

From: [andrea kimmich](#)
To: [Gould, Lane](#)
Subject: Deny the extension of Casella's Operating Service Agreement with the state of Maine
Date: Wednesday, February 21, 2024 3:25:05 PM

EXTERNAL: This email originated from outside of the State of Maine Mail System. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Landfill Manager Lane Gould,

Dear Mr. Longfellow & Mr. Gould,

Please deny the extension of Casella's Operating Service Agreement with the state of Maine. Casella has numerous instances of mismanaging Juniper Ridge Landfill, and has a track record of regulatory and environmental infractions across the region. Casella has been a source of environmental injustice for decades, dumping minimally treated PFAS-leachate into the Penobscot River, a sacred relative to the Penobscot Nation. PFAS, also known as "forever chemicals," have been linked to serious health impacts like decreased fertility, kidney and testicular cancer, thyroid disease, reduced immune system function, and more.

Don't Let Casella Game the System. The Operating Service Agreement should not be extended unless and until the landfill expansion application has been fully vetted, subject to all stages of public participation, and approved. Furthermore, the state needs to ensure that environmental justice impacts are fully assessed: any extension of Casella's OSA should be preceded by an environmental assessment of cumulative impacts and investigation of Casella's management of the landfill by the DEP.

We need to be building toward a zero waste future, where we are meaningfully rethinking and reorienting how we manage resources and materials upstream. We need significant waste reduction, composting, legitimate recycling, and industrial redesign for safer communities and a healthier environment. Waste management goals like this are at-odds with a company that profits from maximizing waste disposal.

Please take action to protect Mainers rights and health by denying Casella's application for an extension of their Operating Service Agreement.

andrea kimmich
kimmichkeyser@yahoo.com
7 york street
kennebunk, Maine 04043

From: [Ann Schaer](#)
To: [Gould, Lane](#)
Subject: Deny the extension of Casella's Operating Service Agreement with the state of Maine
Date: Wednesday, February 21, 2024 4:39:46 PM

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Landfill Manager Lane Gould,

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Ann Schaer
arschaer49@gmail.com
12 Old County Rd
Waldoboro, Maine 04572

From: [Bethe Hagens](#)
To: [Gould, Lane](#)
Subject: Deny the extension of Casella's Operating Service Agreement with the state of Maine
Date: Wednesday, February 21, 2024 3:52:02 PM

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Landfill Manager Lane Gould,

Dear Mr. Longfellow & Mr. Gould,

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Please take action to protect Mainers rights and health by denying Casella's application for an extension of their Operating Service Agreement.

Bethe Hagens
bethehagens@gmail.com
330 Ocean Sve
Kennebunkport, Maine 04046



OLD TOWN

February 21, 2024

Lane Gould, Landfill Manager
Bureau of General Services
111 Sewall, St., Cross Office Building 4th Floor
77 State House Station
Augusta, ME 04333-0077

Re: Proposed Changes to the Juniper Ridge Landfill Operating Services Agreement

Dear Mr. Gould,

As the City Manager for the City of Old Town, Maine, I am submitting comments on behalf of the City of Old Town ("City") with regard to Proposed Changes to the Juniper Ridge Landfill Operating Services Agreement. These comments are in response to your January 23, 2024 and February 9, 2024 notices of public hearing on this subject. Those notices state that pursuant to 07-105 C.M.R. Chapter 480 (actually an obsolete citation, since it has been reallocated from the former State Planning Office 's Rules to the Department of Economic and Community Development's Rules where it appears as 105c480), the Bureau of General Services ("BGS") will accept public comments and conduct a public hearing before certain changes to the Juniper Ridge Landfill Operating Services Agreement ("OSA"). While the notices describe the general nature of the changes to the OSA that BGS seeks (extension of the OSA termination date from February 5, 2034 to February 5, 2040, and expansion of capacity at Juniper Ridge Landfill ("JRL"), the actual language of the changes to the OSA is not available on the BGS website and was not provided to the City's attorney in this matter despite his request to you. Therefore, the City's comments are necessarily general in response to BGS' general summary of the nature of changes it seeks, and the City reserves the right to comment further when BGS provides the language of the actual OSA changes it seeks.

When the State of Maine and Casella Waste Systems, Inc. entered into the original OSA in 2004, it was for a 30-year period, from February 5, 2004 through February 5, 2034. Casella was required as a condition of that OSA to apply for an expansion of landfill capacity at JRL. JRL initially was the Fort James Corporation's landfill -- the West Old Town Landfill -- and was acquired by the State in 2003 in an economic development effort to keep the paper company operating. In this way, the State indirectly wound up owning a permitted and operating landfill -- something it had been unable to do directly through years of funding and staffing the Maine Waste Management Agency, which was unable to site, permit, and construct an operating

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landfill anywhere in Maine. In 2004, under the OSA, Casella as authorized to accept at JRL certain waste from the former Fort James paper mill, as well as other waste that was listed as Acceptable Waste under its Maine Department of Environmental Protection (“MDEP”) permits.

As the host community for JRL, the City signed a Host Community Compensation and Facility Oversight Agreement (the “Host Community Agreement” or “HCA”) with the State of Maine and Casella in 2004. Exhibit 2 to the HCA lists what were Acceptable Wastes at JRL, and the only acceptable municipal solid waste (“MSW”) under that HCA was “incinerator bypass” and incinerator ash. Unprocessed MSW was not permitted at JRL. Only limited amounts of sludge from wastewater treatment plant facilities were disposed of at JRL. It was on the basis of that 30-year OSA and that Exhibit 2 that the City agreed to the payment schedule in the HCA with the State of Maine and Casella for their operation of JRL.

Over time, things have changed dramatically at JRL since the 2003 OSA and 2004 HCA were executed.

- First, the Maine Energy Recovery Company (“MERC”) waste-to-energy incinerator in Biddeford ceased its operations, causing municipalities to have to find another disposal site for approximately 120,000 tons per year of MSW. In 2012-2013, JRL was permitted to accept up to 93,000 tons per year of that MSW while the State/Casella JRL expansion application was processed, and the HCA also was amended in this regard.
- Second, under the terms of the 2014 JRL expansion permit, JRL was permitted to accept up to 81,800 tons per year of MSW for four years, which later was extended.
- Third, since 2018 when 177 municipalities’ long-term solid waste disposal agreements with Penobscot Energy Corporation (“PERC”) expired, there have been problems with large-scale non-landfill solid waste disposal options for those municipalities, which has driven their MSW to JRL. The Hampden Maine Waste Solutions, LLC (MWS) facility has been closed since May 2020. PERC ceased to operate its facility in May 2023. While both facilities plan to restart in the future under new owners and operators, until such time, if ever, as they do, portions of the MWS MSW ¹and all of the PERC municipalities’ MSW has been disposed of at JRL.
- Finally, public wastewater treatment plant (WWTP) sludge from all across the State is being disposed of at JRL because PFAS and PFOS contamination of that sludge precludes its landspreading and limits disposal options.

¹ Although the default disposal location for bypass MSW from the MWS municipalities is the Waste Management facility at Norridgewock, several MWS municipalities, noting the time and cost of extended periods of waste transportation for disposal at Norridgewock, asked for and obtained a “waste swap” with Casella to permit disposal of their unprocessed MSW at JRL.

In short, JRL has morphed from a construction and demolition debris landfill that would take limited amounts of by-pass and incinerator ash, but not unprocessed MSW, from PERC and limited amounts of sludge from wastewater treatment plant facilities, to a landfill that accepts large quantities of unprocessed MSW and of WWTP sludge. This means increased transport of MSW and sludge through Old Town, increased amounts of disposal of unprocessed MSW and of WWTP sludge at JRL, increased rates of filling of JRL, and now, a need for a second expansion of JRL and an increase in its operating lifetime in part to finance that second expansion. It also means more landfill leachate with greater amounts of contaminants; JRL leachate now has the fifth highest PFAS level of all landfills in the State, according to a MDEP report cited in the February 20, 2024 edition of the Portland Press Herald.

This was **not** what the City of Old Town agreed to in 2004.

If the State is now going to reopen the OSA to extend its duration to increase the types and amounts of waste that will be Acceptable Waste at JRL and to increase JRL's operational lifetime, then it is time for the State to also reopen the HCA and increase compensation to the City of Old Town as host community for the increased burdens it will bear. Those burdens include the transportation and disposal at JRL of more unprocessed MSW and more WWTP sludge over a longer period of time, and the generation more PFAS-contaminated landfill leachate that will require treatment.

In addition, the State must begin to look at long-term options for landfilling in **other** locations of the State. The City of Old Town did not ask to become the sole operational State landfill site – it happened accidentally as the State backed into ownership through a failed economic development effort for one industrial facility. This is a matter of fundamental fairness and environmental justice.

Sincerely,



William J. Mayo
City Manager, City of Old Town, Maine

cc: Old Town City Council

PENOBSCOT NATION

DEPARTMENT OF NATURAL RESOURCES

CHARLES LORING JR, DIRECTOR
Charles.Loring.Jr.@penobscotnation.org



12 WABANAKI WAY
INDIAN ISLAND, ME 04468
TEL (207) 817-7349
FAX (207) 817-7466

February 26, 2024

Lane Gould, Landfill Manager
Bureau of General Services
111 Sewall St. Cross Office Building 4th floor
77 State House Station Augusta, ME 04333-0077

Re: **Juniper Ridge Landfill Operating Service Agreement Testimony**

My name is Charles Loring, I am a resident of Corinth, and also a citizen of the Penobscot Nation. Although I serve as the Director of Natural Resources for the Penobscot Nation, I am writing to you today as a citizen of the Penobscot Nation in opposition of the State of Maine Department of Administrative and Financial Services (DAFS) Bureau of General Services (BGS) extending the Operating Service Agreement (OSA) for Casella Waste Systems, Inc.

Casella Waste Systems, Inc is seeking to extend the OSA at Juniper Ridge Landfill (JRL) due to a shortage of waste disposal options after years of taking in ton by ton of waste from out of state. Even after legislation was passed to stop out of state waste from coming in, Casella asked for more time to help stabilize sludge brought in from wastewater treatment plants.

As the situation currently stands, Juniper Ridge Landfill, if left alone, would reach capacity within the limits of the existing OSA. Casella seemingly needs the expansion to occur before their current OSA expires, it is no surprise that they have interest in expediting the process and getting the OSA extended before they invest resources in the expansion of the landfill.

I feel that strong consideration should be given to the pending legislative resolve, LD 2135. If enacted, this would delay any extension until after the important Public Benefit Determination (PBD) phase is complete, mandate Casella disclose its contracts with its individual customers and that the DEP assess the contract for other areas needing more transparency, mandate treatment of leachate to remove PFAS be installed by January 1, 2027, and mandate that a study be conducted on the Jay paper mill landfill becoming a public landfill to help with the waste crisis.

The PBD phase now includes an Environmental Justice (EJ) requirement for evaluation. This would give considerably more weight to the citizens of the area surrounding JRL, including Penobscot Nation citizens. Many tribal citizens still practice a varying blend of traditional lifeways with conventional ways of life. We hunt and fish from the river and the area downstream of JRL for our subsistence, while going to work each day to provide for our families. We are all seemingly trusting our lives to a couple feet of compacted gravel or clay, with less than 1/10th of an inch of liner. The cumulative harms that Maine landfills have placed on the Penobscot Nation are striking, with over 70 closed landfills along the Penobscot watershed, and all 3 state-owned landfills built around Penobscot territory. We have been told, and verified, that the fish in our

river is unsafe to eat, full of PFAS, dioxins, PCBs and more. We have born the brunt of millions of gallons of leachate poured into the river and will continue to bear the brunt of any expansion of JRL.

Extending the OSA without allowing the public and the Department of Environmental Protection to first complete the Public Benefits Determination of the expansion, and to—at the very least— use this moment as an opportunity to strengthen the OSA to mitigate the environmental harms of JRL, is an environmental injustice.

Respectfully,

A handwritten signature in black ink, appearing to read "Clay", with a long horizontal stroke extending to the right.

Charles Loring Jr



Slingshot
53 Exchange Street, #200
Portland, ME 04101
slingshot.org

February 26, 2024

Lane Gould, Landfill Manager
Bureau of General Services th
111 Sewall St. Cross Office Building 4 floor
77 State House Station Augusta, ME 04333-0077

RE: Extending Casella's Operating Services Agreement at Juniper Ridge Landfill

At Slingshot, we believe everyone deserves the right to breathe clean air, drink clean water, and live in healthy, vibrant communities, which is why we oppose the proposed extension of the State's Operating Service Agreement with Casella.

Slingshot is an environmental health and justice organization, working alongside communities most impacted by environmental threats to take aim at polluters and build community power. Through this work we've witnessed the real threat that landfills pose to our communities and our environment.

We urge the the Bureau to reject this proposed extension for three main reasons:

1. Casella has a track record of pollution and mismanagement across the region, and Juniper Ridge is no exception.

There have been numerous instances of landfill mismanagement over the years. In May of 2023, [a fire broke out](#) at Juniper Ridge Landfill which burned for four hours. During an uncontrolled burn, dioxins are produced and introduced into the environment when waste is [burned](#), and can settle on vegetation and bio-accumulate within the food chain. Exposure to dioxins has been linked to suppression of the immune system, disruption of hormonal systems, liver damage, skin rashes, reproductive and developmental disorders, as well as certain kinds of [cancer](#).

In February 2023, Casella refused to accept sludge at Juniper Ridge, creating a sludge crisis and putting Waste Water Treatment plants in a tough position. Casella claimed increased amounts of sludge caused landfill instability. However, Casella reported [no increase in sludge](#) disposal at Juniper Ridge Landfill since LD 1911 became law in 2022. Casella's own data undermined their attempt to scapegoat a law that has helped

protect Mainers from serious health consequences of spreading PFAS contaminated sludge on farm lands. There has been no accountability for the incident, claiming this manufactured emergency as a reason to continue importing out-of-state waste to manage instability.

In their two decades of operation, Casella has been [unable to manage odors](#) from their operations at Juniper Ridge landfill. They have admitted that they are unable to control odors from operations, and stated they are afraid to introduce more air into the system to mitigate odors fearing it would cause another landfill fire. Odors aren't just a nuisance, but also pose a public health risk. A common landfill order is [hydrogen sulfide](#), a toxic gas that can cause irritation to eyes, respiratory issues including asthmatic symptoms, headaches, nausea, and vomiting.

2. Juniper Ridge Landfill has been a source of environmental injustice for decades.

One of the most apparent ways that Juniper Ridge Landfill has disproportionately burdened the Penobscot Nation, is through the disposal of the minimally-treated PFAS-laden effluent from JRL into the Penobscot River. PFAS, also known as “forever chemicals,” have been linked to serious health impacts like decreased fertility, kidney and testicular cancer, thyroid disease, reduced immune system function, and [more](#). The Penobscot River is a sacred relative to the Penobscot Nation. Now, these sacred waters are contaminated, posing a threat to the health and environment of everyone in Maine but especially to the Penobscot Nation, whose spiritual and cultural practices are directly impacted by this kind of pollution on sacred tribal lands. In 2019, the EPA found 7,331 ppt of PFAS in a Smallmouth bass from the [Penobscot River](#). Tribal citizens were advised not to consume fish from the river, due to the potential health risks; however some tribal members have been continuing to fish despite the health risks because of the significance of the practice to sustenance rights and [culture](#).

3. Casella impedes Maine's waste management hierarchy goals and recycling goals

Our waste hierarchy statute states landfilling is a *last* resort, and yet Casella charges exorbitant recycling fees that work against our recycling goals. The company profits over a [billion dollars annually](#), making money off of disposal of waste at Juniper Ridge.

We need to be building toward a zero waste future, where we are meaningfully reorienting how we manage resources and materials upstream. We need significant waste reduction, composting, recycling, and industrial redesign for healthier communities and a healthier environment. These waste management goals are at-odds with a company that profits from maximizing waste disposal.

Before any consideration of an extension of Casella's Operating Service Agreement, we need to ensure not only that environmental justice impacts are fully assessed, but also that the Department of Environmental Protection conducts a thorough assessment of Casella's operation of the landfill, as well as an examination of the Operating Service Agreement.

We urge you to stop Casella from gaming the system. We should not be considering an extension to the OSA unless the landfill expansion process is complete—there needs to be adequate a meaningful public environment, and consideration of the cumulative impact on our communities and our environment.

Please protect Mainers denying the application for the extension of Casella's Operating Service Agreement with the State of Maine. Thank you.

Sincerely,

Dana Colihan
Co-Executive Director
Slingshot

From: [clark S](#)
To: [Gould, Lane](#); [clark S](#)
Subject: Juniper Ridge Contract Extension
Date: Monday, February 26, 2024 2:13:13 PM

EXTERNAL: This email originated from outside of the State of Maine Mail System. Do not click links or open attachments unless you recognize the sender and know the content is safe.

