

**Comments In The Matter Of A Draft License Permit For:
Waste Management Disposal Services of Maine, Inc.
Crossroads Landfill Phase 14 Expansion
Norridgewock, Somerset County, Maine
#S-010735-WD-YB-N
(Approved With Conditions)
May 4, 2021**

Ms. Victoria Eleftheriou
Deputy Director
Bureau of Remediation and Waste Management

Dear Ms. Eleftheriou:

Thank you for the opportunity to provide comments **in opposition** to the Department's Approval With Conditions for **A Draft License Permit For Waste Management Disposal Services of Maine, Inc. Crossroads Landfill Phase 14 Expansion Norridgewock, Somerset County, Maine #S-010735-WD-YB-N.**

Some Context:

I will not be citing specifics in my comments as pertains to Department licensing law. Not out of any disrespect for the law as such, but in view of the fact that any documents issued by the Department thus far are making claim that all criteria have been met and therefore, the Draft License Permit Is Approved With Conditions.

Reviewing the Draft License Permit, hearing documents, testimonies, and responses; it is obvious that The Department is considering all the requisites are met and the Is are dotted and the Ts are crossed.

Therefore, I will make my arguments based on what is commonly known about the existing landfill operation and what is proposed for the construction of an additional new 48+ acre commercial for-profit landfill in the beautiful state of Maine.

Additionally, my comments will be from the perspective of a citizen who is concerned about this state becoming the waste repository for the region when other states are creating laws that prohibit the disposal of certain problematic waste streams within their borders. Changing those disposal laws is a good thing, but doing that without providing sustainable

alternatives for the discards they generate within their borders, is irresponsible. Maine is not the solution for their inappropriate policy.

At the same time, landfills and incinerators are being closed around us. Again, a good thing, but incomplete for what is involved with sustainable waste management policy that protects resources, does not pollute air, water, and lands; and protects public health and truly is just and provides a public benefit.

Why The Crossroads Norridgewock Landfill And Its Future Is An Important Issue:

As a native, and nearly lifetime resident Granite Stater retired to Maine for more than a decade, I have known of the Crossroads landfill and its troubled existence for decades. There have been “landslides” of the waste; fires – some reported, some not; neighbors of the landfill who have endured the effects that such an operation engenders while at the same time, having their rights and concerns effectually overrun by the existing law. And the loaded trucks keep coming and the landfill grows....

And now a new landfill is desired by the mega-corporation that has pretty much cornered the waste market in most of the region. That is in conjunction and/or competition with Casella Waste Systems, Inc. who operates the State’s Juniper Ridge Landfill. I read with interest Casella’s objections to Waste Management being allowed to build this new landfill. This is a familiar contest with these regional behemoths and a huge contributor to the overall problem of unsustainable waste management in Maine and the region.

We are being assured by Waste Management and The Department that this new landfill is in keeping with Maine’s Solid Waste Management Hierarchy. One could argue otherwise – it could be more in keeping with the idea: Build it and they will come – with their trucks filled with wastes. Department records show that waste generation numbers are rising in the State and recycling numbers are falling.

The Matter Of Benefit – Public Or Otherwise:

And somehow all this is to be construed as Providing A Public Benefit. The question then becomes: What Public? What Benefit? Benefit for The Public producing ever-increasing amounts of mis-managed discards from here and around the region? Or is it a Public Benefit for the generators of the more dangerous and problematic waste streams from away looking for a forever home that endangers our health and environment? Or is the Benefit – not quite Public – actually for the mega, for profit entities who monopolize disposal?

Asking the immediate neighbors of this growing, for all time mountain of toxic threat, I would expect a different assessment of what constitutes Public Benefit. I would anticipate these neighbors have real concerns about contaminated air, and polluted water. There are likely real questions in their minds about this encroaching noxious heap and the hazards it poses to their health and welfare – particularly the future of their children. And we have this summed up rather superficially and dismissively, Waste Management and The Department conclude minimally, this is not a nuisance. Really?

Historically and continuing, these considerations of the neighbors are less weighted in decision making – if they are considered at all - in deference to the for-profit interests ready to fill up Maine's countryside with fuming mountains of toxic degradation. It would appear that there are those who provide an acceptable "sacrifice zone" for other's poor policy and lack of vision – and perhaps even avarice.

The Purported Assurances Per The Status Quo Continued:

It is represented that none of this activity will have an undesirable effect on protected natural resources and rare or threatened animal and plant life in the area. That despite major disruption of contiguous lands to support wildlife and the displacement of several acres of existing wetlands. It is also unknown what the effect of the loss of those wetlands will have if there would be a major flooding event as has happened historically. And it is reasonable to assume such an event will occur in the face of the realities of climate change.

It is offered that though surrounded closely by important bodies of water, including the Kennebec River, a crucial habitat for the endangered Atlantic salmon, there will be no unreasonable adverse effects to these waters, surface water, or the sand and gravel or bedrock aquifers in close proximity to the trash mountain. We are further urged to not be concerned there will be an unwanted discharge to the aquifer systems posing contamination to local drinking water.

I read with interest the testimony of the engineers of how reliable the state-of-the-art single liner system would be to protect these vital water resources. It brought back memories of sitting in a similar presentation being assured that a state-of-the-art double-lined ash landfill uphill less than a thousand feet from a river that supplied a portion of my community's drinking water was not a problem.

