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Here are just a few of the very critical reasons why the appeal from Conservation Law Foundation should be considered— this landfill does NOT need to be expanded!

1) The Expansion Threatens Public Health and the Environment

- The waste approved to be buried at the new landfill includes waste that is very harmful to the environment and human health. This includes – incinerator ash, asbestos containing waste, utility poles, construction and demolition debris, and waste containing contaminants of emerging concern like PFAS.

- Much of the waste is banned from disposal in neighboring states like Massachusetts.

- All landfills leak and therefore release dangerous contaminants into the environment.

Given the types of waste and the fact that the Department approved the expansion with only one liner and minimal leak protection measures, the Phase 14 expansion is a ticking-time-bomb of pollution.

- If the leachate leaks out of the landfill it may impact groundwater affecting nearby drinking wells and the Kennebec River which is less than a mile away.

- The hydrogeological assessments for the expansion were done during a period of significant recorded drought, meaning the DEP and Waste Management cannot know that the landfill will not impact groundwater or underground aquifers under “normal conditions.”

2) The Expansions Threatens the Kennebec River

- With the Expansion, Waste Management will continue to transport leachate to two off-site wastewater treatment plants (WWTP) that discharge the processed leachate into the Kennebec River, without proper assurances that harmful contaminants in the leachate were removed.

- WWTPs generally are not required or equipped to remove all types of leachate contaminants, like PFAS or the long list of harmful contaminants found in leachate, from wastewater prior to discharge into surface waters

- PFAS, PBDEs, and other chemicals of concern that have been found to be highly toxic to humans and other species

- Waste Management contracts with Sappi Paper in Hinkley to take up to 400,000 gallons per day of landfill leachate and the Anson-Madison Sanitary District to take up to 56,000 gallons per day of leachate from its current Crossroads landfill facility in Norridgewock

- In 2019, the DEP tested fish for PFAS levels at six locations along the Kennebec river, along with several locations on the Androscoggin and Kennebunk river. The highest levels of PFAS in the 2019 study were found in Kennebec fish caught at the testing location below the Shawmut Dam. The testing site is located just downstream from the Sappi wastewater facility where the greatest volumes of Waste Management's landfill leachate have been released into the Kennebec for years

- At a minimum, the DEP should require Waste Management to pretreat all its leachate to

target leachate specific contaminants like PFAS prior to processing at the off-site WWTPs, like they do at the Turnkey Landfill in New Hampshire.

3) The Expansion Will Not Help Maine Meet Its Waste Management Goals

Background: Over three decades ago, Maine committed to recycling 50% of its municipal solid

waste by 2021. Unfortunately, this goal was not reached. In fact, we are losing ground. Between

2017 and 2019 the amount of trash Maine landfilled or incinerated increased by 125,000 tons.

Meanwhile the recycling rate is only 36% and falling. Under Maine's Solid Waste Management

Hierarchy, landfilling is the absolute last resort. With waste reduction, reuse, recycling, and composting supposed to be given higher priority.

- Building a new landfill never incentivizes environmentally responsible waste management practices like reduction, reuse, recycling, or composting. The more capacity available for landfilling, the more likely it is that waste will be buried.

- The Crossroads Landfill is the only landfill in Maine licensed to accept "special waste," and one of very few in the northeast. Approving 48.6 acres of new landfill capacity for these unwanted wastes will allow waste producers in surrounding states to avoid taking necessary action to find better waste to manage these high-risk materials.

- Approving this new landfill site would create new capacity for out-of-state waste, particularly special waste and sludge that is prohibited from landfill disposal in the states where it is generated.

- Adding major landfill capacity with no enforceable limits on growth will only make it more profitable to landfill of materials in Maine instead of taking potentially more costly steps of composting, recycling, and developing other methods of materials management

- The Department did not set a maximum yearly fill rate which means Waste Management can use up the entire 7.75 million cubic yards of capacity as fast as they can and will not be incentivized to make sure waste is recycled or composted.

- While Waste Management is proposing to develop a composting facility as part of the Phase 14 Expansion, the application did not contain any details to ensure the facility will help Maine meet its solid waste goals. There are no details about how the facility will be operated. No details on how the success of its composting facility and program will be measured. There are no waste diversion targets. There is no information on how the company will separate compostable waste from non-compostable waste.

4) The Expansion is Without Common Environmental Safeguards

Background: When water enters a landfill, it picks up contaminants from the waste and becomes

"leachate." Leachate often contains chemicals such as volatile organic compounds, chloride, nitrogen, solvents, phenols, PFAS, and heavy metals. The safeguards intended to prevent leachate

from escaping a landfill cell fail over time. Sometimes very quickly. This toxic brew of "garbage

coffee" leaks out of the landfill and seeps into groundwater – contaminating wells and water bodies. To prevent leachate leakage for as long as possible, most modern landfills are developed

with a double liner system which includes two layers of clay and plastic that are designed to contain leachate from escaping.

- The Department of Environmental Protection approved the Phase 14 landfill with only

one liner. No other state in New England would permit the development of a new landfill with a single liner. While all landfills are dangerous and will ultimately fail to contain harmful leachate, a two-liner system would be much more protective.

- The landfill will also lack ongoing electrical leak detection systems. the only requirement for leak detection occurring prior to the landfill going into operation. Once waste materials start piling up in the landfill, no leak detection system will be required.

- This lack of adequate detection systems creates a risk that any discharge to groundwater will go unnoticed.

5) The Expansion Increases Risk of Landfill Fires

- Waste Management's Crossroads Landfill has experienced two fires in the last three years. One In 2018, and another in 2020.

- Landfill fires are especially dangerous as they can emit harmful fumes from the wide array of materials contained in the landfill. This includes carbon monoxide, hydrogen sulfide, and volatile organics.⁸⁴ Particulate matter in the smoke from landfill fires can also exacerbate respiratory and other health complications in those responding to the fire.

- Despite these previous fires, Waste Management is not proposing significant measures to reduce the risk of increased fire.

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Sent from Schoodic Hollow Farm