



Solutions for a
Toxic-Free Tomorrow

Karen Knuuti,
Maine Department of Environmental Protection,
106 Hogan Road STE 6,
Bangor, ME 04401

Dear Ms. Knuuti,

Please accept Defend Our Health's comments regarding any Public Benefit Determination (PBD) on Casella Waste System's request to expand the existing footprint of the state-owned Juniper Ridge Landfill. The Vermont-based corporation has repeatedly demonstrated its inability to manage the landfill safely, to demonstrate common-sense environmental stewardship, to evaluate the disproportionate impact of its actions on communities of color and low-income communities, or to respect Maine's political process. We urge the Department of Environmental Protection to issue a PBD that reflects the corporation's poor track record and reject Casella's request to expand its operations at Juniper Ridge.

Under Casella Waste Systems' management, [the Juniper Ridge Landfill caught fire last summer](#)ⁱ, worsening air quality and releasing harmful toxins in the air. The uncontrolled burn illustrated Casella's limited ability to manage the landfill's toxic contents, as [people in the area reported finding their cars coated in ash](#)ⁱⁱ, and members of the Penobscot Nation downwind from the landfill reported sore throats and burning eyes during the blaze. DEP conducted no air sampling during the burn, but area residents were left to worry about their exposure to airborne dioxins and other landfill contaminants.

While other landfill operators in Maine have [announced aggressive plans to solve Maine's sludge management problem](#)ⁱⁱⁱ and are working with partners to [deal with the severe PFAS contamination of landfill leachate](#)^{iv}, Casella continues to send its untreated leachate to the private wastewater facility at the idle Nine Dragons Paper Mill, [contributing to elevated PFAS in the Penobscot River near the Penobscot Nation's reservation](#)^v. The contamination impacts the river and the fish that the Penobscot Nation depends upon for sustenance and cultural practices. Maine's statute on Public Benefit Determination requires that DEP to uphold the right of all communities to be protected from pollution and enjoy a clean, healthy environment regardless of ethnicity. Casella's track record suggests that a landfill expansion would likely worsen existing environmental injustice to a Tribe that has been connected to the Penobscot River since time immemorial by grossly increasing the volume of PFAS-laden trash contributing to the leachate stream.

§1310-AA. 3E Public benefit determination: For a proposed facility or the expansion of a facility, is not inconsistent with ensuring environmental justice for the community in which the facility or expansion is proposed. As used in this paragraph, "environmental justice" means the right to be protected from environmental pollution and to live in and enjoy a clean and healthful

environment regardless of ancestry, class, disability, ethnicity, income, national origin or religion. "Environmental justice" includes the equal protection and meaningful involvement of all people with respect to the development, implementation and enforcement of waste management laws, rules, regulations and licensing decisions.

Casella Waste Systems has done nothing to prevent PFAS from draining into the Penobscot River, even as it has installed foam fractionation technology to treat leachate at Vermont's Coventry landfill. But even with this disproportionate investment, Casella is unable to manage the leachate in its home state responsibly. Vermont Public Media reported that [Casella's treatment efforts led to an enormous leachate spill](#) in February of this year and that a third of the estimated 8,700 gallons of spilled leachate escaped the corporation's containment efforts^{vi}. According to Vermont Public Media, the complicated and technical treatment process was literally happening underneath a tent, raising questions about the corporation's commitment to safe protocol. The spill flowed across at least one road on the site and was discovered by a third-party vendor.

Casella Waste Systems is deeply invested in the for-profit management of Maine's – and the broader region's – waste streams. This profit orientation conflicts with the public interest of the people of Maine, illustrated by Casella's repeated attempts to use the Juniper Ridge Landfill for out-of-state trash to increase their profits. While the Maine legislature has attempted to responsibly dedicate the remaining space in the Juniper Ridge Landfill for trash generated in-state, [Casella has deployed a Lewiston-based trash sorting facility to rebrand out-of-state trash as a Maine waste](#)^{vii} and thus maintain its profitable business burying the garbage from broader New England in Maine's landfill.

When the legislature banned the land application of sewage sludge in response to the PFAS contamination crisis gripping Maine's farming community, some wastewater treatment districts turned to landfilling their sludge at Juniper Ridge instead of sending it to Casella's Hawk Ridge sludge-compost facility in Unity Township or directly applying it to local farm fields. Casella responded to the situation by extracting unjustified tipping fee increases from wastewater districts and claiming that they needed to regain access to profitable, out-of-state waste to address an alleged landfill instability issue caused by the physical characteristics of the sludge. Casella rejected many recommendations for alternate in-state bulking agents to solve the alleged landfill stability issue. Casella then sent the wastewater districts into turmoil by halting the receipt of sludge at the landfill. It engendered a media spectacle that allowed them to pressure the legislature and regain access to the profitable, out-of-state bulky waste.

