

Residents concerned about landfill

DAILY NEWS, BY KATE SPINNER – 3/19/2002

NEWBURYPORT -- Residents have plenty of concerns about one company's plan to profit from the capping of the Crow Lane former landfill.

New Ventures LLC, owned by William Thibeault, is negotiating with the Department of Environmental Protection (DEP) for permission to cap the landfill using processed construction debris.

Last night, Ward 5 Councilor Brenda Reffett led a meeting among councilors and residents to help foster awareness of Thibeault's proposed capping process.

Because the landfill is owned by Thibeault, the city cannot control the project, but the city can influence the outcome by communicating with the DEP.

Residents are concerned about the city's ability to monitor materials entering the landfill, and the city's future liability for landfill contents. They are also concerned about by-products of the process, such as a total of 18,000 60-yard dumptrucks entering Crow Lane from Low Street, increased stormwater run-off from the 14 acres of landfill once it is capped, and air pollution both from vehicle exhaust and dust from the approximately 450,000 cubic yards of debris that will be shipped in for shaping and grading.

According to a memo attached to a consent order between the DEP and New Ventures, Thibeault will start the project by trucking in 9,000 cubic yards of granular fill or aggregate to line the landfill's perimeter. The estimated timeframe for the completion of the perimeter berm is three months, with the passage of about seven trucks per day.

Next, New Ventures will spend 28 months trucking in 449,900 cubic yards of BUD (Beneficial Use Determination) materials that have been approved by the DEP for use underneath the cap.

Thibeault owns both a building demolition company called Great Northern Site Corp. of Boston, and a construction debris processing facility in Everett. Processed construction debris such as concrete, brick, street sweepings, glass, and wood, are approved BUD materials.

The disposal of the construction debris will bring in enough cash flow to offset Thibeault's estimated \$3.5 million capping expenses with an estimated 10 to 15 percent profit.

During the years dedicated to grading and shaping, traffic estimates indicate 27 trucks per day entering Crow Lane, dumping an average of 50 cubic yards of construction debris per load. During the process, earth material totalling 89,100 cubic yards will also be added to the landfill.

After shaping and grading, the cap will be constructed over the course of five months. The two-foot-deep cap will cover approximately 20 feet of BUD subgrade.

About 22 trucks will enter and exit Crow lane each day during the last five months of capping, bringing in a total of 46,000 cubic yards of sand and loam, as well as piping to release methane gas, and a thick plastic membrane to prevent water penetration.

The end result of Thibeault's plan will raise the 55 foot landfill by 20 to 25 feet, with a 5 percent grade on the surface and a 3 to 1 slope along the sides.

Residents hope the city can influence the DEP to reduce the amount of subgrade material to minimize negative impacts on the city.

Residents and city officials have until March 26 to submit comments to the DEP. Reffett also urged residents to write letters to their city councilors and the mayor. Reffett said she will draft a letter, based on last night's discussion, to be signed by city councilors at their next meeting Monday, March 25. She said she will fax the letter to the DEP the following day.

In addition to environmental and traffic concerns, many residents would like to see the landfill converted into an athletic field. But there are mixed feelings among residents about the city's acceptance of the capped landfill.

The feasibility of the future use of the landfill as a recreational field is also questionable. Ward 4 Councilor Erford Fowler said he thought a field on top of the landfill would be dangerous because of the steepness and the elevation.

Reffett said she did not see how the city's ownership of the capped landfill would be beneficial, especially since Thibeault said during a mandated informational meeting on March 6 that he would not incur additional expenses to convert the capped land into recreational fields.

Several residents said the city should hire an attorney to help the city negotiate with the DEP and New Ventures. Those same residents, and councilors, also said the city should hire an independent monitor to keep an eye on the materials that enter the landfill.

Also urging the city to hire a monitor was Cassie Wyss, field organizer for the Toxics Action Center in Boston. Wyss attended the meeting last night and said the company that began to cap Woburn's landfill with supposed BUD materials was not well monitored and trucked in medical waste and toxic coal ash from incinerators.

Tom Jones, 130 Low St. Rear, also said the city should hire an attorney and a monitor. Jones accompanied Mayor Alan Lavender on a tour of Thibeault's Everett plant early this month. He said the BUD material may be approved by DEP, but that it is not clean. "It isn't clean fill; it's construction debris and it's dirty," Jones said. He said Thibeault had been ordered to put up nets to catch airborne particles that were drifting from his plant to a nearby shopping plaza.

Robert Kelleher of 107 Low St. suggested that the city take a legal look at Thibeault because he has operated under many different corporate names. He also said the city should ask the DEP for an extended comment period, to allow the city time to consult an engineer and an attorney for advice.

City Councilor-at-Large John Pramberg said Thibeault has been involved with the landfill longer than most city residents realize. He said Thibeault was an advisor to the previous landfill owner George Marcellos, who died a few years ago.

The landfill first opened as a municipal dump in the 1940s, then became a private landfill operated by the late Michael Twomey. In 1980 Marcellos purchased the property and operated the dump as a private enterprise. The DEP ordered Marcellos to cap and close the landfill in 1987, shortly after the city had sent sludge to the landfill. In 1991, the landfill was sold to a New Hampshire real estate trust, and then to New Ventures in April 2000.

Pramberg indicated that Thibeault was also associated with the New Hampshire real estate trust that proposed capping the dump and constructing a transfer station at a cost of \$2.5 million four years ago.

Former Mayor Mary M. Carrier said Thibeault also approached her with another capping proposal twice during her two years in office between 1998 and 1999. He approached former Mayor Lisa Mead about capping the landfill with construction debris in 2000.

Some residents, including Carrier, suggested that the city purchase the land and cap it with city funds.

But one resident, who identified himself as formerly the water and sewer commissioner for Medfield, where a capped landfill similar to the one proposed on Crow Lane stands, urged caution. He said the city should police the landfill capping rather than take on the capping responsibility.