

STATE OF MAINE
DEPARTMENT OF ENVIRONMENTAL PROTECTION

IN THE MATTER OF

WASTE MANAGEMENT)
DISPOSAL SERVICES OF MAINE,)
NORRIDGEWOCK, SOMERSET)
#S-010735-WD-YB-N)

APPLICATION FOR CROSSROADS LANDFILL EXPANSION
PERMIT, MAINE HAZARDOUS WASTE, SEPTAGE
AND SOLID WASTE MANAGEMENT ACT
PUBLIC HEARING

PRESIDING OFFICER: SUSANNE MILLER

VIDEOCONFERENCE PUBLIC TESTIMONY reported by Robin J.
Dostie, a Notary Public and court reporter in and for
the State of Maine, on October 1, 2020, via live Zoom
meeting commencing at 6:00 p.m.

REPRESENTING DEP STAFF:

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1 PROCEEDINGS

2 MS. MILLER: Okay. I've got 6 o'clock, so
3 let's go ahead and get started. I'm going to ask
4 everybody to mute your line if you're not speaking.

5 So good evening. I now call to order this
6 evening's portion of the public hearing of the Maine
7 Department of Environmental Protection on the
8 application for a license filed by Waste Management
9 Disposal Services of Maine for a solid waste landfill
10 expansion. The license application is for the
11 proposed Phase 14 solid waste landfill expansion at
12 the Crossroads Landfill located in Norridgewock,
13 Maine.

14 Before we get started, I'd like to just go
15 over some considerations for Zoom etiquette. First,
16 make sure to stay muted unless you are speaking.
17 Second, turn off your video unless you are
18 participating in the hearing, so unless you're
19 speaking or asking a question or the person making
20 the testimony. This is going to help the clarity of
21 the video and sound will improve for everybody.
22 Finally, if you have any questions, you can send
23 them -- you can send a message to Ruth Ann Burke, who
24 is moderating this session through a private chat
25 question. To do to this you just need to go to the

1 chat function and make sure you send a message to
2 Ruth Ann and not to the entire group.

3 My name is Susanne Miller. I am the
4 Director for the Department's Eastern Maine Regional
5 Office and I have been designated the Presiding
6 Officer for this matter by the Commissioner of the
7 Department. This designation is limited in its scope
8 to the authority necessary to conduct a hearing and
9 administer government -- governing procedures and
10 statutes for the development of the administrative
11 record. My role does not include the ultimate
12 decision-making authority on the merits of the
13 application, which the Commissioner expressly
14 retains.

15 This hearing is to gather evidence to
16 evaluate the application submitted by Waste
17 Management pursuant to the Department's requirements
18 under Maine's Solid Waste Management Rules,
19 specifically Department Rules 400, 401, and 405, and
20 Maine's Statutes, specifically 38 M.R.S. Section
21 1310-N and Section 2101. The purpose of the hearing
22 is to receive testimony from the parties and the
23 general public on whether the proposed project meets
24 these requirements. The information collected from
25 this hearing process and from the administrative

1 record as a whole will help the Department make an
2 informed decision based on the facts and the
3 statutory requirements.

4 Waste Management must meet all of the
5 applicable licensing criteria in its written
6 submissions, but this hearing will focus on a subset
7 of the criteria, those that are of most concern to
8 the town, the public, and the Department. The
9 criteria for consideration at the hearing are limited
10 to the following: Groundwater aquifer protection;
11 visibility of the landfill; noise; odors; the solid
12 waste hierarchy and recycling. These hearing
13 criteria are described in more detail in the Second
14 Procedural Order, which was issued on June 9, 2020.

15 Joining us on Zoom today from the Department
16 of Environmental Protection are David Burns, the
17 Director of the Bureau of Remediation and Waste
18 Management; Victoria Eleftheriou, the Deputy Director
19 for the Bureau of Remediation and Waste Management;
20 Molly King, the Director for the Division of
21 Technical Services; Linda Butler, who is the Project
22 Manager; Gail Lipfert, the Environmental Hydrogeology
23 Specialist; Kathy Tarbuck, the Senior Environmental
24 Engineer; Ruth Ann Burke, our Office Specialist who
25 is also moderating this Zoom session for us. And

1 also with us is Katherine Tierney, Assistant Attorney
2 General and Counsel to the Department.

3 This public hearing is being recorded and
4 will be transcribed. Copies of the transcript will
5 be available upon request once the transcript is
6 completed. Our court reporter is Robin Dostie from
7 Dostie Reporting Service. Prior to providing your
8 testimony, please state your name clearly and who you
9 are affiliated with if you're affiliated with
10 anybody. I may need to ask questions from time to
11 time to clarify names and affiliations just to ensure
12 that it's clear for the transcript, so please bear
13 with me as that occurs. Also, we ask that you be as
14 concise as possible with your testimony so that there
15 is enough time for everybody to have an opportunity
16 to speak.

17 As I mentioned, Ruth Ann Burke at the
18 Department will be moderating the hearing using the
19 Zoom platform as we progress through the hearing.
20 She will call your name based on the list of
21 pre-registered speakers. After we are finished with
22 that list, others who wish to testify who have not
23 pre-registered should use the raise your hand
24 function so that Ruth Ann knows who to call upon
25 next. Please direct any questions or issues to Ruth

1 Ann through the private chat function on Zoom if
2 you're having trouble. As a reminder, everybody
3 should check to make sure that their mute button is
4 on when they are not speaking so that any side
5 conversations or unwanted conversations are not
6 included in the record transcript and also so as not
7 to interrupt who is speaking.

8 This hearing is being held by the Department
9 pursuant to the Maine Administrative Procedures Act,
10 that's Title 5, Sections 9051-9064 and also Chapter 3
11 of the Department's Rules, Rules Governing the
12 Conduct of Licensing Hearings. On May 28, 2020 and
13 August 1 -- 21, 2020, the Department held pre-hearing
14 conferences using Zoom in which this hearing's
15 procedures were discussed. The procedures and
16 rulings for this hearing are specified in three
17 Procedural Orders: The First Procedural Order issued
18 April 4, 2020; Second Procedural order June 9, 2020;
19 Third Procedural order August 24, 2020.

20 Notice of this public hearing was published
21 in the Kennebec Journal/Maine Sentinel on September
22 1, 2020 and also September 22, 2020. Notice was also
23 sent to the parties as well as those persons and/or
24 entities set forth in Chapter 3 and all those
25 specifically requesting notification.

1 There will be two distinct portions of the
2 hearing. During the daytime we had a portion of the
3 hearing, the Department received evidence from the
4 Applicant and the Intervenor. The Intervenor in this
5 proceeding is the Town of Norridgewock, the Applicant
6 is Waste Management. During this evening portion of
7 the hearing the Department will hear testimony from
8 the general public.

9 All witnesses at this hearing will be sworn
10 including members of the general public. All
11 witnesses, including members of the public are also
12 subject to cross-examination from the Applicant and
13 the Intervenor as well as questions from the
14 Department staff.

15 All evidence already entered into the record
16 is available on the Department's website. If you
17 have any difficulty locating a specific document or
18 need more information you may contact Linda Butler,
19 the Project Manager for the Department.

20 All participants in the public hearing are
21 expected to conduct themselves professionally and
22 respectfully in their dealings with the Department,
23 with each other, and the general public throughout
24 the whole process of these proceedings. The goal is
25 to have a fair and productive public hearing and I

1 thank you in advance for participating and for your
2 patience as we get used to doing this virtually.

3 For this portion of the hearing, Ruth Ann
4 will call an individual speaker's name one at a time.
5 Once we have confirmed the speaker is on video I will
6 swear them in and they may begin their testimony.
7 When they have concluded, I will inquire as to see if
8 either of the parties have questions for the
9 individual providing testimony. After that, Ruth Ann
10 will call the next individual and we will go through
11 each speaker in this manner until we are finished.
12 Before we get started, are there any questions about
13 that process? Okay. Hearing none. We're going to
14 attempt to get started. And we will -- I will go
15 ahead and turn this over to Ruth Ann. Do you want to
16 start with the registered list?

17 MS. BURKE: Sure. Okay. The first person
18 on my list is Christian Savage and they'll be
19 followed by Frank Schofield and then Sharon Mann.

20 MATHEW TODARO: Ms. Miller?

21 MS. MILLER: Hi, there. I need to swear you
22 in before you start, so I'm going to ask you to raise
23 your right hand.

24 MATHEW TODARO: Sure. This is Matt Todaro
25 with Waste Management. We have the aerial photograph

1 if you would like for us to share that on the screen.

2 MS. MILLER: Oh, yeah. That would be a
3 great idea. Just to clarify for everybody listening,
4 I've asked Waste Management to put an aerial photo on
5 the screen to share with everybody so you can have a
6 visual of the site while you are talking.

