



STATE OF MAINE
DEPARTMENT OF ENVIRONMENTAL PROTECTION



JANET T. MILLS
GOVERNOR

GERALD D. REID
COMMISSIONER

Notice of Opportunity to Intervene
Waste Management Disposal Services of Maine Landfill Expansion

On November 18, 2019, the Maine Department of Environmental Protection (“Department”) accepted as complete for processing an application by Waste Management Disposal Services of Maine (Waste Management) for a Solid Waste license for the Phase 14 expansion of the Crossroads Landfill. The application shall be referenced as #S-010735-WD-YB-N. The project will take place in Norridgewock, in Somerset County, Maine.

On February 13, 2020, the Commissioner determined that the Department will hold a public hearing on this application as required pursuant to *Public and Local Participation*, 38 M.R.S. § 1310-S(2). This section requires that the Department “hold an adjudicatory public hearing on an application for a new or expanded commercial or state-owned solid waste disposal facility that accepts special waste upon request from a resident or property owner in the municipality in which the proposed facility is located”.

The Commissioner delegated to Susanne Miller, the Eastern Maine Regional Office Director for the Department, the authority to act as the Presiding Officer for purposes of carrying out the hearing. Notice of the hearing date, time and location will be published at a later date, in accordance with the requirements of the Maine Administrative Procedure Act, 5 M.R.S. §§ 9051-A to 9052 and Department rules, including *Rules Governing the Conduct of Licensing Hearings*, 06-096 C.M.R. ch. 3 (“Chapter 3”). At this time, any person desiring to participate as a party to the proceeding must file a written petition for leave to intervene.

As set forth in the *Maine Administrative Procedure Act*, 5 M.R.S. § 9053 and Chapter 3, § 11(A) of the Department’s rules, the petition for leave to intervene must show that the petitioner is a person who is or may be substantially and directly affected by the proposed project, or that the petitioner is an agency of federal, state or local government. Petitioners for intervenor status should:

- (1) describe the effect of the proposed activity on the petitioner;
- (2) state reasonably specific contentions regarding the subject matter of the hearing, namely the application before the Department relevant to licensing criteria of Maine’s Solid Waste Rules (06-096 C.M.R. ch. 400 effective April 6, 2015, ch. 401 effective April 12, 2015 and ch. 405 effective January 7, 2014); and
- (3) state the ability of the petitioner and/or their designee to participate in the hearing in order to support such contentions.

Persons granted intervenor status will have the right to offer testimony and evidence, may cross-examine other parties, and will have the responsibility to attend pre-hearing conferences and abide by all procedural orders. Intervenors and the applicant may be required to file testimony they wish to present in written form, prior to the hearing, for review by the Department and other parties in advance of the hearing. Further notice on the manner and time within which evidence

Notice of Opportunity to Intervene

Page 2

may be submitted to the agency for consideration will be provided to intervenors at a later date. Oral summaries of the testimony and cross-examination will take place at the hearing.

Members of the public who wish to provide written comments to the Department about the application, or simply wish to testify at the public hearing, do not need to petition to intervene. A portion of the public hearing will be reserved for the purpose of receiving testimony from the general public. The Department will also accept written comments from the public, until the close of the hearing record. Members of the public who wish to receive notices related to the public hearing may ask the Department's Project Manager to be put on an "interested persons" list, without the need to intervene.

Written petitions for leave to intervene must be received by the Department on or before **March 16, 2020 at 5:00 pm**. A petition for intervenor status that is filed after this date may be granted if good cause is shown and determined by the Presiding Officer. If the applicant's proposal changes or if the application is supplemented with significant additional information, this may constitute good cause for a late petition for intervenor status. Petitions should be directed to:

By mail: Linda J. Butler, Waste Management Project Manager
Bureau of Remediation and Waste Management
Maine Department of Environmental Protection
17 State House Station
Augusta, Maine 04333-0017

Electronically: Linda.J.Butler@maine.gov The Department must also receive an identical signed original document within five business days.

By hand: Linda J. Butler, Waste Management Project Manager
Bureau of Remediation and Waste Management
Maine Department of Environmental Protection
28 Tyson Drive (Ray Building)
Augusta, Maine 04333

The final page of a petition for leave to intervene must be dated and signed. All petitions must be received by the date and time set forth above, at least electronically. If a petition is filed electronically, a signed paper version must also be mailed to the Department, at the mailing address set forth above, so that the document is received by the Department within five working days of the deadline.

Questions regarding petitions to intervene may be directed to Linda J. Butler at the Maine Department of Environmental Protection, 17 State House Station
Augusta, Maine 04333-0017, Linda.J.Butler@maine.gov, or at (207) 287-7885.

The application can be viewed electronically on the Department's website at <http://www.maine.gov/dep/waste/crossroadslandfill/>, at the Norridgewock Town Office, and at the Department's Augusta Office file room by appointment (207-287-7843).