

STATE OF MAINE
BOARD OF ENVIRONMENTAL PROTECTION



JANET T. MILLS
GOVERNOR

Mark C. Draper, Chair

William F. Hinkel
Executive Analyst

Ruth Ann Burke
Board Clerk

August 10, 2021

SENT VIA ELECTRONIC MAIL ONLY

Kirstie L. Pecci, Esq.
Director of the Zero Waste Project
Conservation Law Foundation
62 Summer Street
Boston, MA 02110
kpecci@clf.org

Sherwood McKenny, District Engineer
Waste Management Disposal Services
of Maine, Inc.
P.O. Box 629
Norridgewock, ME 04957
smckenne@wm.com

Peter W. Blair, Jr., Esq.
Staff Attorney
Conservation Law Foundation
53 Exchange Street, #200
Portland, ME 04101
pblair@clf.org

Juliet Browne, Esq.
Verrill Dana
One Portland Square
Portland, ME 04101-4054
jbrowne@verrill-law.com

**Re: Appeal of Department Order S-010735-WD-YB-N
Response to merits of appeal**

Dear Participants and Interested Persons:

Conservation Law Foundation (CLF) filed with the Board of Environmental Protection (Board) a timely appeal of the May 11, 2021, Order of the Commissioner of the Department of Environmental Protection (Department) conditionally approving the application of Waste Management Disposal Services of Maine, Inc. (WMDSM or Licensee) to construct a 7.75-million cubic yard expansion at the site of the existing WMDSM landfill, located in Norridgewock (Department Order S-010735-WD-YB-N). A copy of the appeal is available to view or download from the Department's webpage <https://www.maine.gov/dep/waste/crossroadslandfill/index.html>.

Pursuant to the Board's rules, a written response to the merits of CLF's appeal may be filed by WMDSM and any person who submitted written comment on the underlying application. (*Rule Concerning the Processing of Applications and Other Administrative Matters*, Chapter 2 § 24(C)(4)). On July 29, 2021, Board Chair Draper established a filing deadline of August 18, 2021, for WMDSM to file a response to the merits of the appeal. Due to a clerical error regarding an incomplete service list and list of interested persons, Chair Draper's letter was not sent to all participants and respondents. To

remedy this error, the Board has revised the service list and list of interested persons and establishes a deadline of **August 30, 2021, at 5:00 p.m.** for respondents (i.e., any person who submitted written comment on the underlying application) to file a written response to the merits of CLF's appeal.¹

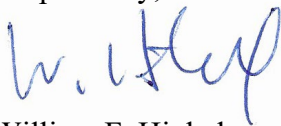
All filings must be copied to the service list. A copy of the service list is attached to this letter. The filing of any submission or the service of any document or communication upon a party to the appeal proceeding is deemed complete when the document or communication is sent to the party or the party's designated representative by electronic mail, postal mail, in-hand delivery, or telefax. Electronic mail is preferred, provided the signed original document is received by the Board within three working days of the filing date. Any participant or interested person may request of the Board a paper copy of any filing in this matter. In the absence of such request, the Board and Board staff will provide service by electronic mail only. The Board staff or Board Chair may require the service of any document or communication upon a party to the appeal proceeding to be completed by paper copy using postal mail.

Filings with the Board must be directed to:

Mark C. Draper, Chair
Board of Environmental Protection
c/o Ruth Ann Burke
17 State House Station
Augusta, ME 04333-0017
ruth.a.burke@maine.gov

If you have any questions, you may contact me or Assistant Attorney General Katherine Tierney at katherine.tierney@maine.gov (207) 626-8897.

Respectfully,



William F. Hinkel
Executive Analyst
Board of Environmental Protection
207-314-1458
bill.hinkel@maine.gov

cc (via e-mail only): Service List (August 10, 2021)
Interested Persons List (August 10, 2021)

Attachments:
Service List (August 10, 2021)
Interested Persons List (August 10, 2021)

¹ The filing deadline of August 18, 2021, for WMDSM remains unchanged.