To Whom It May Concern,

In my opinion State officials charged with oversight, etc., of the MASSIVE Juniper Ridge dump have been derelict [or worse] in their duties for 20 years. I have yet to hear even one State official provide an honest assessment of the amount, etc., of out-of-state filth dumped there. It appears that State officials dare not name the sum and/or they simply don't care. [I strongly suspect they would care if they lived with the horrific stench, the noise, the rats, the stinking, spewing dump trucks, etc. ad nauseam.

I have yet to hear even one State official provide an honest assessment of the total amount of water pollution being spewed into the Penobscot River and other waterways; The massive volume of treated and untreated dump leachate spewed into the Penobscot River and other waterways in the Penobscot watershed, etc.

I have yet to hear even one State official explain why all three State-owned dumps are in Penobscot County.

I pray that someday Mainers are blessed with State officials who aren't merely cat's-paw for the waste industry. I pray that someday State officials hold their first honest public hearing on this abomination.

Sincerely,
Dana C. Snowman
120 Old Stagecoach Rd.
Alton, Me. 04468

From: [Diane Morrison](#)
To: [Gould, Lane](#)
Subject: Deny the extension of Casella's Operating Service Agreement with the state of Maine
Date: Thursday, February 22, 2024 10:20:57 AM

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Landfill Manager Lane Gould,

Dear Mr. Longfellow & Mr. Gould,

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Don't Let Casella Game the System. The Operating Service Agreement should not be extended unless and until the landfill expansion application has been fully vetted, subject to all stages of public participation, and approved. Furthermore, the state needs to ensure that environmental justice impacts are fully assessed: any extension of Casella's OSA should be preceded by an environmental assessment of cumulative impacts and investigation of Casella's management of the landfill by the DEP.

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Please take action to protect Mainers rights and health by denying Casella's application for an extension of their Operating Service Agreement.

Diane Morrison
dianemorrison58@gmail.com
63 Checkerberry Road
Nobleboro , Maine 04555

OSA Extension Rejection February 2024

Extending this OSA with Casella would only perpetuate injustices involved with the creation and operation of Maine's first state-owned landfill. So please pay attention to some history and perspective from someone who has endured living within 2 miles of the State's property for twenty years. In 1989, in response to fears that Maine was becoming the dumping ground of New England, landmark legislation was enacted. New commercial landfills were banned. The reason publicly owned landfills could ban imports of waste was because as a "market participant" they would be exempt from some interstate commerce rules to the contrary.

Unfortunately, to date the State as owner of JRL, formerly the SPO and now BGS, has failed to act as a market participant and ban waste imports. Instead, they have enabled Casella to circumvent the intent of the 1989 legislation. The State has abdicated its responsibility which was mandated by the 1989 legislation and has to date rubberstamped every Casella action.

From the beginning of Public Awareness in the fall of 2003 of the State/Casella/Old Town Mill Deal that would result in Maine's first state-owned landfill, State, local, and company officials misled the Public. They promised over and over two primary restrictions on wastes into what would become the Juniper Ridge Landfill: 1. No out of state Waste and 2. No curbside garbage (MSW).

Unbeknownst to the Public, who wanted to trust these people as part of a deal to preserve pulp mill jobs in Old Town, the State Planning Office (SPO) had already signed an agreement with Casella to allow importation of enough Construction and Demolition Debris (CDD) to derive 100,000 tons of "clean wood fuel chips" annually for the Old Town mill exclusively, with all the residues involved being allowed into JRL despite originating beyond Maine's borders.

Prior to the OSA being signed in 2004, for many months in 2003 Casella, the Governor's office and the Old Town Mill worked on a 3-way Deal: the State would own the West Old Town Landfill (then owned by the Mill), the Mill would get \$26 million from Casella to purchase and refurbish a used biomass boiler and CDD-derived fuel Cheap, and Casella would get to operate the State landfill. However, at some point a state official pointed out that they couldn't just appoint Casella as Operator and would need to advertise a Request for Proposals (see Dump Documents Dispatch). Among the RFP conditions was that the winning bidder would have to post a \$50 million performance bond. Casella was the only bidder. After being appointed as Operator, and the Mill was saved, Casella refused to post the \$50 million performance bond. The State was in a fix and knuckled under to Casella who was only required to post the current \$4 million Bond.

My point in dredging up this history is that from the inception of what became JRL, Casella and others misled the Public and failed to honor the RFP terms, which they may have helped write. The RFP conditions obviously scared away other bidders. So when a DFAS person stated to Channel 2 several weeks ago that "Casella has honored its agreement with the State" that was not actually factual.

Now let's look at the Second Amendments to the OSA. In 2006 just prior to a gubernatorial election and just after GP had abandoned the Old Town Mill and 300 jobs were lost, the Governor's office arranged a new deal to bring in new mill ownership. In the Fuel Supply agreement, with the stroke of a pen the SPO removed the restrictions on CDD imports which were exclusive to the Old Town Mill and allowed imports of waste to make fuel for Any boiler in Maine. This is why waste first discarded

beyond Maine's borders has become at least one third of the existing JRL capacity. This is also why the landfill keeps needing to be expanded. We call these 2nd Amendments the Secret Amendments because when they were enacted Casella and the State never notified any of the affected parties of the huge changes. They never told the DEP, City of Old Town, Alton, the Juniper Ridge Advisory Committee or the Public. Nobody found out until almost two years later in 2008. At that point there was an uproar, and I believe that is the main reason we are having this Hearing now, because the trust of all was abused in 2006.

Up until 2007 there was a common sense definition of what Maine waste was. Maine lobsters were from the coast of Maine, Maine potatoes farmed from Maine soils, and Maine waste was from Maine. That changed with some legislation that adopted a strange definition of what Maine waste was. If it was imported but then processed in Maine, all the residues became Maine waste even though they were discarded out of state. There were also exceptions to the Ban for materials used at the landfill for shaping, grading, etc.

Also during this period of 2006-2007, the new owners of the Old Town Mill finally began burning some of the "clean wood fuel" furnished by Casella. This resulted in the creation of Hazardous Waste in the form of lead-laden biomass boiler ash, which by the way was deposited in JRL despite rules to the contrary. 16 of the 31 fuel samples were in violation of state standards. Casella never had to pay a fine but the Mill owners did, and the huge cleanup costs played a role in Mill closure and hundreds of lost jobs.

In summary, Casella, with the State as Owner, has managed to turn Maine's first operational landfill into a commercial landfill with few restrictions on materials that the 1989 Legislative Act was specifically created to avoid. Extending this OSA, which still has ten years remaining, to accommodate Casella's wishes exemplifies the history of JRL in which the wishes and needs of the citizens of Maine are secondary to Casella's business needs.

Thankfully, we are getting a chance to speak out against an Extension. Any prolongation of this OSA should first require a thorough Review, preferably by OPEGA, of the first 20 years of Casella at JRL. The Legislature's Environment and Natural Resources Committee (ENR) recently unanimously passed LD 2135, which mandates No Extension until the Public Benefit Determination portion of an Expansion has been completed. This Bill also requires full disclosure of all contracts Casella holds with entities whose wastes end up in the JRL, which the DEP has recommended as a pre-condition for any Extension or Expansion.

Specifics Suggestive of OSA Non-Compliance

As I reread the OSA, there appeared to be instances of conflicts within the document. Other clauses raised questions concerning compliance over the twenty years this agreement has been in place. It is clear that the importation of CDD and allowance of fuel-processing residue was intended to be limited to helping the Old Town Mill. On Page 4, l.17 says "*Excluded Waste*" shall mean (a) any Acceptable Waste or any other waste of any nature generated outside of the State of Maine". On Page 5 it continues "...Casella may bring construction and demolition waste generated outside the State of Maine for processing within the state of Maine solely for purpose of allowing Casella to generate biomass fuel required in connection with the provision of biomass fuel to FJ...".

These restrictions were removed when the Second Amendment's Fuel Supply Agreement was signed. Remember, this was done in Secret. So the State as Owner allowed Casella to benefit while circumventing the intent of the 1989 Legislation. In addition, when Casella finally provided CDD fuel for the Old Town Mill in 2007, the fuel was in violation of State standards. Exhibit B of the OSA, the Fuel Supply Agreement, includes the definitions of "C&D Fuel" including *(b) Meets such specifications as the DEP may require for legitimate fuel substitution*". Somehow Casella was not held accountable despite hazardous waste resulting from Casella's fuel combustion in Old Town. As a result of burning the defective fuels, that version of the Old Town Mill had to spend millions of dollars cleaning up their facility. They also were assessed a Notice of Violation by the DEP and fined. Bankruptcy and lost jobs were the result.

On Page 37 of the OSA, 13.5: *"Casella covenants and agrees to operate Landfill and otherwise conduct all aspects of its business at the Landfill in compliance with all applicable laws and regulations and permits."* Pages 13 and 14, Section 2.3.3 (c): *"Casella shall be responsible for providing at its own cost and expense and shall have sole authority regarding: (c) all services incidental to the business of the Landfill, including security, accounting, legal, fire prevention and pollution control."* Despite agreeing to these terms, Casella has contracted to release inadequately treated leachate into the Penobscot River, thus violating license clauses stating *"...shall not pollute any waters of the State..."*. The State as Owner, BGS, must be aware that millions of gallons of pollutants are entering State waters monthly, and yet they have not pressured Casella to control their pollutants at their own cost. Similarly, the State permits say *"Casella has the ability to control odors"*, yet the Public has been assaulted with landfill gases while Casella now admits they cannot control the odors.

LD 2135 would mandate that the State shall have the right to see all contracts Casella enters into regarding JRL. This came as a result of Legislative frustration over being denied such information, and statements made by JRL's Regulator, Maine DEP in recent reports expressing frustration over inadequate contractual information. Section 3 of the OSA, CONTRACTS WITH THIRD PARTIES, says on Page 26: *"Casella shall provide the State with notice of and adequate time to review and comment on such contracts and agreements prior to their execution."* It appears that Casella has failed to share landfill contracts with the State as Owner or Regulator. Has BGS reviewed all these contracts *"prior to their execution"*? DEP's frustration would seem to indicate non-compliance.

Each day JRL has been in operation, for over twenty years now, the State as Owner and DEP have trusted Casella to keep the books in regard to what wastes are entering JRL, their points of origin, and their qualifications to be categorized. Some wastes are exempt from certain fees, such as Daily Cover loads, which comprise one in every six or seven trucks into JRL. Daily cover is exempt from Old Town and Alton tip fees. On Page 26 of the OSA, Section 10.1 includes *"The State shall have the right at reasonable times and upon not less than three (3) business days prior notice to inspect and examine Casella's books and record related to the operation of the Landfill to confirm Casella's compliance with this Agreement and applicable permits and environmental laws and regulations."* The City of Old Town has similar rights. Has there ever been an inspection by the State as Owner to assure accounting compliance and fees paid in full?

Casella paid a million dollar fine in Vermont in the past for anti-competitive activities or antitrust practices. One benefit of State ownership should be that all waste haulers operate under the same

rules. Page 13 of the OSA, 2.3.2 includes: “...Casella agrees to operate the Landfill gate and scale house in such manner, and on such terms so as to provide no price or entry discrimination or benefit (consistent with Section 2.11) in favor of its affiliated haulers or otherwise as to disadvantage haulers that are not Affiliates or who do not have a business relations with Casella or its Affiliates.” Has the State as Owner been monitoring these practices at their Landfill? Has the Attorney General’s Office been involved with assessing fair market conditions? This would seem to be an essential function of Public Ownership.

Fortunately, the Public has engaged with the State over the years, often turning to the Board of Environmental Protection to redress our grievances. In the Board’s Annual Report from 2018, they state: “*The Board has been concerned that in the licensing and appeal proceedings before the Board, BGS and DECD consistently defer to Casella creating at least the impression that the facility is being managed as a private landfill for the benefit of Casella rather than as a publicly owned asset for the benefit of the State and its citizens.*”

Conclusion

The State as Owner and Casella as Operator of JRL have had a history of deception from its inception. An inadequate Performance Bond should have restarted the RFP process; instead the State began its practice of deference to Casella’s shortcomings. The State has abdicated its responsibility to act as a Market Participant and protect ourselves from becoming the Dump for New England and beyond. Casella’s non-compliance with the Fuel Supply Agreement of the OSA resulted in Hazardous Waste ash and huge economic distress in Old Town.

The deceptive circumvention of the 1989 Act banning new Commercial Landfills by the Second Amendment to the OSA has remained in the OSA without rectification. It appears that the State has failed to inspect Casella contracts related to JRL, as required in the OSA. There has been a lack of State Oversight, with Casella exploiting conflicts between the State as Owner and the State as Regulator. Lax accounting begets corruption.

This OSA should not be extended. Casella’s convenience should not be a factor in BGS decisions. Let’s not put the Cart in front of the Horse. The Public’s rights have been ignored and abused, our health is at risk and the Penobscot River is being deluged with millions of gallons of poisons and other pollutants. It is time to Review, and possibly to Revoke. The Attorney General’s Office should be notified.

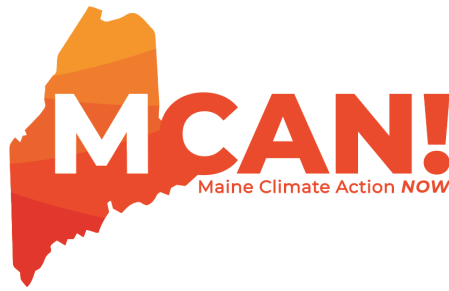
That being said, I hope that this opportunity for Public input results in positive changes.

Respectfully yours,

Ed Spencer

PO Box 12, Stillwater, ME 04489

827-8359



To: Maine Bureau of General Services

From: Ezra Sassaman, Advocacy Coordinator, Maine Climate Action Now

Date: February 15, 2024

Re: Expansion of Operating Service Agreement between the State of Maine and Casella to manage Juniper Ridge Landfill

Hello Maine Bureau of General Services,

My name is Ezra Sassaman. I am from Bar Harbor and work for Maine Climate Action Now, a coalition made up of climate justice organizations across the state.

What happens to our waste is important. Maine deserves to have its waste managed by an institution that puts the long-term health of people and planet above short-term financial gains. The way the Juniper Ridge Landfill is currently operated, waste is treated a commodity that grows shareholder profits.

Over the past years, Casella has accepted consistently large amounts of construction waste from other New England states. It has also been a willing partner to the companies producing that waste, charging fees for every ton of debris buried in the Juniper Ridge Landfill. In this way, its business model encourages practices that unsustainably expand the landfill and actually incentivize the transportation of trash from other states into Maine.

To make matters worse, the construction and demolition debris that make up around two-thirds of new material buried in the landfill are often treated with forever chemicals and other toxins. These chemicals and toxins have been found at alarming levels in the nearby Penobscot River and its fish. The proximity of this landfill to the Penobscot River and Penobscot Nation mean there is a lot at stake and no room for mismanagement from Casella nor from the State of Maine.

A safe and healthy environment for all people – not the purchase of the most possible waste – must be the priority of Maine and any institutions it contracts with.

For the above stated reasons, the operating contract for Juniper Ridge Landfill should not be renewed. Overall, the State of Maine must do a better job understanding the negative societal and environmental impacts of treating waste as a commodity, especially thinking long-term for the health of future generations.

From: [Hailie Posey](#)
To: [Gould, Lane](#)
Subject: Deny the extension of Casella's Operating Service Agreement with the state of Maine
Date: Wednesday, February 21, 2024 4:21:15 PM

EXTERNAL: This email originated from outside of the State of Maine Mail System. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Landfill Manager Lane Gould,

Dear Mr. Longfellow & Mr. Gould,

Please deny the extension of Casella's Operating Service Agreement with the state of Maine. Casella has numerous instances of mismanaging Juniper Ridge Landfill, and has a track record of regulatory and environmental infractions across the region. Casella has been a source of environmental injustice for decades, dumping minimally treated PFAS-leachate into the Penobscot River, a sacred relative to the Penobscot Nation. PFAS, also known as "forever chemicals," have been linked to serious health impacts like decreased fertility, kidney and testicular cancer, thyroid disease, reduced immune system function, and more.

Don't Let Casella Game the System. The Operating Service Agreement should not be extended unless and until the landfill expansion application has been fully vetted, subject to all stages of public participation, and approved. Furthermore, the state needs to ensure that environmental justice impacts are fully assessed: any extension of Casella's OSA should be preceded by an environmental assessment of cumulative impacts and investigation of Casella's management of the landfill by the DEP.

We need to be building toward a zero waste future, where we are meaningfully rethinking and reorienting how we manage resources and materials upstream. We need significant waste reduction, composting, legitimate recycling, and industrial redesign for safer communities and a healthier environment. Waste management goals like this are at-odds with a company that profits from maximizing waste disposal.

Please take action to protect Mainers rights and health by denying Casella's application for an extension of their Operating Service Agreement.

