

Newburyport

Landfill capping problems found

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STAFF WRITER

NEWBURYPORT — City officials are concerned that work underway at the Crow Lane landfill may be violating regulations meant to protect the environment.

In response to concerns that New Ventures LLC, an Everett company headed by William Thibeault, has stopped construction on the protective berm around the landfill, the city asked the Department of Environmental Protection (DEP) to inspect the site.

That inspection last week raised more concerns with the city and seems to have raised additional concerns at the DEP.

"We clearly saw some violations going on. There was some digging going on at the site," said Mayor Mary Anne Clancy, "so the gentleman from the DEP had it stopped."

New Ventures is capping the 14-acre, unlined landfill that was abandoned in 1987. The company is allowed to offset the cost of the cap, and profit from the procedure, by trucking in processed construction debris.

The debris, approved to go beneath the cap as shaping and grading material, will raise the landfill's height more than 20 feet. The cap itself — including a plastic membrane and the loam on top — will be about 18 inches.

Last week, Clancy, City Councilor Bruce Vogel and Conservation Administrator Tracy Peter accompanied John Kerrigan and Phil Dipietro of the DEP on an inspection of the landfill. During their walk around the site, Clancy and Vogel said Kerrigan saw activity that should not have been going on.

Vogel said a backhoe on top of the garbage mound was digging down into the refuse. When DEP officials noticed, they asked a New Ventures representative on site to put an end to the digging.

"My understanding is they

weren't supposed to be digging holes and they weren't supposed to be moving stuff around," said Vogel.

"The more they move stuff around, the more they compact it, and the more fill they can bring in, the more profit they make," said Vogel.

John Collins, a Bradford hunter who grew up in Newburyport, said digging at the landfill has been going on for months. He said he visited Crow Lane more than 40 times between Oct. 13 and December to go hunting. Each time he went out there, machines at the landfill were digging holes and filling the holes with new material.

"I saw them excavating holes and trucks coming in and filling the holes," Collins said. He said the excavated material was placed at the top of the landfill and graded toward Crow Lane. He said the material smelled and there was nothing in place to retain it.

Collins said he arrived before dawn and the digging would begin at 7 a.m. Sometimes he returned to hunt in the evening, and noticed digging then as well.

"I was just out there hunting and observed this stuff," Collins said.

Kerrigan referred questions about the digging and the inspection to DEP spokesman Joseph Ferson, who said the DEP could not discuss the matter because it's under review. Ferson said the DEP met yesterday with Steven Trettel of GZA Geoenvironmental, who is the engineer for New Ventures. Work continues at the landfill and no decisions have yet resulted from the meeting, said Ferson.

In addition to "grading," Ferson said the discussion with Trettel was supposed to address construction sequencing and stormwater run-off control, two other matters of concern for city officials.

A few weeks ago, the Conservation Commission sent a letter to the DEP, questioning the se-

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quencing of construction. The commission said they thought New Ventures needed to complete construction of the berm and build drainage basins before bringing in fill.

Construction on the berm, which will shield the contents of the landfill from its surroundings, has stopped, said Peter. She said it appears to encircle only about half of the landfill's perimeter.

Peter also said stormwater basins are not operational.

"In my opinion, they are not in compliance with the superseding order (the DEP permit for the berm), because the basins aren't in and functioning yet. So I brought it to the attention of the state," said Peter.

She said there may be environmental problems if the basins are not in place before spring rains fall. "We're thinking ahead and want things to be done right," she said.

There are also concerns about the fill that New Ventures is using.

Vogel and Clancy both said they saw materials being dumped at the landfill that appeared questionable.

"It certainly looked a little suspicious when we were up there," said Clancy.

Vogel said he saw items like paper, envelopes, latex gloves and plastic toys mixed in with the processed construction waste that New Ventures' trucks were unloading onto the landfill.

"My understanding is that it was supposed to be construction debris. To me construction debris means ground-up wood, ground-up lathes, and plaster, dry wall," said Vogel. "This was clearly full of trash; I would say more than 50 percent."

Acceptable materials are listed in the "conceptual grading plan" that constitutes DEP approval for almost three years of shaping and grading prior to the cap's construction.

"Grading will be accomplished," the document states, "utilizing residuals from the processing of construction and demolition debris, residuals from material recycling facilities, street sweepings and soil complying with the standards for unlined landfills specified in the department's policy for the reuse of contaminated soils at Massachusetts landfills."

Vogel said he's concerned because there are a lot of lingering questions about what is happening at the landfill.

"They seem to be kind of on their own schedule and their own agenda," said Vogel. "They don't seem to be doing things in the best interest of the surrounding environment and it's really troublesome."



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