ATTACHMENT

**Board of Environmental Protection Appeal of
Crossroads Landfill Phase 14 Expansion, #S-010735-WD-YB-N
By Conservation Law Foundation
Service List, Revised August 10, 2021**

Board of Environmental Protection

*Filings with the Board must be directed to
Ruth Ann Burke*

Mark C. Draper, Chair
Board of Environmental Protection
c/o Ruth Ann Burke
17 State House Station
Augusta, ME 04333-0017
Phone (207) 287-2811
ruth.a.burke@maine.gov

William F. Hinkel, Executive Analyst
Board of Environmental Protection
17 State House Station
Augusta, ME 04333-0017
Phone (207) 314-1458
bill.hinkel@maine.gov

Assistant Attorney General

Katherine Tierney
Assistant Attorney General
6 State House Station
Augusta, ME 04333
Phone (207) 626-8897
katherine.tierney@maine.gov

Peggy Bensinger
Assistant Attorney General
6 State House Station
Augusta, ME 04333
Phone (207) 626-8578
peggy.bensinger@maine.gov

**Department of Environmental
Protection**

Susanne Miller
Dept. of Environmental Protection
Bureau of Remediation and Waste Mgmt.
17 State House Station
Augusta, ME 04333-0017
Phone (207) 557-2700
susanne.miller@maine.gov

**Department of Environmental
Protection (cont'd)**

Victoria Eleftheriou
Dept. of Environmental Protection
Bureau of Remediation and Waste Mgmt.
17 State House Station
Augusta, ME 04333-0017
Phone (207) 287-8119
victoria.elftheriou@maine.gov

Molly King
Dept. of Environmental Protection
Bureau of Remediation and Waste Mgmt.
17 State House Station
Augusta, ME 04333-0017
Phone (207) 287-7166
molly.king@maine.gov

Susan Parmelee
Dept. of Environmental Protection
Bureau of Remediation and Waste Mgmt.
17 State House Station
Augusta, ME 04333-0017
Phone (207) 480-9493
susan.parmelee@maine.gov

Gail Lipfert, Env. Hydrogeologist
Dept. of Environmental Protection
Bureau of Remediation and Waste Mgmt.
17 State House Station
Augusta, ME 04333-0017
Phone (207) 592-5091
gail.e.lipfert@maine.gov

Kathy Tarbuck, Env. Engineer
Dept. of Environmental Protection
Bureau of Remediation and Waste Mgmt.
17 State House Station
Augusta, ME 04333-0017
Phone (207) 458-9074
kathy.tarbuck@maine.gov

**Board of Environmental Protection Appeal of
Crossroads Landfill Phase 14 Expansion, #S-010735-WD-YB-N
By Conservation Law Foundation
Service List, Revised August 10, 2021**

Appellant

Conservation Law Foundation
53 Exchange Street, #200
Portland, ME 04101

Appellant Legal Counsel:

Kirstie L. Pecci, Esq.
Director of the Zero Waste Project
Conservation Law Foundation
62 Summer Street
Boston, MA 02110
Phone (207) 350-0990
kpecci@clf.org

Peter W. Blair, Jr., Esq.
Staff Attorney
Conservation Law Foundation
53 Exchange Street, #200
Portland, ME 04101
Phone (207) 210-6439
pblair@clf.org

Licensee

Sherwood McKenny, District Engineer
Waste Management Disposal Services
of Maine
P.O. Box 629
Norridgewock, ME 04957
Phone (207) 240-9787
smckenne@wm.com

Licensee Legal Counsel:

Juliet Browne, Esq.
Verrill Dana
One Portland Square
Portland, ME 04101-4054
Phone (207) 253-4608
jbrowne@verrill-law.com

**Respondents (Intervenors in the
underlying licensing hearing)**

Richard LaBelle, Town Manager
Town of Norridgewock
16 Perkins Street
P.O. Box 7
Norridgewock, ME 04957
townmanager@townofnorridgewock.com

Robert Grillo
CMA Engineers, Inc.
10 Free Street, 2nd Floor
Portland, ME 04101
rgrillo@cmaengineers.com

Toni King, Regional Engineer
Casella Waste Systems, Inc.
358 Emerson Mill Road
Hampden, ME 04444
Toni.king@casella.com

Brian Rayback, Esq.
Pierce Atwood LLP (represents Casella)
254 Commercial Street
Merrill's Wharf
Portland, ME 04101
Phone (207) 791-1188
brayback@pierceatwood.com

Sean Mahoney, Executive Vice President
Conservation Law Foundation
53 Exchange Street, #200
Portland, ME 04101
Phone (207) 210-6439 ext. 5102
smahoney@clf.org