Hailie Posey
hailieposey@gmail.com
21 Rumery Street
Saco, Maine 04072

Comments for the Public Record

In the matter required when certain changes are proposed to an operating services agreement between the Bureau and its contracted operator of a state-owned solid waste disposal facility

To

William Longfellow, Bureau Director
Lane Gould, Landfill Manager
Bureau of General Services

Submitted by

Jacquelyn Elliott | February 26, 2024

Submission by email:

William.Longfellow@maine.gov

Lane.gould@maine.gov

Thank you for the opportunity to submit comments for the public record in the above-cited matter. The Operating Services Agreement (OSA) to operate Juniper Ridge Landfill (JRL) was **signed February 5, 2004** between the State of Maine, Acting by and through Its Executive Department, State Planning Office (State) and New England Waste Services of Maine (NEWSME), LLC, a subsidiary of Casella Waste Systems (Casella).

History

The original OSA was subsequently amended three times: the **first amendment July 28, 2006**; the **second amendment November 2, 2006**; and the **third amendment December 21, 2015** when the State Planning Office no longer existed and the partnering entity for the State became the **Department of Administrative and Financial Services, Bureau of General Services**.

It should be noted that the **second [amendment](#)**¹ represents a substantial change of proposed landfill operations and has resulted in disposal of increased amounts of imported out-of-state (OOS) construction and demolition debris (CDD) at the landfill set aside to provide capacity for Maine waste. At the time the OSA was enacted, the State had not provided the public with any definition of what constituted OOS waste. Additionally, the public had been assured there would be no **[“putrefactive”](#)**² waste placed in the landfill.

The **second amendment is referred to as the Fuel Supply Agreement (FSA)**, and includes Casella’s agreement to cease accepting waste for disposal and to close the Pine Tree Landfill in Hampden. The landfill closure did not relieve Casella from long-term commitments to accept CDD and

¹ November 2, 2006, Second Amendment to Operating Services Agreement:
https://www.maine.gov/dafs/bgs/themes/bgs/images/pdf/OSA.amend_.2.pdf

² Loftus, Sawyer, March 1, 2023, Bangor Daily News, How trash plans fell apart for 115 Maine communities:
<https://www.bangordailynews.com/2023/03/01/mainefocus/hampden-trash-plant-fallout-joam40zk0w/>

to develop, construct, expand, or gain access to processing facilities in Maine that would assure the ability to produce or obtain CDD fuel sufficient to meet the requirements of the FSA. All of this was **put in place outside of public knowledge or participation**³ in the process.

When the State became the owner of what is now JRL, The **Finance Authority of Maine (FAME)** loaned **Casella \$25 million**⁴ to pay Georgia Pacific (GP) to purchase the landfill. The FSA included that **Casella would provide GP with fuel derived from CDD to run its newly acquired “biomass boiler,”** enabling the mill to continue to function. Despite repeated claims that there would be **no OOS waste in the new landfill, Casella was granted permission to import enough CDD to derive “clean wood fuel” for the Old Town boiler.**

The **mill ceased operations in 2006 eliminating the need for the FSA.** The mill closed and revealed there were **agreements**⁵ that were **unknown to the public and workers.** Casella has had an evolution of **pretexts to import CDD.** First to fuel the Old Town Mill boiler **to include fuel**⁶ **for any Maine boiler.** Currently there are **no biomass burners operating in Maine that require this fuel source.** The progression of imported CDD has occasioned permit **revisions for ever-increasing amounts of oversize bulky waste (OBW)** which is a subset of CDD that Casella alleges they **need to stabilize the landfill** to accommodate landfilled **sludge**⁷.

Life Lived

These comments will move from jots and tittles of the OSA to focus on the **rights of citizens to breathe clean air, drink clean water, and have safe places to live, work, and play.** Particularly for the Penobscot Indian Nation’s sovereign right to observe its culture. The **OSA contract should provide governance accountability and policy structured to protect the interests of those most impacted.** Instead, it **has eventuated in racial and environmental injustice perpetuating toxic assault and**

³ Levitsky, Stan, Schroeder, Paul, Dump Documents Dispatches #6, #17:

<https://penbay.org/waste/landfills/dwme/DumpDocumentsDispatch-combined-V4-pdf.pdf>

⁴ Levitsky, Stan, Schroeder, Paul, Dump Documents Dispatches, #7:

<https://penbay.org/waste/landfills/dwme/DumpDocumentsDispatch-combined-V4-pdf.pdf>

⁵ Levitsky, Stan, Schroeder, Paul, Dump Documents Dispatches # 10:

<https://penbay.org/waste/landfills/dwme/DumpDocumentsDispatch-combined-V4-pdf.pdf>

⁶ June 2012, Request for OPEGA Review of the Operation of the Juniper Ridge Landfill, *Summary of Limited Background Research conducted for the Government Oversight Committee in its consideration of this request:*

https://www.maine.gov/legis/opega/GOC/GOC_meetings/Current_handouts/5-25-12/JRL%20Summary%20Limited%20Background%20Research.pdf

⁷ Miller, Kevin, March 1, 2023, *Municipalities seek to avoid ‘crisis’ as landfill reduces acceptance of sludge:*

<https://www.mainepublic.org/environment-and-outdoors/2023-03-01/municipalities-seek-to-avoid-crisis-as-landfill-reduces-acceptance-of-sludge>

trauma on the Penobscot Indian Nation and other JRL neighbors. JRL is a Forever Toxic Mountain that menaces the Penobscot [watershed](#)⁸ and environs into future generations.

The **history** of JRL and its operations have been **controversial** and the public record documents citizens' attempts to participate and seek redress for [grievances](#)⁹ through what has been **experienced as an illegitimate and ineffectual process**. Those who bear the most dangerous and degrading impacts from the decisions made, **seek a process that provides equitable access for participation and influence on outcomes regulating policy and operations**. States and countries are codifying the right to a clean environment in their constitutions. In 2023, a Montana court ruled in favor of [youth](#)¹⁰ who sued for their **rights to a clean environment** threatened by greenhouse gases (GHG) emissions and climate disruption. [Landfills](#)¹¹ are the second or third greatest emitters of GHG, depending on your sources. The United Nations has declared children's [human rights](#)¹² include **protections from environmental harm**. [Maine](#)¹³ is taking steps around climate issues to reflect equity and justice in agency decisions.

Operations and Management Concerns

At root of management concerns for JRL is the recognition that there were no rules developed to govern the operation of new State-owned landfills. Throughout Casella's operations at JRL, residents and legislators have questioned Casella's [willingness](#)¹⁴ to manage the landfill in compliance with the State Waste Hierarchy that designates [landfilling](#)¹⁵ as the least desirable option. JRL was set aside by [resolve](#)¹⁶ as a capacity asset for disposal of waste generated by Maine citizens.

⁸ Schauffler, Marina, September 10, 2022, *Compound Injustice: PFAS may concentrate over time in landfills near the Penobscot Indian Reservation*: <https://themainemonitor.org/compound-injustice-pfas-may-concentrate-over-time-in-landfills-near-the-penobscot-indian-reservation/>

⁹ March 9, 2012 Meeting Summary Government Oversight Committee: https://www.maine.gov/legis/opega/GOC/GOC_meetings/Current_handouts/4-10-12/Summary.pdf

¹⁰ Drew, Micah, Eggert, Amamda, August 17, 2023, *'This changes everything': Experts respond to Held v. Montana climate ruling*:

<https://montanafreepress.org/2023/08/17/this-changes-everything-experts-respond-to-landmark-youth-climate-ruling/>

¹¹ EPA Landfill Methane Outreach Program: <https://www.epa.gov/lmop/basic-information-about-landfill-gas>

¹² Children's rights and the environment, *Report to the Human Rights Council on the rights of children and the environment (2018)*:

<https://www.ohchr.org/en/special-procedures/sr-environment/childrens-rights-and-environment>

¹³ February 2022, Initial Recommendations of the Equity Subcommittee:

https://www.maine.gov/future/sites/maine.gov.future/files/inline-files/MCC_EquitySubcommitteeInterimReport_Feb2022.pdf

¹⁴ Loftus, Sawyer, April 20, 2023, *The showdown behind the scenes of Maine's sludge crisis*:

<https://www.bangordailynews.com/2023/04/20/mainefocus/behind-the-scenes-maine-sludge-crisis-joam40zk0w/>

¹⁵ MEDEP, Maine's solid Waste Management Hierarchy, (38 MRSA §2110): <https://www.maine.gov/dep/sustainability/sw-hierarchy.html>

¹⁶ May 30, 2003, 121st Maine Legislature LD 1626/H.P. 1205 *Resolve, To Authorize the State to Purchase a Landfill in the City of Old Town*: <http://lldc.mainelegislature.org/Open/LDs/121/121-LD-1626.pdf>

Over the years, [specific matters](#)¹⁷ have been raised with the Government Oversight Committee (GOC) **about the relationship of the State and Casella. Those matters are still unaddressed and must be considered prior to any contract renewal or expansion is permitted for Casella's operations at JRL.** There is **criticism of the relationship of the State as owner and regulator of the landfill.** It is believed the State has **not utilized its right as [owner](#)**¹⁸ and market participant, to preserve JRL as a disposal asset for Maine's citizens.

Casella has [manipulated](#)¹⁹ the legislative and regulatory systems and JRL's disposal capacity has been consumed with imported oversized bulky [waste](#)²⁰ (OBW) mostly from Massachusetts and New Hampshire. Casella claims they need this waste to stabilize landfilled sludge. Landfill operators around the country utilize numerous other [materials](#)²¹ such as contaminated soils, sawdust, or wood chips for sludge stabilization. Additional [approaches](#)²² for sludge stabilization are being investigated by industry and [regulators](#)²³.

"The Board has been concerned that in the licensing and appeal proceedings before the Board, BGS and DEXD consistently defer to Casella creating at least the impression that the facility is being managed as a private landfill for the benefit of Casella rather than as a publicly owned asset for the benefit of the State and its citizens." Board of Environmental Protection Report to the Joint Standing Committee on Environment and Natural Resources January 2019

BGS is obligated to ensure that the management and operations of JRL support the State's Waste Hierarchy. This was stated by Commissioner Loyzim at a January 31, 2024 Environment and Natural Resources legislative committee work session on LD 2135. Illustrative of **Casella impeding Maine's waste management hierarchy and recycling goals are exorbitant recycling fees.** The

¹⁷ March 9, 2012, Meeting Summary, Government Oversight Committee, *Contracts and Agreements Related to the Operations and Management of the State-owned Juniper Ridge Landfill*, pp. 2,3:

https://www.maine.gov/legis/opega/GOC/GOC_meetings/Current_handouts/4-10-12/Summary.pdf .

¹⁸ 2010 Final Report of the Joint Standing Committee on Natural Resources Interim Study of Solid Waste Issues:

https://digitalmaine.com/cgi/viewcontent.cgi?article=1043&context=opla_docs

¹⁹ January 2019, Board of Environmental Protection, *Report to the Joint Standing Committee on Environment and Natural Resources*:

<https://www.maine.gov/dep/bep/legislative-reports/2018%20BEP%20Legislative%20Report.pdf>

²⁰ 2023 Annual Oversized Bulky Waste (OBW) Request For Juniper Ridge Landfill:

<https://www.maine.gov/dafs/bgs/sites/maine.gov.dafs.bgs/files/inline-files/2023%20JRL%20OBW%20Annual%20Request%20Form.pdf>

²¹ Karidis, Arlene, October 16, 2020, Waste 360, *What Landfill Operators Should Know About Stabilization, solidification and Baking*:

<https://www.waste360.com/landfill/what-landfill-operators-should-know-about-stabilization-solidification-and-bulking>

²² Science Direct, Process and Environmental Protection, Vol. 102, July 2016, Pages 615-632, *Wastewater sludge stabilization using pre-treatment methods*:

<https://www.sciencedirect.com/science/article/abs/pii/S0957582016300817>

²³ December 15, 2023, *An Evaluation of Biosolids Management in Maine and Recommendations for the Future*:

<https://static1.squarespace.com/static/54806478e4b0dc44e1698e88/t/65cb7ecc9bd1ef032fdb8784/1707835085450/Maine+DEP+Biosolids+Management+Final+Report.pdf>

company's **operations model establishes waste as a commodity to grow profits for their shareholders** and employs a system of **increased amounts of waste** handled and disposed to **escalate profits**²⁴. Casella has **consistently landfilled expanded amounts of imported OBW, overwhelmed disposal capacity, and forced premature expansion of JRL**.

Waste is a verb and represents a choice. We can make different choices about materials management. Nothing is waste (noun) until we waste it. Current management of JRL works against the State's best interests and has positioned JRL as a **destination**²⁵ for imported waste.

Incidents of Concern with Casella's Operations at JRL

Casella's **violations**²⁶ across the region bring into question the company's competence to operate facilities. The documented record should raise **uncertainties about the advisability to extend the OSA or approve expansion of the landfill under Casella's management**. This could be an **opportune time to investigate other options for operations** which might be available at the conclusion of the contract in 2034.

- In **February 2023, Casella refused**²⁷ to accept sludge at Juniper Ridge, **created a sludge crisis and put waste water treatment plants close to an environmental emergency**. Casella **claimed**²⁸ increased amounts of sludge caused landfill instability.

Department of Environmental Protection (DEP) should require a detailed status report on Casella's ongoing efforts to stabilize Juniper Ridge Landfill without relying on importation of out-of-state waste. *NOTE: Neighbors have no confirmable evidence of the landfill's on-going stability and extreme weather events add to those concerns.*

²⁴ Quinn, Megan, February 16, 2024, Waste Dive, *Casella says acquisition activity, safety improvements marked an 'exceptional' year*:

https://www.wastedive.com/news/casella-q4-2023-earnings/707829/?utm_source=Sailthru&utm_medium=email&utm_campaign=Newsletter%20Weekly%20Roundup:%20Waste%20Dive:%20Daily%20Dive%2002-17-2024&utm_term=Waste%20Dive%20Weekender

²⁵ Maine Materials Management Plan: 2024 State Waste Management and Recycling Plan and Update and 2022 Waste Generation and Disposal Capacity Report

<https://www.maine.gov/tools/whatsnew/attach.php?id=12222463&an=1>

²⁶ January 3, 2024, Manzelli, Amy, BCM Environmental & Land Law, PLLC, letter to Michael Wimsatt, Director, Waste Management Division, NH Department of Environmental Services:

<https://drive.google.com/file/d/1OK9kZnX3ojz5tG45R1YmPnKRY0HVc57M/view?usp=sharing>

²⁷ Miller, Kevin, March 8, 2023, Maine Public, *DEP officials, landfill Operator to brief lawmakers on Maine's growing sludge crisis*: <https://www.mainepublic.org/politics/2023-03-08/dep-officials-landfill-operator-to-brief-lawmakers-on-maines-growing-sludge-crisis>

²⁸ March 2023, Defend Our Health, *Casella Waste Reported NO Increase in Sludge Disposal at Juniper Ridge Landfill since LD 1911 became law in 2022*: <https://drive.google.com/file/d/1muiE5ljd9ZB4g3DmQRyp7w6byg3oubkm/view?usp=sharing>

- During the sludge crisis, Casella **attempted to scapegoat**²⁹ laws that have helped protect Mainers from additional threats of serious health consequences that would result from further pollution of water and soil, if sludge contaminated with per – and poly fluoroalkyl substances (PFAS) is spread on farm lands.

“I think the landfill capacity exists to accept it [sludge]. I don’t think that it would cause the landfills to all of a sudden be depleted of capacity as a result of this.” Paula Clark, Director of DEP Division of Materials Management, during January 31, 2022 legislative work session for LD 1911.

- [Testimony](#)³⁰ and discussions during the passage of LD 1611 presented information that indicated Maine’s landfill [capacity](#)³¹ could accommodate the increase of landfilled sludge and would allow for planning to phase in management of the waste stream.

“It’s estimated that this legislation has the potential to increase sludge disposal at Juniper Ridge Landfill (JRL) by a relatively small amount. For instance, about 18,455 tons of sludge was either composted or land applied in 2020. Even in the unlikely event that all of that was instead landfilled at JRL, it would have raised the total sludge going to the landfill by about two percent. Total municipal sludge going to Juniper Ridge Landfill was 64,443 tons, which accounts for 7.7% of the 835,263 tons of material going to the landfill in 2020.” Sarah Nichols, NRCM Sustainable Maine Director

“In conjunction with expanded regulation of sludge transportation by the Department, further transparency of costs and pricing for utilization of the state-owned JRL could be achieved through amendments to the JRL Operating Services Agreement. The Commission and the Department recommend that any amendments or extensions to the agreement between the State of Maine and Casella for operation of JRL include a requirement for the operator to disclose to the State all terms of individual agreements between the operator and their customers.” January 2024 Report to the Joint Standing Committee on Environment and Natural Resources: Analysis of sludge and State-owned Landfills as Public Utilities

²⁹ Miller, Kevin, March 8, 2023, Maine Public, *Maine lawmakers told that ‘catastrophe’ is averted, but sludge disposal challenges remain*: <https://www.maine-public.org/politics/2023-03-08/maine-lawmakers-told-that-catastrophe-is-averted-but-sludge-disposal-challenges-remain>

³⁰ Nichols, Sarah K. NRCM Sustainable Maine Director, January 24, 2022, LD 1911 Testimony in Support: <https://legislature.maine.gov/bills/getTestimonyDoc.asp?id=10001878>

³¹ Department of Administrative and Financial Services Bureau of General Services, Juniper Ridge Landfill: <https://www.maine.gov/dafs/bgs/maines-state-owned-landfills/juniper-ridge-landfill>

- In **May of 2023**, a **fire broke out** at JRL and **burned**³² for four hours and would have **released dioxins and other toxics**. Dioxins bio-accumulate in the food chain and are linked to immune system suppression, reproductive and developmental disorders, hormone disruption, liver damage and cancer. **Neighbors and witnesses reported they found debris from the fire on vehicles and in their yards. DEP did not monitor or test to determine the extent of the pollution released. Casella and DEP have not conclusively identified the cause of the fire.** It is reasonable to ask the question if on-going construction of the renewable gas facility (RNG) or landfilled OBW may have contributed to the **fire**³³. The public has **not been provided any substantiated evidence the fire did not damage the liner and gas collection systems**. Neighbors have continued to **ask for a warning system to alert for incidents** at the landfill.

