

**Public Comments Received on the
April 14, 2017 Juniper Ridge Landfill Expansion Recommended Draft Board Order**

April/May 2017

From: Dawn Neptune Adams
To: Tarbuck, Kathy
Subject: Juniper Ridge Landfill
Date: Monday, May 08, 2017 2:13:40 PM

To whom it may concern:

Greetings. I hope this message finds you in good health and high Spirits. I am writing to express my opposition to an expansion of the megadump just north of the Penobscot Nation. I am concerned about future water quality in the Penobscot River watershed. It has been stated that Juniper Ridge dumps 1 million gallons of leachate (a mixture of rainwater runoff and liquified trash including heavy metals such as lead) into the Penobscot River every year.

It's bad enough that the megadump was built on the ancestral hunting and fishing grounds of the Penobscot people; but the continuation of our oppression through violations of our rights is unconscionable. We have treaty-reserved sustenance fishing rights in the River, that we are prevented from eating the fish because of the high levels of contaminants.

I implore you to think of the next Seven Generations. Not only for my grandkids but also for your own. It's time to repair the damage of the past and create a clean future for those who are not yet born. Let Massachusetts deal with their own trash!

Nəbi bəməwəzəwagan (Water is Life - Penobscot)

Sincerely,
Dawn Neptune Adams, Bangor

From: Bertocci, Cynthia S
To: Tarbuck, Kathy
Subject: FW: Juniper Ridge Landfill - Expansion Application
Date: Tuesday, April 18, 2017 11:09:54 AM

From: Antonio Blasi [mailto:antoniobiasi1234@gmail.com]
Sent: Friday, April 14, 2017 2:45 PM
To: Bertocci, Cynthia S
Subject: Re: Juniper Ridge Landfill - Expansion Application

The performance bond amount is not enough.

sent from my mobile Android via speech to text feature

From: Cindy Blease
To: Tarbuck, Kathy
Cc: Cindy Blease
Subject: Juniper Ridge Landfill
Date: Monday, May 08, 2017 4:44:10 PM

Dear Ms. Tarbuck,

My husband and I object to the expansion of the Juniper Ridge Landfill. We live in Orono not far from the site which has been overly filled with trash (tons of it) by the state and landfill operators, much of it not even our own state's trash.

There is much water that flows through this area and it and our whole environment need to be protected from this huge estimated 30 million yard expansion over the next 30 years. There are many people living in the surrounding communities to the landfill including students at the University of Maine. The State of Maine could do a LOT BETTER by showing sincere concern in regard to their health and that of everyone that lives here.

The State of Maine needs to be looking for and find another location for it's own dumping and not allow any trash brought in from the outside. Please don't dump more bad trash in our University's front yard and all of our back yards!!!!

Cynthia and Jack Blease
34 Grove St
Orono, ME

Sent from my iPhone

From: 29broadway
To: Tarbuck, Kathy
Subject: Juniper Ridge
Date: Monday, May 08, 2017 6:52:39 PM

Dear Ms. Tarbuck,

I object to the expansion of the Juniper Ridge Landfill. We live in Orono not far from the site which has been overly filled with trash (tons of it) by the state and landfill operators, much of it not even our own state's trash.

There is much water that flows through this area and it and our whole environment need to be protected from this huge estimated 30 million yard expansion over the next 30 years. There are many people living in the surrounding communities to the landfill including students at the University of Maine. The State of Maine could do a LOT BETTER by showing sincere concern in regard to their health and that of everyone that lives here.

The State of Maine needs to be looking for and find another location for it's own dumping and not allow any trash brought in from the outside. Please don't dump more bad trash in our University's front yard and all of our back yards!!!!

Sincerely,

Deborah Blease
29 Broadway
Orono, Maine04473

Sent from my iPhone

From: Naomi Brautigam
To: Tarbuck, Kathy
Subject: Opposition to expanding Juniper Ridge Landfill
Date: Monday, May 08, 2017 9:39:56 AM

To the Department of Environmental Protection,

I am writing in opposition to the Juniper Ridge Landfill expansion. Please stand with our local communities and against the continued injustice of deeming these communities along the Penobscot River a sacrifice zone for out of state waste. Additionally, I urge the Department of Environmental Protection to hold the Juniper Ridge Landfill to full accountability of its water and air pollution as we try to keep our communities safe now and for years to come.