7 MATHEW TODARO: I am happy to do that. It
8 looks like right now I cannot share my screen. Now,
9 I can. Thank you.

10 MS. MILLER: Thank you very much. Okay. So
11 we'll go back to Mr. Savage. Mr. Savage, if you
12 wouldn't mind raising your right hand. Okay. Do you
13 swear or affirm that the testimony you are about to
14 give is the whole truth and nothing but the truth?

15 CHRISTIAN SAVAGE: I do.

16 MS. MILLER: Thank you. Go ahead.

17 CHRISTIAN SAVAGE: All right. Good evening.
18 Thank you to the Department for giving me some time
19 to provide testimony tonight. My name is Christian
20 Savage. I'm Executive Director of Somerset Economic
21 Development Corporation. We're a private non-profit
22 organization offering free economic development
23 assistance throughout Somerset County. Can everyone
24 hear me okay before I go off? Okay.

25 Somerset Economic Development Corporation is

1 pleased to offer its support of Waste Management's
2 proposed expansion to its Crossroads Landfill
3 facility in Norridgewock. Waste Management's
4 facility is heavily relied upon by not just
5 communities within our region but throughout the
6 entire state. They offer both waste disposal and
7 recycling services to municipalities and businesses
8 at affordable prices allowing to effectively budget
9 both public and private dollars. The landfill
10 operates a state-of-the-art, reliable and safe
11 facility, so much so they are running out of capacity
12 and that's what brings us here tonight.

13 The proposed expansion would allow Waste
14 Management to serve a critical statewide need for
15 years to come. There are limited options for waste
16 and recycling disposal in Maine and a consistent
17 public and private partner such as Waste Management
18 is critical to avoid statewide disruption in the
19 waste and recycling stream we've all seen in the last
20 couple years. Waste Management not only runs an
21 impressive facility it is a true community partner.
22 They offer free disposal to the Town of Norridgewock,
23 at times free service to important development
24 projects where funds are limited, community support
25 through sponsorships and donations, endless tours of

1 students and community leaders for educational
2 purposes and of course offer reliable employment
3 opportunities in a region where jobs are hard to come
4 by, especially lately. From a personal perspective,
5 Waste Management has helped the Finance and Budget
6 Committee that I chair in the Town of Skowhegan make
7 easy disposal decisions with a reduced cost per ton.
8 The committee was impressed with their pricing, all
9 while knowing our waste would be managed
10 responsibility and as environmentally friendly as
11 possible.

12 Expansion would provide the state with
13 continued disposal options and ensure a competitive
14 industry serving 60 towns in our region alone. A
15 facility close to so many municipalities provides a
16 cost-effective and reliable option in terms of
17 pricing and hauling and transporting costs. The
18 construction of the proposal would provide contracts
19 for many Maine-based firms, which will be multiplied
20 via a fuel, material, lodging, and food. The
21 long-term benefits of this expansion is even more
22 impressive. It's estimated to have regional benefit
23 and the number of hundreds of millions of dollars
24 over the life of the project.

25 A recent statewide report projected flat job

1 growth over the next few years in Maine and we all
2 hope this is not the case, but if so we must do
3 whatever we can to help the cost of doing business to
4 stay as competitive as possible. Our region and
5 entire State of Maine cannot afford to have it's
6 disposal options reduced in the next few years.
7 Local, county, and state budgets are at a breaking
8 point and private businesses need to have a reliable
9 option to continue to stay open and hopefully expand
10 their services and products. With this in mind,
11 Somerset Economic Development's Board of Directors
12 unanimously approve support for this project. I
13 appreciate your time and consideration.

14 MS. MILLER: Thank you, Mr. Savage. Ms.
15 Browne or Mr. LaBelle, do either of you have any
16 questions for Mr. Savage?

17 JULIET BROWNE: I do not.

18 RICHARD LABELLE: The Town does not.

19 MS. MILLER: Department staff. Hearing
20 none -- Ms. Butler, did you have a question? Okay.
21 It doesn't seem like the Department has --

22 MS. BUTLER: No, we don't have any
23 questions. Thank you.

24 MS. MILLER: Okay. Let's move on to the
25 next witness.

1 MS. BURKE: Okay. The next speaker is Frank
2 Schofield followed by Sharon Mann. Is Mr. Schofield
3 field on the meeting? Okay. We can come back.
4 Sharon Mann.

5 SHARON MANN: Hello. Thank you. Do I
6 need to raise my hand?

7 MS. MILLER: Yes, thank you. I see you.

8 SHARON MANN: Thank you.

9 MS. MILLER: Do you -- raise your right
10 hand. Do you swear or affirm that the testimony you
11 are about to give is the whole truth and nothing but
12 the truth?

13 SHARON MANN: I do.

14 MS. MILLER: Thank you.

15 SHARON MANN: Hi. My name Sharon Mann and I
16 am the Milfoil Remediation Manager of 7 Lakes
17 Alliance in Belgrade, Maine. The 7 Lakes Alliance is
18 a non-profit organization that duals as a land and
19 lake trust that works to conserve the land and waters
20 of the Belgrade Lakes region.

21 For the past decade Waste Management has
22 supported our organization in two main ways, number
23 one, Waste Management properly disposes of waste that
24 our skilled scuba divers retrieve from the Belgrade
25 Lakes. We pull out gallons of old beer cans, fishing

1 gear, and plastic waste from the lakes every summer
2 that are hazardous to wildlife and water quality,
3 thus Waste Management provides a crucial role in
4 cleaning our lakes, which we all depend on. And
5 secondly, Waste Management has been extremely
6 generous for the past decade in providing our
7 seasonal crew members housing free of cost. Without
8 having temporary housing provided, we would not be
9 able to hire certified and skilled scuba divers as
10 sourcing divers locally can be a challenge. This
11 year, Waste Management increased their charitable
12 donation by providing us with two houses for our crew
13 members in light of COVID-19. Due to the pandemic we
14 could not legally house all of our scuba divers
15 together, so Jeff McGown of Waste Management
16 recognized that issue and found us an additional home
17 to safely and responsibly house our employees
18 together.

19 Without the support of Waste Management over
20 the past decade, our efforts to retrieve destructive
21 invasive plants and trash from the Belgrade Lakes
22 region we would be severely hampered. Thank you for
23 hearing what I have to say.

24 MS. MILLER: Thank you. Any questions from
25 Ms. Browne, Mr. LaBelle or Department staff for

1 Ms. Mann.

2 JULIET BROWNE: Nothing from me.

3 RICHARD LABELLE: Nothing from me.

4 MS. BUTLER: Nothing from staff.

5 MS. MILLER: Thank you.

6 MS. BURKE: Okay. Next, we have Edward
7 Ferreira followed by Casey Morgan.

8 EDWARD FERREIRA: Hi, folks. Thank you for
9 allowing me to testify today.

10 MS. MILLER: Hold on a second, I have got to
11 swear you in. Do you swear or affirm that the
12 testimony you are about to give is the whole truth
13 and nothing but the truth?

14 EDWARD FERREIRA: As I see it, I do.

15 MS. MILLER: Thank you.

16 EDWARD FERREIRA: Well, I'd like to state
17 that I am opposed to the expansion of the landfill
18 and I do so primarily on the basis that I believe
19 that the public benefit of the proposed landfill
20 expansion is less than the public cost of such an
21 expansion. I believe that the cost is significantly
22 greater than the proposed public benefit and I'll
23 give some reasons why I believe this.

24 My primary objection to the expansion of the
25 landfill involves the waste that comes from material

1 generated out-of-state. I understand that a
2 significant portion of the waste coming into the
3 Crossroads Landfill is considered special waste from
4 out-of-state and it's trucked into the Crossroads
5 landfill. I'm not an expert in this in any way and
6 I'm not really totally clear or even partially clear
7 about what constitutes special waste. I have tried
8 to do some research on it. The Waste Management
9 website talks about asbestos related materials,
10 medical waste what not and I -- I haven't really been
11 able to locate the annual reports, which I'm told may
12 detail what special waste is being brought into
13 the -- into to the landfill on a yearly basis. I
14 feel that unless that information is readily
15 accessible to the public it is impossible for a
16 determination of public benefit to be made.