Air Pollution

Residents living nearby the landfill have **consistently reported noxious odors**³⁴ to officials and **registered concerns about negative impacts to public health and the environment** from operations at the landfill. Residents of the Penobscot Indian Nation Reservation testify to being **assaulted by odors** from the landfill and living with those **smells fouling their clothing**. Experiences that raise **concerns for the residents of Indian Island for the health of their children**. Air pollution from the landfill and the equipment to run operations is not limited to methane and can **contain more than 100 regulated toxic air pollutants (RTAPS)** that include **perfluorinated compounds (PFAS), dioxins, benzene, trichlorobenzene, toluene, ethylbenzene, xylene, methylmercury, and vinyl chloride**. (Lindberg et al. 2001; Parker et al. 2002; Rasi et al. 2007; Wang et al. 2023).

PFAS is known to travel readily in air and water. Gaseous **emissions migrate beyond the border of the landfill** and vary depending on seasonal fluctuations and composition of waste. **Landfill air pollution** is comprised of toxics that include **carcinogens, acute toxic pollutants, and endocrine disrupting chemicals**. (Wang et al. 2023). Emissions of nitrogen oxide and nitrogen dioxide (NOx) and volatile organic compounds (VOCs) are **harmful to the lungs and trigger ozone**. **Diesel emissions**³⁵ from trucks also impact air quality and are **related to cancer and cardio-respiratory disease**.

³² Krosnowski, Tom, May 16, 2023, "An environmental justice disaster:" the call from neighbors after juniper Ridge Landfill catches fire: <https://www.wabi.tv/2023/05/17/an-environmental-justice-disaster-call-neighbors-after-juniper-ridge-landfill-catches-fire/>

³³ May 2002/FA-225, FEMA, *Landfill Fires their Magnitude, Characteristics, and Mitigation*: <https://www.sustainable-design.ie/fire/FEMA-LandfillFires.pdf>

³⁴ ATSDR, *Landfill Gas Primer – An Overview for Environmental Health Professionals*: <https://www.atsdr.cdc.gov/HAC/landfill/html/intro.html>

³⁵ EPA, *Learn About Impacts of Diesel Exhaust and the Diesel Emissions Reduction Act*: <https://www.epa.gov/dera/learn-about-impacts-diesel-exhaust-and-diesel-emissions-reduction-act-dera>

What is Needed to address air pollution

Casella should be required to provide **monitors for particle pollution/particulate matter (PM)**, VOCs and ozone within neighboring communities as a source of real-time data to alert residents when to avoid outdoor activities. Independent monitors should be placed **in all four directions** of JRL at the fence line and nearby **on schools and other public buildings** to allow for data collection of air conditions associated with regular landfill operations or during accidental releases of pollutants. Data should be collected for pollution (PM, NOx, sulfur dioxides (SOx) and ozone) regulated under national ambient air quality standards ([NAAQ](#))³⁶.

With grateful acknowledgment to Cynthia Walter, Ph.D. as the source for much of this information.

https://drive.google.com/file/d/1EhIKhbsJ7BPD_fYZQW4JbAQNCoDe_yjU/view?usp=sharing

Water Pollution

DEP must work with Casella to determine an estimate of increased leachate expected with any proposed expansion of JRL and include how this leachate will be effectively managed and where the effluent will ultimately be discharged.

I have known environmental injustice, but not inside the skin of Native People. The river threatened by the landfill in my town was important, but it was not a sacred relative that tied me to my ancestors and culture. It was not tantamount to my identity and the continued existence of my people as who they are.

I cannot fathom how it must be for the people of the Penobscot Indian Nation to live with the disrespect and assault on their sacred Penobscot River. Unable to eat the fish because that could be harmful to their health. I cannot know the anguish that must accompany the State's refusal to allow them to regulate the discharges into the life of their relative.

Jackie Elliott

The **Penobscot Indian Nation suffers racial and environmental injustice with millions of gallons of JRL's insufficiently treated leachate containing PFAS discharged as effluent into the Penobscot River.** The Penobscot Nation considers the river a **sacred relative and the river is integral to their cultural practices, spirituality, and sustenance fishing.**

Tribal members are warned about [consuming](#)³⁷ fish from the river due to increased levels of PFAS chemicals. PFAS are designated as forever toxic chemicals and have been **linked to serious health impacts like decreased fertility, kidney and testicular cancer, thyroid disease, reduced immune system function, and more.** The **US Environmental Protection Agency is proposing**

³⁶ EPA, *Reviewing National Ambient Air Quality Standards (NAAQS): Scientific and Technical Information:*
<https://www.epa.gov/naaqs>

³⁷ ATSDR Annual Report 2021, *Helping the Penobscot Indian Nation: Review of Anadromous Fish for Consumption:*
<https://www.atsdr.cdc.gov/2021-annual-report/listening-responding-taking-action/Penobscot-River.html>

increased [standards](#)³⁸ for PFAS in drinking water, is considering regulation as hazardous [substances](#)³⁹, and studying there may be no safe [exposure](#)⁴⁰ level for PFAS.

To ensure environmental justice concerns are given due process, an Environmental Justice Impacts Assessment must be conducted prior to any extension of the OSA or expansion of JRL.

- This assessment would **include anticipated increases in leachate and its cumulative impacts** on the Penobscot People through discharges of effluent into the Penobscot River.
- **Cumulative impacts from increased air pollution** must be assessed and **include Old Town and Alton.**
- **DEP has to weigh environmental justice factors during their Public Benefit Determination process** by [rule](#)⁴¹ for any expansion of the landfill.
- **Citizens most impacted**, including representatives from the Penobscot Indian Nation, **must be meaningfully involved with decisions.**
- **No license for an expansion** should be **issued before operations** at JRL are **structured and regulated to preserve disposal capacity for Maine-generated waste and protect Maine citizens and the environment from further harms.**

Landfills and leachate are also [threats](#)⁴² to surface and ground [water](#)⁴³. Title 38, Chapter 13, § 1310-N, licensing [criteria](#)⁴⁴ for solid waste facilities states:

“The facility will not pollute any water of the State, contaminate the ambient air, constitute a hazard to health or welfare or create a nuisance; . . . The department may not issue a license for a solid waste facility if it finds that the proposed facility will cause an unreasonable threat to the quality of a classified body of surface water, and,...The department may not issue a license for a solid waste disposal facility when it finds that the proposed facility overlies a

³⁸ March 14, 2023, *Proposed PFAS National Primary Drinking Water Regulation*:

<https://www.epa.gov/sdwa/and-polyfluoroalkyl-substances-pfas>

³⁹ August 26, 2022, EPA Proposes Designating Certain PFAS Chemicals as Hazardous Substances Under Superfund to Protect People’s Health: <https://www.epa.gov/newsreleases/epa-proposes-designating-certain-pfas-chemicals-hazardous-substances-under-superfund>

⁴⁰ Loria, Kevin, June 15, 2022, *Consumer Reports, EPA Says Even Extremely Low Levels of PFAS in Drinking Water May Be Unsafe*: <https://www.consumerreports.org/water-quality/even-extremely-low-levels-of-pfas-in-drinking-water-unsafe-a1147585461/>

⁴¹ 2022 130th Legislature, LD 1639, An Act To Protect the Health and Welfare of Maine Communities and Reduce Harmful Solid Waste: <https://legislature.maine.gov/bills/getPDF.asp?paper=SP0523&item=7&num=130>

⁴³ Overton, Penelope, February 20, 2024, *Portland Press Herald, Forever chemicals in landfills threaten groundwater, streams and rivers*: <https://www.pressherald.com/2024/02/20/forever-chemicals-in-landfills-threaten-groundwater-streams-and-rivers/>

⁴⁴ Title 38: WATERS AND NAVIGATION Chapter 13: WASTE MANAGEMENT Subchapter 1-A: SOLID WASTE Article 3: SOLID WASTE FACILITY SITING: <https://legislature.maine.gov/statutes/38/title38sec1310-N.html>

significant sand and gravel aquifer or when the department finds that the proposed facility poses an unreasonable threat to the quality of a significant sand and gravel aquifer it does not overlie, or to an underlying fractured aquifer.” Title 38, Chapter 13, § 1310-N

Conditions to be met prior to any extension of the OSA or expansion of JRL

- **Protect Maine citizens’ procedural rights.** No expansion of the landfill, no extension of the OSA until any expansion application has been fully vetted, subject to all stages of public participation, and approved.
- **Amend the OSA prior to any extension for** areas [identified](#)⁴⁵ by DEP requiring **greater transparency and oversight.**

DEP stated that “any extension” of the OSA should “include a requirement for [Casella] to disclose to the State all terms of individual agreements between the operator and their customers.” January 2024, Report to the Joint Standing Committee on Environment and Natural Resources: Analysis of sludge and State-owned Landfills as Public Utilities: <https://www.maine.gov/tools/whatsnew/attach.php?id=12275717&an=1>

- **DEP must mandate Casella build and operate a leachate PFAS treatment system** within a set timeframe **before extension of the OSA or expansion of JRL.** Expansion of JRL will result in more toxic leachate effluent being discharged into the Penobscot River and exacerbate the environmental harms the Penobscot People have endured and will endure. [Vermont](#)⁴⁶ has done this.

Going Forward

- The State must **use its role as owner of JRL to utilize the asset for Maine disposal capacity.**
- Remove **organics from the waste stream** and **develop safe regional composting** operations that **return amendments to replenish depleted soil.**
- Invest in **sludge-drying infrastructure** to maximize landfill capacity and **utilize Maine-generated CDD/OBW** for the best use.

⁴⁵ January 2024, Report to the Joint Standing Committee on Environment and Natural Resources, *Analysis of Sludge and State-Owned Landfills as Public Utilities*: <https://www.maine.gov/tools/whatsnew/attach.php?id=12275717&an=1>

⁴⁶ Reese, April, January 17, 2023, Waste Dive, *Some landfills will begin treating PFAS on-site as regulators move to adopt new limits*: <https://www.wastedive.com/news/pfas-landfill-leachate-epa-casella-waste-connections/639462/>

- **Cease the focus on the lowest end of the Waste Hierarchy** and efforts to pursue **polluting**⁴⁷ **waste-to-energy incineration** and **unsuccessful**⁴⁸ **technologies** as solutions to manage materials.
- **Continue to collect data on the waste streams; seek opportunities for regional cooperation** among communities; **invest resources to develop regional infrastructure; and increase local control and accountability.**
- Establish **Zero Waste Goals**⁴⁹ and **RETHINK** the front-end of materials management to **minimize disposal needs.**

***** LD 2135 a Resolve, to Investigate and Address Solid Waste Disposal Services Issues should be supported as amended.**

Thank you for considering my comments. I urge you to **listen to the people** and **respect our rights**. I look forward to the Bureau responding to my comments in writing and making comments and the Bureau's responses available on the BGS website.

Jacquelyn Elliott
 148 West Road
 Waterboro, ME 04087-3210
j.c.elliott@roadrunner.com
 (207) 247-0103

⁴⁷ Energy Justice Network, Trash Incineration More Polluting Than Coal:
<http://www.energyjustice.net/incineration/worsethancoal>

⁴⁸ October 2023, Beyond Plastics, IPEN, *Chemical Recycling: A Dangerous Deception Why Chemical Recycling Won't Solve the Plastic Pollution Problem*:
https://static1.squarespace.com/static/5eda91260bbb7e7a4bf528d8/t/655791f76ad9bb07d10e1290/1700237880522/10-30-23_Chemical-Recycling-Report_web.pdf

⁴⁹ EPA, *Managing and Transforming Waste Streams – A Tool for Communities*: <https://www.epa.gov/transforming-waste-tool/how-communities-have-defined-zero-waste>

From: [Jane Herbert](#)
To: [Gould, Lane](#)
Subject: Casella OSA extension for Juniper Ridge Landfill
Date: Wednesday, February 21, 2024 10:07:45 AM

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Lane Gould, Landfill Manager

Bureau of General Services

111 Sewall St. Cross Office Building 4th floor

77 State House Station Augusta, ME 04333-0077

I am writing regarding Casella's request for a 6 year extension to their Service Operating Agreement managing the Juniper Ridge Landfill.

As a resident of Damariscotta I am not confronted with the daily assaults to my physical senses nor the health risks that accompany living in proximity to the landfill. My family doesn't have a generational relationship with the Penobscot River nor have we eaten fish tainted with poisons in leachate originating from Juniper Ridge. The air in Damariscotta hasn't been blackened with toxic smoke from fires at the state owned facility. The solid waste from my town is not part of the parade of trucks hauling tons of what no one wants in their backyard.

But I won't ignore my part of the problems at the Juniper Ridge Landfill. I am appalled by the way Casella has employed loopholes to import tons of out of state waste, the company's lack of transparency regarding the 2023 fire and apparent disregard for the environment. As a citizen of Maine it is my duty to express my outrage over the apparent mismanagement of Juniper Ridge Landfill.

Juniper Ridge is a publicly-owned landfill obligated by statute to provide disposal for waste generated solely in Maine. The proper management of the landfill remains the responsibility of the state. Mismanagement by its agent, Casella, does not absolve the state for the consequences of that mismanagement.

The urgency of Casella to extend a 30 year Operating Services Agreement by 6 years is concerning. Is this based on a projection that the current area of the landfill will reach capacity in 16 years? Would the extension ensure they reap all they can trucking waste to Juniper Ridge before the site reaches capacity just in case a 40% expansion of the site is denied?

Remember it is we, not Casella, who are ultimately responsible for the Juniper Ridge Landfill and its impact on our residents now and in the future. I urge you to deny Casella's request for the extension of the Operating Service Agreement for the Juniper Ridge Landfill.

Sincerely,

Jane Herbert

Damariscotta, Maine

From: [Jeff Saffer](#)
To: [Gould, Lane](#)
Subject: Deny the extension of Casella's Operating Service Agreement with the state of Maine
Date: Wednesday, February 21, 2024 3:35:38 PM

EXTERNAL: This email originated from outside of the State of Maine Mail System. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Landfill Manager Lane Gould,

Dear Mr. Longfellow & Mr. Gould,

Please deny the extension of Casella's Operating Service Agreement with the state of Maine. Casella has numerous instances of mismanaging Juniper Ridge Landfill, and has a track record of regulatory and environmental infractions across the region. Casella has been a source of environmental injustice for decades, dumping minimally treated PFAS-leachate into the Penobscot River, a sacred relative to the Penobscot Nation. PFAS, also known as "forever chemicals," have been linked to serious health impacts like decreased fertility, kidney and testicular cancer, thyroid disease, reduced immune system function, and more.

Don't Let Casella Game the System. The Operating Service Agreement should not be extended unless and until the landfill expansion application has been fully vetted, subject to all stages of public participation, and approved. Furthermore, the state needs to ensure that environmental justice impacts are fully assessed: any extension of Casella's OSA should be preceded by an environmental assessment of cumulative impacts and investigation of Casella's management of the landfill by the DEP.

We need to be building toward a zero waste future, where we are meaningfully rethinking and reorienting how we manage resources and materials upstream. We need significant waste reduction, composting, legitimate recycling, and industrial redesign for safer communities and a healthier environment. Waste management goals like this are at-odds with a company that profits from maximizing waste disposal.

Please take action to protect Mainers rights and health by denying Casella's application for an extension of their Operating Service Agreement.