Sincerely,

Noami Brautigam
554 Dickey Hill Rd
Monroe, Maine 04951
207-525-4425

From: Carney Brewer
To: Tarbuck, Kathy
Subject: Landfill
Date: Monday, May 08, 2017 4:57:03 PM

Please do not expand the Juniper Ridge landfill. It is UN healthy for Maine.

Carney

From: donna short
To: Tarbuck, Kathy
Subject: Proposed Expansion of Juniper Ridge Landfill.
Date: Monday, May 08, 2017 9:15:10 AM

To Members of BEP:

I am concerned that the contract holder--Casella Waste Systems (30 year contract) has been found bringing waste from out-of-state (as Maines regulations are weaker) , transferring to State of Maie trucks, and dumping on us, for their profit. I am also concerned about the risk to land and water quality in the area. I believe that the abutters, and that includes the Penobscot Nation, who will be at the greatest risk due to this expansion, must have the ability to Consent/or NOT as they bear the burden for us all. I ask you to not expand the Juniper Landfill at this time, because of the grave environmental risks, and the lack of clear oversight of the one comphany that is under contract. Thank you for your consideration. Sincerely,

Meredith Bruskin

27 Hillside Way

Swanville, Me 04915

From: Steve Byers
To: Tarbuck, Kathy
Subject: Juniper Hill Landfill
Date: Friday, April 28, 2017 1:18:14 PM

I am writing as a resident of Belfast, ME to submit my comment about the Juniper Hill Landfill Expansion.

My wife and I are strongly opposed to the expansion of this landfill. It is a threat to the drinking water of many especially the Penobscot Reservation. Please count us as 2 more citizens who are against this proposed expansion and wish for a safer and more socially just location that does not put drinking water quality at risk.

Thank you
Steve and Courtney Byers
209 Back Belmont Rd.
Belfast ME 04915

COMMENTS CONCERNING THE JUNIPER RIDGE MEGA-LANDFILL EXPANSION

Landfills are an unfortunate, but, necessary part of modern life.

Landfills are a concentration of waste, toxins, and all manner of discarded materials. The space set aside to build such places is a resource of the state in which it is allowed. A resource is a precious commodity never to be squandered, wasted, or used foolishly. Our very own JUNIPER RIDGE MEGA-LANDFILL now sits at approximately 75 acres in size & approximately 200 feet above the surrounding lands. It is a small mountain in its current phase of construction which is meant strictly to dispose of the waste which is produced in the state of Maine.

It appears there must be some sort of collusion between the states governing body & the operating company of this MEGA-LANDFILL because the allotted space for Maine waste is being filled at a rate far greater than the waste of Maine would ever require. Once this mountain is built to its legal limits, in a fraction of the time it should take if only landfilling Maine's waste. The operator says we need more capacity & the governing body goes ahead & grants the next allotted amount of landfill capacity & they keep raking in millions of dollars per year of profits while our air quality & water quality suffer the consequences.

It is a travesty that this is allowed to continue! Some estimates indicate the inflow of OUT OF STATE WASTE is greater than that of Maine generated wastes! This is totally unacceptable, yet it appears to be welcomed by the governing bodies.

It has come to light recently that intentional misrepresentation, & mislabeling of certain commodities, (over sized bulky waste for one), have allowed this company to landfill, (FOR PROFIT), many thousands of tons of materials which were never intended to be landfilled while being labeled as they are. Instead of creating some sort of way to monitor this gross, intentional, & flagrant misrepresentation for profit, this company is rewarded with the expansion they requested so they may continue to abuse the privilege of operating this state owned facility with what appears to be NO oversight what so ever!

This landfill capacity should be available for the state of Maine only, yet you nurture the idea of a private company making millions of dollars of profit while depleting a precious resource belonging to the state of Maine.

The issue of landfilling out of state waste SHOULD be a HUGE RED FLAG to indicate there is something wrong with this situation, yet I see very little mention of this.

The leachate produced by the decomposition & decay of its contents must hold some of the most biologically destructive elements known, yet it is dumped into the Penobscot River with a bare minimum of treatment while only monitoring a few easily measurable parameters, allowing the destructive elements to slowly make their way to Penobscot bay & our fisheries of all manner of sea foods.