Daren Turner
P.O. Box 865
Skowhegan, ME 04976
kvforestry@roadrunner.com

Louise Nomani
663 Winding Hill Road
Norridgewock, ME 04957
windmill@dstelme.net

**Respondents (Intervenors in the
underlying licensing hearing) (cont'd)**

Denise Crowell and Brian Bowker
434 Fredericks Corner Road
Norridgewock, ME 04957-4013
denisemcrowell@gmail.com

John E. Wilder
499 Wilder Hill Road
Norridgewock, ME 04957
jothamw@aol.com

Edward and Gloria Frederick
362 Mercer Road
Norridgewock, ME 04957
gramfred@tds.net

ATTACHMENT

**Board of Environmental Protection Appeal of
Crossroads Landfill Phase 14 Expansion, #S-010735-WD-YB-N
By Conservation Law Foundation
Interested Persons, August 10, 2021**

Board of Environmental Protection

*Filings with the Board must be directed to
Ruth Ann Burke*

Mark C. Draper, Chair
Board of Environmental Protection
c/o Ruth Ann Burke
17 State House Station
Augusta, ME 04333-0017
Phone (207) 287-2811
ruth.a.burke@maine.gov

William F. Hinkel, Executive Analyst
Board of Environmental Protection
17 State House Station
Augusta, ME 04333-0017
Phone (207) 314-1458
bill.hinkel@maine.gov

**Interested Persons (Persons who
submitted written comments on
application/draft license)**

Adam Auerbach
adam.r.auerbach@gmail.com

Alice Bowden alicemb359@gmail.com

Amalia Siegel amaliasiegel@gmail.com

Amanda Yap amandarya@gmail.com

Amy Jenner amy@amyjenner.com

Anne Farrington annesurj@gmail.com

Annette N. Sherrod
anniebookworm@gmail.com

Ant Blasi antonioblas1234@gmail.com

Ashley Bahlkow bahlkow.a@gmail.com

Becca Ferguson
beccaferguson6@gmail.com

Becka Gagne schoodichollow@gmail.com

**Respondents (Persons who submitted
written comments on application/draft
license) (cont'd)**

Ben Gilman bgilman@mainechamber.org

Bethe Hagens bethehagens@gmail.com

Bomazeen Land Trust
bomazeenlandtrust@gmail.com

Bonnie Rukin
bonnierukin@slowmoneymaine.org

Boyle Associates
dknapp@boyleassociates.net

Briana Waltman briwalts@gmail.com

Byron F Greatorex spiritsnd@gmail.com

Charles Leithiser CLEithiser@penquis.org

Cheryl Robertson
cheryl.robertson@maine.edu

Chris McKinnon cnmckinnon24@gmail.com

Community Action Works
dana@communityactionworks.org

Corliss Davis cdavis5468@roadrunner.com

Courtney Byers courtneybyers@gmail.com

CPRC Group jhiltner@cprcgroup.com

Daisy Goodman
daisyjgoodman@gmail.com

Dale Clark dclark.amsd@gmail.com

Dan Marks marks.daniel@gmail.com

Dan Perry d.perry@tutanota.com

Dana Snowman
memonetary111183@gmail.com

**Board of Environmental Protection Appeal of
Crossroads Landfill Phase 14 Expansion, #S-010735-WD-YB-N
By Conservation Law Foundation
Interested Persons, August 10, 2021**

Respondents (Persons who submitted written comments on application/draft license) (cont'd)

Daphne Loring
daphneloring@gmail.com

Daria Cullen contactsmrj@gmail.com

David A. Zachow argonauta@swva.net

David Hendren Greycrane02@aol.com

Dawn Neptune Adams
ladycarpenter444@gmail.com

Deb Soule debmaySoule@gmail.com

Deborah Claflin debclaflin@gmail.com

Diane Dicranian dianedicranian@gmail.com

Diane Oltarzewski dianeolta@gmail.com

Doug Poulin dpoulin@rsu22.us

Ed Ferreira murfer@myfairpoint.net

Ed Spencer cjkspencer@gmail.com

Eileen Murphy lnmrphy@gmail.com

Eric Marshall ecmarshall@gmail.com

Estephanie Martinez
ssmartinezalfonzo@gmail.com

Ethan Miller emiller5@bates.edu

Frank Schofield
frank.schofield@bdswastedisposal.com

Grace & Craig Cain
thecains@roadrunner.com

Hallie Arno harno22@coa.edu

Heather Denkmire
heather@grantwinners.net

Respondents (Persons who submitted written comments on application/draft license) (cont'd)