Jeff Saffer
jsaffer@maine.rr.com
22 Hunts Point Rd.
Cape Elizabeth, Maine 04107

From: [jen_armstrong](#)
To: [Gould, Lane](#)
Subject: Deny the extension of Casella's Operating Service Agreement with the state of Maine
Date: Wednesday, February 21, 2024 7:05:27 PM

EXTERNAL: This email originated from outside of the State of Maine Mail System. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Landfill Manager Lane Gould,

Dear Mr. Longfellow & Mr. Gould,

Please deny the extension of Casella's Operating Service Agreement with the state of Maine. Casella has numerous instances of mismanaging Juniper Ridge Landfill, and has a track record of regulatory and environmental infractions across the region. Casella has been a source of environmental injustice for decades, dumping minimally treated PFAS-leachate into the Penobscot River, a sacred relative to the Penobscot Nation. PFAS, also known as "forever chemicals," have been linked to serious health impacts like decreased fertility, kidney and testicular cancer, thyroid disease, reduced immune system function, and more.

Don't Let Casella Game the System. The Operating Service Agreement should not be extended unless and until the landfill expansion application has been fully vetted, subject to all stages of public participation, and approved. Furthermore, the state needs to ensure that environmental justice impacts are fully assessed: any extension of Casella's OSA should be preceded by an environmental assessment of cumulative impacts and investigation of Casella's management of the landfill by the DEP.

We need to be building toward a zero waste future, where we are meaningfully rethinking and reorienting how we manage resources and materials upstream. We need significant waste reduction, composting, legitimate recycling, and industrial redesign for safer communities and a healthier environment. Waste management goals like this are at-odds with a company that profits from maximizing waste disposal.

Please take action to protect Mainers rights and health by denying Casella's application for an extension of their Operating Service Agreement.

jen armstrong
jenjakdesigns@gmail.com
7 Briggs Way
Kennebunkport , Maine 04046

From: [Jennifer Wasson](#)
To: [Gould, Lane](#)
Subject: Deny the extension of Casella's Operating Service Agreement with the state of Maine
Date: Friday, February 23, 2024 5:19:24 PM

EXTERNAL: This email originated from outside of the State of Maine Mail System. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Landfill Manager Lane Gould,

Dear Mr. Longfellow & Mr. Gould,

I strongly oppose the extension of Casella's Operating Service Agreement with the state of Maine. Casella has been dumping minimally treated PFAS-leachate into the Penobscot River, a sacred relative to the Penobscot Nation. PFAS, also known as "forever chemicals," have been linked to serious health impacts like decreased fertility, kidney and testicular cancer, thyroid disease, reduced immune system function, and more.

Please deny Casella's application for an extension of their Operating Service Agreement. We need better stewardship of waste in this beautiful land.

thank you,

Jen Wasson (and family)

Jennifer Wasson
jmwasson27@gmail.com
1024 Portland Rd
Arundel, Maine 04046

From: karinspitfire@gmail.com
To: [Gould, Lane](#)
Subject: Re: Juniper Ridge
Date: Thursday, February 15, 2024 11:11:16 AM

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I am opposed to the continuation or expansion of the Juniper Ridge dumpsite. Casella and the state have consistently worked around laws, excluding out of state waste. The dump continues to pose an environmental threat to citizens and the Penobscot river.

It should be closed.

Karin Spitfire

Sent from my iPhone

From: [Luke Sekera-Flanders](#)
To: [Gould, Lane](#)
Subject: Juniper Ridge Landfill OSA Extension
Date: Monday, February 26, 2024 3:10:59 PM

EXTERNAL: This email originated from outside of the State of Maine Mail System. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Bureau of General Services

I hope this email finds you in good health and spirits. My name is Luke Sekera - Flanders. I write to you today as a member of Community Water Justice and Maine Youth for Climate Justice, and most importantly someone with many loved ones who live downstream of the Juniper Ridge Landfill. I do not want to see the future of their health sold off with the extension of this contract.

In 2018, the World Bank reported that unless drastic measures are taken, global waste per year will have increased by 70% in 2050. As a result, the already massive waste management industry is growing. To some, this presents a lucrative investment opportunity, as we generate more waste and find fewer places to keep it. But for the rest of us who do not have the wealth to cushion ourselves from negative environmental impacts, and who honor our common sense obligation to ensure a healthier environment for the benefit and survival of future generations, this is a crisis. But the solutions are out there. We should be reevaluating the waste we generate from a waste hierarchy model, which favors prevention, minimisation, reuse, recycling, and energy recovery before disposal. We should be eliminating single use plastics, which are comically unnecessary in the vast majority of their current uses but remain ubiquitous because it cuts

costs. The longer we continue to let profit be the deciding measure of what waste we put into the world, the greater the burden we dump onto our children.

Casella has shown us time and time again that they are unwilling to respect the environment and the wishes of the community as they continue to import out of state waste and dump inadequately treated leachate into the Penobscot River.

Another blatant display of their mismanagement erupted on May 15th. I was there shortly after the fire began with Sunlight Media Collective, the only media on site that evening. It was a horrid sight, and a wicked smell. Within a short period of time, my clothes and vehicle were covered in a filmy layer of ash. The wind carried the smoke and ash full of dioxins East, onto the Penobscot Nation, the River, and many miles of nearby forests and residential areas. It's been nine months and we have heard nothing. The cause of the fire remains a mystery to the public, and state and local officials continue to trust Casella to self-report. All that an contract extension does is bump Casella's stock price, with no tangible benefit to the environment or our communities. Why on Earth should we give more money, power and market stability to trash profiteers who gain from cramming as much waste as they can into the landfill? And how long will it be before they demand another expansion to the landfill?

This is a publicly owned landfill, we all have a stake in its oversight. Many of us in this room live within reach of the impacts of its mismanagement, and for these reasons, our concerns should weigh heavily in this decision, more so than the shareholders and corporate executives and the employees they hide behind. I

hope you will consider more than the short-term, limited benefits proposed by Casella and their affiliates, and listen to impacted community members and consider the burden that extending this contract will pass on to future generations.

Thank you for your time and consideration,

Luke Sekera - Flanders

From: [Margaret Bartenhagen](#)
To: [Gould, Lane](#)
Subject: Deny the extension of Casella's Operating Service Agreement with the state of Maine
Date: Wednesday, February 21, 2024 3:24:51 PM

EXTERNAL: This email originated from outside of the State of Maine Mail System. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Landfill Manager Lane Gould,

Dear Mr. Longfellow & Mr. Gould,

I am writing to ask you to please deny the extension of Casella's Operating Service Agreement with the state of Maine. Casella has numerous instances of mismanaging Juniper Ridge Landfill, and has a track record of regulatory and environmental infractions across the region. This company has been a source of environmental injustice for decades, dumping minimally treated PFAS-leachate into the Penobscot River, sacred to the Penobscot Nation. PFAS, also known as "forever chemicals," have been linked to serious health impacts like decreased fertility, kidney and testicular cancer, thyroid disease, reduced immune system function, and more.

PLEASE, don't Let Casella Game the System. The Operating Service Agreement should not be extended UNLESS and UNTIL the landfill expansion application has been fully vetted, subject to all stages of public participation, and approved. Furthermore, the state needs to ensure that environmental justice impacts are fully assessed: any extension of Casella's OSA should be preceded by an environmental assessment of cumulative impacts and investigation of Casella's management of the landfill by the DEP.

We must build towards a zero waste future, where we are meaningfully rethinking and reorienting how we manage resources and materials upstream. We need significant waste reduction, composting, legitimate recycling, and industrial redesign for safer communities and a healthier environment. Waste management goals like this are at-odds with a company that profits from maximizing waste disposal!

PLEASE, take immediate action to protect Mainer's rights and health by denying Casella's application for an extension of their Operating Service Agreement.

Margaret Bartenhagen
mnpelbar@gmail.com
PO Box 625
Kennebunk, Maine 04043-0625

Greetings Lane Gould, Landfill Manager for Maine Bureau of General Services,

This is my written testimony for the February 15, 2024 hearing of the Juniper Ridge Landfill and whether to extend their contract with the State of Maine. I ask that you *reject* the proposal for a 6-year extension of the Operating Service Agreement (OSA) between the State of Maine and Casella to manage Juniper Ridge Landfill. Before any extensions are granted, we, the public, would like due accountability for what has happened with trash in Maine in recent years. The management of Juniper Ridge Landfill has been in the hands of Casella and decisions have been made by its operators that raise serious questions and concerns for Maine residents, me included.

In other words, we the people of Maine, need Casella to prove their mission statement, which they proudly display on their company website: “*We have grown over the past 40+ years by putting the needs of our customers first and helping them to capture value from waste through innovative Resource Solutions.*”

First, for the purposes of this letter, let’s establish that their customers are the people they serve: The State of Maine Residents. Now let’s examine, what are their “Resource Solutions?” – *And, is extending the contract really putting Maine Residents first?*

Casella has certainly grown over the past 40+ years, this part of the Mission Statement is true – but to who’s benefit? The company came from humble origins. Perhaps, if it had remained humble, Maine might not be facing certain environmental disasters and hard decisions. With a little research, anyone can see that Casella has grown a habit of scaling far beyond its scope and then mismanages the resulting responsibilities. This has led to notable environmental damage, such as the fire on May 15, 2023 which burned dioxins into the air for many hours, contaminating the soil, water, and lungs of everyone nearby. Another example is Maine’s PFA’s crisis. I would also like to know, why does Casella accept *specifically* construction materials from MA and NH?

MA didn’t want the debris in their backyard, so they tightened their laws, adding pressure to send it “elsewhere.”—But Maine did not sign up to be that “elsewhere!” We don’t want refuse from other states in our backyard either. We all need to acknowledge that there is no place called “Elsewhere.” Trash moves around and creates disproportionate health and environmental impacts on other communities, namely Indian Island Reservation, and residents in the surrounding area. We can find a smarter solution than sneaking in construction debris from other states’ unsustainable expansion projects. We’re sure to find enough waste already here. Maine’s population has increased significantly since 2020, and the trajectory is set to continue. We’ll need that landfill space for Maine, and we don’t want further expansion if we can help it. Right now, *we can help it*. Decisions need to be based on a thorough examination, inclusive of available alternatives. We need to choose options which are truly in the best interest of Maine’s people.

Recently, we had a severe state of emergency with historic floods and costly, significant damage (which created a lot of trash!) In December 2023, there were 16 complaints of bad odors emitting from JRL. Throughout Maine, we are seeing an uptick in “moderate air quality” days. We have serious circumstances to consider. We have a lot to rebuild now. We need seriously strong leadership to pave the way forward ... and I don’t see that Casella has what it takes. Rather than provide solutions, Casella sent municipal wastewater facilities in a panic, and it’s expected to cost taxpayers more while draining funds needed to mitigate other emergencies. 30 years is a long time. That’s an entire generation! I can’t imagine how our air will be in 10 years if we do nothing about it now. Time is of the essence.

We must examine the bigger picture and prioritize the health of Maine’s future. Casella, in their Mission Statement, promises to prioritize their customers first, and yet they contradict themselves in actions. (Unless, I have the customer wrong!) I ask that you please consider my points and reject the proposal on the premise that *Casella has proven they are incapable of fulfilling their Mission Statement to put the people of Maine first*. Also, Maine has a bigger puzzle to solve in light of recent emergencies. We can’t hand 6 more years of Maine’s future to a company who already demonstrates mismanagement. Please reject this dirty deal for Maine.

Thank you,
Marissa Caminti
Gray, ME

From: [Maryanne Mattson](#)
To: [Gould, Lane](#)
Subject: Opposition to Extension of Casella Contract
Date: Thursday, February 8, 2024 12:12:25 PM

EXTERNAL: This email originated from outside of the State of Maine Mail System. Do not click links or open attachments unless you recognize the sender and know the content is safe.

To: Lane Gould
Landfill Manager

Dear Bureau of General Services:

I am strongly opposed to the Bureau of General Services extending the Operating Service Agreement between the State of Maine and Casella. As a long term Maine resident, I do not want this company doing business in our state. As you are aware they have a very bad environmental track record. They have intentionally exploited our state by importing out of state waste, by dumping minimally treated leachate into the Penobscot River, they are unable to manage the extreme odors from their operations, they have mismanaged the Juniper Ridge landfill demonstrated by the out break of fires and dioxins being introduced into the environment. In researching Casella, it is evident that Maine is not an isolated case. Casella has numerous environment infractions in our neighboring states such NH, MA and NY. Why would our state choose to do business with a company like this? This agreement should not be extended, and furthermore I believe we have evidence of breach of contract to cancel the current Agreement.

Extending this contract will put the lives of nearby neighbors at risk. But make no mistake it affects all of us. As a state we committed by statute to move away from landfilling, to move forward with recycling and improved environmentally sanctioned alternatives. Extending this contract is a direct violation of that statute. Alternatives in how to process waste are coming to light every day and will continue to be discovered. Our state should not be supporting the old toxic way, but rather moving toward a cleaner and community friendly approach. It confounds me as why this extension is even being considered. The facts cannot be ignored, yet somehow they seem to be dismissed. This is not acceptable to me, or to the majority of Maine residents. Do not extend this Agreement with Casella.

Sincerely,

Maryanne M. Mattson, CPA
34 Enchanted Way
Bar Harbor, ME 04609
207.801.8149

From: [Maya Faulstich](#)
To: [Gould, Lane](#)
Subject: Opposition Towards Expansion of the Juniper Ridge Landfill
Date: Monday, February 19, 2024 11:17:36 AM

EXTERNAL: This email originated from outside of the State of Maine Mail System. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Jane Gould and the Bureau of General Services,

My name is Maya Faulstich, a student activist representing Maine Youth Action, and I am writing to oppose the proposed expansion of the Juniper Ridge Landfill. Maine Youth Action, a statewide youth-led advocacy group that represents hundreds of young Mainers, fights for bold, equitable, and intersectional climate policy in Maine that addresses climate justice, the concept that the burdens of climate change are not distributed equally to all people.

Allowing Casella to extend another 6 years and take up 40% more land is exactly the opposite direction we want to be going in. We've already reached 1.5 degrees Celsius of warming; building more landfill space that will emit more greenhouse gas emissions and allowing these harmful systems to operate for extended periods of time is just dangerous. Before there is an extension of their contract, they need to obtain an expansion license that focuses on the disposal capacity for in-state waste and prioritizes environmental justice, as mandated by the public benefit determination statute.

We cannot have climate justice without acknowledging and addressing how climate change directly impacts the indigenous communities here in Maine. This landfill has been harming the Penobscot Nation with its leachate, chemicals that leave the landfill when rainfall leaches them out. This leachate isn't treated properly. Instead, it is sent to a center designed for paper mill waste, not landfill waste, and then dumped into the Penobscot River. The Penobscot River is the life of Maine; it is where the Penobscot Nation fishes and swims, and when leachate with PFAS and heavy metals from the landfill is dumped there, that greatly harms the health of community members. Their drinking water comes from underground water aquifers near the Juniper Ridge landfill, and when it's contaminated with dangerous chemicals, their water, their source of life, is threatened. Juniper Ridge is located right in between Pushaw Stream and Birch Stream, in the middle of a wetland. Maria Girouard, Executive Director of Wabanaki REACH and member of the Penobscot Nation says that "the watershed and all the life it supports is endangered by this mountain of trash, particularly the Elton Bog- bogs are the lungs of the earth". Wetlands and bogs are essential for healthy ecosystems, which include and benefit humans. Contaminating them can only cause harm to our health and environment.

The Juniper Ridge landfill also releases gases that are both stinky and toxic. Nikki Sekera, founder of Community Water Justice, said that "when the complaints came forward about the odor of the landfill, [Casella] said they could not aerate it more to help alleviate the odors because it would potentially increase fires". And too many fires have already

happened. Last May, a landfill fire that burned for many hours left many citizens very concerned for their safety, as their air was clogged with smoke and they were told to stay inside. With so many chemicals in the landfill, ashes from this fire that fall into the river and people's garden spaces are detrimental to their health.

Furthermore, over 200,000 tons of waste at the Juniper Ridge Landfill comes from out of state every year, straining landfill capacity. In 2022, the state legislature restricted imports of out-of-state waste, but this has been postponed for two years as Casella profits from out-of-state waste. In existing regulations for out-of-state waste, there are gaping loopholes. The industry is self-monitoring and self-regulating, so the state hasn't questioned how this landfill is being managed or really assessed how harmful it is. Not only is this dangerous, it's downright disrespectful to citizens of Maine and members of the Penobscot Nation.

Considering how harmful the Juniper Ridge Landfill is already as it is, allowing a 40% expansion would leave enormous impacts that would further hurt both people and the environment. Before we expand or extend this landfill any more, we must evaluate how Casella has managed this landfill and include considerations for environmental justice. We must listen to Penobscot Nation communities and uplift their voices when making decisions directly impacting them. We know we can't keep filling up landfills with trash forever. We have to focus on reducing our trash instead of continuing to expand our landfills and harm communities in Maine.