While Maine has banned the composting of sewage sludge, Casella continues to truck PFAS-laden sludge from other states to its Hawk Ridge facility in the unorganized territory of Unity Township and then sell the contaminated compost to unsuspecting farmers and gardeners beyond Maine's boundaries. DEP's data on PFAS levels in groundwater wells reveal that Casella's sludge compost facility is one of the worst contaminated sites in the state, with PFAS groundwater levels testing as high as 133,000 ppt for the sum of 6 PFAS listed in Maine's drinking water regulations. This is 6,650 times Maine's safe drinking water level. The highest individual analyte in a groundwater sample at Hawk Ridge was PFOA, which tested at 82,000 ppt - more than 20,000 times beyond EPA's newly enacted MCL for that chemical. According to



the well water test data available on [DEP's PFAS Investigation ArcGIS map](#)^{viii}, numerous neighboring wells have been severely poisoned, including one residential well that tested at 33,800 ppt for six regulated PFAS, or 1,670 times beyond Maine's safe drinking water limit. While the reckless mismanagement of Casella's sludge compost business isn't directly relevant to the application to expand its operations at the state-owned landfill, the contamination in Unity Township aligns with a broader pattern of careless neglect connected to its landfill operations.

DEP should take into serious consideration Casella Waste System's history of environmental failure, including: the corporation's landfill fire, its failure to address the impacts of leachate on the Penobscot River, the decades-long, disproportionate impact of that failure on the Penobscot Nation, the corporation's leachate spill in Vermont, the insistence on using Juniper Ridge as a for-profit dump for out-of-state waste, and the contaminated groundwater resources in Unity Township. This is not the track record of a corporation acting in good faith to help Maine DEP address the complex challenges of managing the state's waste stream. There would be no public benefit to expanding the size of Casella Waste System's landfill operations at Juniper Ridge, and the PBD should reflect this reality.

Thank you for your consideration,

Sarah Woodbury
Vice President of Policy and Advocacy
Defend Our Health,
565 Congress Street, Suite 204
Portland, ME, 04101

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- ⁱ Andrews, C. (2023, May 17). *DEP unlikely to find cause of Juniper Ridge fire*. Maine Public. <https://www.mainepublic.org/environment-and-outdoors/2023-05-17/dep-unlikely-to-find-cause-of-juniper-ridge-fire>
- ⁱⁱ *A report on the 2/15/24 BGS hearing about Juniper Ridge Landfill's contract extension*. Sunlight Media Collective. (2024, February 22). <https://www.sunlightmediacollective.org/a-report-on-the-2-15-24-bgs-hearing-about-juniper-ridge-landfills-contract-extension/>
- ⁱⁱⁱ *A \$35 million biosolids facility in Norridgewock could be answer to state's sludge disposal crisis*. CentralMaine.com (2023, August 22) <https://www.centralmaine.com/2023/08/22/a-35-million-biosolids-facility-in-norridgewock-could-be-answer-to-states-sludge-disposal-crisis/>
- ^{iv} Leigh, V (2023, July 14) *Removing PFAS chemicals from wastewater being pioneered in Maine*. News Center Maine. <https://www.newscentermaine.com/article/tech/science/environment/removing-pfas-chemicals-from-wastewater-being-pioneered-in-maine-health/97-c36a8b29-8029-4613-8b62-b10acab4d681>
- ^v Shauffler, M (2022, September 10) *Compound Injustice: PFAS may concentrate over time in landfills near the Penobscot Indian Reservation*. The Maine Monitor <https://themaine-monitor.org/compound-injustice-pfas-may-concentrate-over-time-in-landfills-near-the-penobscot-indian-reservation/>
- ^{vi} Giles, A. (2024, March 8) *Spill of landfill leachate into stormwater pond leaves Coventry locals concerned*. Vermont Public <https://www.vermontpublic.org/local-news/2024-03-08/spill-of-landfill-leachate-into-stormwater-pond-leaves-coventry-locals-concerned>
- ^{vii} Eichacker, C. (2022, March 21). *Maine's landfill is meant for in-state waste. Here's how Mass. And N.H. are filling it up*. WBUR. <https://www.wbur.org/news/2022/03/21/maine-landfill-massachusetts-new-hampshire>
- ^{viii} The Maine Department of Environmental Protection (2021), *Maine DEP PFAS Investigation*, <https://www.arcgis.com/apps/webappviewer/index.html?id=468a9f7ddcd54309bc1ae8ba173965c7>