Hillary Lister hillarylister@mainematters.net

Jacquelyn Cressy
rivendellhousebnb@me.com

Jaquelyn Elliott j.c.elliott@roadrunner.com

Jess Cooper
jessica.creativeme@gmail.com

Jesse Saffair jessesaffair@gmail.com

Jo-Anne Bouthot jebouthot@gmail.com

Jonah Fertig-Burd
jonahfertigburd.work@gmail.com

Julia Harper julia7274@gmail.com

Julia St. Clair jstclair96@gmail.com

k a t kat.byteme@gmail.com

Kate Boverman kate.boverman@gmail.com

kathyjwilder kathyjwilder@aol.com

Kevin Mathewson kmathewson@gmail.com

Kirstie Pecci kpecci@clf.org

Kristina Kalolo kalolokristina@gmail.com

Laurence Coe lacoe613@gmail.com

Lily Fernald lferne95@gmail.com

Linda Woods
linda350centralmaine@gmail.com

Lucy Hull lhull350@gmail.com

Maine Youth for Climate Justice
meyouth4climatejustice@gmail.com

**Board of Environmental Protection Appeal of
Crossroads Landfill Phase 14 Expansion, #S-010735-WD-YB-N
By Conservation Law Foundation
Interested Persons, August 10, 2021**

Respondents (Persons who submitted written comments on application/draft license) (cont'd)

Mali Obomsawin
maliobomsawin@gmail.com

marilyn bennett marimadben@yahoo.com

Marissa Caminiti
asilverlining.me@gmail.com

Mary Finn maryefinn4@gmail.com

Mary McEvoy maryfitness504@gmail.com

Mary O'Brien marymobrien2@gmail.com

Maryanne Mattson
maryanne@Mattson3.com

Maryanne Mckinnon
31maryanne@gmail.com

Mathew Todaro mtodaro@verrill-law.com

Maxim Heller mahel001@mail.goucher.edu

Melody Brimmer melody.brim@gmail.com

Mike McMillen
brooksvilleeducationfoundation@gmail.com

Morgain Bailey morgainphoto@gmail.com

Morgan Hynd mef.hynd@gmail.com

Morgan Spencer morgspen@gmail.com

Morrigan McLeod
morrigan@barefootwildwoman.com

Municipal Review Committee
execdirector@mrcmaine.org

Nathan Brimmer
nate.brimmer@connectwithaxiom.com

Nik Charov ncharov@laudholm.org

Respondents (Persons who submitted written comments on application/draft license) (cont'd)

Nina de Vitry nina.devitry@gmail.com

Pamela Bosco boscojewelry@gmail.com

Peter A. Elias pelias.amsd@gmail.com

Regina Grabrovac grabrovac@gmail.com

Ruth Rossi newyork2maine@gmail.com

SAM
becky@sportsmansallianceofmaine.org

Sam Bullard samanthab14@gmail.com

Save Forest Lake
saveforestlake@yahoo.com

Sheila Unvala shu7sh@me.com

Shelley Norton sasnorton@gmail.com

Sherie Blumenthal
sherie.blumenthal@gmail.com

Stephanie Cesario s.cesario@hccame.org

Steve Byers stevejbyers@gmail.com

Susan Bosco one_north_star@yahoo.com

Tara Elwell t.elwell@stgeorgemaine.com

Town of Carrabassett Valley
towncvtm@roadrunner.com

Town of Madison edd@madisonmaine.com

Town of Millinocket
publicworks@millinocket.org

Town of Nobleboro
Richard Spear, Transfer Station Agent,
Selectmen Chair
townclerk@tidewater.net

**Respondents (Persons who submitted
written comments on application/draft
license) (cont'd)**

Town of Rangeley
adminassist@rangeleyme.org

Town of Rumford
townmanager@rumfordme.org

Town of Skowhegan
cmason@skowhegan.org

Vicky Stern vickystern93@gmail.com

Victor Horton Victor.horton@mrra.net

Winslow Robinson winslow@riverside.farm

wolfspiritm wolfspiritm@gmail.com

Zack Neptune zack.neptune1@gmail.com

Zebulon Green pastorzebulon@gmail.com