Maya Faulstich
Maine Youth Action
Yarmouth, ME

From: [Melissa Dearborn](#)
To: [Gould, Lane](#)
Subject: Deny the extension of Casella's Operating Service Agreement with the state of Maine
Date: Wednesday, February 21, 2024 4:22:42 PM

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Landfill Manager Lane Gould,

Dear Mr. Longfellow & Mr. Gould,

Please deny the extension of Casella's Operating Service Agreement with the state of Maine. Casella has numerous instances of mismanaging Juniper Ridge Landfill, and has a track record of regulatory and environmental infractions across the region. Casella has been a source of environmental injustice for decades, dumping minimally treated PFAS-leachate into the Penobscot River, a sacred relative to the Penobscot Nation. PFAS, also known as "forever chemicals," have been linked to serious health impacts like decreased fertility, kidney and testicular cancer, thyroid disease, reduced immune system function, and more.

Don't Let Casella Game the System. The Operating Service Agreement should not be extended unless and until the landfill expansion application has been fully vetted, subject to all stages of public participation, and approved. Furthermore, the state needs to ensure that environmental justice impacts are fully assessed: any extension of Casella's OSA should be preceded by an environmental assessment of cumulative impacts and investigation of Casella's management of the landfill by the DEP.

We need to be building toward a zero waste future, where we are meaningfully rethinking and reorienting how we manage resources and materials upstream. We need significant waste reduction, composting, legitimate recycling, and industrial redesign for safer communities and a healthier environment. Waste management goals like this are at-odds with a company that profits from maximizing waste disposal.

Please take action to protect Mainers rights and health by denying Casella's application for an extension of their Operating Service Agreement.

Melissa Dearborn

Melissa Dearborn
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February 26, 2024

Lane Gould, Landfill Manager
Bureau of General Services
111 Sewall St. Cross Office Building 4th floor
77 State House Station Augusta, ME 04333-0077

RE: Extending Casella's Operating Services Agreement at Juniper Ridge Landfill

Thank you for the opportunity to provide comments on the proposed extension of Casella's Operating Service Agreement. These comments are submitted on behalf of Conservation Law Foundation (CLF). CLF **opposes** extending Casella's Operating Services Agreement at this juncture.

CLF's mission is to conserve natural resources, protect public health, and build healthy communities in Maine and throughout New England. Through its Zero Waste Project, CLF aims to protect the public and our environment from the toxic dangers of unsustainable waste practices and advance waste reduction, diversion, and recycling.

Any extension of Casella's Operating Services Agreement (OSA) should occur only after the full landfill expansion administrative process is complete, and the OSA has been renegotiated to improve its transparency and environmental protections. The environmental and public health harms perpetuated by Juniper Ridge Landfill underpin why the OSA should not be amended to extend Casella's operation of Juniper Ridge Landfill from 2034 to 2040.

The Operating Services Agreement Should Not Be Extended Unless the Landfill Expansion Process is Complete

Extending the contract before the landfill expansion application has gone through its legally required stages of review seriously undermines the legitimacy of the safeguards around the expansion process. Landfill expansion processes are onerous for a reason—landfills harm local communities and natural resources with toxic pollutants. Thus, Maine law requires an expansion applicant to go through a rigorous process with intensive oversight by the Department of

Environmental Protection, with numerous opportunities for public participation throughout. Rushing to extend Casella's OSA before this process is complete would seriously undermine this process and Mainers' rights. Moreover, it would rob both residents and the State of the opportunity to renegotiate the OSA to improve transparency and environmental protections—an opportunity legislators and their constituents have been requesting for years.

Juniper Ridge Landfill, like all landfills, pollutes nearby communities and the environment. A landfill expansion goes through numerous stages of scrutiny due to a landfill's propensity to harm local communities, natural resources, and environmental justice interests. Landfills are the third greatest source of human-created methane emissions, the air pollutants from landfills cause respiratory and other health issues for nearby residents, and if there is ever a leak, landfill leachate poisons nearby groundwater. Even when landfills do not leak, landfill leachate is pumped to wastewater treatment plants that lack the capacity to remove PFAS, and then dump this PFAS-filled effluent into local waters. Landfill odors diminish the quality of life of neighboring residents— who are disproportionately low-income and communities of color— and lower property values.

These harms, for Juniper Ridge Landfill (JRL), are not theoretical. Those living closest to the landfill suffer the odors from potentially toxic gases. The landfill's leachate has long poisoned the Penobscot River, harming wildlife and the unjustly burdened Penobscot Nation. Incidents like landfill fires have affected the residents of Old Town, the City of Alton, and Penobscot members alike.

In the last several months the Bureau of General Services (BGS) received dozens of complaints from nearby residents about Juniper Ridge odors impacting their quality of life.¹ Complaint notes show that odors came from a myriad of landfill-related activities, including daily sludge deliveries and ongoing landfill construction releasing smelly gases. In recent calls, the on-call Environmental Analyst explained that neighbors were likely smelling heightened hydrogen sulfide odors from the work at the landfill. Hydrogen sulfide is a toxic gas that those living near landfills are more often exposed to. It affects the nervous system and respiratory tract, and in low doses can irritate the eyes, nose or throat, cause breathing difficulties, headaches, tiredness, memory loss, and balance problems.² Callers from Old Town and the City of Alton complained of stinging eyes and headaches but were told that the levels they could smell were not "significant" health risks. Unfortunately, JRL has not only lowered the

¹ See Complaint Reports for Juniper Ridge Landfill from 2024 and 2023, available at <https://www.maine.gov/dafs/bgs/maines-state-owned-landfills/juniper-ridge-landfill>

² Environmental Protection Agency, Hydrogen Sulfide ToxFAQS, available at https://www.epa.gov/sites/default/files/2017-12/documents/appendix_e-atsdr_h2s_factsheet.pdf; New Jersey Department of Health, Fact Sheet: Hydrogen Sulfide from Landfills, available at https://www.nj.gov/health/ceohs/documents/Hydrogen_sulfide_fact_sheet.pdf

quality of life for those living in Old Town and Alton. The Penobscot Nation lives on Indian Island, just four miles from JRL, and has long suffered the landfill’s polluting effects.

JRL’s poisoning of the Penobscot River has disproportionately burdened the Penobscot Nation for years. JRL’s highly toxic leachate is sent to the Nine Dragons Wastewater Treatment Plan and then discharged into the Penobscot River. The leachate at JRL is collected from 122 acres, flowing at an average rate of 42,000 gpd, which is expected to increase by about 65% this year due to the opening of another waste cell.³ Sampling of the leachate at JRL shows it has PFAS concentrations that far exceed the 20 parts-per-trillion interim drinking water standard (IDWS) for the six PFAS (“the PFAS(6)”) currently regulated by the State of Maine.⁴ **Specifically, the PFAS(6) in the JRL leachate were found at levels 20 times greater than allowed in drinking water.**⁵ This sampling of course does not reflect the levels in the leachate of the hundreds of other PFAS that are not tested for.⁶

PFAS are a group of nearly 15,000 synthetic chemicals that all share a carbon-fluorine bond.⁷ They are called “forever chemicals” because they are practically indestructible in nature. A growing body of science has documented that there are significant adverse health effects associated with PFAS exposure, including liver damage, thyroid disease, decreased fertility, high cholesterol, obesity, endocrine system disruption, hormone suppression, and cancer.⁸ The United States Environmental Protection Agency (EPA) has identified landfill leachate as a potential significant source of PFAS in the environment. Just last year, the EPA announced plans to develop new effluent limitations guidelines and pretreatment standards for landfill leachate. The announcement came after a determination that new effluent guidelines for landfills are needed to address the widespread presence of PFAS in leachate.⁹

³ Crawford Engineers, Sevee & Maher Engineers, Study to Assess Treatment Alternatives for Reducing PFAS in Leachate from State-Owned Landfills, (Jan. 2023), available at <https://www.maine.gov/dafs/bgs/sites/maine.gov.dafs.bgs/files/inline-files/Resolves%202021%2C%20ch.%20172%20Study.pdf>

⁴ *Id.* at ES-3.

⁵ Crawford, Study to Assess Treatment Alternatives for Reducing PFAS in Leachate, ES-3 to ES-4.

⁶ In an [EPA evaluation](#) of leachate from over 200 landfills, PFAS detections included 63 different PFAS with average concentrations for an individual compound as high as 14,000 parts-per-trillion (ppt).

⁷ National Institute of Environmental Health Sciences, Perfluoroalkyl and Polyfluoroalkyl Substances (PFAS), available at

<https://www.niehs.nih.gov/health/topics/agents/pfc#:~:text=PFAS%20are%20a%20group%20of,the%20U.S.%20Environmental%20Protection%20Agency.>

⁸ National Toxicology Program, Monograph on Immunotoxicity Associated with Exposure to Perfluorooctanoic acid (PFOA) and perfluorooctane sulfonate (PFOS), U.S. Department of Health and Human Services, p. 16. (Sept. 2016), available at https://ntp.niehs.nih.gov/sites/default/files/ntp/ohat/pfoa_pfos/pfoa_pfosmonograph_508.pdf

⁹ See, e.g., U.S. Environmental Protection Agency, Landfill Effluent Guidelines. Available at <https://www.epa.gov/eg/landfills-effluent-guidelines>; and U.S. Environmental Protection Agency, Effluent Guidelines Program Plan 15. Available at <https://www.epa.gov/eg/current-effluent-guidelines-program-plan>

JRL's leachate is trucked to the Nine Dragons Wastewater Treatment Plant (Nine Dragons) in Old Town, where it is treated for various contaminants, and discharged into the Penobscot River. Casella does not treat the leachate to remove PFAS before sending it to Nine Dragons. Nine Dragons does not treat the leachate for PFAS. Moreover, recent studies have shown that landfill leachate has PFAS precursors that can be converted into PFAS when treated at typical wastewater treatment plants, like Nine Dragons.¹⁰ In other words, the effluent leaving Nine Dragons and entering the Penobscot River may contain even more PFAS than the leachate going into it.

The PFAS in the effluent discharged from Nine Dragons bioaccumulates and disperses into the wider environment. Once released into the environment, PFAS are extremely difficult to contain and remediate because of the strength of the carbon-fluorine bond that comprises each PFAS molecule. Nine Dragons is situated just one mile from the Penobscot Nation. The findings from the study commissioned by BGS, "Study to Assess Treatment Alternatives for Reducing PFAS in Leachate from State-Owned Landfills", suggest that JRL's leachate has been contaminating the Penobscot River—and hence the Penobscot Nation-- with PFAS for years.

The Penobscot River holds significant value for the members of the Nation, whose way of life, economic activities, and ancestral wisdom are intricately connected to the Penobscot River basin. Their traditional customs, including fishing, hunting, and gathering plants for sustenance and healing, are deeply rooted in this ecosystem. However, pollutants in local fish populations have significantly impeded the Nation's capacity to maintain its customary practices and uphold its fishing rights over time.¹¹

In a study of fish in the Penobscot River, the EPA found that dioxin, furan, PCBs and PFAS were at levels in the fish that could pose health threats—including to the nervous system and immune system-- to children and adults who consume them.¹² The researchers also concluded that these chemicals could put the animals who eat this fish at risk, including mink, otters, and eagles. Further research is needed to fully understand to what extent JRL's

¹⁰ Bolan, N., Sarkar, B., Yan, Y., Li, Q., Wijesekara, H., Kannan, K., Tsang, D. C. W., Schauerte, M., Bosch, J., Noll, H., Ok, Y. S., Scheckel, K., Kumpiene, J., Gobindlal, K., Kah, M., Sperry, J., Kirkham, M. B., Wang, H., Tsang, Y. F., ... Rinklebe, J. (2021). Remediation of Poly- and perfluoroalkyl substances (PFAS) Contaminated Soils – to Mobilize or to Immobilize or to Degrade? *Journal of Hazardous Materials*, 401, 123892. <https://doi.org/10.1016/j.jhazmat.2020.123892>; Liu, Y., Robey, N. M., Bowden, J. A., Tolaymat, T. M., da Silva, B. F., Solo-Gabriele, H. M., & Townsend, T. G. (2020). From waste collection vehicles to landfills: Indication of per- and polyfluoroalkyl substance (PFAS) transformation. *Environmental Science & Technology Letters*, 8(1), 66–72. <https://doi.org/10.1021/acs.estlett.0c00819>

¹¹ EPA, *One Health Assessment: Fish Returning to the Penobscot River* (Nov. 29, 2022), available at <https://www.epa.gov/sciencematters/one-health-assessment-fish-returning-penobscot-river>

¹² *Id.*

leachate and run-off, which can also contain dioxins, furan, and PCBs, are contributing to these forms of contamination of the Penobscot River.¹³

These burdens on the Penobscot Nation are part of a larger web of disproportionate harm that the State’s landfilling has exacted on the Penobscot people for decades. Since Maine banned permitting new commercial landfills in 1989, all three state-owned landfills were built along a 50-mile stretch of land “at the heart of the Penobscot Reservation”.¹⁴ In addition, there are 72 closed landfills in the Penobscot River watershed; many of them are unlined landfills that can thus easily leak toxics into groundwater.¹⁵

The disparate harm this indigenous tribe has suffered is relevant to the importance of the upcoming Public Benefits Determination, where the Maine DEP will for the first time be obligated by law to analyze the environmental justice impacts of a proposed landfill expansion. This determination process is discussed in more detail, below.

Common landfill hazards, like last year’s fire at Juniper Ridge, further burden the populations living around JRL. On May 17, 2023, JRL caught on fire. Landfill fires are pretty common, with hundreds occurring across the country each year.¹⁶ At the time, Penobscot Nation Chief Kirk Francis reported that tribal members suffered burning eyes and sore throats from the fire’s smoke and ash.¹⁷ Other residents shared that their bodies and cars were coated in ash, and that no warnings were issued to the public about the health hazards of the landfill fire.¹⁸ Landfill leaks, fires, and other disasters are all part of the reality communities burdened with landfills endure.

The gravity of the consequences of landfilling are reflected in the procedural rigor such applications must go through. According to the Maine DEP, the last time Casella applied for a landfill expansion the process took five years. The legal thoroughness of the vetting of landfill

¹³ Sang-Yee Ham et al., Leaching Characteristics of PCDDs/DFs and Dioxin-like PCBs from Landfills Containing Municipal Solid Waste and Incineration Residues (2008) available at [10.1016/j.chemosphere.2007.07.050](https://doi.org/10.1016/j.chemosphere.2007.07.050); Mehmet Sukru Ozcoban et al., Effect of Solid Waste Landfill Leachate Contaminants on Hydraulic Conductivity of Landfill Liners (Feb. 2022), available at <https://doi.org/10.2166/wst.2022.033>

¹⁴ Marina Schaffler, Compound Injustice: PFAS May Concentrate Over Time in Landfills Near the Penobscot Indian Reservation, *The Maine Monitor* (Sept. 2022), available at <https://themainemonitor.org/compound-injustice-pfas-may-concentrate-over-time-in-landfills-near-the-penobscot-indian-reservation/>

¹⁵ *Id.*

¹⁶ Tami Abdollah and Dian Zhang, USA Today, Landfills Catch Fire, Briefly, All Over America... (April 09, 2023), available at <https://www.usatoday.com/story/news/2023/04/09/landfill-fires-arent-rare-alabama-one-burned-months/11532080002/>

¹⁷ Caitlin Andrews, DEP Unlikely to Find Cause of Juniper Ridge Fire, *Maine Public Radio* (May 17, 2023), available at <https://www.mainepublic.org/environment-and-outdoors/2023-05-17/dep-unlikely-to-find-cause-of-juniper-ridge-fire>

¹⁸ See transcript of Bureau of General Services Public Meeting regarding OSA Extension, held on February 15, 2024, available at [Public Hearing Transcription 02-15-2024 \(edited\) 0.docx \(live.com\)](#).

applications is a testament to the harms they pose, many of which are outlined above. Landfills and landfill expansions are rigorous processes overseen by the DEP. A landfill expansion process begins with a Preliminary Information Report—which Casella has already submitted for the proposed JRL expansion.

The next major procedural hurdle for the landfill expansion will be the Public Benefit Determination, which is expected to begin any week now. During this process, the Department must make a finding that it is to the public’s benefit to expand the landfill. **The public has a right to participate in the Public Benefit Determination, both via comment and a public meeting held by the Commissioner.**

There are several criteria in this determination, including whether the amount of capacity Casella is applying for can be met at other facilities and whether the expansion is consistent with the State’s solid waste management hierarchy. Notably, this proposed expansion will be the first one since [legislation](#) was passed in 2022 requiring the DEP to consider environmental justice impacts in its Public Benefits Determination.¹⁹ Accordingly, the Department will have to assess the expansion’s impacts on surrounding disadvantaged and environmental justice communities, ensuring that no such community will be overly burdened by the expansion. As shown above, the Penobscot Nation is unjustly burdened by landfill pollution, and the expansion will only worsen the cumulative impacts of this harm. The determination is appealable to the Board of Environmental Protection. **Extending the OSA for JRL before the Public Benefit Determination is complete thus overlooks the legal significance of this stage, which could very well result in a negative determination.**

After the Public Benefits Determination stage is complete, if the Department issues a positive determination and this determination survives any appeal, Casella must apply for the license to expand the landfill by submitting the actual landfill expansion application. At this point DEP would analyze the more scientific aspects of the process, such as the geography, hydrology, emissions, and operational nature. The landfill expansion application stage provides for public input, the opportunity to request a public hearing, and the opportunity for the public to appeal to other entities. **The nature of the statutory procedure that a landfill expansion application must go through is that a lot of very useful information is obtained--information that could affect stakeholders’ and BGS’ understanding of the ways in which the OSA should be amended.** Granting any extension before these procedural stages have occurred deprives the public, legislators, and the DEP of the chance to ensure that Mainers are properly protected from environmental harms in any renegotiation of the OSA.

