

From: Carrigan, John (DEP)
Sent: Wednesday, March 24, 2010 1:41 PM
To: Chalpin, Richard (DEP)
Cc: Ruch, Susan (DEP)
Subject: FW: replacement motor for the flare and funding
[Is this the email?](#)

JohnC

John A Carrigan
Massachusetts Department of Environmental Protection
Northeast Regional Office
Wilmington, MA
Phone: 978-694-3299
Fax: 978-694-3499

From: Chalpin, Richard (DEP)
Sent: Thursday, February 04, 2010 5:49 PM
To: BT; Chip; mquatromoni@sitec-engineering.com; omlc
Cc: Ireland, Matthew (AGO); Dingle, Mike (DEP); Ruch, Susan (DEP); Carrigan, John (DEP)
Subject: replacement motor for the flare and funding

Bill –

This e-mail concerns the urgent situation that currently exists at Crow Lane Landfill, specifically the fact that the flare, which is used to control emissions of landfill gas, is inoperable because of the blower motor has failed. As you know, it is New Ventures Associates, LLC's responsibility under the Final Judgment to properly maintain and operate the landfill gas collection and flare systems.

In telephone conversations with me this afternoon, you have represented that New Ventures has no money and therefore cannot pay for the replacement blower, the associated parts, and the invoices associated with Grinnel's work at the landfill for the past few days and, as a result, you have requested that MassDEP pay for these items from monies that are held in a financial assurance mechanism (the Trust). You have represented that if MassDEP does not pay for these items, that you would not be able to obtain parts to repair the unit tomorrow and, therefore, the flare would not be operating thru the weekend. Based on your representations and since it is in the public's interest to make and keep the flare operable, MassDEP will take the steps necessary to utilize funds from the Trust under its authority in 310 CMR 19.051.

Also, as discussed during our telephone conversations, you are to, as soon as possible, have your attorney, Mr. Nylén, submit a written statement to the Department and Matt Ireland at the Attorney General's office stating, as Mr. Nylén did in his 1/29/10 letter me and Matt Ireland, that New Ventures has no revenue and is unable to pay for the items referred to here.

In addition, verify by responding to this email as soon as possible that the replacement blower and associated parts to ensure the re-start of the flare on Friday February 5th have

been ordered and include the time when the items are expected to be on hand at the landfill for installation. If the parts ordered thru Grinnel will not be available Friday, you must do everything possible to locate another supplier who can provide the motor on Friday.

You are also faxing me specific invoices related to the subject items at 978-694-3496

This notice is provided by email pursuant to Section 26 of the Final Judgment.