

299 Hiram Hill Road
PO Box 58
Hiram, ME 04041
207-625-4549
krhoda@world.oberlin.edu
Oct. 19, 2016

Department of Environmental Protection
Attn: Kathy Tarbuck
17 State House Station
Augusta, Maine 04333-0017
Kathy.tarbuck@maine.gov

**RE: MAINE BUREAU OF GENERAL SERVICES
JUNIPER RIDGE LANDFILL EXPANSION APPLICATIONS
#S-020700-WD-BI-N and #L-024251-TG-C-N
Old Town and Alton, Penobscot County, Maine**

Dear State of Maine decision makers:

My name is Katherine Rhoda. Though I now reside in Hiram, Maine, I was born in and grew up in Milo, not all that far from the Juniper Ridge Landfill, so I am familiar with the area. Given that all landfills eventually leak, I am stunned that the State would site let alone expand one so close to wetlands and waterways.

I also spent 15 years living in Bethlehem, NH, where I witnessed the local struggle against the relentless expansion of another Casella landfill, so I am familiar with the tactics of a key player involved in Juniper Ridge. This deep-pocketed corporate bully, like an abusive lover, alternated dangling attractive "benefits" to my small town with threatening to bludgeon us into submission with expensive lawsuits if they did not get their way. I did not appreciate their heavy hand then and I do not trust them now.

This is the testimony of an outraged citizen. So many conflicts of interest are at play in the Juniper Ridge situation that my faith in the impartiality

of this process is virtually nil, yet I am saying my piece in hopes that a smoldering spark of conscience in some bureaucrat's heart might flare up and cause them to do the right thing. At the very least I want the public record to register my emphatic objection to the proposed expansion.

It has not escaped my notice that one organ of a self-interested State is requesting permission from another organ of the same State.

It has not escaped my notice that responsibility for making the permitting decision has been shifted from the DEP to the BEP, at the behest of Casella lobbyist and former DEP Commissioner Aho, thus eliminating the potential avenue of appeal to the BEP in its more regular and proper role.

It has not escaped my notice that the chair of the BEP, Jim Parker, is the founder of CES, the company that designed the landfill.

As one who cares about environmental justice, I am dumbfounded that the BEP order of May 27, 2016 rejects the relevance of such concerns on the grounds that environmental justice should have already been dealt with in the completed Public Benefits Determination. How did it escape the BEP's notice that environmental justice was manifestly not among the criteria for that Determination, which focused strictly on waste management considerations? I assert that public health and welfare and environmental justice do indeed pertain to the permitting decision, regardless of a Public Benefits Determination process which did not even begin to consider them. There is something very wrong with a process that systematically excludes and ignores information about the serious consequences of its decisions.

When economically depressed communities and indigenous communities are subjected to more than their fair share of environmental impacts, we have an environmental justice problem. I submit that is already the case with Juniper Ridge, and its expansion would only serve to exacerbate an already bad situation for low-income and tribal people living near the landfill and downstream from where leachate is discharged into the Penobscot River.

The court's decision last December in *Penobscot Indian Nation v. Mills* affirmed that the Penobscot Nation has sustenance fishing rights in the

river. The EPA concurs and, earlier in 2015, found that Maine Water Quality Standards are not adequately protective of that interest. The responsibility to protect that interest is not optional! It is a matter of law, as well as of fairness, common sense, and human decency. That alone should give serious pause about increasing the amount of leachate produced in such a sensitive location. Factor in the findings of the Agency for Toxic Substances and Disease Registry, in their 2010 health assessment for the Penobscot Nation, that eating more than two fish from the river per month poses a danger of harmful mercury exposure. Consider too their recommendation that young children and pregnant or breastfeeding women avoid fish from the river due to levels of mercury, PCBs, dioxins, and furans. I fail to see how you can in good faith take a decision that cannot help but increase the risk, both for the Penobscot people and for others who eat from the river.

Please prove to us all that the state permitting process actually has the integrity to deny this dangerous expansion application. I would love to be surprised.

Earnestly,

Katherine Rhoda