¹⁹ [38 MRSA §1310-AA, sub-§3, ¶E](#)

The Bureau’s purported reasoning for rushing the contract extension is inconsistent and illogical. In the February 08, 2024, legislative work session for LD 2135, the Director of the Bureau of General Services stated that Casella was “not willing to undertake the cost and effort” of the Public Benefits Determination process without the assurance that they would be the operator for the landfill’s expanded capacity. In other words, BGS stated that without an extension of the contract, Casella would not invest the resources needed for the Public Benefits Determination application. Minutes later, BGS stated that the Public Benefits Determination application was expected to be submitted to BGS that very week. In the same work session, BGS stated that they were not going to actually extend the OSA until the Summer of 2024. Clearly, Casella is proceeding with the landfill expansion process, regardless of the OSA extension. This is not surprising, since, as Senator Brenner pointed out in the same work session– Casella is a multi-billion dollar, publicly traded corporation that profits off of waste. The landfill expansion is a business opportunity for them, not a sacrifice, as it would be for local residents who suffer the landfill’s pollution daily. **The notion that Maine’s capacity crisis demands a rushed contract extension prior to the actual landfill application process is misleading, at best.**

While Casella would doubtless prefer to have their contract extension greenlit, the purported urgency to extend the OSA holds no water. Waiting until the Public Benefits Determination has completed, the opportunity for appeal has played out, and the landfill expansion application itself has been fully vetted with an opportunity for a public hearing upheld, would in no way postpone any potential solution to the capacity issues Maine faces. It would simply allow stakeholders – including BGS, DEP, Maine legislators, Maine residents, and especially environmental justice communities impacted by the landfill– to use the information gathered in the expansion process to get protections and transparency into the OSA that Mainers have been seeking for years.

I. The OSA Must be Amended to Improve Transparency and Environmental Protections before any Extension is Considered

The Bureau of General Services would be flouting the expressed will of the Department of Environmental Protection, the Environmental and Natural Resources Committee, and affected Mainers by extending the OSA without first improving the contract’s terms to increase transparency, oversight, and environmental protections.

The need for increased transparency and safeguards in Casella’s OSA came to a head last year, during the “sludge crisis”. In Spring 2023, Casella suddenly started refusing to landfill

large amounts of toxic sludge at Juniper Ridge Landfill, putting Maine on the brink of a public health crisis as wastewater treatment plants scrambled to hold the sludge.²⁰ Casella claimed that JRL had become unstable due to too much sludge, and that the only viable solution was to continue importing more out-of-state bulky waste (like washing machines and couches) to stabilize the landfill.²¹ In the meantime, Casella provided sludge transport services for their customers to dispose of sludge in New Brunswick, Canada, increasing costs to the wastewater treatment facilities, which in turn raised sewer bills for struggling Mainers.

These spontaneous cost surges led to a widespread outcry for public disclosure of all costs linked to sludge management, particularly transport and disposal.²² One state official wrote at the time that “Casella has a great deal of autonomy on how it manages the state-owned landfill per the operating agreement [...], it has been a controversial subject for a long time.”²³

DEP worked hard to find alternatives for Casella to stabilize JRL, without relying on out-of-state waste, but Casella refused all of them. At the time, the Department’s Commissioner, Melanie Loyzim, stated in an internal email, “Casella appears to keep finding reasons for not using the materials we keep finding for them.”²⁴

In 2023, Casella got their way, and an emergency bill was enacted that allowed the corporation to import more bulky waste for the next two years to ostensibly temper the sludge crisis.²⁵ In the aftermath of all this, the DEP stated that any extension of the OSA had to come with increased transparency. Specifically, in January 2024, DEP released a report on sludge management where they stated unambiguously, “the Commission and the Department recommend that any amendments of extensions to the agreement between the State of Maine and Casella for operation of JRL include a requirement for the operator to disclose to the State all terms of individual agreements between the operator and their customers.”²⁶ The murky opacity behind the cost surges during the sludge crisis led to this DEP recommendation.

Extending the OSA without making this requested amendment runs counter to the expertise and firm recommendation of DEP, legislators, and their constituents. In addition

²⁰ Sawyer Loftus, The Showdown Behind the Scenes of Maine’s Sludge Crisis, Bangor Daily News (April 20, 2023), available at <https://www.bangordailynews.com/2023/04/20/maine/maine-focus/behind-the-scenes-maine-sludge-crisis-joam40zk0w/>.

²¹ Maine’s resistance to letting Casella bring in more out-of-state waste has a long history, stemming from the State’s decision in 1989 to ban all new commercial landfills so that Maine could legally preserve landfill capacity for in-state waste.

²² Maine Department of Environmental Protection, Analysis of Sludge and State-Owned Landfills as Public Utilities (Jan. 2024), available at <https://www.maine.gov/tools/whatsnew/attach.php?id=12275717&an=1>

²³ Sawyer Loftus, The Showdown Behind the Scenes of Maine’s Sludge Crisis, Bangor Daily News.

²⁴ *Id.*

²⁵ LD 718, available at <https://legislature.maine.gov/LawMakerWeb/summary.asp?ID=280086366>

²⁶ ME DEP, Analysis of Sludge and State-Owned Landfills as Public Utilities (Jan. 2024).

to full disclosure of all individual contracts with their customers, DEP should conduct a holistic assessment of the OSA to identify all other areas where the public and the environment would benefit from increased transparency and environmental safeguards. One of the most critical safeguards would be making Casella start treating its leachate for PFAS.

Before any extension is granted, the OSA should also be amended to include terms requiring Casella to begin treating their leachate for PFAS, on-site. In the February 08, 2024 work session for LD 2135, Commissioner Loyzim stated, “PFAS is a contaminant that at the time we signed the agreement we did not know about, and that they, [Casella], also have liability for.”²⁷ As shown earlier in this comment, the engineers that BGS hired to study JRL’s leachate and treatment options for PFAS underscored that the only practical treatment for PFAS at JRL would be on-site. The engineers found that treatment at the Nine Dragons plant would be technically infeasible.²⁸

Requiring Casella to treat their leachate for PFAS before sending it to Nine Dragons would align Maine with the Vermont Department of Environmental Conservation. The VT DEC required, as a term of Casella’s renewed landfill permit at the Coventry Landfill, that Casella pilot a leachate treatment system on-site before sending the leachate to Vermont’s wastewater treatment plant in Montpelier.²⁹ This system is now operational and currently under VT DEC review. The ME DEP has stated that there are “ongoing conversations” with Casella about exploring such treatment options at JRL.³⁰ Any amendment of the OSA would be time to turn ongoing conversations into a concrete commitment. **In renegotiating the OSA, the State should hold Casella to a set timeline for implementing a treatment system to remove PFAS from the leachate before sending it to Nine Dragons, and ultimately into the Penobscot River.**

Many of the points in this section were expressed by the Environmental and Natural Resources Committee on February 08, 2024, when they voted unanimously that LD 2135 ought to pass, as amended. The amended resolve would require that the Operating Services Agreement not be extended until the Public Benefits Determination is complete, that the OSA be assessed for areas requiring more transparency including mandating full disclosure of Casella’s contracts with their customers, and that Casella be required to start treating their leachate for PFAS by 2027.

²⁷ See Work Session for LD 2135 on Feb. 08, 2024, 2:28PM, available at

<https://legislature.maine.gov/audio/#216?event=90594&startDate=2024-02-08T13:00:00-05:00>

²⁸ “It should also be understood that it is not practical to remove PFAS from the NDWWTP effluent due to the large flows from that facility [...]; rather, any PFAS treatment of the JRL leachate will need to be conducted at the JRL site.” See Crawford, [Study to Assess Treatment Options to Reduce PFAS in Leachate](#), at 6-4.

²⁹ See Brown and Caldwell, Leachate Treatment Study Plan for New England Waste Services (NEWSVT) Landfill As Required by Condition I.A.5 of the State of Vermont Agency of Natural Resources, Department of Environmental Conservation, Pretreatment Discharge Permit 3-1406 (Revised Oct. 5, 2023), available at https://anrweb.vt.gov/Pubdocs/DEC/ENB/WWINV/21339-3-1406%20Fact%20Sheet%20Attachment%20A%20-%20NEWSVT%20PFAS%20Pilot%20Study%20Plan_10052023.pdf

³⁰ See Work Session for LD 2135, on Feb. 08, 2024.

Mandating leachate treatment is critical, but there are further amendments to the OSA that would also strengthen environmental protections for Mainers. One such area is holding Casella to installing a sludge dryer at JRL, as the Crossroads Landfill has. Such a dryer would hugely reduce the volume of sludge at the landfill, and potentially offer a long-term solution to the “sludge crisis” Mainers faced last year. Without such an amendment, when Casella’s two-year period is up and Casella can no longer import extra bulky waste, Maine will be exactly where it was last legislative session. Unless the OSA mandates a long-term solution to the sludge volume, Casella will once again force the State to allow out-of-state bulky waste to continue to fill up Maine’s limited landfill capacity.

Another OSA section meriting improvement is the alert system requirements that Casella is obligated to fulfill in case of an emergency-- like the fire at JRL in May 2023. Local residents have expressed the strong desire to have a system in place where they are notified within 24 hours, at least, of disasters at the landfill that can potentially affect their health. These residents did not get any timely alert when JRL burned several months ago and had to find their own answers to the cause of the noxious smells and potentially hazardous ash that emanated from the fire. The breadth of areas in the OSA meriting improvement is exactly why it is irresponsible to Mainer’s public health and the environment to extend the OSA without a thorough review and implementation of substantive amendments.

In sum, extending Casella’s OSA at this juncture would defy the expressed intent of the Maine legislature, their constituents, and the Department of Environmental Protection. **The OSA should not be extended until the landfill expansion process has run its due course, with full opportunity for public participation, and until the contract has been renegotiated to better protect our communities and our environment.**

Respectfully submitted,



Nora Bosworth, Esq.
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By email, letter attached as PDF

Dear Mr. Gould:

I am writing to urge the Bureau of General Services to put on hold any plans to extend Casella's contract to operate the Juniper Ridge Landfill. I am adding my voice to the many citizens who presented their deeply held and well-founded objections to this contract extension at the public meeting conducted by the Bureau in Brewer on Feb. 15. I am writing as an individual and do not represent any organization in my views.

First, I want to thank you and the Bureau for providing the opportunity for the public to speak out on this very concerning issue. The meeting was conducted with a welcome informality and with a spirit of fairness to all who attended, whether in person or remotely. While the topic was limited to comments directly bearing on the contract extension, this constraint was broadly interpreted in the meeting, which I appreciated.

Along with many residents of nearby communities, my knowledge and interest in the JRL, formerly West Old Town Landfill, began with the “public informational meeting” held in Old Town on Jan. 21, 2004. Please note that your recent hearing was held 20 years and 3 weeks after that first one. I am sure it is apparent to you that many people who attended the BGS hearing have a long history of concern on this issue.

At the 2004 meeting, my concerns first arose when the State Planning Office (your predecessor as state partner with Casella) deferred to Casella's attorneys to explain the enabling legislation (Resolve) to the gathered public. I thought: Wouldn't we expect the state itself to explain this legislation to the public? As we learned later through freedom of access requests, Casella was deeply involved in crafting the legislation. We also learned that Casella's two potential competitors to run the landfill (the Municipal Review Committee and Waste Management) both decided not to respond to the RFP because it was written in a way that only Casella was in a market position to meet its requirements.

The announcement of this RFP was in fact published June 13, 2003 - the day before the Resolve was passed by the legislature. This demonstrated the urgency felt by the project's promoters, both within state government by its pre-determined partner Casella, to quickly move the process forward. Please also note that the RFP was issued and the Resolve was passed over 7 months before the first public informational meeting was held in Old Town in January 2004.

Many of the questions that arose during that first public informational meeting were personally disturbing to me, and led to my compilation of a detailed and fully documented timeline of the early history of the landfill process. For your reference, I submitted this 88-page chronology as part of my testimony against the landfill expansion permit in 2016. This timeline is available via the DEP's public comments page related to the expansion permit, accessible at:

https://www.maine.gov/dep/ftp/Juniper-Ridge/hearing_comments/2016_10_18_Paul%20Schroeder_Testimony_JRL%20expansion%20application.pdf

All early public statements about the landfill and its management stressed that as a state-owned landfill out of state wastes would be prohibited. Yet millions of tons of waste from non-Maine sources have been dumped at JRL. I along with many others feel a continuing sense of betrayal that these wastes have entered the landfill via a processing loophole that was never mentioned to the public.

In fact, the importation of waste from non-Maine sources was well known to Casella and to the state at the time of their many pronouncements to the contrary. The requirement for these imports was intrinsic to Casella's business plan, and was a large factor in what deterred competitors from bidding on the RFP. This grand scale deception will always be part of the landfill's story.

The public learned many times during this process that contracts with Casella are sacred, and once entered are quite unlikely to be modified, particularly when suggestions for change come from the public. We also have learned that contracts are sacred until they are changed in secret. That happened with the unannounced “secret amendment” entered into by the SPO and Casella. My understanding is that this in part led to the requirement for public involvement in contract changes with Casella. We do thank you for this.

Our understanding is that there will be several opportunities in the near future to evaluate Casella's performance of its contract obligations. I believe that a process has been proposed to evaluate waste management as a statewide system. Also, there is an upcoming expansion license application for JRL. Please defer any extension of Casella's operating contract until these processes allow for examination of the landfill in its total history and statewide waste management context.

Thank you for providing this opportunity to comment.

Yours sincerely,

[signed]

Paul C. Schroeder

13 Hamlin St., Orono, ME 04473
207-907-0906 (cell)
pauls@commoncoordinates.com

Lane Gould, Landfill Manager
Bureau of General Services
111 Sewall St., Cross Office Building 4th Floor
77 State House Station, Augusta, ME 04333-0077

By email, letter attached as PDF

Dear Mr. Gould:

I am writing to urge the Bureau of General Services to put on hold any plans to extend Casella's contract to operate the Juniper Ridge Landfill. I am adding my voice to the many citizens who presented their deeply held and well-founded objections to this contract extension at the public meeting conducted by the Bureau in Brewer on Feb. 15. I am writing as an individual and do not represent any organization in my views.

First, I want to thank you and the Bureau for providing the opportunity for the public to speak out on this very concerning issue. The meeting was conducted with a welcome informality and with a spirit of fairness to all who attended, whether in person or remotely. While the topic was limited to comments directly bearing on the contract extension, this constraint was broadly interpreted in the meeting, which I appreciated.

Along with many residents of nearby communities, my knowledge and interest in the JRL, formerly West Old Town Landfill, began with the “public informational meeting” held in Old Town on Jan. 21, 2004. Please note that your recent hearing was held 20 years and 3 weeks after that first one. I am sure it is apparent to you that many people who attended the BGS hearing have a long history of concern on this issue.

At the 2004 meeting, my concerns first arose when the State Planning Office (your predecessor as state partner with Casella) deferred to Casella's attorneys to explain the enabling legislation (Resolve) to the gathered public. I thought: Wouldn't we expect the state itself to explain this legislation to the public? As we learned later through freedom of access requests, Casella was deeply involved in crafting the legislation. We also learned that Casella's two potential competitors to run the landfill (the Municipal Review Committee and Waste Management) both decided not to respond to the RFP because it was written in a way that only Casella was in a market position to meet its requirements.

The announcement of this RFP was in fact published June 13, 2003 - the day before the Resolve was passed by the legislature. This demonstrated the urgency felt by the project's promoters, both within state government by its pre-determined partner Casella, to quickly move the process forward. Please also note that the RFP was issued and the Resolve was passed over 7 months before the first public informational meeting was held in Old Town in January 2004.

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Thank you for providing this opportunity to comment.

Yours sincerely,

[signed]

Paul C. Schroeder

From: [ralph.coffman](#)
To: [Gould, Lane](#)
Subject: Juniper Ridge Multi-State Toxic Hazardous Waste Dump.
Date: Monday, February 26, 2024 4:44:23 PM

EXTERNAL: This email originated from outside of the State of Maine Mail System. Do not click links or open attachments unless you recognize the sender and know the content is safe.