17 My concern about the special waste is that
18 the special waste eventually becomes part of the
19 leachate that is collected from the rain run-off, the
20 snow run-off, the melt and the actual decomposition
21 of the waste in the -- in the landfill and that this
22 leachate is then -- has to be discharged somewhere
23 and I am under the understanding that it's discharged
24 into the Kennebec River. I've been told that it's
25 been discharged in a couple of places at the -- from

1 the Sappi waste treatment facility and now at the
2 Madison waste treatment facility. It's -- I am told
3 that it's being tested or analyzed three times a year
4 for some of the compounds, annually for one -- for
5 one of the compounds that is considered testable or
6 that the State of Maine Department of Environmental
7 Protection determines needs to be tested. And I'm
8 concerned that the discharge that goes into the
9 Kennebec River is not sufficiently cleaned to the
10 degree that allows the Kennebec River to be a healthy
11 life enhancing river, one of our iconic rivers, and
12 that the Kennebec River eventually drains into the
13 Gulf of Maine and if it's not clean Kennebec River
14 water going into the Gulf of Maine then the Gulf of
15 Maine's degraded.

16 I think that the Maine Department of
17 Environmental Protection has an obligation to have
18 rigorous water testing standards from these waste
19 treatment facilities and should have rigorous
20 cleanliness standards also because we're talking
21 about a public benefit that doesn't do any damage to
22 the -- doesn't pollute Maine waters and the Kennebec
23 River is one of the most significant Maine waters we
24 have and the Gulf of Maine is probably the most
25 significant.

1 And I'm of the view that states in other
2 jurisdictions need to be responsible for their -- for
3 the waste disposed within their own geographical
4 boundaries. It's only if they are responsible for
5 their waste that there is an incentive to reduce it.
6 We have a state hierarchy in Maine that's designed to
7 try to reduce the amount of material that goes into
8 landfills and I think it's a good idea, but I don't
9 believe that other states necessarily are using that
10 same hierarchy and therefore what's their incentives
11 to -- to reducing the amount of waste they produce if
12 they can export it to another state.

13 So my view is that is that I think Waste
14 Management is a responsible company that does a good
15 job with their landfill. I have to send my stuff to
16 the landfill. I appreciate what they do. I will
17 continue to use them. But because of the
18 out-of-state waste, I don't see how it benefits the
19 people of the State of Maine and the waters of the
20 State of Maine. So I'm trying to learn more about
21 it, you know, I don't know that much about this. I'm
22 just a new person studying it. I think we all care
23 about Maine's environment. It's what makes Maine a
24 good place to live. It's good for our economy. It's
25 what makes people -- when people think of Maine they

1 think of, you know, beautiful air and water and land
2 and I think inputting out-of-state waste although I
3 understand, you know, we're required to, I don't see
4 where there is a benefit to Maine to do it. All
5 right. That's -- that's it for me. Thank you.

6 MS. MILLER: Thank you. Any questions from
7 Waste Management, the Town or the Department?

8 JULIET BROWNE: Nothing from Waste
9 Management.

10 RICHARD LABELLE: Nothing for the Town.
11 Thank you.

12 MS. BUTLER: This is Ms. Butler. I will
13 facilitate posting of more information about special
14 waste and Waste Management's annual report to the
15 project website to enable public review.

16 EDWARD FERREIRA: Thank you.

17 MS. MILLER: Thank you. Ruth Ann.

18 MS. BURKE: Okay. Next is Casey Morgan
19 followed by Greg McNeil.

20 CASEY MORGAN: Okay. I'm here.

21 MS. MILLER: Okay. Mr. Morgan, can you
22 raise your right hand, please? Do you swear or
23 affirm that the testimony you are about to give is
24 the whole truth and nothing but the truth?

25 CASEY MORGAN: I do.

1 MS. MILLER: Thank you.

2 CASEY MORGAN: My name is Casey Morgan. I'm
3 a 20 year plus resident of the Town of Norridgewock.
4 I'm also one of the local scouting leaders and an
5 active youth coach for our areas kids. Twenty years
6 ago I came to Norridgewock with my wife and this is
7 where we chose to raise our family. There is no
8 doubt in my mind that our town benefits enormously
9 because Waste Management and its employees continue
10 to contribute in so many ways to ensure our quality
11 of life. My son, Gage, who is an Eagle Scout, spoke
12 about how Waste Management has supported his scouting
13 and athletics interest at the public benefit
14 determination hearing in 2018. Since that time,
15 Waste Management has continued to allow us to use
16 their facility for environmental and conservation
17 service projects that we wouldn't be able to carry
18 out elsewhere.

19 For many years I've been involved in youth
20 sports and I can't say how many people around here
21 have actually benefited because of Waste Management
22 and their ongoing support both financially and for
23 the time that their employees give as volunteers.
24 Some years back, Waste Management built a
25 multi-purpose field out on the Fredricks Corner Road

1 and over the last six months as we've all struggled
2 with the COVID-19 we were able to use that field and
3 help coordinate activities at the fields so
4 Norridgewock's children had a safe and convenient
5 place to recreate so that we could socially distance
6 and get spread out.

7 For those reasons and so many more, I urge
8 the DEP and Waste Management to move forward with
9 this expansion. Thank you.

10 MS. MILLER: Thank you. Any questions from
11 the Town, Waste Management or the Department?

12 JULIET BROWNE: Nothing from Waste
13 Management.

14 RICHARD LABELLE: Nothing from the Town.
15 Thank you.

16 MS. BUTLER: Nothing from staff. Thank you.

17 MS. MILLER: Thank you.

18 MS. BURKE: Okay. Next is Greg McNeil
19 followed by Hillary Lister.

20 GREG MCNEIL: Good evening.

21 MS. MILLER: Mr. McNeil, would you raise
22 your right hand, please? Do you swear or affirm that
23 the testimony you are about to give is the whole
24 truth and nothing but the truth?

25 GREG MCNEIL: I do. And thank you for the

1 opportunity. Good evening. My name is Greg McNeil.
2 I am the spokes -- I am on the Sportsman's Alliance
3 of Maine Board of Directors. I am also the Chair of
4 the SAM Veterans Committee. We are a (c)3 non-profit
5 organization representing approximately 7,000 sports
6 men and women and all outdoor enthusiasts in the
7 State of Maine. I want to participate this evening
8 in this process to give insight to Waste Management
9 as a company from a non-profit perspective.

10 As a retired marine and retired state
11 employee, it is my belief that an organization is a
12 reflection of the attitude and integrity of the
13 organizational leadership. In the case of my
14 dealings with Waste Management Services of
15 Norridgewock they are simply outstanding. They are
16 extremely supportive of our Veterans Committee and
17 they thank our Veterans for their service with words
18 backed up by actions.

19 For the past four years Waste Management has
20 provided tremendous support to the annual Operation
21 Royal Flush where we introduce Veterans to bird
22 hunting over dogs. This isn't possible without Waste
23 Management, who has provided us with some of the best
24 pheasants east of the Mississippi. The hunt is one
25 of the most popular events that SAM hosts in support

1 of Veterans and has impacted well over 100 Veterans
2 in the past four years. We had -- and the program
3 just keeps gaining in popularity and the word is out
4 that we may have to find bigger venue.

5 They also have been very supportive and
6 influential in our youth program. And Waste
7 Management is the epitome of community support and
8 integrity. They're the type of business that quietly
9 and effectively improves our communities. I'd like
10 to thank you for your time and allowing me to give a
11 different perspective and a view of Waste Management
12 from a non-profit perspective. Thank you.

13 MS. MILLER: Thank you. Any questions from
14 the Town, the Department or Waste Management?

15 JULIET BROWNE: Nothing from Waste
16 Management. Thank you.

17 RICHARD LABELLE: Nothing from the Town.
18 Thank you.

19 MS. BUTLER: Nothing from staff. Thank you.

20 MS. MILLER: Thank you.

21 MS. BURKE: Okay. Next, we have Hillary
22 Lister followed by Victor Horton.

23 MS. MILLER: Hello, Ms. Lister. Can you
24 raise your right hand, please?

25 HILLARY LISTER: Yes.

1 MS. MILLER: Do you swear or affirm that the
2 testimony that you are about to give is the whole
3 truth and nothing but the truth?

4 HILLARY LISTER: I swear and affirm the
5 testimony that I am going to give is the whole truth
6 and nothing but the truth.

7 MS. MILLER: Thank you.

8 HILLARY LISTER: And good evening, Members
9 of the Department. I wanted to speak on a few
10 concerns about issues that don't seem to be
11 adequately addressed in the application for the
12 expansion in Norridgewock.

13 The first section was concern about
14 increased risk from fires resulting from increased
15 volumes of waste and gas production. Now, fires have
16 become an increasingly common thing at landfills. In
17 2018, there was a two acre fire in the northeast
18 corner of the Crossroads Landfill. It was reported
19 this resulted from spontaneous combustion from some
20 of the waste wood chips that were used as daily cover
21 on that section of the landfill. During that fire
22 responders from multiple towns ended up responding
23 and -- to a situation where there was pretty heavy
24 smoke over the downtown.