Peter Crockett
2782 Edinburg Road
Argyle Township, Maine
04468

Peter Crockett

5-8-17

From: Marc Cryer
To: Tarbuck, Kathy
Subject: Do not approve the 9.35 Juniper Ridge expansion it is a never ending liability
Date: Tuesday, May 02, 2017 2:05:59 PM

I live and play downhill and downstream from the Juniper Ridge landfill and the proposed 9.35 million cubic yard expansion is not a good idea. Please reconsider.

I assume you already understand that even if we, wrongly, believe that only household waste or other regulated materials like household products and glues enter this facility the resulting stew will still be very toxic and remain so for hundreds of years. It is fair to say that no technology will protect us from these toxins for that length of time. It will remain toxic longer than the United States has been in existence, requiring constant maintenance and oversight. And, who will ultimately pay for this? Casella or some other corporate entity? Surely you jest? These entities will be long gone by the time this waste is safe for exposure to drinking water and breathable air leaving our communities as the plan B. Our communities will be left to pick up the burden of maintenance or reclamation at our expense, this isn't in doubt it is a certainty. Ask yourself which of the corporate entities chartered by the Pre-Revolutionary British colonies still exists as a substantial entity capable of cleaning up 17.35 million cubic yards of toxic waste?

Ultimately we must learn to live in a way that produces less waste and offering corporations cheap disposal at our expense is taking us in the wrong direction. Allowing this expansion subsidizes waste and is clearly bad public policy. I urge you, no I beg, to reconsider. **Do Not Approve Any Expansion.** Let the price of waste disposal increase if it must, the cost will be born across society and not at our sole expense. Lack of disposal sites may, in fact, provide the economic incentive for individuals, governments and entities to produce less waste so that no one has to deal with ever increasing liability that landfill sites really are.

Marc Cryer

From: Larry D
To: Tarbuck, Kathy
Subject: Letter in opposition to expansion of Juniper Ridge landfill
Date: Monday, May 08, 2017 4:22:47 PM

May 8, 2017

To the Department of Environmental Protection (attention: Kathy Tarbuck)

I am writing to oppose any expansion of the Juniper Ridge landfill (JRL) in Old Town/Alton, Maine.

The state of Maine should be refusing to accept waste from other states, even when there are stop-overs of that waste in Maine before arriving at JRL.

The state of Maine should be developing more programs to discourage waste generation and increase recycling and reusing.

The state of Maine should be protecting Maine's waters and lands from any toxic pollution.

An expansion of the JRL will contradict these three roles that the state of Maine's Department of Environmental Protection should be engaged in.

Please stop expanding landfills, begin to more aggressively reduce the generation of so much waste in our state, and no longer accept waste from outside Maine.

Sincerely,

Larry Dansinger

21 Mt. Desert Drive

Bangor, ME 04401

(207) 262-3706

larryd@myfairpoint.net

From: Susan Dickson-Smith
To: Tarbuck, Kathy
Subject: Juniper Ridge Landfill- in opposition
Date: Monday, May 08, 2017 1:48:28 PM

Dear Ms. Tarbuck,

I am writing in opposition to the proposed expansion of the Juniper Ridge landfill. I believe it poses a threat to water quality. Please do not allow this expansion to proceed.

Susan Dickson-Smith
Gouldsboro, Maine

175 Veazie Street
Old Town, ME 04468
May 8, 2017

Kathy Tarbuck
Department of Environmental Protection
17 State House Station
Augusta, Maine 04333-0017

Dear Ms. Tarbuck:

I am very concerned about many issues related to Juniper Ridge Landfill in Old Town as it currently exists, including the difficulty of determining what is being landfilled and how much is not generated in Maine, heavy truck traffic on town streets, odors, flocks of seagull. Now the State has published a draft order for a new license to expand the State's landfill capacity by 9.35 million cubic yards thus beginning the megadump expansion of JRL.

Whenever I drive past Pine Tree Landfill in Hampden, besides literally holding my nose, I figuratively hold my nose as I think of my town hosting an even larger monstrosity! In 2003, the state and Casella took advantage of Old Town's fears about losing jobs at the paper mill and pushed JRL through. This exploiting of an economically disadvantaged community has always seemed to me to be a case of environmental injustice. Why does our area bear the entire waste burden for Maine? Will our town become the garbage dump of New England? Will towns like Old Town have to sacrifice our future health and property values for a small share of the huge profits private corporations can expect to gain from the waste industry?

Or is this a case of environmental racism? Does the state just find it easier to locate this megadump near the Penobscot Nation and their waters of the Penobscot River?

