

No More MSW to JRL: #S-020700-WD-BC-A

Dear Kathy Tarbuck,

I am writing in response to the effort by the State as owner (BGS) and NEWSME (or Casella), as operator, to extend deliveries of Municipal Solid Waste (MSW, or curbside garbage) to the Juniper Ridge Landfill (JRL) beyond the current March 31, 2018 deadline. This proposed amendment of the DEP amendment allowing the current MSW deliveries to JRL from southern Maine communities would do great harm to our State Waste Hierarchy, which requires that all wastes be subjected to Reduction, Reuse, Recycle, Compost, Waste to Energy (WTE, or incineration) and only Landfilled as a last resort.

I request that the Department of Environmental Protection hold a Public Hearing on this matter. One could make a strong case that a Public Hearing be held by the Board of Environmental Protection (BEP) since this is a matter of statewide importance, and I am not opposed to a BEP Hearing. I would prefer that DEP preside, since they are the paid professionals who should enforce our Waste Regulations, and the BEP would rely on DEP for much of their information. Also, when the DEP first took up the issue of direct deliveries of MSW to the state-owned JRL, I was one of a group of Citizen Intervenors at the DEP Public Hearing. After the DEP decided to allow some MSW from southern Maine into JRL, there were two appeals of that decision. One was my appeal, in favor of rejecting MSW from JRL. The other appellant was BGS/Casella, who wanted to bring more MSW and for a longer period of time. The Board rejected the Owner/Operator's appeal for more volume per year, but granted them an extra year of MSW deliveries that were not even asked for. This is how the 03/31/18 date was set. Even though I had done everything strictly by the book in my appeal, the Board never voted my appeal up or down. Therefore, I request that the DEP hold the Public Hearing.

I looked over the BGS/Casella amendment application and their arguments seem contrived. Part of the reason why DEP granted them special exception to bring MSW to JRL was that Casella had closed their incinerator in Biddeford, which was a positive move for all concerned, including payments to Casella. Casella wanted to bring MSW to JRL, and at that time our State Waste Hierarchy was a guiding principle, not a binding Statute. Now, however, the Hierarchy is statutory law and should be followed, especially at a State-owned landfill. It is shameful that BGS approves of this request in violation of the Hierarchy and of promises made when the State took ownership of JRL that there would be No MSW Allowed.

The Department needs to be aware of Casella's operations throughout New England to fully understand the possible ramifications of this decision. Casella operates a problem landfill in Southbridge, Massachusetts, which is owned by that community and will close at the end of 2018. Casella's Bethlehem, New Hampshire landfill is also running out of space. Simply put, Casella has contracted to pick up municipal waste which ~~it~~ has limited ability to dispose of since they closed their Biddeford WTE and lack landfill space in New England. However, Casella has ample landfill space in western New York. Can anyone really believe that Casella will only bring MSW to JRL until the current licensed capacity at JRL is filled? It is a guarantee that Casella, with the complicit approval of BGS, will be back with a request for another extension, just like they did a few years ago and they are doing right now.

There is a pattern with Casella and MSW. After gaining Partial Approval of Public Benefit Determination (PBD) in 2012, within a very short time period they revealed their plan to bring MSW to JRL, which they had not mentioned in their PBD application. This aroused the ire of DEP Commissioner Aho in late 2012. On November 14<sup>th</sup> of 2017, BGS/Casella received a permit for JRL expansion from the Old Town Planning

Board, and within a week unveiled this current initiative, which, if approved, will certainly be followed by a request to bring more MSW to an Expanded JRL. In addition to reviewing the above-mentioned documents (especially the Aho letter), DEP should examine all contracts between the municipalities involved and Casella. There may be clauses that guarantee Casella will dispose of MSW at their other facilities in the event of changes. Is disposal of MSW at JRL a part of any Casella/municipality contract? You will probably need to have a Hearing where people are put under oath to answer these questions.

BGS/Casella have lined up support for this amendment from the municipalities effected in southern Maine, and are looking for sympathy to allow MSW to be brought to JRL. What would perhaps help these communities the most is if they could amend or terminate their contracts with Casella, as there is an incinerator in Haverhill, Massachusetts that is very close to their locations. If their MSW flows north, they pass ecoMaine's WTE in S. Portland, the MMWAC facility in Auburn, and the PERC incinerator in Orrington. The Municipal Review Committee (MRC) has a new Fiberight facility which is scheduled to be operational on the same date in question which may also accept additional MSW.

