facility provides a substantial public benefit, as required by RSA 149-M:11,III and IV, when facility operations conform to the following conditions:

(a) The permittee shall limit airspace use to 305,500 cubic yards per year averaged over a rolling three consecutive years.
(b) The permittee shall operate the facility through at least December 31, 2041.
(c) The permittee shall make available disposal capacity for New Hampshire generated solid waste for the entire operating life of the facility.
(d) The permittee shall, for each calendar year in which the facility operates:
   1. demonstrate that the sources, in aggregate, from which the permittee accepted municipal solid waste (MSW) and construction and demolition (C&D) debris for disposal achieved a minimum 30 percent waste diversion rate to more preferred methods than landfilling as outlined in the hierarchy in RSA 149-M:3. If a minimum 30 percent diversion rate cannot be demonstrated, then the permittee shall submit to NHDES by July 1 of the following year a waste diversion report which presents the permittee’s evaluation of:
      a. the actual MSW and C&D debris waste diversion rate achieved;
      b. the primary factors affecting that diversion rate; and
      c. the practicable measures that the permittee will undertake to improve the diversion rate and an implementation schedule for doing so.
   2. the demonstration under Condition (24)(d)1. above shall not be required to include certain sub-types of MSW and C&D debris waste based upon a demonstration by the permittee that there are no environmentally safe or economically sound diversion alternatives to landfilling such wastes.
(e) The permittee shall assist 5 or more New Hampshire solid waste generators per year with establishing or improving programs that assist in the implementation of the goals and hierarchy under RSA 149-M:2 and RSA 149-M:3, respectively.
Additional Submittals

(25) Prior to filing the notice of intent to construct for any liner system, inclusive of final subgrade preparation, in Phase IIIA or any portion thereof, the permittee shall submit a demonstration that the phase or portion meets the requirements of Env-Sw 804.02(d). The demonstration shall be made in accordance with the proposal submitted as part of the Permit Modification Application (ref. WMD Log No. 2020-48625-01, received April 2, 2020), with the groundwater monitoring period extending for at least one calendar year. During the monitoring period, the permittee shall submit progress reports no less than quarterly.

(26) Prior to filing the Notice of Intent to Construct for Phase IIIA or any portion thereof, the permittee shall seek approval via the Type II permit modification process final design/construction plans, which shall include:
   (a) Calculations for veneer stability of the liner system;
   (b) Locations and descriptions of the automated notification alarms;
   (c) Locations and descriptions of backup pumping capacity, backup power supply and high-water alarms;
   (d) A QA/QC plan and technical specifications that meet the requirements of the applicable rules in effect at the time, including substituting withdrawn standard ASTM D422 with standard ASTM D6913; and
   (e) Include on drawings and figures the facility permit number.

(27) Prior to filing the Notice of Intent to Operate Phase IIIA or any portion thereof, the permittee shall seek approval via the Type II permit modification process final operating plan, which shall include:
   1. Provisions for inspection, monitoring, and maintaining closed stormwater drainage systems;
   2. Provide a refined fill sequencing plan, to include a capping sequence;
   3. Address the requirements of Env-Sw 806.05(d);
   4. Add the required inspection and maintenance schedule for the leachate collection and removal systems or provide the Leachate Sewer O&M Manual, to satisfy the requirements of Env-Sw 806.05(e);
   5. Add the requirement to monitor the riser building as a structure in accordance with Env-Sw 806.07; and
   6. Include on drawings and figures the facility permit number; and
   (b) Final financial assurance plan; and
   (c) A revised closure plan to reflect the changes required pursuant to conditions of this approval.