The state must reconsider the decision to grant this license. The citizens of the communities surrounding JRL have already suffered the consequences of the project. Now, we count on you -- the DEP -- to stop making things even worse!

Sincerely,


Mary E. Dolan

From: [M. Therese Duffy](#)
To: Tarbuck, Kathy
Subject: JRL
Date: Monday, May 08, 2017 7:55:07 AM

Dear Ms. Tarbuck,

Please accept the following comments re the Juniper Ridge Landfill.

You are well aware that there are Tribal Nations who depend on the Penobscot River for sustenance, both physically and culturally; as such, no doubt you are approaching this issue with the enormous gravity it warrants. You must as well then, consider the idea that to move forward with this project is to open the door to great and continued harm to them, with no turning back once initiated. There are too many avenues, at the site itself and at the site of leachate disposal, for potential suffocation and toxic infusion into groundwater and water ways. There is no amount of human effort or engineering that can contain this successfully. Please, protect this rich, diverse and fragile ecosystem and the peoples who rely upon it.

Please do everything within your means to table this project.

Thank you,

Mary-Therese Duffy

From: Donald Francis
To: Tarbuck, Kathy
Subject: Juniper landfill dump
Date: Monday, May 08, 2017 2:52:52 PM

Please understand people are coming down with huge Cancer clusters in the while area surrounding this toxic dump! How disgusting n deadly this site has become! I've seen many of my friends, young PENOBSCOT Native Americans, dying from cancer of all forms. Much too young are these, all victims to the biohazardous chemicals spilling from Juniper straight into the underground waterways n rivers that surround the landfill. Please, I implore you don't kill any more of my prople, n yours too!
Sincerely, Donald Francis
PENOBSCOT NATION, elder.

To: Maine Department of Environmental Affairs
Re: Application for expansion of Juniper Ridge Landfill

I am very much opposed to the DEP approval of the application to provide an additional 9.35million cubic yard expansion of the Juniper Ridge Landfill.

It is stated that this landfill expansion for "State Of Maine long term solid waste disposal needs" yet the contractors have repeatedly been cited for dumping out of state waste at Juniper Ridge. It is irresponsible that the DEP would expand the landfill without taking any steps to investigate this history and ensure no out of state waste disposal will occur there. Stiff penalties and adequate oversight is also necessary. To do otherwise is just a recipe for need to continue expanding the site for the profit of a private company with NO benefit to state of Maine.

Furthermore, the environmental impact of this expansion is of huge concern as it will be constructed on wetlands which are simply irreplaceable...the linings described at the hearing are simply inadequate to warrant the threat to the wetlands, salomon and other life of the river.

And, serious concern exists about air and noise pollution which have not been adequately researched. The continued practice of locating waste disposal sites in low income vulnerable communities already suffering from increased asthma suffered health issues eg increased asthma rates is morally inexcusable.

And, approval of a landfill expansion which will certainly affect the water quality of the Penobscot River is in violation of treaty obligations to the Penobscots who have legal sustenance fishing rights in the river. The Penobscot have undertaken a successful effort to upgrade the water quality of the river for their own and all peoples' benefit; that the DEP would threaten the progress of this effort and jeopardize their fishing customs and healthy diet amounts to continued exploitation at a time when we are working hard to repair and respect treaties and culture.

Finally, sustainable practices on our very at-risk planet require that plans be immediately undertaken to shrink solid waste landfills rather than expand them. If San Francisco is able to achieve a 80% diversion in landfill use during the past few years, there is absolutely no reason why the State of Maine, so dependent on clear air, water and healthy soil does not embark on a similar path. The Department of Environmental Protection should be the shepherd in this vision, one I am convinced the majority of Mainers would embrace.

Thank you for your attention,

Ridgely Fuller
47 Village Road
Belfast, Maine, 04915
ridgelyfuller@gmail.com

From: Richard Geisser
To: Tarbuck, Kathy
Subject: RE: JRL expansion status
Date: Monday, May 08, 2017 2:19:45 PM
Attachments: JRL Permit Expansion -- Draft Board Order Comments (May 8, 2017).pdf

Good afternoon Kathy – attached are ReEnergy’s comments on the Department’s Staff Recommendation/Draft Board Order – April 17, 2017.

Happy to discuss our comments in more detail at your convenience.

Thank you for the opportunity to participate in the process.

Have a Safe week!!