If this amendment is granted, it will in effect penalize all the communities in Maine that are contracted to take their MSW to the above facilities. Here in Old Town, we have single stream recycling and have contracted to stay with PERC. Before making that decision, there were serious discussions about joining ecoMaine or sending our MSW to Haverhill. The cheapest option is always landfilling, but only if we look at the near future. Landfilling puts a burden of poison on our next generations as they begin to leak into groundwater and ruin aquifers; Casella's Southbridge and Hampden landfill operations (plus Bethlehem) are major groundwater polluters, and Juniper Ridge will almost certainly join that shameful heritage as the decades pass.

Casella wants to argue that somehow landfilling waste is less polluting than incineration, but the reliable science is that waste to energy plants produce 10 times the energy for half the pollution of a landfill that generates power from burning landfill gases (LFGs). Also, current practice at JRL is that gases are flared off without any power production. Casella wants DEP to believe that somehow MSW is vital as a building material for the transition from already permitted capacity to the JRL Expansion, currently under appeal. This is a nonsensical claim, and Casella agreed to manage JRL without MSW from the beginning of state ownership in 2004. MSW smells, spreads litter along our highways, produces greenhouse gases from decay, fugitive landfill emissions, and the huge amounts of fuel combusted to transport MSW from southern Maine to Exit 199 on Interstate 95, 200 miles from Kittery.

I don't have the time at present to furnish DEP with the tawdry history of Casella's deceptions of DEP over the years, but if we have a Public Hearing I will be glad to provide that information. It is time for Maine to decide which way we want to go for handling our wastes in the future: responsibly complying with the Maine Waste Hierarchy or allowing Casella to have special dispensation to fill our landfill with their contracted garbage. The fact that our own State would support Casella's efforts to violate State laws is despicable and puts our State motto (*Dirigo*) to shame.

Lastly, when I received notice as an Interested Party of the DEP's acceptance of this amendment application, the notice was dated at 4:59 on Friday, December 15<sup>th</sup>, 2017. This is clearly not coincidental and designed to make it as difficult as possible for Maine citizens to engage on this topic. There are countless examples of unheeded Public advice resulting in major expense and damage to society over time. Sadly, DEP has a long history of this practice which transcends gubernatorial administrations. This

is just the opposite of accountable action by those who are supposed to protect our vital resources and health, and defies the very spirit of the Holiday Season. Hold a Hearing!

Respectfully submitted,

*Edward S. Spencer*  
Edward S. Spencer

827-8359  
Dec. 28, 2017

January 3, 2018

21 Mt. Desert Dr.  
Bangor, ME 04401

Attn: Kathy Tarbuck  
Maine Department of Environmental Protection  
17 State House Station  
Augusta, ME 04333-0017

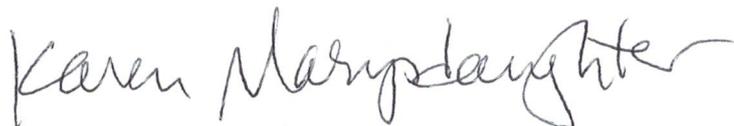
Dear Ms. Tarbuck,

With the ink not even dry on the the outrageous approval of the license to expand the Juniper Ridge Landfill, it's even more outrageous to hear of the request to amend the Juniper Ridge Landfill license to allow municipal solid waste to be dumped at JRL beyond the current March 31, 2018 deadline! Why was this not part of the lengthy process to consider the license??

MSW should never have been allowed at JRL to begin with (nor should the out-of-state wastes that are being dumped there). This is a direct violation of state policies on solid waste.

Please schedule a hearing on this proposed amendment. The public should at least have the opportunity to question the fox guarding the henhouse.

Sincerely,

A handwritten signature in black ink that reads "Karen Marysdaughter". The signature is written in a cursive style with a long horizontal flourish at the end.

Karen Marysdaughter  
[karenmd@myfairpoint.net](mailto:karenmd@myfairpoint.net)  
207-930-5440

Dear Kathy Tarbuck, MDEP

Maine continues allowing Casella to unload MSW to Juniper Ridge Landfill, including from outside of the state. This 2-fold statutory violation of Maine's Waste Hierarchy law was not permitted. The localities sending this MSW should provide their own disposal systems, or contract to use existing facilities. Maine taxpayers are entitled to a public hearing regarding these waivers that are granted by the DEP to dump illegal waste at Juniper Ridge Landfill, particularly in light of Ed Spencer's long-ignored appeal. A public hearing must be granted.



Antonio Blasi

12/28/17

Hancock County Commissioner

## Tarbuck, Kathy

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**From:** jennifer goldenberg <jenniegoldenberg@gmail.com>  
**Sent:** Wednesday, December 27, 2017 12:07 PM  
**To:** Tarbuck, Kathy  
**Subject:** Juniper Ridge Landfill

Dear Ms. Tarbuck:

I am writing to express my concern regarding the continued dumping at the Juniper Ridge Landfill of waste -- mainly from out of state -- that is negatively affecting our environment and contributing to greenhouse gas emissions. There should be no MSW allowed, and no out of state waste. Maine's waste hierarchy is such that waste is landfilled only as a last resort. Casella/BGS is violating our Maine Waste Hierarchy. The public is owed a public hearing on this very important matter. Thank you.