25 The fire was eventually put out, however,

1 there was concern -- helicopters had to come in and
2 there was concern about protecting the maintenance
3 building that controls the methane vents and the 400
4 gallon diesel tank. During that fire there was also
5 wind that came up further igniting what appears to be
6 municipal solid waste and tire chips. While this was
7 put out, the pile did end up smoldering for weeks
8 impacting the air quality of people in the
9 surrounding area. The application doesn't address
10 how they would deal with dangers of explosions if
11 another fire occurred and was in the vicinity of any
12 of the gas or field storage areas or the new landfill
13 gas fueled electrical generation facility, which
14 would appear to be located in the middle of the older
15 landfill sites and the new landfill under
16 construction.

17 The application also doesn't appear to
18 address how the company would maintain the integrity
19 of the landfill liner in the case of a fire. Would
20 the liner be required to be replaced? How would that
21 be conducted? And also how would -- would there be
22 an impact on any of the piping and management of
23 landfill gas and would they continue to use wood
24 chips as daily cover if that posed an additional risk
25 of fire?

1 The next area of concern is around the
2 impact on water quality on the aquifers in the area.
3 It's not clear from the application whether there is
4 adequate stormwater management systems in place in
5 case of a major storm or floods and these are
6 becoming more and more likely realities due to
7 climate changes. Floods have resulted in the
8 movement of streambeds and the river in this area for
9 thousands of years. There is every reason to believe
10 that a major weather event could reroute the surface
11 water or potentially impact groundwater flow.

12 The proposed location of the new landfill is
13 effectively on delta surrounded by water within a
14 mile on all sides. To the north there are wetlands
15 and the Bombazee Brook and the Kennebec River to the
16 north and east. Earlier in this hearing it was
17 stated that the closest that the Kennebec River is to
18 the landfill would be a mile or a mile-and-a-half,
19 but from my calculations it's easily within a half a
20 mile of where the new landfill would be located. The
21 Mill Stream is located even closer. In some cases it
22 looks like less than a quarter of a mile from the
23 landfill. And the Mill Stream flows from the north,
24 northwest, west, and then south of the landfill
25 eventually into the Kennebec River. The Mill Stream

1 was impacted in the 1980s by the operation of the
2 landfill at that time. I know there were fewer
3 controls in place, however, waste water did likely
4 find its way into the Mill Stream when sewage fungus
5 and other contaminants were tested in the Mill Stream
6 at that time, especially in a situation where
7 potentially large volumes of wet waste like hazardous
8 sludge could be brought in if there was a major
9 weather event. Or also, as happened in the 80s, a
10 major subsidence event where the -- there is a
11 landslide of any sort where the weight of all of the
12 new volume of waste would threaten the stability of
13 that land, that could have a major impact on the
14 groundwater flow and the quality of the aquifers in
15 the area. And it appears that this would impact the
16 aquifer recharge area for the local water supply
17 especially in case of a major weather event or a
18 flood that could definitely be put at risk.

19 And finally, in regards to the waste
20 hierarchy, I had some concerns as were voiced earlier
21 around the amount of out-of-state waste and types of
22 out-of-state waste that would be accepted in the new
23 landfill site. Approving this new site will create
24 new capacity for out-of-state waste and specifically
25 special waste that's prohibited from landfill

1 disposal in many of the states where it's generated
2 and coming to Maine from. According to
3 representatives from the company speaking earlier at
4 today's hearing, they stated the company would agree
5 to what I think they said was no more than 35 percent
6 of the waste coming from out-of-state, however, they
7 explained that the calculation would be based not on
8 monthly or annual volumes of waste coming in but
9 instead it would be based on the total capacity of
10 the landfill. This sort of calculation could result
11 in a significant increase in the total amount of
12 out-of-state waste coming in initially simply by
13 increasing the total capacity that the company would
14 have to work with and resulting in a disproportionate
15 increase in the amount of out-of-state waste that
16 could be brought in. There is nothing in place to
17 prevent under this model of the company taking in 80
18 percent out-of-state waste in the first few years
19 with a promise to fill remaining landfill space with
20 in-state waste.

21 It's also unclear what would be defined as
22 out-of-state waste for purposes of this calculation.
23 If Waste Management is taking in construction and
24 demolition debris, sludge, or medical waste that was
25 generated from out-of-state, all which appears to be

1 licensed to be disposed at the facility. If any of
2 those materials were processed in Maine, would those
3 wastes qualify them as Maine generated waste and not
4 count towards the limit on out-of-state waste for the
5 landfill. And according to the presentation at the
6 2018 public benefit hearing, I believe it stated that
7 all of the out-of-state waste that Crossroads took in
8 in 2017 was special waste. It wasn't clear and still
9 isn't clear what types of special waste would make up
10 the waste coming into the new landfill and in what
11 amount. The special waste, it appears, can include
12 incinerator ash, industrial waste, sludge, septage,
13 chemical spill waste, asbestos, contaminated soils,
14 and medical waste. So there is just concerns of what
15 percentage of that waste would, for example, be wet
16 wastes or sludge since that would influence the
17 volumes of gas that would be generated by the
18 facility and also potentially increase the amount of
19 leachate generated by the facility.

20 It's unclear how much of the waste would be
21 construction demolition debris and if that would be
22 primarily for daily cover. How much would be medical
23 waste? Would it be controlled and tested for in any
24 way? And also, if the landfill is taking in more
25 sludge, it's likely taking in more wastes that are

1 contaminated with PFAS and PFOS compound and it's
2 unclear if there is any testing for those compounds
3 either on-site with the leachate or when the leachate
4 is discharged into the Kennebec. From what I've seen
5 of the agreements with the Anson/Madison water
6 treatment plant and Sappi there would not be testing
7 required for PFAS compounds. And for many other
8 toxic compounds the testing would only be either
9 three times a year or in the case of mercury only
10 once a year. Either way, it looks like even when the
11 leachate is being properly managed it would end up in
12 the Kennebec River without adequate testing or
13 treatment. And I believe the lack of that
14 information really makes it impossible to determine
15 whether this operation can occur without having a
16 negative impact on the aquifers in the area, on the
17 water supply and on the communities who live and are
18 impacted by this operation.

19 And I think that is all. I'll be submitting
20 written comments and I thank you for your time.

21 MS. MILLER: Thank you. Any questions from
22 the Waste Management or the Town or the Department?

23 JULIET BROWNE: Nothing from Waste
24 Management. Thank you.

25 RICHARD LABELLE: Nothing from the Town.

1 Thank you.

2 MS. BUTLER: Nothing from staff. We look
3 forward to your written comments. Thank you.

4 HILLARY LISTER: Thank you.

5 MS. MILLER: Ms. Burke.

6 MS. BURKE: Okay. Next, we have Victor
7 Horton and then Dana Colihan. Mr. Horton?

8 VICTOR HORTON: Hello.

9 MS. BURKE: Hi. Go ahead.

10 MS. MILLER: Hi, Mr. Horton.

11 VICTOR HORTON: Hi.

12 MS. MILLER: Okay. Raise your right hand.

13 Do you swear or affirm that the testimony you are
14 about to give is the whole truth and nothing but the
15 truth?

16 VICTOR HORTON: Yes, ma'am.

17 MS. MILLER: Thank you.

18 VICTOR HORTON: Okay. My name is Victor
19 Horton. I'm the Executive Director of the Maine
20 Resource Recovery Association. I'll tell you a
21 little bit about us. We were formed in 1984 with
22 solid waste and recycling issues in mind. We're the
23 only statewide organization that puts on an annual
24 solid waste conference regarding solid waste and
25 recycling for the benefit of all related to the

1 important issues regarding solid waste. We're a
2 non-profit entity with a mission to foster
3 professional solid waste management practices that
4 will benefit Maine communities. Our members number
5 just over 160 cities and towns and cover 60 transfer
6 stations and recycling centers. We also market
7 recyclables for some of these facilities, organize
8 transportation, and administer revenue sharing for
9 them. So on the behalf of my Board of Directors of
10 the Maine Resources Recover Association, we support
11 Waste Management Disposal Services of Maine's pending
12 expansion application for the Crossroads facility.

13 The Crossroads Landfill is an important
14 disposal location for items such as bulky waste, ash
15 and other demolition debris that are difficult
16 materials to recycle. Landfills are an integral part
17 of our current system of waste disposal. Waste
18 Management leads the industry with expertise and
19 innovation and are well regarded as a good neighbor
20 and steward of the land. The location of this
21 landfill is a plus for the region and its continued
22 operation and expansion is an asset to the State of
23 Maine. Costs would likely increase for many towns if
24 this landfill were unable to operate in the manner we
25 have come to rely on.