Kind Regards,

Rich Geisser
917.559.1366



ReEnergy Recycling Operations
87 Lowell Road
Salem, NH 03079

P: (603) 894-9800
www.reenergyholdings.com

Sent via email: kathy.tarbuck@maine.gov

May 8, 2017

Ms. Kathy Tarbuck
Maine Department of Environmental Protection
17 State House Station
Augusta, ME 04333-0017

**RE: Maine Department of Environmental Protection Staff Recommendation/
Draft Board Order – April 17, 2017**

Dear Ms. Tarbuck:

ReEnergy Recycling Operations ('ReEnergy') appreciates the opportunity to provide comment on the Department's Staff Recommendation/Draft Board Order ('Draft Order') dated April 17, 2017, specifically as it relates to Finding #37. 'Acceptable Waste and OBW Limit', Subparagraph B. 'OBW Limit'.

The OBW limit proposed in the Draft Order is 65,000 tons per year. The proposed limit was based on the median disposal amount of OBW over a 5-year period (2011 – 2015) and the median CPI for the same 5-year period; 54,353 tons and 1.5%, respectfully. An additional 10,000 tons per year was added to the median disposal amount to account for anticipated OBW from the PERC facility. Based on our analysis of the data provided in Table 13 of the Draft Order, the median disposal amount of OBW over the 5-year period calculates at 62,707 tons. Even when eliminating the tons associated with the MERC and PERC facilities, the mean disposal amount is still more than the 54,353 tons reported in the Draft Order. ReEnergy respectfully requests the Department revisit the median disposal amount of OBW over a 5-year period (2011 – 2015) and adjust the OBW limit as appropriate.

ReEnergy respectfully requests that the Department give consideration to applying the median CPI of 1.5% for more than a 1-year period. We understand the CPI was applied to the median disposal amount in an effort to allow for increased OBW volumes due to economic growth. It is our understanding that the landfill expansion if/when approved would not be available until early 2019 and that the landfill expansion should extend the life of the landfill to 2030 at a minimum. Applying the median CPI for 3-years (2015 – 2018) would seem appropriate, as would providing language in the Draft Order to allow for the OBW limit to be adjusted annually in accordance with the CPI.

Lastly ReEnergy requests clarification regarding the requirement for an 'independent third party audit' of a CDD processing operation transporting more than 10,000 tons per year of OBW to the proposed expansion be performed prior to the disposal of OBW in the proposed expansion. ReEnergy currently transports more than 10,000 tons per year of OBW to the Juniper Ridge Landfill ('JRL') from our Lewiston, ME CDD processing operation and such disposal is critical to the continued operation of the facility. ReEnergy respectfully requests the Draft Order include language that would allow for existing CDD processing operations transporting more than 10,000 tons per year of OBW be allowed to use the proposed expansion if the 'independent third party audit' has not been completed through no fault of the CDD processor.

Ms. Kathy Tarbuck
May 08, 2017
Page 2

Thank you for taking our questions/concerns into consideration. Please feel free to contact me direct with any questions at 917.559.1366.

Sincerely,

A handwritten signature in black ink, appearing to read "R. Geisser", with a long horizontal line extending to the right.

Richard Geisser
Regional Manager of Recycling
Operations
rgeisser@reenergyholdings.com

TO D.E.P.

May 5, 2017

I am writing to you about my concern of increasing the Juniper Ridge Landfill - with the proposal by the State of Maine and Casella Waste Systems - and most disturbing much of the waste increase from out of state!

I thought the State of Maine Dept. was for the state of Maine & its people.

Please respect that Value and do not let them increase the landfill - put the Energys into reducing the waste products & let each state be responsible for its own waste.

Thank You

Betsy Gilbert
39 Springfield Rd
Winn, ME. 04495

From: Maria Girouard
To: Tarbuck, Kathy
Subject: Juniper Ridge Landfill Expansion
Date: Monday, May 08, 2017 1:17:21 PM

Please accept the letter attached as my comments for the draft license for expansion for the Juniper Ridge Landfill.

Thank you,
Maria Girouard



JRL Comments Draft License to Expand

May 8, 2017

TO: Kathy Tarbuck, Department of Environmental Protection
17 State House Station, Augusta, Maine 04333-0017

RE: Draft License - Juniper Ridge Landfill Expansion

FROM: Maria Girouard, Resident of Maine, Citizen of Penobscot Nation

Please accept this as my comments **in opposition** to the expansion of the Juniper Ridge Landfill situated within the Penobscot River Watershed. I have spent countless hours in numerous meetings over the past ten years learning all that I could about this state-owned landfill - its history, politics, and problems, and I remain adamantly opposed to expansion.