Sincerely,

--

Jennifer Goldenberg, Ph.D., LCSW  
6 State Street, Ste. 603  
Bangor, ME 04401

[www.jenniegoldenberg.com](http://www.jenniegoldenberg.com)

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Attn: Kathy Tarbuck  
Maine Department of Environmental Protection  
17 State House Station  
Augusta, ME 04333-0017

*Fax 207-287-2651*

No More MSW to JRL: #S-020700-WD-BC-A

Dear Kathy Tarbuck,

I am writing in response to the effort by the State as owner (BGS) and NEWSME (or Casella), as operator, to extend deliveries of Municipal Solid Waste (MSW, or curbside garbage) to the Juniper Ridge Landfill (JRL) beyond the current March 31, 2018 deadline. This proposed amendment of the DEP amendment allowing the current MSW deliveries to JRL from southern Maine communities would do great harm to our State Waste Hierarchy, which requires that all wastes be subjected to Reduction, Reuse, Recycle, Compost, Waste to Energy (WTE, or incineration) and only Landfilled as a last resort.

I am demanding that the Department of Environmental Protection hold a Public Hearing on this matter. This issue impacts the lives of thousands of people locally and hundreds of thousands of people regionally. Ignoring the wishes of those impacted by this decision is not an option for a democratic process and community based approach to making local decisions. I am urging that these decisions be put on hold until all public comment can be heard and assessed based on the best interest of all parties involved, which includes the public and local town businesses, and officials.

Thank you for listening to my concerns and the wishes of the People.

Sincerely



Steve Byers

*Steve Byers*  
*Clinical Herbalist*  
*96A High St.*  
*Belfast ME 04915*  
*(207)-205-2515*

**Tarbuck, Kathy**

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**From:** Susan Lauchlan <peacework2@hotmail.com>  
**Sent:** Friday, December 29, 2017 2:50 PM  
**To:** Tarbuck, Kathy  
**Subject:** License amendment to extend dumping MSW at JRL

**To the Maine DEP Bureau of Remediation and Waste Management,**

**In regard to the application for an amendment to Cassella's license for accepting MSW at Juniper Ridge Landfill, I write to you as the agency that is charged with the safest and most appropriate disposal of waste in the state of Maine.**

**In 2015 the amount of MSW disposal at JRL was 121,245 tons. This put JRL at the top of all Maine landfill facility disposal rates for MSW in 2015.**

**Regarding the request for Cassella to be granted an extension for disposal of municipal solid waste at Juniper Ridge Landfill, this seems clearly not in keeping with our Maine statutes.**

**How does this square with Maine's Waste Reduction and Recycling goals? In 2016, the focus of Maine's statutory goal for waste reduction was changed to focus on reducing the amount of MSW sent for disposal.**

**I am requesting that you hold a public hearing on the Cassella/BGS application for an amendment to their license for MSW disposal. I feel that the relationship between Cassella and the state of Maine is one of facilitating Cassella's interest, but not necessarily in the best interest of Maine citizens nor of Maine's waste reduction and recycling goals. Please be transparent and hold a public hearing.**

**Sincerely,**

**Susan Lauchlan  
143 East Waldo Rd  
Waldo, ME 04915  
207-338-0406**

No More MSW to JRL: #S-020700-WD-BC-A

Dear Kathy Tarbuck

I am writing to express my grave concerns regarding the recent request to extend deliveries of MSW to Juniper Ridge Landfill. This request is in direct opposition to the Maine State Waste Hierarchy. I request that a public hearing be held to discuss the merits of this request.

A landfill is very unique, as far as most infrastructure goes, in the sense that it will most likely NEVER be decommissioned. We Mainers have recently had a front row seat viewing massive paper mills, some the size of small towns, being chewed up by man's machinery & carted off. Hopefully, the property is cleansed of industrial wastes & toxins, & then put back on the market for redevelopment.

I'm pretty sure we are all in agreement that this scenario will never play out here at Juniper Ridge Landfill.

I'm pretty sure we all understand that the contents of this, soon to be 75 acre mountain of waste will still be leaching toxins into the environment when our great grand children's grandchildren have grown. This site will never be remediated & will NEVER stop leaching toxins to its surroundings.

I find a more urgent concern is that of the 10 million gallons of leachate produced each year. This leachate is minimally treated before discharge to the Penobscot River. I had viewed the 2016 Waste Water Discharge lab results & found myself quite surprised to see how little is tested for!