1 Waste Management is an important part of
2 this region by supporting local causes and
3 initiatives and regularly supports the local economy
4 with jobs and economic benefits. MRA is dedicated to
5 sound solid waste management practices and having a
6 reputable organization nearby to help with these
7 endeavors is critical. MRA also strongly supports
8 Waste Management's expansion of its Crossroads
9 facility and we urge the DEP to do likewise. Thank
10 you for your time.

11 MS. MILLER: Thank you. Any questions from
12 the Town, Waste Management or the Department?

13 JULIET BROWNE: Nothing from Waste
14 Management. Thank you.

15 RICHARD LABELLE: Nothing from the Town.
16 Thank you.

17 MS. BUTLER: Nothing from staff. Thank you.

18 VICTOR HORTON: Thanks.

19 MS. BURKE: Okay. Next, we have Dana
20 Colihan followed by Tony Charette.

21 DANA COLIHAN: Hello.

22 MS. MILLER: Hi there. Will you raise your
23 right hand? Do you swear or affirm that the
24 testimony you are about to give is the whole truth
25 and nothing but the truth?

1 DANA COLIHAN: I do.

2 MS. MILLER: Thank you.

3 DANA COLIHAN: Good evening. My name is
4 Dana Colihan and I'm the Maine State Director at
5 Community Action Works Campaigns. I'm here today to
6 strongly oppose proposed expansion of the Crossroads
7 Landfill in Norridgewock. At Community Action Works
8 Campaigns, we believe that environmental threats are
9 big, but the power of well organized community groups
10 is bigger. That's why we work side-by-side with
11 every day people to confront those who are polluting
12 and harming the health of our communities. We
13 partner with the people who are most impacted by
14 environmental problems, training them with the
15 know-how that anyone would need to make changes in
16 their own backyard.

17 From our work in front line communities we
18 know that there is every reason to be concerned about
19 the effects of waste facilities on public health and
20 the environment. The EPA has said that all landfills
21 eventually leak, which claims that state-of-the-art
22 technology will protect our groundwater and protect
23 our communities are not true. We oppose the
24 expansion of the Crossroads Landfill because of the
25 threat it poses to drinking water, groundwater, and

1 rivers in the region.

2 Around the country scientists are raising
3 the alarms about the toxic chemicals per- and
4 polyfluoroalkyl or PFOS. While these chemicals are
5 not naturally occurring, this manmade chemical has
6 found its way into our drinking water and environment
7 through leaking landfills and leachate discharge as
8 well as sludge spreading. As Maine begins
9 restricting sludge spreading, this past year we've
10 seen an increase in PFOS contaminated waste going to
11 Maine's landfills. This is particularly alarming as
12 PFOS have been linked to serious health effects
13 across the board like testicular and kidney cancer,
14 thyroid disease, birth abnormalities and other
15 diseases. Expanding Crossroads Landfill will only
16 further threaten the drinking water, groundwater, and
17 surrounding rivers by increasing the volumes of
18 leachate being produced and eventually discharged
19 into the Kennebec River. Furthermore, while testing
20 for these hazardous doesn't seem to be required and
21 from our work in front line communities we know that
22 PFOS contamination of drinking resources is
23 catastrophic.

24 We urge the Department of Environmental
25 Protection to prioritize the health and safety of

1 Maine citizens by denying the Crossroads expansion
2 application. Any Norridgewock residents interested
3 in fighting the expansion can reach me at
4 Dana@communityactionworks.org. Thank you.

5 MS. MILLER: Thank you. Any questions from
6 Waste Management, the Town or the Department?

7 JULIET BROWNE: Nothing from Waste
8 Management. Thank you.

9 RICHARD LABELLE: Nothing from the Town.
10 Thank you.

11 MS. BUTLER: Nothing from staff. Thank you.

12 MS. MILLER: Thank you.

13 MS. BURKE: Okay. Next is Tony Charette,
14 but before we go there, I just want to check to see
15 if Mr. Schofield has joined the public hearing yet.
16 No? Okay. So I have Tony Charette and then Edward
17 Spencer.

18 TONY CHARETTE: Sorry, I guess I was on mute
19 there.

20 MS. MILLER: Mr. Charette, can you raise
21 your right hand, please? Do you swear or affirm that
22 the testimony you are about to give is the whole
23 truth and nothing but the truth?

24 TONY CHARETTE: I do.

25 MS. MILLER: Thank you.

1 TONY CHARETTE: Hello. My name is Tony
2 Charette of Cross Excavation out of Bethel, Maine
3 speaking in favor of the Crossroads Landfill Phase 14
4 expansion.

5 Cross Excavation employees 50 to 60
6 full-time year-round employees. We are both a vendor
7 and a customer of Crossroads. Our business focus is
8 in wood waste recycling and trucking as well as civil
9 construction. Our company in the past six to seven
10 years has formed a very strong working relationship
11 with Crossroads Landfill. We dispose of materials,
12 everything from contaminated soils, mostly recycling
13 residuals from our wood waste recycling services,
14 demolition debris that cannot be recycled and
15 occasionally some asbestos a lot of times in burnt
16 buildings.

17 I provide multiple services for Waste
18 Management as well. In fact, I would consider Waste
19 Management to be our best customer and typically
20 largest each year for repeat customers. I provide
21 the hauling services for the MMWAC Trash to Energy
22 plant in Auburn, Maine where we haul the materials
23 that cannot be processed, cannot be burnt in their
24 system. I also provided the similar service for the
25 Fiberight facility in Hampden, Maine as well. We

1 haul demolition debris from -- for Waste Management
2 and different soils where I actually do a lot of
3 contract trucking for them as well as from our own
4 customers and our own civil projects. I will provide
5 demolition services as well for Waste Management as
6 well as processing different materials with our
7 grinders on-site.

8 I feel pretty safe to say my direct -- I
9 employ probably 10 people directly and 12 people
10 indirectly with our services we provide from Waste
11 Management. You know, these are good paying jobs.
12 Our drivers are averaging 60 to \$75,000 a year. Our
13 operators are in the 65 to \$90,000 a year. Our
14 relationship with Waste Management has really helped
15 us grow our business. You know, working for a large
16 company they hold their contractors to a higher
17 standard. They -- they allow you to -- they allow
18 you to make a reasonable pay where you can provide
19 good jobs for people. You can update your equipment.
20 It's just been, you know, it's been a really good,
21 positive thing for our company. And being in the
22 recycling business ourselves, you know, the cold hard
23 fact is you can't recycle 100 percent of all these
24 products and we need a place like Crossroads to
25 dispose of the non-recyclable products and that's

1 what Waste Management has been able to do there.

2 After watching these testimonies, I would
3 like to contest I've actually formed a really strong
4 relationship with multiple people at the facility and
5 I've helped out on a lot of these projects, like I
6 think it was Mr. McNeil with the Sportsman's
7 Alliance, we actually brought some -- some wood chips
8 over for their walking trails. We've done multiple
9 projects. There is a huge concern for the community
10 there. They really -- that's their number one
11 concern is to look positive, whether it's the trucks
12 keeping their speeds down or, you know, if -- if I
13 got -- if I had trash coming out of the back of one
14 of my trucks, I'd be getting a phone call in a
15 minute. We've just had really positive -- really
16 positive actions with -- with Crossroads and we
17 highly support their expansion and I thank you for
18 the opportunity to speak.

19 MS. MILLER: Thank you. Any questions from
20 Waste Management, the Town or the Department?

21 JULIET BROWNE: Nothing from Waste
22 Management. Thank you.

23 RICHARD LABELLE: Nothing from the Town.
24 Thank you.

25 RICHARD LABELLE: Nothing from staff. Thank

1 you.

2 MS. MILLER: Thank you.

3 MS. BURKE: Next, we have Edward Spencer
4 followed by Becky Bartovics. Mr. Spencer? All
5 right. We can go back to him. Becky Bartovics? Ms.
6 Bartovics? Okay. Dana Wrigley?

7 DANA WRIGLEY: Right here.

8 MS. BURKE: Okay.

9 MS. MILLER: Mr. Wrigley, can you raise your
10 right hand, please? Do you swear or affirm that the
11 testimony you are about to give is it the whole truth
12 and nothing but the truth?

13 DANA WRIGLEY: I do.

14 MS. MILLER: Thank you.

15 DANA WRIGLEY: I'm going to present a letter
16 from the Municipal Review Committee addressed to
17 Linda Butler, Solid Waste Project Manager.

18 Dear Ms. Butler, please accept this letter
19 of support from the Municipal Review Committee for
20 the application for a solid waste landfill license
21 expansion by Waste Management Disposal Services of
22 Maine.