We managed to stop the proposed expansion of that landfill, close and cap it and place it into conservation in perpetuity. Sadly, as that process was occurring, a plume traveling downhill from the landfill was detected in one of the monitoring wells. Remediation utilizing various

methods was attempted. The town where this landfill exists for eternity has the responsibility of monitoring that situation. Of note, the threatened drinking water supply is not theirs. Perhaps you will forgive my skepticism.

We are assured that the soils are stable, and the pressures of mounting tons of trash will not compromise the earth structure holding up the pile. The fact that the trash peak will rest on an earthquake fault line should be of no concern. Let us not forget there has already been an event where the waste collapsed. We are asked to believe that you have got this!

Generally, I have concerns about the engineering evaluations relating to water issues. It is known that Maine has been experiencing extreme dry conditions – even drought in some instances. I am not convinced these events have been adequately taken into consideration relative to potential water conditions and impacts. After all, these various assessments are based on models, and models can be faulty. They are only as reliable as the data on which they are based.

Even the Department has appeared to have some concerns about the appraisals. I am not certain these have actually been addressed. And of course, it must be noted that the engineers doing the estimates were hired by Waste Management. To my common sense, there is a lot at risk in this situation. Adverse outcomes are not necessarily able to be adequately remediated. Water is life. Once gone....

Who Is Watching The Hen House?

Neither does the regulatory oversight evoke confidence. Waste Management self-reports the tonnage, origination, and nature of waste disposed. We are to trust them. The same people who declined to notify appropriate officials about dangerous fires burning at the current landfill.

And of course, there is this existing peculiarity – hopefully to be soon addressed with legislation - that allows waste streams imported to Maine to be classified as Maine-generated waste if they are even minimally processed at a Maine facility. This has the effect of obscuring actual OOS tonnages reported. That loophole likely does a lot to explain Waste Management's ardent support for MRC's on-going debacle around the now-defunct Fiberight operation.

Of additional concern is the fact that Crossroads is the only landfill in Maine that can accept "special waste." These wastes in some instances, have before been classified as hazardous. These allowable waste streams may include incinerator ash – a combination of fly ash (which in and of itself is not exempt from classification as hazardous waste) and bottom ash containing high concentrations of dioxins, furans, lead, mercury, and other heavy metals and toxins. These special wastes may also involve contaminated soils, asbestos, medical and

laboratory waste, as well as municipal sludge. Medical waste is imported from other states and Canada to be processed in a Maine facility and disposed.

Then there is the issue of alternative daily cover – all that ground up CDD and treated utility poles mixed with shredded auto residue, waste treatment sludge, and contaminated soil spread daily on the landfill. That gets shrewdly classified as recycling and so skews the imported tonnage and recycling numbers. And when you consider the hazards posed by these waste streams being bio available and what the potential is for pollution of air and water resources – it boggles the mind.

Even if there were to be no untoward releases to the ground water, aquifers and close neighboring waters, there is the problem of the leachate generated that must be trucked and requiring only minimal treatment before being discharged into the Kennebec River. That treatment process is inadequate to protect the river from toxic assault from the PFAS-PFOS (per- and poly-fluoroalkyl substances) forever chemicals released with the effluent. Excessively high levels of these dangerous chemicals have already been detected by the Department of Environmental Protection at a site of discharge into the river. These chemicals are especially harmful to human health.

The Pesky Problem Of Landfill Fires:

Returning to the issue of fires at the landfill – more likely to occur given the nature and increase of the wastes involved. The history of the facility operations around this is problematic. And I am not seeing any plan of enhanced mitigation. That raises concerns as well around the compounded gas formation that would emanate from the landfill and the danger it poses.

And if there were to be a fire that damages the gas collection system, how would that be addressed and replaced or repaired? There is also the matter of the drainage systems that would be at risk from fire. It has to be recognized that these concerns pose great menace to the health and welfare of local citizens and the surrounding area. The potential for air-borne pollution and releases to ground water are substantial.

How Maine Sees Waste:

Maine's Solid waste Management Hierarchy 38 M.R.S. ss 2101:

- A. Reduction of waste generated at the source, including both amount and toxicity of waste;
- B. Reuse of waste;
- C. Recycling of waste;

- D. Composting of biodegradable waste;
- E. Waste processing that reduces the volume of waste needing disposal, including incineration; and
- F. Land disposal of waste.

These are the priority goals established by the State to manage waste. They are a good beginning, but must be enacted within a framework of honesty, justice, and sustainability to be actual. Their employment can be more effectively implemented with intelligent choices and policies addressing front-end problems and thus improving the end-of-line options.

So What?:

All things taken together, this sought-after new landfill construction license permit keeps Maine moving in the wrong direction around waste management policy and practice. This approach to waste management is unsustainable. The State needs to do the serious work of moving forward with front end solutions for managing our resources and discards. Back-end solutions are threatening our way of life and the future. The Department should **NOT** issue the License Permit For Waste Management Disposal Services of Maine, Inc. Crossroads Landfill Phase 14 Expansion.

Thank you for considering my comments.

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Submitted electronically
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