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Comment On Chapter 400: Maine Solid Waste Management Rules

Dear Chair Draper and the Board of Environmental Protection:

Thank you for the opportunity to submit **comments in support of the proposed amendments to Chapter 400: Solid Waste Management Rules.**

My name is Jacquelyn Elliott and I have been a resident of Waterboro for the past ten years since retiring here with my husband. We were longtime residents of New Hampshire where I was born and lived for most of my life. I have spent several decades as an environmental health advocate. My focus has been the detrimental health and environmental effects on citizens and communities nearby waste disposal facilities. As a resident of a community hosting a waste to energy incinerator on one border and an ash landfill on another, my experience has been particularly concerned with waste incinerators and landfills. I have a personal health story linked to toxic exposures from incineration.

I have invested considerable time and effort on the New Hampshire side of the border working with legislators and regulators around policy issues and regulation to assist in outcomes that assure the rights of those most impacted by waste disposal operations are recognized and have a prominent place in decision making going forward. The emphasis has been to provide less dangerous and more sustainable outcomes for resources and discards.

The experience as citizens of waste facility 'host communities' is replete with histories of rights abused; public health endangered and environments polluted; and local economic progress hindered because of the undue control and influence given the private for profit waste corporations. For far too long, the public has been disregarded and has not realized benefit from the way waste is handled and regulated within our communities and states. The private sector has derived great profit and the public has suffered great pollution of the places we call home. That pollution has many times as well seen its expression in politics, decision making, regulation and policy development and has ignored the rights and benefits of citizens.

While working on these issues in New Hampshire, I became familiar with the matters facing Maine as it became abundantly clear that the waste industry has a regional view of its enterprise. It is to their advantage to have their feet in all the states' doors. Names that dominate waste handling in Maine are also the same entities doing business in New Hampshire and beyond in the region. As I have become more familiar

with Maine's regulations around the matter, familiar names and practices are there. The names of the communities involved may differ, but the stories of the people impacted are a common theme. The places where these citizens live and work and raise their families are being sacrificed – their health, environment and quality of life are the price paid for poor policy and shareholder return

We can all be agreed that the current COVID-19 situation has raised the awareness of public health in our communities. We can also agree that all of us have the right to live in a place that is healthy. We all have the right to breathe clean air, and drink clean water. Sadly, people living where waste facilities are located are being denied these rights. Current policy and regulation around waste facilities does not protect the wellbeing of the people living in these communities.

State legislators and regulators have an obligation to protect all Maine's citizens and particularly those most impacted by waste facility operations. It must be acknowledged that due to deficiencies in regulation, Maine has become a dumping ground for waste being brought in from the surrounding region for disposal. As an example, as the components of waste have become increasingly more toxic, Massachusetts has taken action to tighten up waste disposal regulations within their state and more and more Massachusetts' waste is coming to Maine for disposal.

Currently, there is a loophole in regulation that literally allows approximately 10,000 truckloads of waste to come into our state and be dumped at Juniper Ridge Landfill. This accounts for about 40% of the waste being landfilled at Juniper Ridge. This is a state owned landfill that is supposed to be utilized for waste that is generated within the state. The definition of in state generated waste is unclear in current regulation. This must be changed to correctly identify what waste is actually generated within our borders, and what waste is being imported.

The history of the Juniper Hill Landfill is a checkered one. Beginning in 1989, ownership; management and operation; financing and regulation of the landfill were established with public dollars and details pretty much established behind closed doors obscured from public scrutiny and consideration of the host community's rights. It was citizens' efforts that eventually brought much of this to light.

It is time to revise that history. We need stronger protections for Maine's communities and saner policies for waste management in Maine. We have that opportunity now. Currently, there are proposed amendments to rules that would:

- **Provide a definition that would correctly identify waste generated within the State's borders and close the current loophole that wrongly categorizes imported waste as in-state waste.**
- **Codify rules that assure control of waste generation and disposal is in the hands of Maine citizens. This would protect processing and disposal operations from undue private influence and exploitation.**
- **Preserve disposal capacity for Maine's use and promote policies that promote sustainable practices.**

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- **Protect citizens' rights in communities most affected with siting, regulation, and operational decisions. Environmental Justice would be a cornerstone for any decisions requiring a Public Benefit Determination.**

I am asking you to support these amendments to the Rules. Maine is a beautiful State with proud and deserving citizens. We need to all work to make it truly "The Way Life Should Be" – for all of us.

Sincerely,
Jacquelyn Elliott