23 Waste Management's Crossroads Landfill in
24 Norridgewock plays an important role in the MSW
25 ecosystem here in Maine and is of great importance to

1 the Coastal Resources plant in Hampden in particular
2 which was built to serve MRC member municipalities.
3 Waste Management and the MRC have shared the goal of
4 achieving the long-term and stable disposal of
5 municipal solid waste in Maine while utilizing the
6 state's solid waste hierarchy to the greatest extent.
7 In that regard, the MRC, which represents 115 Maine
8 municipalities, entered into a 15 year contract with
9 Coastal Resources of Maine facility to accept and
10 process municipal solid waste and recycling in
11 Hampden, Maine. Coastal -- Waste Management has
12 always worked constructively with MRC and Coastal
13 Resources to assist with the facility's development
14 including and during the closing of the initial
15 project financing and by agreeing to the innovative
16 swap agreement. This arrangement where some of the
17 members dispose of MSW at a local facility due to the
18 equipment limitations and geographical constraints
19 helps to ensure that the collection, storage, and
20 transportation of MSW is consistent with local
21 management practices. This is a testament of Waste
22 Management's support and commitment to the long-term
23 success of our project and toward the advancement of
24 recycling, processing, and organics recovery and
25 utilization.

1 As you know, the facility has suspended
2 operations temporarily until a new operator can be
3 identified who will have the financial resources and
4 expertise to reopen the plant and operate it
5 successfully. An approval of Waste Management's
6 license application would provide additional capacity
7 for disposal of residuals that the facility will
8 generate over its operating life which helps to
9 establish a level of business certainty for potential
10 new facility partners. When the plant is unable to
11 accept municipal solid waste during operations, Waste
12 Management's Crossroads Landfill is the back-up
13 disposal facility designated as such by the Maine
14 Department of Environmental Protection when the
15 Coastal Resources Plant is in bypass. The solid
16 waste license states that the MRC members waste must
17 go to the Crossroads Landfill.

18 The waste landscape is complicated in even
19 the best of times and the disposal of municipal of
20 solid waste is more challenging than ever our
21 partnership with Waste Management gives us the
22 support we need to responsibly and sustainably to
23 carryout our charge to the 115 cities and towns
24 across Maine to provide affordable long-term and
25 environmentally sound disposal of municipal solid

1 waste. We support Waste Management's application for
2 expansion and urge the Maine DEP to grant the
3 license. And this is written by our Municipal Review
4 Committee Executive Director Michael Carroll. Thank
5 you.

6 MS. MILLER: Thank you. Any questions from
7 Waste Management, the Town or the Department?

8 JULIET BROWNE: Nothing from Waste
9 Management. Thank you.

10 RICHARD LABELLE: Nothing from the Town.
11 Thank you.

12 MS. BUTLER: Thank you for your letter.
13 Please put it in the mail before the end of the
14 comment period. Thank you.

15 MS. BURKE: Next, we have David Chabot
16 followed by Kirsten Pecci. Mr. Chabot?

17 DAVID CHABOT: I'm coming.

18 MS. BURKE: Okay.

19 DAVID CHABOT: I think.

20 MS. MILLER: Raise your right hand, please.

21 DAVID CHABOT: All right.

22 MS. MILLER: Do you swear to -- do you swear
23 or affirm that the testimony you are about to give is
24 the whole truth and nothing but the truth?

25 DAVID CHABOT: Yes, I do.

1 MS. MILLER: Thank you.

2 DAVID CHABOT: Great. Hi. My name is Dave
3 Chabot. I work for the Maine Department of Inland
4 Fisheries and Wildlife. I run a program, actually,
5 two programs, one is called Keep Maine Clean Program
6 and it's a subpart to the Landowner Relations Program
7 here for the State of Maine. Our goal with the
8 program is to help Maine's landowners out in ways so
9 that they keep access to -- to their private lands.
10 With Maine being 94 percent privately owned, we're
11 always concerned that we may lose access. So we --
12 we do clean-ups for Maine landowners. We rely
13 heavily on Waste Management Services. Our
14 partnership started in 2014 and has been an integral
15 part to both of our programs. To know that I can
16 call them with anything regarding disposal of litter
17 and they will help is a relief.

18 The Crossroads facility serves as a critical
19 disposal location for waste materials we gather
20 throughout the State of Maine on public and private
21 lands. The central location allows us to remedy the
22 illegal dumping issues either by the direct
23 assistance of Waste Management and their dumpsters
24 they deliver on-site or allowing us to directly
25 utilize their landfill at no cost. As a leader

1 within their industry we greatly appreciate Waste
2 Management's partnership. This partnership was
3 formed out of necessity and is paramount to the
4 disposal of illegally dumped litter. If it was not
5 for them many sites would not be cleaned and/or would
6 have been disposed of by the landowner at their
7 expense.

8 Litter and illegal dumping jeopardizes
9 Maine's access to private lands is one of the
10 deciding factors for a landowner to close their land,
11 so think about that, right, that could be that piece
12 of property that you want to walk on. And having
13 them as a partner and I call them up, they'll remedy
14 the problem and take whatever is dumped there and
15 take it off my hands, again, at no cost to myself, to
16 the state or the landowner. I am proud to be part of
17 a program that helps Maine landowners remedy their
18 issues with illegally dumped litter and I couldn't do
19 it without the assistance of Waste Management. The
20 cost of disposal alone would prohibit me from helping
21 landowners out when they would need it the most.
22 Because of Waste Management, we have removed tons,
23 and I'm seriously talking tons of illegally dumped
24 trash at no cost to the citizens of the State of
25 Maine and add a considerable benefit to the affected

1 landowners. Their partnership is priceless and the
2 disposal of waste is a necessity. In essence, we all
3 here in the state benefit from the services that
4 Waste Management provides.

5 And that's all I've got to say. I thank you
6 for hearing me out. Thank you for, you know, hearing
7 about the programs that the state does provide to
8 Maine's private landowners.

9 MS. MILLER: Thank you. Any questions from
10 Waste Management, the Town or the Department?

11 JULIET BROWNE: Nothing from Waste
12 Management. Thank you.

13 RICHARD LABELLE: Nothing from the Town.
14 Thank you.

15 MS. BUTLER: Nothing from staff. Thank you.

16 MS. MILLER: Thank you.

17 DAVID CHABOT: Thank you for your time and
18 have a good night.

19 MS. BURKE: Next, we have Kirsten Pecci
20 followed by TJ Troijano.

21 KIRSTIE PECCI: Good evening. My name is
22 Kirstie Pecci --

23 MS. MILLER: Hold on.

24 KIRSTIE PECCI: Sorry. We have to swear
25 fist.

1 MS. MILLER: Yup, let me swear you in first,
2 yes. Do you swear or affirm that the testimony you
3 are about to give is the whole truth and nothing but
4 the truth?

5 KIRSTIE PECCI: I do.

6 MS. MILLER: Thank you.

7 KIRSTIE PECCI: My name is Kirstie Pecci.
8 Thank you for having me this evening and for -- you
9 all must be exhausted. I know I am. I watched the
10 hearing this afternoon, so thank you Maine DEP for
11 putting this on and holding this hearing and giving
12 this access to the public.

13 I am at Conservation Law Foundation. I am
14 the Director of the Solid Waste Project there.
15 Conservation Law Foundation, as many of you probably
16 already know, operates in all six New England states
17 and we have an office in Portland, Maine. We use the
18 law, science, and the market to protect human health
19 and our special places here in New England.

20 To just back up a second, there are some
21 things that I heard this afternoon that I have
22 questions about and I will put all of this in written
23 comments in more detail because I know there is not
24 time to get into all of this. But to back up a
25 second, we're talking about -- if you look at the map

1 that Waste Management put up for us really what is a
2 new landfill. It is not contiguous. If you look
3 over to the right there, that large green dot, that's
4 50 acres or 48.6 acres that is not contiguous with
5 other landfill cells. To me, this should be
6 evaluated as a brand new landfill and not allowed
7 even if it's on a parcel that's owned by Waste
8 Management. You can see the pork chop shape of that
9 parcel was obviously purchased to make sure that they
10 could build a new landfill and as such this landfill,
11 which will accept about 450,000 tons a year for 17
12 years right through 2040 should be evaluated and
13 therefore not allowed in Maine because new landfills,
14 that's one of the policies that Maine has established
15 is that we should not be creating new landfills in
16 Maine for good reason because in the Maine hierarchy
17 landfills and incinerators are the very last choice
18 and if you create a landfill that can accept 450,000
19 tons a year for 17 years, you're making the landfill
20 the easy choice and the first choice.