From a quick google search I have found & enclosed a USGS study of 19 landfills from across the United States. This study indicates 129 Pharmaceutical drugs & industrial chemicals COMMONLY found in landfills throughout the United States, some of which are highly disruptive to the health of all creatures. I find the MAINE DEP requires testing for 7 contaminants, Ammonia, zinc, Terpeneol, benzoic acid, cresol, phenol, & mercury. These tests are only performed on a yearly basis. I find this such a lenient practice it may be hard to discern from negligence.

I have also attached 3 more studies of a more specific nature dealing with the affects of low level pharmaceutical drugs on the mating habits of Salmon & other species of iconic creatures which are of GREAT IMPORTANCE to the people of the state of Maine.

Thank You

Peter Crockett

Argyle Township, Maine

Meredith Bruskin  
27 Hillside Way  
Swanville, Maine 04915  
December 31, 2017

Kathy Tarbuck  
Maine DEP

Re: No more MSW to JRL #S-020700-WD-BC-A

Dear Kathy Tarbuck,

I am writing with my concerns about the Juniper Ridge landfill, and the above requested amendment. I write as a citizen of Maine concerned about the DEP ignoring its own goal/mandate to reduce landfill waste, as outlined in the Maine Waste Hierarchy, and the precedent that increasing Casella/BGS ability to bring in out-of-state waste for profit gives, if their requested amendment is granted. I also write as a nurse practitioner who worked for a decade on Indian Island, and my continued concerns for the health and welfare of the surrounding communities.

I am requesting that you consider holding a public hearing before you grant this license amendment. There is much justified concern about whose interest is being served when it comes to the Casella management of the state-owned Juniper Ridge Landfill. Please allow Mainers to observe and comment on this process.

Thank you for your attention to this matter.

Sincerely,

A handwritten signature in black ink that reads "Meredith Bruskin" followed by a horizontal line and the letters "FNP".

Meredith Bruskin, FNP

## Tarbuck, Kathy

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**From:** Anne D. Burt <annedburt145@gmail.com>  
**Sent:** Monday, January 01, 2018 11:16 PM  
**To:** Tarbuck, Kathy  
**Subject:** No More MSW to JRL: #S-020700-WD-BC-A

Dear Ms Tarbuck:

I am writing to request a public hearing around Casella's operation of the state-owned Juniper Ridge Landfill where curbside waste (MSW) and out-of-state waste have been hauled in increasing amounts with plans to increase even more as the landfill has been approved for expansion. This direction is counter to long-time policy and assurances that no MSW and no out-of-state waste would be brought into Maine and dumped in landfills. It also is counter to Maine's policies to move in the direction of more waste reduction and recycling, as well as composting. Landfills are to be a last resort.

Where there is currently a lawsuit involving the State and the Penobscot Nation around river water quality and sustenance fishing rights guaranteed in treaties, it seems imprudent and perhaps even illegal to be moving ahead with plans that could impact water quality in the future and long-standing treaties. It's important that Maine people speak to this matter, for which a public hearing would provide the opportunity.

Thank you for your attention to my concerns.

Sincerely,



Anne D. Burt  
27 Bunchberry Lane  
Edgecomb, ME 04556  
207-380-5387

## Tarbuck, Kathy

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**From:** Naomi Brautigam <nbrautig@gmail.com>  
**Sent:** Tuesday, January 02, 2018 4:27 PM  
**To:** Tarbuck, Kathy  
**Subject:** No More MSW to JRL: #S-020700-WD-BC-A

Dear Kathy Tarbuck,

In light of Maine's goal to reduce MSW being landfilled within the state, along with Cassella's request for a license extension/ amendment to allow for continued MSW to Juniper Ridge Landfill, I request that there is a public hearing before the license amendment is granted.

As Juniper Ridge Landfill is state owned I request that you please allow Mainers a chance to comment on this process.

Thank you,  
Noami Brautigam  
554 Dickey Hill Rd  
Monroe, ME 04951

525-44525

No More MSW to JRL: #S-020700-WD-BC-A

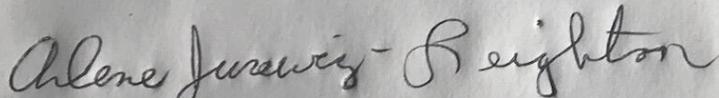
Dear Kathy Tarbuck,

Considering the state's goal to reduce the amount of MSW being landfilled in Maine, along with Cassella's request for a license extension/amendment to allow them to continue to bring MSW to Juniper Ridge Landfill, I request that you hold a public hearing before you grant this license amendment.

There is much concern about whose interest is being served when it comes to Cassella's management of the state-owned Juniper Ridge Landfill. Please allow Mainers the opportunity to observe and comment.

