



Confront polluters. Seed solutions.

September 28th, 2020

Re: Rule Petition Comments to the Maine Board of Environmental Protection in Support of the Citizen Petition to Modify the Department of Environmental Protection Chapter 400 Maine Solid Waste Management Rules

Dear Chair Draper and Members of the Board of Environmental Protection,

Community Action Works Campaigns strongly supports the citizen petition to modify Maine's Chapter 400 Solid Waste Management Rules. We need to close the loophole that has allowed for Maine to become a toxic dumping ground for the Northeast, and we need to better protect our communities by adding the terms Environmental Justice and Equal Protection to the Waste Management Rules.

At Community Action Works Campaigns, we believe that environmental threats are big, but the power of well-organized community groups is bigger. That's why we work side by side with everyday people to confront those who are polluting and harming the health of our communities. We partner with the people who are most impacted by environmental problems, training them with the know-how anyone would need to make change in their own backyard. I stand side by side with the citizens that signed this petition, as well as the community group Don't Waste ME, a coalition of impacted Mainers fighting for policies that actually protect the health of communities most at risk from the negative impacts of waste facilities.

From our work in frontline communities, we know that there is every reason to be concerned about the effects of waste facilities on public health and the environment. The EPA has said that all landfills eventually leak, which means that claims that "state of the art technology" will protect our groundwater and our communities are not true.¹

Currently, Juniper Ridge Landfill is getting filled up with toxic out of state waste. Mainers are feeling this impact because Massachusetts' has done a better job of strengthening their waste regulations than we have. In Massachusetts, you can't dispose of Construction and Demolition Debris (CDD) at solid waste facilities within the state. This was intended to both work towards increasing their recycling, but also in hopes of diverting the toxic materials construction and demolition debris can contain like mercury, lead, and arsenic to reduce the health threats these toxins pose. Maine has not followed suit. Instead, we have allowed for a loophole to exist that brings these threats to our door. More than 90 percent of the Construction and Demolition Debris entering

¹ U.S. EPA, Lining of Waste Impoundments and Disposal Facilities, SW-870, National Technical Information Service, March 1983, NTIS publication number PB86-192796

Juniper Ridge originated from outside the state, despite regulations that are supposed to reserve Maine state landfills for Maine generated waste.

Beyond Construction Demolition Debris, around the country scientists are raising the alarms about the toxic man-made chemical, per and polyfluoroalkyl substances (PFAS). While these chemicals are not naturally occurring, this man-made chemical has found its way into our drinking water and environment through leaking landfills and leachate discharge, as well as sludge spreading. In the past year, as Maine begins restricting sludge spreading we have seen an increase of PFAS contaminated waste going to Maine's landfills. This is particularly alarming as PFAS have been linked to serious health effects across the board, like testicular and kidney cancer, thyroid disease, birth abnormalities, and other diseases.²

Furthermore, Juniper Ridge Landfill borders the Penobscot River and sits above the Penobscot Aquifer. Landfill leachate is being sent to local sewer systems and discharged into the river. The landfill not only threatens the drinking water for the area, but also sites of historical, cultural, spiritual significance for the Penobscot people. This is environmental injustice. A polluting company is profiting from the destruction of the natural environment at the expense of the Penobscot and the surrounding working class residents living close to Juniper Ridge. These communities bear the biggest burden of this landfill, and yet have systematically been excluded from the decision making process. Old Town residents were repeatedly being denied requests for hearings when Juniper Ridge was being licensed back in the early 2000s, the Old Town municipality was stripped of any right to regulate the landfill, and the "citizen advisory committee" has been excluded in any meaningful decision making.

This speaks volumes to the power and significance of a *citizen's petition* to close this loophole and add the terms environmental justice and equal protection to Maine's waste management rules. We urge the Board of Environmental Protection to begin the first step of addressing this environmental injustice, by listening to impacted Mainers and supporting these amendments. As public health has come to the forefront amid the pandemic, we hope you take action to manage our waste better, but more importantly protect our communities better. Thank you.

Sincerely,

A handwritten signature in black ink that reads "Dana Colihan". The letters are cursive and somewhat stylized, with the first letter of each name being significantly larger than the others.

Dana Colihan
Maine State Community Organizer

² American Public Health Association. Policy Number 20163. (2016); Scheringer, et al. *Chemosphere* 114 (2014): 337-339
Rosenmai, et al. *Andrology* 4.4 (2016): 662-672
Perez, et al. *Environment International* 59 (2013): 354-362.