21 Remember, too, that not only is this going
22 to be 200 feet above ground at its highest point, but
23 it's also going to be filling 10 acres of wetland.
24 Ten acres of wetlands is going to be destroyed of
25 this 48.6 acres. That is a significant, significant

1 amount of wetlands and we know that wetlands
2 replication in large part while we allow it in many
3 parts of New England, we know wetlands replication
4 does not work. And we also know that wetlands once
5 you -- because they're -- they're established by
6 Mother Nature over hundreds, sometimes thousands of
7 years, even if you fill them you haven't
8 necessarily -- or excavate them you haven't
9 necessarily gotten rid of the water problem and we
10 saw that in the presentation that was made today by
11 some of the engineers of Waste Management. That blue
12 line is going to be very close, you know, 7 feet away
13 from the bottom of this landfill, that's going to
14 change based on -- as we heard from Ms. Lister
15 flooding and other things that happen on this
16 property.

17 Also to back up again, we know that this
18 landfill is eventually going to leak. All landfills
19 leak as was discussed at today's hearing by Waste
20 Management's experts. The standard in Maine is to
21 create a leaking that will be at least -- that will
22 be more than six years for a sensitive receptor so
23 that when the groundwater monitoring is in place it
24 can detect that leak and in theory something could be
25 done about it. I have worked on landfills across New

1 England. When contaminants are found in that
2 groundwater monitoring, when the landfill inevitably
3 leaks a few things happen. The first thing that
4 happens is that landfill companies argue that there
5 was a spill there, that the landfill was not the
6 source of the leak and then the next thing that
7 happens, even if it's certain that the landfill is
8 the source of the leak, the landfill keeps running
9 almost always. There is no funds and sometimes no
10 way to fix or remediate a landfill. You cannot dig
11 underneath and fix the liner. Liner, you don't even
12 know where the liner is leaking many times you
13 cannot, as Ms. Lister said, if there is a fire there,
14 which there are fires at landfills often, it's not an
15 unusual thing especially with lithium batteries we're
16 seeing it all of the time. If there is a landfill
17 fire, if those pipes are clogged in some way, shape,
18 or form there is nothing you can do about it.

19 So the idea that we know this is going to
20 leak and, in fact, one of the is estimates by Maine
21 DEP was less than seven years that this leachate will
22 reach a sensitive receptor is a very upsetting thing
23 and a dangerous thing and it makes me question why we
24 would allow a landfill of this size, a brand new
25 landfill of this size to be produced when, let's face

1 it, at least a quarter, probably a third of this
2 waste is going to be coming from out-of-state. Waste
3 Management said today as you've already heard that in
4 the past they have agreed to accept less than 35
5 percent of out-of-state waste and in the past they
6 think it's been around 24 to 20 -- I think it's 24 to
7 28 percent waste from out-of-state. That is
8 something that is not been adequately tracked. I
9 would ask for -- I would respectfully request that
10 Maine DEP asks for a yearly amount that's coming
11 out-of-state and real close tracking on that. I
12 would ask -- I would also ask if I were Maine DEP for
13 a -- an actual number and strict guideline that Waste
14 Management would adhere to. Of course you cannot
15 outlaw waste coming from out-of-state unless you
16 treat everyone the same way.

17 So that's another point that the more Maine
18 tightens up its guidelines as, for instance, Vermont
19 has done, the more likely it will be that you will be
20 able to keep out-of-state waste from coming in.
21 Because the out-of-state waste that you're dealing
22 with here, some of them are, you know, about 25
23 percent of what goes there it looks like is MSW
24 according to Waste Management and that's in-state,
25 but the construction demolition materials, the

1 debris, the special waste and then alternative daily
2 cover, which I'm not certain whether that is being
3 disposed of as waste and which of it is being used as
4 cover, those materials including incinerator ash and
5 sludge especially are highly, highly toxic.
6 Incinerator ash mixes fly ash with bottom ash. Fly
7 ash is a hazardous waste, pure and simple. I don't
8 need to go into it more than that.

9 Sludge is very problematic particularly
10 because the leachate that's collected in this
11 facility and every other landfill in the area that
12 goes into wastewater treatment plants. We've already
13 heard about PFOS, that's in that sludge -- in that
14 leachate, excuse me, as well as heavy metal, other
15 VOCs and other contaminants, pretty much anything you
16 can buy on the shelf is going to end up in this
17 landfill and end up in the leachate. The leachate is
18 being shipped to a wastewater treatment plant, there
19 those contaminants adhere to the sludge. So we know
20 what sludge is very dangerous and that's going to end
21 up back in the landfill. So you're creating this
22 circle of toxicity. That's a real problem.

23 I think that it's important for you to
24 evaluate what's happening regionally in regards to
25 this landfill because we're having a housing boom

1 here in Massachusetts, for instance, which means --
2 and also we have had less landfill capacity down
3 here, which means the million or so tons of waste
4 that we're shipping out-of-state, and shame on us for
5 not reducing and recycling ourselves more so, but as
6 that's happening that's going to New Hampshire and
7 Maine. So the more capacity you build in Maine, the
8 more you will be burying Massachusetts and other
9 states' waste.

10 The other thing I think it is really
11 important it look at when we're thinking about this
12 landfill definitely leaking that leachate is a
13 bedrock system is made up of fractures. It's like a
14 windshield that's been broken, therefore that
15 leachate can shoot in a lot of different directions.
16 I would be very concerned with that -- that analysis
17 that we heard about today, the hydrogeologist from
18 Waste Management because you really can't figure out
19 where bedrock is going to send the leachate that's
20 leached from a landfill as I think the Maine DEP has
21 said in some of their comments.

22 I would also argue that the methane
23 collection and the landfill gas collection being done
24 at the landfill is while it's, I guess, a nice idea
25 to burn the gas, the reality is that Waste Management

1 according to their own experts and according to their
2 own senior director of federal affairs has really no
3 idea how much methane and how much landfill gas is
4 going to be produced in any landfill. It's an
5 estimate. They don't know how much they're going to
6 capture. And the reality that at different phases of
7 the landfill there will be most definitely landfill
8 gas escaping from that landfill which contains
9 methane, which is a horribly powerful climate change
10 substance as well as other poisonous gases. So when
11 you smell the landfill, which you will, I -- I lived
12 near a large landfill that accepted a little bit less
13 material than this, that landfill smelled over a mile
14 away, sometimes two or three miles away. There is
15 really nothing they can do about that. You are not
16 only witnessing the release of methane into the
17 environment, which is hurting the climate, but you
18 are also breathing in poisonous gas. So that's
19 something that I think, again, I don't really know
20 why Maine would be wanting to produce a facility of
21 this size given that a quarter of it is probably
22 going to be for out-of-state use.

23 And then finally, the -- there has been
24 discussion of, well, this stuff has to go somewhere,
25 which we've heard, you know, over the years regarding

1 this waste and every landfill administrator has said
2 we need to have -- we need to have capacity, we need
3 to send it somewhere. What we need to do is hunker
4 down and really focus on the goals in Maine's very
5 excellent 2019 plan and we need to look at those
6 goals and really adhere to those goals. The best
7 thing that could happen to Maine right now would be
8 if they didn't have a place to send their waste.
9 Connecticut right now is shutting down their Hartford
10 incinerator and because they know it's going to be
11 shutting down, they're not only expanding their
12 bottle bill, which Maine has a really good bottle
13 bill, but also produce a responsibility for
14 packaging, which would take care of a significant
15 portion of the waste we're talking about, programs
16 for deconstructing so that -- so that construction
17 demolition materials are handled much more strictly
18 in Maine. That would be a fantastic thing to do so
19 then other states would have to adhere to those
20 guidelines and you wouldn't become the C&D dumping
21 ground of the region, not to mention producer
22 responsibility for other materials like carpets and
23 other things that you're getting there at that
24 landfill. And then finally, reduction programs. If
25 the agency put in place a strict save money and

1 reduce trash program, you would see that waste
2 decrease, that municipal solid waste decrease. And
3 if you put stronger standards in place for your own
4 special waste you wouldn't be receiving out-of-state
5 special waste anymore.

6 So I know that's a lot to go through in a
7 short amount of time. Thank you so much for your
8 patience and, again, for staying awake after such a
9 long day and providing this hearing for us. I will
10 put this all in writing and, again, thank you so much
11 for your hard work on this issue.

12 MS. MILLER: Thank you. Questions from
13 Waste Management, the Town or the Department?

14 JULIET BROWNE: Nothing from Waste
15 Management. Thank you.

16 RICHARD LABELLE: Nothing from the Town.
17 Thank you.

18 MS. BUTLER: We look forward to your
19 comments. Thank you.

20 MS. MILLER: Thank you. Ruth Ann, how many
21 more people do we have on the list?

22 MS. BURKE: As of right now, we're on the
23 last one, TJ Troijano, and then I'll just go back
24 through to see if Mr. Schofield, Mr. Spencer or Ms.
25 Bartovics has joined in.