Please do not allow Maine to become the dump for New England.

Thank you,

A handwritten signature in cursive script that reads "Arlene Jurewicz-Leighton".

Arlene Jurewicz-Leighton  
560 Youngtown Rd.  
Lincolnton, Maine

Kathy Tarbuck  
Maine DEP  
Bureau of Remediation and Waste Management  
17 State House Station  
Augusta, ME 04333-0017  
January 2, 2018

Regarding #S-020700-WD-BC-A

Dear Kathy,

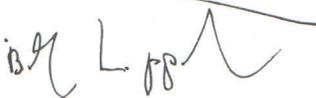
I request that you hold a public hearing before approving Casella's request for a license amendment that would allow them to continue to bring MSW to the State owned Juniper Ridge Landfill beyond the current March 31, 2018 deadline.

This amendment goes against Maine's statutory law which requires that all wastes be subjected to the State Waste Hierarchy: Reduce, Reuse, Recycle, Compost, Waste to Energy and THEN Landfilling as a last resort. As a member/participant in three Maine State Solid Waste Task Forces, I am familiar with the history of the hierarchy and the reasons it was created, even before it became statutory law. Landfills are a precious resource, I was told by the State Planning Office: extremely difficult to locate because of political and environmental factors, expensive to build, with long term environmental consequences while the landfill is in operation and long after it is closed. I speak with the experience of living a mile downstream from the now closed Pine Tree Landfill, with groundwater contamination that will need to be treated for unknown years into the future.

Landfilling MSW is the least environmentally sound method for handling MSW; we have other preferred options in this state: EcoMaine's WTE in South Portland, the MMWAC facility in Auburn, the PERC incinerator in Orrington, and the Fiberight Waste-to-Energy Facility, scheduled to begin operation in April of this year.

When the State took over the Juniper Ridge Landfill in 2003 / 2004, it was with the understanding that no MSW would be allowed. That Casella has violated that agreement time and time again since they took over operation of the landfill is no reason to perpetuate the misuse of state property this time around.

This amendment should not go forward without a full public hearing, to allow citizens and stakeholders the opportunity to comment on a change that flies against the direction of Maine's solid waste hierarchy, which is statutory law.



Bill Lippincott  
30 Wilbur Drive  
Hampden, ME 04444

Note: I'm emailing from my business office, where my computer is located, so that I can scan my signature. My personal email is: wjl3@tds.net

## Tarbuck, Kathy

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**From:** Susie O'Keeffe <sokeeffe@coa.edu>  
**Sent:** Wednesday, January 03, 2018 8:44 AM  
**To:** Tarbuck, Kathy  
**Cc:** Cheryl Spencer; Susan Lauchlan  
**Subject:** Juniper Ridge Landfill

Dear Kathy Tarbuck,

I am wondering when we will realize that the REDUCTION of waste is essential? When making Maine a place where garbage and waste are sent to pollute the air and water and waste the land, is a bad idea?

Mostly, I am trying to understand how, if the *state's goal to reduce the amount of MSW being landfilled in Maine*, how we can be considering allowing Cassella's to continue to bring MSW to Juniper Ridge Landfill?

So, I am writing to request that you, *at the very least, hold a public hearing before you grant this license amendment.*

There is much concern about whose interest is being served when it comes to Cassella's management of the state-owned Juniper Ridge Landfill.

Please allow Mainers the opportunity to observe and comment on this process.

Sincerely,

Susie O'Keeffe  
Montville, ME



# Natural Resources Council of Maine

3 Wade Street • Augusta, Maine • 04330  
(207) 622-3101 • [nrcm@nrcm.org](mailto:nrcm@nrcm.org) • [www.nrcm.org](http://www.nrcm.org)

Kathy Tarbuck, P.E.  
Bureau of Remediation and Waste Management  
Maine Department of Environmental Protection  
17 State House Station  
Augusta, Maine 04333-0017

Dear Ms. Tarbuck,

I'm writing to oppose the Maine Bureau of General Services (BGS) and NEWSME Landfill Operations, LLC (NEWSME) Amendment Application for License #S-020700-WD-BC-A Continued Acceptance of 81,800 tons of in-State Municipal Solid Waste (MSW) at Juniper Ridge Landfill (JRL). Further, we request a public meeting by the Department of Environmental Protection (DEP) in regard to this application and request that the public meeting be located in the vicinity of the Juniper Ridge Landfill so that it is convenient for local residents to attend.

The Natural Resources Council of Maine (NRCM) has a strong interest in protecting the integrity of Maine's Solid Waste Hierarchy licensing criteria and promoting sustainable materials management in the state. In addition, NRCM has 20,000 members and supporters, many of whom live in towns adjacent to the Juniper Ridge Landfill such as Alton, Eddington, Glenburn, Milford, Old Town, Orono, and Stillwater.