My name is Ralph Coffman, I am a former State Representative for Old Town, Alton and a few other towns as well. I also have been an intervenor in numerous cases before the DEP concerning this horrific toxic waste dump that has brought so much toxic waste from out of state to what used to be a beautiful natural area in Old Town. My family was building a campground in Old Town. We have 2 properties that are located at the mouth on Pushaw Stream and at the mouth of Birch stream. These properties total over 22 acres of pristine forested land with almost 2,000 ft of water frontage. The reason we chose this area was because Henry Thoreau came to Old Town back in the 1850's. He began his journey in Old Town which was at the edge of the Maine Woods. He wrote a book titled the Maine Woods and described how pristine and natural he found it. We were building on this vision when out of the blue the "State of Maine" decided to create a toxic waste dump here. To make matters worse, the State of Maine allowed Casella to bring in MILLIONS of TONS of out of state toxic waste from Mass, NH, Conn. RI and God knows from where else. What is the state of Maine thinking? There is a pure water aquifer that runs from Mt. Kahaddin and follows Rt. 16 all the way to the Juniper Ridge Toxic Waste site in Old Town. The purity of this water rivaled Poland Springs. You would think that this alone would cause the state to not allow this but they did. Numerous politicians allowed this because they had connections to the big guys in Augusta, Portland and Boston. Meanwhile the average legislators just went along with their 'Party Leadership' like usual. I saw this over and over again. I was on the Utility Committee, the Housing, Economic Development, and the Labor Committees. I saw so much fraud and corruption and conflicts of interest that it made me sick. And worse was watching the rank and file just fall in line with whatever their leadership told them to do. This is why this, possibly the LARGEST Toxic Waste Site is where it is. Doesn't matter that it's located in what used to be a Beautiful and Historic city on the Penobscot River. It doesn't matter that it is located just a couple of miles from the Penobscot Nation of which my daughters are part of. If this was done upstream from a Native American Nation in another state there would be so much opposition but not here. This would be considered GENOCIDE in other places but not in Maine. There has been so much lying going on, especially with the out of state toxic waste flowing here. Casella denied there was out of state waste coming here. I went to meeting after meeting and watched it first hand. I myself was threatened with arrest 3 times in a year because i called out Casella's lies. Numerous times i was an intervenor in cases concerning this in front of the MDEP. Patricia Aho the head of the DEP had an armed security guard brought in to make sure i stayed in line. This is how the toxic waste site came to Maine and came to Old Town. Even now there is so much toxic waste water runoff full of PFAS chemicals etc etc etc that tanker trucks loaded with this toxic slurry go to the Old Town waste water site and they cant get the pfas chemicals out. From my understanding they release some into the Penobscot River and the rest gets trucked back to Juniper Ridge. This is what political insanity looks like.

From: [Roderick Pease](#)
To: [Gould, Lane](#)
Subject: Deny the extension of Casella's Operating Service Agreement with the state of Maine
Date: Wednesday, February 21, 2024 5:01:12 PM

EXTERNAL: This email originated from outside of the State of Maine Mail System. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Landfill Manager Lane Gould,

Dear Mr. Longfellow & Mr. Gould,

Please deny the extension of Casella's Operating Service Agreement with the state of Maine. Casella has numerous instances of mismanaging Juniper Ridge Landfill, and has a track record of regulatory and environmental infractions across the region. Casella has been a source of environmental injustice for decades, dumping minimally treated PFAS-leachate into the Penobscot River, a sacred relative to the Penobscot Nation. PFAS, also known as "forever chemicals," have been linked to serious health impacts like decreased fertility, kidney and testicular cancer, thyroid disease, reduced immune system function, and more.

Don't Let Casella Game the System. The Operating Service Agreement should not be extended unless and until the landfill expansion application has been fully vetted, subject to all stages of public participation, and approved. Furthermore, the state needs to ensure that environmental justice impacts are fully assessed: any extension of Casella's OSA should be preceded by an environmental assessment of cumulative impacts and investigation of Casella's management of the landfill by the DEP.

We need to be building toward a zero waste future, where we are meaningfully rethinking and reorienting how we manage resources and materials upstream. We need significant waste reduction, composting, legitimate recycling, and industrial redesign for safer communities and a healthier environment. Waste management goals like this are at-odds with a company that profits from maximizing waste disposal.

Please take action to protect Mainers rights and health by denying Casella's application for an extension of their Operating Service Agreement.

Roderick Pease
rpease607@gmail.com
30 Riverside Drive
Hartland, Maine 04943



Lane Gould, Landfill Manager
Bureau of General Services
111 Sewall St. Cross Office Building 4th floor
77 State House Station Augusta, ME 04333-0077

Dear Mr. Gould,

Please accept our comments in regards to the possible expansion of Casella's operating services agreement (OSA) with the State of Maine for Juniper Ridge Landfill. We appreciate that landfill management is a complex and nuanced issue and that the state needs to expand landfill capacity to help manage Maine's waste. We have serious concerns regarding Casella's continued management of Juniper Ridge Landfill. In recent years they have not been good partners when it comes to stewarding the environment around the landfill or when it comes to working with municipalities to manage costs.

After a bipartisan legislature voted resoundingly to ban the land application of sludge, the company used its near monopoly status to extract unjustified tipping fee increases from municipal wastewater districts. The corporation then sent the wastewater districts into turmoil by halting the receipt of sludge at the landfill engendering a media spectacle that allowed them to pressure the legislature and regain access to out of state bulky waste, whose disposal offers a lucrative income stream for Casella while taking up precious space in the publicly owned landfill.

While other landfill operators in Maine have announced aggressive plans to solve the sludge management problem and deal with the severe PFAS levels in leachate, Casella continues to send untreated Juniper Ridge leachate to the private wastewater facility at the idle Nine Dragons Paper Mill, where it contributes to elevated levels of PFAS entering the Penobscot River near the Penobscot Nation's reservation on Indian Island, contaminating the river and the fish that the Penobscot Nation depend upon.

Casella's subsidiary company Casella Organics manages the Hawk Ridge sludge composting operation in the unincorporated territory of Unity Township. While Maine has banned the composting of sewage sludge, Casella Organics continues to truck PFAS laden sludge from other states to this disproportionately low-income, rural territory, and then sell the contaminated compost to unsuspecting gardeners beyond Maine's boundaries. DEP's data on PFAS levels in groundwater wells reveal that Casella's Hawk Ridge facility is one of the very worst contaminated sites in the entire state, with PFAS groundwater levels more than 6,650 times beyond Maine's safe drinking water level. Numerous neighboring wells have been likewise severely poisoned. The fact that the Vermont based corporation chooses to operate such a dangerous business in a poor Maine town with no local government should raises serious concerns about their commitment to the health of their neighbors.



These are not the actions of an accountable company. The Bureau of General Services needs to take a hard look at the OSA with Casella and, before moving forward with extending that OSA, the State needs to make sure that the landfill expansion application has been fully vetted, subject to all stages of public participation. Additionally, there needs to be greater transparency given to the DEP and, [according to the DEP](#), there should be “a requirement for [Casella] to disclose to the State all terms of individual agreements between the operator and their customers”. Finally, all environmental justice impacts must be fully assessed. Specifically, impacts on the neighboring Penobscot Nation who have been dealing with the environmental impacts of this landfill for decades. All of these criteria should be met before there is any consideration of expanding the OSA with Casella.

Thank you for your consideration,

Adam Nordell
Campaign Manager
Defend Our Health

From: [Sharon Peralta](#)
To: [Gould, Lane](#)
Subject: Deny the extension of Casella's Operating Service Agreement with the state of Maine
Date: Wednesday, February 21, 2024 3:47:32 PM

EXTERNAL: This email originated from outside of the State of Maine Mail System. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Landfill Manager Lane Gould,

Dear Mr. Longfellow & Mr. Gould,

Please deny the extension of Casella's Operating Service Agreement with the state of Maine. Casella has *numerous* instances of mismanaging Juniper Ridge Landfill, and has a track record of regulatory and environmental infractions across the region. Casella has been a source of environmental injustice for decades, dumping minimally treated PFAS-leachate into the Penobscot River, a sacred relative to the Penobscot Nation. PFAS, also known as "forever chemicals," have been linked to serious health impacts like decreased fertility, kidney and testicular cancer, thyroid disease, reduced immune system function, and more.

Don't Let Casella Game the System. The Operating Service Agreement should not be extended *unless and until* the landfill expansion application has been *fully* vetted, subject to all stages of *public participation*, and approved. Furthermore, the state needs to ensure that environmental justice impacts are *fully assessed*: any extension of Casella's OSA should be preceded by an environmental assessment of cumulative impacts and investigation of Casella's management of the landfill by the DEP.

We need to be building toward a zero waste future, where we are meaningfully rethinking and reorienting how we manage resources and materials upstream. We need significant *waste reduction, composting, legitimate recycling, and industrial redesign* for safer communities and a healthier environment. Waste management goals like this are at-odds with a company that profits from maximizing waste disposal.

Please take action to protect Mainers rights and health by denying Casella's application for an extension of their Operating Service Agreement.

Sharon Peralta
mehereinme@outlook.com
82 Stanley Rd
Springvale, Maine 04083

From: [Suzanne Malis-Andersen](#)
To: [Gould, Lane](#)
Subject: Deny the extension of Casella's Operating Service Agreement with the state of Maine
Date: Wednesday, February 21, 2024 7:28:25 PM

EXTERNAL: This email originated from outside of the State of Maine Mail System. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Landfill Manager Lane Gould,

Dear Mr. Longfellow & Mr. Gould,

Please deny the extension of Casella's Operating Service Agreement with the state of Maine. Casella has numerous instances of mismanaging Juniper Ridge Landfill, and has a track record of regulatory and environmental infractions across the region. Casella has been a source of environmental injustice for decades, dumping minimally treated PFAS-leachate into the Penobscot River, a sacred relative to the Penobscot Nation. PFAS, also known as "forever chemicals," have been linked to serious health impacts like decreased fertility, kidney and testicular cancer, thyroid disease, reduced immune system function, and more.

Don't Let Casella Game the System. The Operating Service Agreement should not be extended unless and until the landfill expansion application has been fully vetted, subject to all stages of public participation, and approved. Furthermore, the state needs to ensure that environmental justice impacts are fully assessed: any extension of Casella's OSA should be preceded by an environmental assessment of cumulative impacts and investigation of Casella's management of the landfill by the DEP.

We need to be building toward a zero waste future, where we are meaningfully rethinking and reorienting how we manage resources and materials upstream. We need significant waste reduction, composting, legitimate recycling, and industrial redesign for safer communities and a healthier environment. Waste management goals like this are at-odds with a company that profits from maximizing waste disposal.

Please take action to protect Mainers rights and health by denying Casella's application for an extension of their Operating Service Agreement.

Suzanne Malis-Andersen
malismermaid@aol.com
24 Silver Rdg, Veazie, ME 04401
Veazie, Maine 04401

From: [Sydney Avitia-Jacques](#)
To: [Gould, Lane](#)
Subject: Deny the extension of Casella's Operating Service Agreement with the state of Maine
Date: Wednesday, February 21, 2024 4:02:07 PM

EXTERNAL: This email originated from outside of the State of Maine Mail System. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Landfill Manager Lane Gould,

Dear Mr. Longfellow & Mr. Gould,

Please deny the extension of Casella's Operating Service Agreement with the state of Maine. Casella has numerous instances of mismanaging Juniper Ridge Landfill, and has a track record of regulatory and environmental infractions across the region. Casella has been a source of environmental injustice for decades, dumping minimally treated PFAS-leachate into the Penobscot River, a sacred relative to the Penobscot Nation. PFAS, also known as "forever chemicals," have been linked to serious health impacts like decreased fertility, kidney and testicular cancer, thyroid disease, reduced immune system function, and more.

Don't Let Casella Game the System. The Operating Service Agreement should not be extended unless and until the landfill expansion application has been fully vetted, subject to all stages of public participation, and approved. Furthermore, the state needs to ensure that environmental justice impacts are fully assessed: any extension of Casella's OSA should be preceded by an environmental assessment of cumulative impacts and investigation of Casella's management of the landfill by the DEP.

We need to be building toward a zero waste future, where we are meaningfully rethinking and reorienting how we manage resources and materials upstream. We need significant waste reduction, composting, legitimate recycling, and industrial redesign for safer communities and a healthier environment. Waste management goals like this are at-odds with a company that profits from maximizing waste disposal.

Please take action to protect Mainers rights and health by denying Casella's application for an extension of their Operating Service Agreement.

Sydney Avitia-Jacques
sydney@maineworkers.org
180 State St.
Portland, Maine 04101

From: [Tia Simon](#)
To: [Gould, Lane](#)
Subject: Deny the extension of Casella's Operating Service Agreement with the state of Maine
Date: Thursday, February 22, 2024 7:19:39 PM

EXTERNAL: This email originated from outside of the State of Maine Mail System. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Landfill Manager Lane Gould,

Dear Mr. Longfellow & Mr. Gould,

Maine is precious and unique, and we should demand it be respected. These days, this is most important. Please deny the extension of Casella's Operating Service Agreement with the state of Maine. Casella has multiple instances of mismanaging Juniper Ridge Landfill, and has a track record of regulatory and environmental infractions across the region. Casella has been a source of environmental injustice for decades, dumping minimally treated PFAS-leachate into the Penobscot River, a sacred relative to the Penobscot Nation. PFAS, also known as "forever chemicals," have been linked to serious health impacts like decreased fertility, kidney and testicular cancer, thyroid disease, reduced immune system function, and more.

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We need to be building toward a zero waste future, where we are meaningfully rethinking and reorienting how we manage resources and materials upstream. We need significant waste reduction, composting, legitimate recycling, and industrial redesign for safer communities and a healthier environment. Waste management goals like this are at-odds with a company that profits from maximizing waste disposal.

Please take action to protect Mainer's rights and health by denying Casella's application for an extension of their Operating Service Agreement.

Tia Simon
tia.40@hotmail.com
85 Barstow Rd
Gorham, Maine 04038

William Lippincott
30 Wilbur Drive
Hampden, ME 04444
wjl3@tds.net
February 26, 2024

Comments for the Public Record regarding proposed changes to the operating services agreement between the Bureau and its contracted operator of a state-owned solid waste disposal facility.

To
William Longfellow, Bureau Director
Lane Gould, Landfill Manager
Bureau of General Services
Submitting as email: PDF attachment

My name is William Lippincott, I'm a member and the former Chair of Don't Waste ME. I live in Hampden, site of the Casella managed, closed, but still leaking Pine Tree Landfill

I would like to know how you, The State of Maine's Bureau of General Services, see your role as providing oversight of the operations of a private waste industry, Casella Waste Systems, at our state owned Juniper Ridge Landfill?

In the notice of the public hearing, it states that the proposed change to the Operating Service Agreement will cause changes in the facility's operation to occur in such a way as to **impact traffic, odor, noise, or public safety** as described in the Rule, section 2.

But in the same notice, it proposes to limit comments only to extending the termination date, and you say: Comments pertaining to other topics will not be accepted at the time of the Public Hearing.

If changes to the OSA will impact traffic, odor, noise and public safety, as stated in the notice, and are caused from the proposed change to the OSA, clearly the public should have the right to comment on those impacts, as they did at the public hearing on February 15th, and those comments should be taken into consideration before extending the contract, as should comments submitted by email. If you think otherwise, could you please explain why?

The notice states that the Juniper Ridge Landfill (JRL) “requires an expansion of its capacity due to a shortage of waste disposal options...”. Capacity of the state owned landfill, created from the need to be able to reserve landfill space for Maine waste, is the basis for requesting an extension of the contract.

Last year Casella stated that they needed 25,000 tons of bulky waste from Massachusetts in order to stabilize sludge at the Juniper Ridge landfill, and they could not find appropriate, bulky waste in the State of Maine. They were granted that increase in out of state waste. What progress has Casella and BGS made in attempting to identify Maine sourced bulky waste since that time? As manager of JRL, it's the responsibility of BGS to preserve capacity in our landfill for Maine waste and not import it from Massachusetts. What has

BGS done in the last year to see that Maine sourced bulky waste is located and replaces imported out of state waste?

I know from my experience at the Hampden transfer station that there are mountains of bulky waste deposited there every other weekend which Casella picks that up and brings it to Juniper Ridge. And that's just one town in Maine. I find it hard to believe that Maine does not have suitable bulky waste so we have to import that from Massachusetts to stabilize sludge.

I would also like to know why BGS has put forward this proposal to amend the OSA only by extending the date, without a thorough review of the contract? There are major impacts with a future expansion, and before that decision is made, it's common sense to review all the terms of a contract between the state and a private commercial business. As manager of JRL, it's BGS's responsibility to see that the terms are in the best interests of the state; that should be one of the primary roles of BGS. How is BGS safeguarding the interests of the people of Maine without a thorough review of the contract?

I understand from William Longfellow's testimony before the ENR on 2/15 that a BGS extension would not be granted before summer 2024, presumably after the Public Benefit Determination process has been completed. Can you affirm that this is the case, and that you will defer to all the recommendations of the LD 2135 Resolve, which passed unanimously out of the ENR, and let those processes play through before considering an extension of the contract?

Thank you for this opportunity to comment, and ask questions. I look forward to receiving BGS's responses to my comments and questions.

Sincerely,

William Lippincott