1 MS. MILLER: Okay. Thank you.

2 MS. BURKE: So Mr. Troijano, you are up.

3 TJ TROIJANO: Hello.

4 MS. MILLER: Hi, there. Would you raise
5 your right hand? Do you swear or affirm that the
6 testimony you are about to give is the whole truth
7 and nothing but the truth?

8 TJ TROIJANO: Yes, I do.

9 MS. MILLER: Thank you.

10 TJ TROIJANO: Thank you for the opportunity
11 to speak today. My name is TJ Troijano. I am the
12 Chief Operating Officer of Troijano Waste Services.
13 We are a Maine-based company in the collection and
14 transfer business. More or less, we're a taxi cab
15 for waste and recyclables. We serve from Waterville
16 south in the State of Maine and we are speaking --
17 speaking for the approval of this -- of Waste
18 Management's expansion.

19 I'll just bring up a few points. I know
20 we're getting late. We're all tired and I won't take
21 too much time. Waste Management has been a great
22 partnership for our company for years. We've been
23 using the Crossroads facility, but I want to be
24 straight up, we don't use the landfill as our first
25 alternative. We also feed the four incinerators

1 waste to energy plants we have in the state. We also
2 use Casella Recycling. We use their MRF plant as
3 well as their plant in Scarborough for industrial
4 recycling.

5 Going to the landfill is not our first
6 option. I'm a big believer in the environment. I'm
7 from Maine, lived here my whole life, don't plan on
8 going anywhere. I understand the thoughts of a
9 landfill, you know, being, you know, let's close it,
10 let's get ride of it. That would be great except for
11 the reality at this point is we don't have the
12 technologies to not have a place for some of the
13 residuals to go. Even after recycling those
14 residuals waste to energy you obviously get the ash
15 that's the residual. I know that as time goes on
16 we're recycling more and more, but I'm fearful right
17 now of what we're going to do with our waste in the
18 coming years. Obviously, we've seen the Juniper
19 Ridge facility can no longer accept municipal solid
20 waste. That was one of our outlets when the waste
21 energy plants were down or at capacity. We've showed
22 up on scales at waste energy plants before and been
23 turned away. The fact of the matter is we don't have
24 enough capacity in the recycling markets to get rid
25 of everything.

1 Yeah, we have a great bottle bill in Maine.
2 I'm a hauler for some of the redemption centers.
3 There is not a good outlet for glass right now. We
4 struggle trying to find places to recycle the glass.
5 It's an ongoing issue for us. It's not that we don't
6 want to do the right thing and recycle, but we also
7 want to make sure in the coming future that we still
8 have a safe place to put our waste. If we can't get
9 an expansion, I hate to see it get to the point where
10 we do run out of a place and it becomes a legislation
11 emergency act and then you can't do the right
12 findings and the right planning for it and put the
13 right liners in because it's a rush to get the
14 facility expanded. We all know it takes a long time
15 to build a landfill and if we don't give it the right
16 time going through the application process and get it
17 moving before we run out of room, I really fear what
18 do we do at that point.

19 We also cross the line into New Hampshire as
20 part of our company and I wanted to let everybody
21 know that we run waste out-of-state as well as into
22 the state. I mean, our -- our company uses the
23 Wheelabrator facility in Massachusetts for tons of
24 trash coming out of Maine. We've done waste to rail
25 options in Massachusetts. You know, it kind of irks

1 me a little to hear we're the dumping ground for
2 Massachusetts. It's expensive to transport waste.
3 If I get my -- when I'm pulling trash out of New
4 Hampshire, it's going to the Turnkey facility or it's
5 going to Wheelabrator's facility. I'm not going to
6 truck it all the way to the Norridgewock facility.
7 And Massachusetts is trucking it as far as Virginia.
8 It's not all coming to Maine. You know, it kind of
9 bothers me when you -- when you hear it's all a
10 dumping ground in Maine. No, the trash is going
11 across the state line in both directions. We move
12 trash out-of-state, a little bit comes back. It does
13 go in both directions. Thank you for your time.

14 MS. MILLER: Thank you. Any questions from
15 the Town, Waste Management or the Department?

16 JULIET BROWNE: Nothing from Waste
17 Management. Thank you.

18 RICHARD LABELLE: Nothing from the Town.
19 Thank you.

20 MS. BUTLER: Nothing from staff. Thank you.

21 MS. MILLER: Thank you.

22 MS. BURKE: Okay. I'm just going to go back
23 over the three names just to see if they've joined
24 the meeting. Frank Schofield? Edward Spencer?
25 Becky Bartovics? Okay. That's all I have as

1 preregistered. Is there anybody else that would like
2 to speak? You can use the raise your hand feature
3 under participants or you can use the chat feature.

4 MS. MILLER: It's not looking like we have
5 anybody else who would like to speak.

6 MS. BURKE: Nope. I'm not seeing any.

7 MS. MILLER: Okay. So I'll go ahead and
8 make some closing remarks.

9 First of all, I just want to thank everybody
10 for your participation in this adjudicatory hearing.
11 I really appreciate your patience as we navigated
12 using Zoom. I think this went pretty smoothly
13 considering. This portion of the hearing concludes
14 at this time. After we conclude this evening, the
15 record -- we would normally close the record in terms
16 of the parties submitting evidence, but earlier Ms.
17 Browne asked us a question about whether we can
18 extend the record to be open. And so I guess we have
19 a question for her on that which is are you looking
20 to just keep the record open generally or did you
21 want to submit based on what you've heard tonight did
22 you want -- are you looking to submit something
23 that's specific?

24 JULIET BROWNE: I would only want the record
25 kept open for the purpose of responding to issues

1 that came up during today's afternoon session or the
2 evening session.

3 MS. MILLER: And so are those specific
4 issues or is that just -- is that more of a
5 general --

6 JULIET BROWNE: We haven't totally decided
7 which ones we need to be responded to, but, for
8 example, we might provide some follow-up information
9 on the question that came up about Mount Tom
10 visibility. It would be very specific to areas that
11 were asked about that weren't otherwise -- we did not
12 previously submit information on.

13 MS. TIERNEY: Can you hear me?

14 MS. MILLER: Yes.

15 MS. TIERNEY: Yeah, I think our concern with
16 keeping the record generally open is that we would,
17 you know, obviously whatever you submitted we would
18 have to have an opportunity for the Town to respond.
19 So we were hoping that it would be something more
20 narrow like one particular issue on Mount Tom or a
21 particular document that you had in mind. So I don't
22 know if there is anything else to say about that.

23 MS. MILLER: Okay. I'm unmuted. So, yeah,
24 I think our inclination is not to keep the record
25 open, but if you do have a specific issue we would

1 allow the record to remain open for you to submit
2 information on that specific, you know, one or two
3 things and then we would need to allow the Town an
4 opportunity to comment on that.

5 JULIET BROWNE: I think we're fine with not
6 keeping it open. I guess I would like to reserve the
7 right since there is -- the public has a right to
8 submit information in the next 12 days to request
9 that the record be reopened if we want an opportunity
10 to respond to new information that's submitted in the
11 record.

12 MS. TIERNEY: I think that's fine to reserve
13 the right to request that at that point.

14 JULIET BROWNE: Okay. That should work
15 then.

16 MS. MILLER: Okay. Thank you. Okay. As
17 was mentioned by Ms. Browne, members of the public
18 have an additional 12 days to submit their additional
19 public comments. We'll go through that in a minute
20 in a little more detail.

21 So it's my understanding that the transcript
22 is going to be ready in approximately 30 days after
23 the hearing closes. The closing briefs will be due
24 after the transcript has been provided to the
25 parties. Submission of briefs, and we've already

1 talked with both parties and it looks like the --
2 there will be closing briefs that will be due
3 sometime during the week of November 13. Written
4 public comment -- written comments from the public,
5 as I mentioned, will be due in an additional 12 days,
6 so we will accept them until 5 o'clock on October 13,
7 2020. If you have public comments and they do not --
8 they are not received by that time by 5 o'clock on
9 October 13, they will not become part of the record.
10 You can send in your written comments by U.S. mail or
11 you can also send them by email to Linda Butler, who
12 is the Project Manager. Linda's contact information
13 is on the Department website.

14 So at this time does anybody have any last
15 questions? Okay. If not, I will officially close
16 the hearing and I want to thank you all for your
17 participation. Have a good night.

18 JULIET BROWNE: Thank you.

19

20 (Hearing concluded at 7:21 p.m.)

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C E R T I F I C A T E

I, Robin J. Dostie, a Court Reporter and
Notary Public within and for the State of Maine, do
hereby certify that the foregoing is a true and
accurate transcript of the proceedings as taken by me
by means of stenograph,

and I have signed:

Court Reporter/Notary Public

My Commission Expires: February 6, 2026

DATED: November 2, 2020

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