We feel that an extension of acceptance of 81,800 tons of MSW into Juniper Ridge Landfill until landfill capacity is reached runs counter to Maine's Solid Waste Hierarchy licensing criteria, as well as the intended purpose of the original amendment and the purpose of the landfill. When the State took ownership of JRL it was made clear that no MSW other than bypass would be accepted; and the amendment to accept 81,800 tons was intended to be something of an emergency response to a sudden closure of another facility. NRCM finds that the applicant did not provide a compelling argument concerning existing disposal capacity in the State nor did they provide evidence of taking any actions to move the MSW up the hierarchy. Further, we believe that the applicant should not be rewarded for failure to plan for the expiration of the original license amendment. We urge DEP to deny this application after holding a public hearing.

Thank you for your consideration of our requests.

Sincerely,

Sarah Lakeman  
Sustainable Maine Project Director  
Natural Resources Council of Maine  
207.751.9539  
[slakeman@nrcm.org](mailto:slakeman@nrcm.org)



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SALLY J. DAGGETT  
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(1914-1987)  
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(207) 985-4676 (Phone)  
(207) 985-4932 (Fax)

January 3, 2018

**VIA E-MAIL AND REGULAR MAIL**

Kathy Tarbuck, P.E.  
Maine Department of Environmental Protection  
Bureau of Remediation and Waste Management  
17 State House Station  
Augusta, Maine 04333  
[kathy.tarbuck@maine.gov](mailto:kathy.tarbuck@maine.gov)

RE: Application #S-020700-WD-BL-A, Juniper Ridge Landfill Amendment for Continued Acceptance of In-State Municipal Solid Waste

Dear Ms. Tarbuck:

I am writing on behalf of my client, **ecomaine**. In accordance with your letter dated December 15, 2017, the purpose of this letter is to request a hearing in the above-referenced proceeding pursuant to Chapter 2, Section 7(A) of Maine Department of Environmental Protection (Department) regulations.

As you may know, **ecomaine** is a “quasi-municipal corporation,” organized pursuant to interlocal solid waste agreement and owned by 20 member municipalities. As such, **ecomaine** is a political subdivision of the State of Maine. *See* 30-A M.R.S.A. § 2252. **ecomaine** was organized for the purpose of owning and operating a regional solid waste management system, in accordance with the interlocal agreement and individual waste handling agreements with the member municipalities, for the mutual environmental and civic benefit of its municipal members. Consistent with that mission, **ecomaine** owns and operates a waste-to-energy facility, single-stream recycling facility, a newly-formed food waste recovery program, and a landfill, all of which are located in Portland.

The above-referenced application, filed jointly by the State of Maine (through the Department of Administrative and Financial Services, Bureau of General Services) and NEWSME Landfill Operations LLC, seeks to amend the solid waste license for the Juniper

Jensen Baird  
Gardner Henry

January 2, 2018  
Page 2

Ridge Landfill by allowing for the disposal of municipal solid waste (MSW) beyond the current expiration date of March 31, 2018.<sup>1</sup> The applicants assert that there is a need to continue disposing of raw MSW at the Juniper Ridge Landfill for an indefinite period of time, based on an alleged lack of capacity at other solid waste disposal facilities in Maine, including **ecomaine**, that are positioned above landfills on the solid waste management hierarchy. However, **ecomaine** does not share the applicants' view on that issue, and would like the opportunity to offer testimony as an intervenor on the question of available capacity as well as other issues related to the application. In addition, **ecomaine** believes that the above application is of significant public importance, as it involves a crucial State-owned asset and has the potential to shape the solid waste landscape in Maine for years—or even decades—to come. Therefore, **ecomaine** believes the Department would benefit from a hearing at which testimony from the various interested parties could be submitted for the Department's consideration as part of the decision-making process.

If you have any questions with regard to this request for hearing, please do not hesitate to contact me. Thank you.

Sincerely,



Mark A. Bower

MAB/gw  
cc: Kevin Roche

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<sup>1</sup> Because this is an amendment application, rather than a renewal, it would appear that the applicants will not be permitted to accept MSW at the Juniper Ridge Landfill after March 31, 2018, unless and until the requested amendment is granted by the Department. *See* 06-096 C.M.R. ch. 2, § 21(B) (“Written approval for the modification must be received before the modification is undertaken.”). If this were a renewal application, the result would be different. *See* 06-096 C.M.R. ch. 2, § 21(A) (“If the renewal application is timely submitted prior to the expiration of the license and accepted as complete for processing in accordance with section 11(B) of this rule, the terms and conditions of the existing license remain in effect until the final Department decision on the renewal application becomes effective.”).

