

Interested Parties Meeting
Pre submitted questions

NOTE: Refer to the recording of the Interested Parties meeting for the reading of the below questions and answers as edits may have been made during the reading of the answers to these questions.

1. Has the Penobscot Nation been notified of the presentation? The Energy and Natural resources Committee?

Bill

- A. Penobscot Nation was notified and indicated they'd be present today. Letters announcing the meeting were sent out. Early this week, I spoke with Dan Kusnierz, from the PN and he confirmed that the letter was received.
- B. Legislators from the communities where the landfills are located were invited, Sen. Dill, Rep. Dunphy, Rep. Stanley. Also invited were Rep Zeigler and the chairs of the E&R Committee, Sen. Brenner and Rep. Tucker. This question was the impetus for the invitations to Sen. Brenner and Rep Tucker, and I appreciated that reminder very much.

2. How was the list of "determined interested persons" compiled?

Bill

The LD included that BGS was to ... "Seek input from interested parties that, in the bureau's determination, are directly affected by the current discharge into the environment of wastewater containing leachate collected at the landfills ..."

The interested party list was a combination of an "interested party" list provided by the Department of Environmental Protection for JRL and Dolby, a list of current property abutters, and parties directly affected by the discharge of leachate from the state-owned landfills. I think everyone realizes that there are PFAS impacts across the state, but for this study, we focused on the localized impact of the leachate from these two landfills in making the IP list.

3. How many gallons of leachate per year are produced at the Dolby landfill? At Juniper Ridge?
Mike Crawford - Dolby 127,000 GPD (2022), JRL 42,000 GPD (2022) but those numbers will change over time. At Dolby, we expect the amount of leachate to decrease over time as the landfill is capped. At JRL, the amount of leachate could rise due to the size and state of cells but fall over longer time as final capping is placed.
4. What are the current required leachate tests? [from Dolby and JRL]
Matt Muzzy - DEP Solid Waste Rules, define parameters to be tested in landfill leachate. PFAS testing of leachate, 5 rounds, started fall 2021.
5. What are the current required wastewater discharge from the ND mill in Old Town tests?
Bill – The testing is outlined in their NPDES permit and recommend that the questioner contact Maine DEP as they regulate industrial water discharge.
Mike – The NPDES permit will require testing for conventional pollutants such as: biochemical oxygen demand (BOD5), total suspended solids (TSS), fecal coliform, pH, and any additional pollutants.

6. Has anyone connected with Steve Woodard or his company, ECT2 in Portland? They are producing equipment to remove PFAS.

Mike Crawford

7. Who will pay for leachate treatment at Dolby? At Juniper Ridge?

Bill Longfellow

Our report will be presented to the E&R Committee in January and will include recommendations for treatment with estimated costs. It will be up to the legislature to determine what the next steps are and how that will be paid for.

8. Why was Sevee and Maher chosen for part of this study? It would appear to be a conflict of interest as they have a large contract already with Casella, the Juniper Ridge operator. There will be questions as to their objectivity.

Bill Longfellow

In anticipation of LD 1875 becoming law, BGS evaluated how to complete the study within the time frame given. From the start, we realized that time was not on our side to conduct the scientific study and have it peer reviewed in under a year. Due to the complexity of the study, the sampling and data gathering that needed to be done, understanding the leachate flows and seasonal leachate flow for each landfill, we realized quite quickly that we needed to tackle the study as quickly as possible or there wouldn't be time to complete it.

We discussed the pending legislation and the tentative elements of performing a PFAS treatability study given that we would have less than 1-year time for conducting the study, preparing a report, and vetting that report prior to January 2023. Issuing a request for qualifications or proposals can take, conservatively, 2-3 months and we simply didn't have that time. We did, however, have Sevee and Maher, or SME, under contract for landfill operations work. This aligned with the enacted law which states that, as necessary, DAFS could "contract with individuals or businesses with expertise in landfill or wastewater treatment facility engineering and design, wastewater or leachate treatment technologies or other relevant backgrounds or experience."

Due to the PFAS study timeline, it became apparent that SME's background with landfill operations and monitoring would assist with our ability to meet the LD 1875 schedule. SME, being a current contractor to BGS, would help reduce potential procurement delays. To further aid in efficiency, SME subcontracted with Crawford Engineers to assist with the PFAS study. Crawford Engineers specializes in wastewater treatment design and implementation and has been involved with several PFAS projects related to drinking water supplies.

There is no conflict with SME doing this work, because of the way the project was set up. Elements of the project include data review criteria, expert advisors, and peer review of the report.

When samples are taken at either landfill, Dolby or JRL, there is a chain of custody that has to be followed. The person responsible for each step in the sampling and analysis is basing their professional certification and credentials on those results being true.

A second step that was taken to ensure the quality and defensibility of the study, was that early in the study, BGS asked the Department of Environmental Protection to act as "advisors" for the study

to which they agreed. Meetings were held regularly with BGS, SME, and DEP to discuss what had been done, what was planned, and to discuss technical issues and approaches.

Lastly, we have asked the University of Maine to do a peer review of the report prior to submitting it to the legislature. This review will provide a reality check on what was done and what was recommended in the report.

At the end of the day, this report will provide the legislature with a plan to remove as much PFAS as possible from two state owned landfills, greatly minimizing two sources of PFAS to the environment.