The landfill, as you know, is situated in the Penobscot River Watershed between Pushaw Stream and Birch Stream, both flowing into the Penobscot just North of Indian Island. Drinking water is supplied to family, friends, and neighbors from this area of the river. People who call this place home need assurance that their waters will not be affected, contaminated or destroyed. There is nothing that provides this assurance because never in the history of mankind have we produced this much waste, placed it in a flood-prone area between two streams, and witnessed a thin plastic liner protecting it for a hundred years.

Generations of residents continue to sustainance fish, hunt, and gather in this region. Many in this area live below the poverty level and rely heavily on the natural resources to sustain themselves. The Penobscot Nation has retained their inherent fishing rights in this area, and those rights are federally protected.

The state-owned (state-responsible), Juniper Ridge Landfill has already gone too far. DEP's own records provide ample evidence that this blight on the landscape, the Juniper Ridge Landfill, has been hotly contested for over a decade for countless reasons - noise, traffic, destruction of roads, trucking in waste from out-of-state, broken promises, odor, air quality/methane; endangering wetlands, waters, streams, and sustenance lifestyles; infringing on the ability of Penobscot Nation to exercise their rights to hunt, fish, and gather in their aboriginal homelands - which includes Birch Stream. To proceed with licensing this expansion so that an out-of-state entity can continue its profiteering, turning our home into New England's trash barrel, at the expense of the water, air, citizens, and ecosystem is classic environmental injustice and not protection of the environment which is the charge of your agency.

NO EXPANSION!

Maria Girouard
PO Box 33, Eastport, ME 04631
sacredhomelands@gmail.com

From: Phoenix TKD
To: Tarbuck, Kathy
Cc: phoenixtkd@roadrunner.com
Subject: Juniper Ridge
Date: Monday, May 08, 2017 11:29:25 AM

Ms. Tarbuck,

While I applaud the efforts of the of the committee, it is obvious that the law has effectively neutralized any meaningful authority over the project by focusing its authority too narrowly to the definitions of inputs and outputs of the facility. This ignores the ability of the next facility to adequately process the input received, and create a safe output. It is clear that unless the 'cradle to grave' concepts of toxic substances is used, we will continue to see problems passed along in each discreet section of the process. Toxic substances must not be allowed into our environment due to bureaucratic regulations that limit authority. Time to change the law and remove limitations on state agencies that purportedly control toxic substances.

Regards,
Henry Harrell

From: Barbara Kates
To: Tarbuck, Kathy
Subject: Juniper Ridge Landfill
Date: Monday, May 08, 2017 2:27:19 PM

The Juniper Ridge Landfill should not be expanded. If the landfill meets the regulations, the regulations do not reflect the needs of our state.

Barbara Kates

From: Matthew Kennedy
To: Tarbuck, Kathy
Subject: Plea to Withdraw License to Expand Juniper Ridge Landfill
Date: Monday, May 08, 2017 4:51:18 PM
Attachments: juniper ridge complaint.docx

May 8th, 2017

Department of Environmental Protection
106 Hogan Road
Bangor, ME 04401

To Whomever It May Concern,

I am writing to register my extreme disappointment that a draft license was granted to Casella to expand the Juniper Ridge Landfill. I take this decision as yet another example of disregard for the State of Maine's waste hierarchy, in which landfilling is a last resort. Though not a resident of Old Town, I am a Maine student who is incredibly concerned about the effects of the expansion on the Penobscot River, where mercury levels are already unacceptably high, especially Penobscot fishermen who especially rely on fish from the river as a food source. I am equally concerned that the State and municipalities in Maine have not displayed the innovation or the will to develop or follow better waste management practices.

I strongly urge you to reconsider this decision and to report on the negative impacts that this expansion will have on the citizenry of Old Town and on the members of the Penobscot Nation. There are a host of zero-waste solutions that are available to Maine, including improved composting and recycling, a variety of policy instruments to promote source reduction, and municipal zero-waste plans. Please consider these as compelling alternatives.