January 3, 2018

To Kathleen Tarbuck, P.E. ;

I am writing to request that the DEP or BEP hold a Public Hearing on the application from NEWSME for an Amendment to License Amendment #S-020700-WD-BC-A, for the Juniper Ridge Landfill that would to permit the company to dispose of significant volumes of Municipal Solid Waste in the state-owned landfill.

The BEP should take jurisdiction over this application, as it is clearly a matter of statewide significance.

The results of any decision will impact on Maine residents and businesses, both in communities contracted with Casella and its subsidiaries for waste services, as well as communities in proximity to and downstream from Juniper Ridge Landfill. Maine tax payers will be impacted by decisions that could result in loss of capacity at the state-owned landfill.

I would be impacted by this decision as a Maine taxpayer, as a business-owner in a community contracted with CWS (Waterville), and as a regular visitor to the areas (Pushaw Stream, Alton Bog, Penobscot River) in the immediate watershed surrounding the JRL facility, to do hiking, canoeing, kayaking fishing, and gathering wild foods with family and friends who live in proximity to the facility.

Casella/NEWSME has not effectively shown that the company has reduced, reused, or recycled materials to the maximum extent practicable prior to sending more raw MSW to the state landfill.

The Finance Authority of Maine approved financing of up to \$30 million in 2015 to cover costs relating to the Applicant's Maine facilities.

Casella's application for the FAME bond stated it was to be used for projects located in Bethel, Hampden, Hermon, Houlton, Lewiston, Mars Hill, Mechanic Falls, Old Orchard Beach, Old Town, Saco, Scarborough, Unity, Waterville, West Bath, and Westbrook, to cover costs relating to the Company's landfill facilities, solid waste collection, organics, transfer, recycling and hauling facilities, specifically including costs of new recycling processing equipment and infrastructure for these project locations.

In 2015 Casella expanded its Maine-based Zero-sort® initiatives to include 62 municipalities. In Section 2 of the amendment application, the applicant states that the amount of MSW diverted by Casella's Zero Sort ® recycling programs is typically in the range of 40 percent.

The typical 40% reduction in waste does not appear to be reflected in the amount of MSW continuing to be generated by communities contracted with Casella.

Most of the MSW proposed to be disposed at JRL would be from Southern Maine municipalities whose waste is handled through CWS's Westbrook transfer station. According to the applicant, the vast majority of these communities have recycling programs in place and/or utilize CWS's Zero-Sort® recycling program.

The applicant states that the ability to further remove material from MSW consolidated at the Westbrook transfer station would require additional personnel to physically sort through materials, or the facility would need to be modified to support further processing. According to the application, the cost of capital to make this conversion, the revenue that could be generated by such a facility, and the tipping fee that would have to be charged by the facility to support its operations would be prohibitive.

Considering the applicant has received over \$15 million in financial assistance from FAME in the past two years, of which a portion was specifically meant to go toward the Westbrook facility and expanding recycling capabilities, it would be important to see how that state-financed money is being spent, and if any has been could be used to enhance recycling at the Westbrook facility, thus placing less pressure on the state landfill.

If the Department approves this amendment without a Public Hearing, it creates a situation which will likely violate Maine's Waste Management Hierarchy, as laid out in statute Title 38, Chapter 24, §2101, which states:

"It is the policy of the State to plan for and implement an integrated approach to solid waste management for solid waste generated in this State and solid waste imported into this State, which must be based on the following order of priority:

- A. Reduction of waste generated at the source, including both amount and toxicity of the waste;
- B. Reuse of waste; C. Recycling of waste; D. Composting of biodegradable waste;
- E. Waste processing that reduces the volume of waste needing land disposal, including incineration; and
- F. Land disposal of waste.

It is the policy of the State to use the order of priority in this subsection as a guiding principle in making decisions related to solid waste management."

The applicant does not dispute that allowing this amendment would violate the state's waste hierarchy - the applicant simply argues that the hierarchy should not apply in this situation.

It is important that the state makes clear that the waste hierarchy directly applies to this decision. A Public Hearing is needed to determine whether approval of continued raw waste disposal at the state-owned landfill is in line with the state's waste hierarchy.

The state-owned landfill is required to be operated under the terms of the Operating Service Agreement. The OSA includes a series of specific requirements beginning with, "Casella agrees to use its best efforts to achieve the following goals: to operate the Landfill following the state's solid waste management hierarchy."

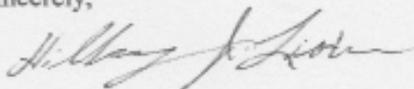
If the state allows Casella to continue to send unprocessed MSW to the state-owned landfill in Old Town, it will be an inappropriate use of a non-renewable resource and a tax-payer funded asset.

The waste management hierarchy is a foundation of state waste policy and it plays a key role in protecting the health and safety of Maine people as well as ensuring future landfill capacity. It is central to any decision concerning this application.

It is only appropriate to allow evidence into record concerning the state's waste hierarchy as it relates to this application, hold a Public Hearing, and address this application as a matter of statewide significance.

Thank you for talking the time to consider these important matters.

Sincerely,



Hillary Lister

16 Chapel St. Augusta, ME 04330

[Hillarylister@mainematters.net](mailto:Hillarylister@mainematters.net)

## Tarbuck, Kathy

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**From:** clark S <memonetary111183@gmail.com>  
**Sent:** Thursday, January 04, 2018 9:12 PM  
**To:** Tarbuck, Kathy; Dana S  
**Subject:** Request For Public Hearing Regarding #S-020700-WD-BC-A

Kathy Tarbuck,

PLEASE, FOR ONCE, DO THE RIGHT THING WITH RESPECT TO THIS MISERABLE FRAUD IN OLD TOWN! The State and Casella PROMISED THERE WOULD BE NO RAW GARBAGE COMING TO JRL!! THEY ALSO PROMISED THERE WOULD NO OUT-OF-STATE GARBAGE COMING TO JRL!! THE STATE AND CASELLA HAVE LIED REPEATEDLY ABOUT BOTH THESE THINGS AND MUCH MORE!

The LEAST you can do is hold an HONEST PUBLIC HEARING!! [re.#S-020700-WD-BC-A ] FOR ONCE!!

Sincerely Disgusted With ALL the 'Rubber-Stampers' of this stinking fraud,  
Dana C. Snowman  
120 Old Stagecoach Road  
Alton, Maine, 04468  
207-827-7344

January 4, 2018

Kathy Tarbuck, Program Manager  
Bureau of Remediation and Waste Management  
Maine Dept. of Environmental Protection  
17 State House Station, Augusta, ME 04333-0017

BY EMAIL ATTACHMENT, SIGNED, IN PDF FORMAT

Dear Ms. Tarbuck:

I am writing with reference to License #S-020700-WD-BC-A "For Continued Acceptance of In-State Municipal Solid Waste" at the Juniper Ridge Landfill.

I have visited the DEP's website devoted to Juniper Ridge, and no summary of this application is available there. The entire application is available in a single PDF file, of which less than 1/4 was downloaded after a 10-minute wait.

As you know, a storm is howling today, and many of us including myself are recovering from a strenuous holiday season, including bitter cold and nursing ourselves and family members back to health from various holiday health setbacks. Nevertheless, I write to you by today's date - though I'm sure you are not 'in office' - as I have heard that today is the deadline to request a public hearing on this matter.

First, the notice that today is a deadline for this is not on the DEP site. Except from hearing from other fellow concerned citizens, how would we ever know that letters must be filed by today?

In addition, I have learned that our letters must be 'signed' - so please see my signature below, which was signed onto a print of this letter, then scanned and forwarded to you in PDF format. As far as I know this has never been required before - are these part of new rules the Department is following that further stand in the way of public participation?

Further, has this proposed license modification been passed by or discussed by the Landfill Advisory Committee? I have heard of no meeting - and assume it's fine with you that no meetings are held. Why should the public have a chance to be informed about a topic of such critical community importance?

Nevertheless, this lack of information, tight timeline, and tightened rules of submission are all the more reason that public hearings should be held on this measure. The public deserves to know, to have a voice, and to not be excluded from this process. *Please hold public hearings on this proposal.*

Yours sincerely,



Paul C. Schroeder  
13 Hamlin St., Orono, ME 04473  
207-907-0906 / pauls@commoncoordinates.com

**From:** ralph coffman [<mailto:ralphicoffman@gmail.com>]  
**Sent:** Friday, January 05, 2018 12:02 PM  
**To:** Eleftheriou, Victoria H <[Victoria.H.Eleftheriou@maine.gov](mailto:Victoria.H.Eleftheriou@maine.gov)>  
**Subject:** Public Hearing on Juniper Ridge Landfill

I am writing to ask for a public hearing on the Juniper Ridge Landfill Application concerning New & Out of State Garbage and other Toxic Waste that is being proposed to be dumped in Old Town above stream from our municipal water supply wells. 20,000 people in the Old Town Orono area will be directly affected and as such should be allowed a public hearing on this issue close to where they live. So please allow us citizens, directly downstream from the Juniper Ridge Toxic Waste Site, an opportunity to hear from and be heard concerning the application. Thank You for your consideration of this matter.

Sincerley

Ralph I. Coffman  
277 Center St.  
Old Town, Maine  
04468  
207-827-3225