Frustratedly,
Matthew Kennedy
105 Eden Street
Bar Harbor, ME 04609
mkennedy@coa.edu
678-920-8931

From: Bob Klotz Jr
To: Tarbuck, Kathy
Subject: Please accept my comment in opposition to the Juniper Ridge landfill
Date: Monday, May 08, 2017 9:58:02 PM

A variety of challenges (including internet) prevented me from forwarding this comment prior to now; I hope that you are willing to add my comment to those that you have already received:

In the simplest of terms -- for a variety of reasons -- I oppose the expansion of the Juniper Ridge Landfill.

Thank you.

Bob Klotz
10 Whitehall Ave.
South Portland, Maine

**Tell me, what is it you plan to do
with your one wild and precious life?**

-- from "The Summer Day" by Mary Oliver

From: Meaghan LaSala
To: Tarbuck, Kathy
Subject: Comment on Draft Board Order on Juniper Ridge Landfill expansion
Date: Monday, May 08, 2017 11:05:35 AM

To whom it may concern,

After reviewing the Draft Board Order on the Juniper Ridge Landfill Expansion, I am writing to ask that the Board withdraw approval of the landfill expansion and enact a moratorium on landfill expansion in Maine in order to study and implement more ambitious waste reduction goals. Other states, [like our neighbors in Massachusetts](#), are enacting ambitious and visionary goals towards zero waste, which Maine could emulate and learn from. In the mean time, we are unfairly burdening indigenous communities and low income communities with the harmful impacts of the waste industry. The fact that likely a majority of the waste that ends up at Juniper Ridge originates in other New England states is blatantly outside the spirit of Title 38, which states that Juniper Ridge will only accept in-state waste.

Of particular concern is the state's failure to consider Environmental Justice and environmental racism when purchasing and developing the Juniper Ridge landfill. The landfill disproportionately impacts the Penobscot Nation. The issue must be studied in the context of their [treaty-protected sustenance fishing rights](#).

I am also concerned with the lack of transparency and democratic process that characterize the purchase and development of this landfill by the state, which has been [well documented](#) by local organizers.

Please reject this application, and undertake efforts to make Maine leaders in waste reduction policy. Serving as a dumping ground for other New England states is not in line with our identity as a state that values and protects our natural resources.

Thank you for accepting my comment.

Sincerely,
Meaghan LaSala

--
Meaghan LaSala
meaghan.lasala@gmail.com
973-862-7105

Southern Maine Workers' Center
www.maineworkers.org | www.facebook.com/maineworkers

From: Susan Lauchlan
To: Tarbuck, Kathy
Subject: Solid Waste and Natural Resources Protection Act Draft License
Date: Monday, May 08, 2017 11:41:09 AM

Maine Department of Environmental Protection,

I'm am writing because I strongly oppose the proposed expansion of the Juniper Ridge Landfill. I believe the DEP decision to grant JRL another 9.35 million cubic yards of disposal capacity is wrong for Maine and especially wrong for our environment.

First off, this expansion is needed not for Maine solid waste but for out-of-state solid waste. Call it what you will because of some ridiculous way of allowing out-of-state demolition and debri waste to be termed in-state waste, it is still coming in by the truckloads for the express purpose of being diverted to go into our solid waste facility. This facility would last a long time if it truly was only accepting solid waste originating in Maine.

Second off, when using this criteria for issuing a license: "The Department shall issue a license for a waste facility whenever it finds that: Facility will not pollute any water of the State, contaminate the ambient air, constitute a hazard to health or welfare or create a nuisance", I do not believe that the DEP can definitively show that JRL will not pollute any water, contaminate the air, or create a nuisance. The neighbors in the vicinity have certainly expressed the offensive odors as a nuisance. Can you show that the leachate has had heavy metals removed prior to being released at the end stage?

Surely some of the members of this department must have concerns such as those I've expressed here. I urge you to find a way to address this issue in a way that truly lives up to the mission and values of this department.

No license to expand the Juniper Ridge Landfill.

Sincerely,

Susan Lauchlan
143 E Waldo Rd
Waldo, ME 04915

MaineDEP office
106 Hogan Rd,
Bangor, ME

Dear Maine Dept. Environmental Protection:

I am opposed to the Juniper Ridge Landfill expansion

In reviewing Maine Solid Waste Generation and Disposal Capacity Report:Calendar Year 2015 (January 2017

This reports states that:

"The capacity for disposal of MSW generated in Maine remains adequate into the near term future, based on the currently operating disposal facilities and management systems in place."

And yet the report further states that:

"The disposal capacity at the state-owned Juniper Ridge Landfill is restricted by license condition to wastes generated in Maine, including waste generated by processing facilities which may accept wastes from other states. All the MSW disposed of in landfills in Maine was generated in Maine; and 90% of the MSW disposed of through incineration in Maine were also generated in Maine. The Juniper Ridge Landfill has an application pending with the Department that, if approved, would create an additional 9,350,000 cubic yards of capacity."

It seems that the true reason for this expansion would be to increase the amount of out of state solid waste to be hauled through various processing facilities to Maine. I do not think we should allow our land to be used for profit by Casella.

This expansion is not working in good faith for the future of Maine, her land and water and her people. Please do not allow this expansion to be granted.

Thank you for your consideration.

Arlene Jurewicz Leighton
560 Youngtown Rd
Licolnville, ME 04849

207-763-3182

From: Chuck Leithiser
To: Tarbuck, Kathy
Subject: comments on Juniper Ridge draft expansion approval with conditions
Date: Sunday, May 07, 2017 6:35:55 PM
Attachments: BEP public comment 5.9.17.docx

Dear Ms. Tarbuck,

Attached please find my public comments regarding the above-named draft approval. I will be submitting an original, signed copy to the Bangor DEP office before 5:00 PM tomorrow.

Thank you,

Chuck Leithiser

CONFIDENTIALITY NOTICE: The information contained in this e-mail and attached document(s) may contain confidential information that is intended only for the addressee(s). If you are not the intended recipient, you are hereby advised that any disclosure, copying, distribution or the taking of any action in reliance upon the information is prohibited. If you have received this e-mail in error, please immediately notify the sender and delete it from your system.

Kathy Tarbuck
Department of Environmental Protection
17 State House Station
Augusta, ME 04333-0017

5/7/2017

Dear Ms. Tarbuck,

I am writing this letter with regard to the draft permit / license approval for the expansion of the Juniper Ridge Landfill in Old Town, Maine, #S-020700-WD-BI-N and #L-19015-TG-D-N.

I have three main points that I hope the Board of Environmental Protection will consider before issuing a final license: leachate testing, a major loophole in the draft that may allow Municipal Solid Waste into Juniper Ridge, and not applying Maine's Solid Waste Hierarchy evenly or equally.

We know that a large percentage of the waste landfilled at Juniper Ridge consists of "fines for daily cover". This material begins as construction and demolition debris, primarily painted wood and in large part lead-painted wood. As this wood is ground up, the "fines", including chips of lead-based paint, and then used as cover for the surface of the landfill and are later buried within the landfill. We also know that lead in the environment is very harmful, especially to young children and any animals that come into contact with the lead. Lead is so detrimental to young children that the state of Maine recently halved the levels of lead in children's blood that is considered medically dangerous, from 10 micrograms of lead per deciliter of blood to 5 micrograms. In spite of this, I can find no reference to the landfill leachate being tested for lead and other heavy metals except mercury: "discharges from the MFGR wastewater treatment facility be monitored for a range of parameters including, but not limited to, flow, pH, biological oxygen demand, total suspended solids, mercury, whole effluent toxicity, and priority pollutants".

Lead and other heavy metals should become a mandated aspect of the leachate testing procedures, and lead abatement plans must become part of the operations manual for the landfill. Although the residents of Old Town and nearby communities had been promised that no hazardous materials would be disposed of at Juniper Ridge, we know that in fact some of the boiler byproducts created at what was at the time the Red Shield mill in Old Town and disposed of in Juniper Ridge later tested as "hazardous" due to high lead content – and those materials are still within the landfill. The Department's rules for such disposal failed to protect area residents at least once already; the Board must, in order to protect the health of those living near the landfill and wildlife in the river that the leachate is discharged into, stipulate leachate testing for lead and other heavy metals and set safe limits for such materials.

Area residents have also heard over and over again the no Municipal Solid Waste may be disposed of in Juniper Ridge. Even though promised this, the Department of Environmental Protection now allows a limited amount of MSW to be used as a "soft layer" in new cell construction at the landfill. Language in the draft approval regarding MSW is very vague, and in fact appears to predict a situation whereby Juniper Ridge would in effect become a MSW landfill. The draft states "The wastes proposed to be accepted in the expansion are similar to the wastes currently approved for JRL, with the exception of MSW (except for bypass) which will not be accepted in the proposed expansion". However, the draft then

lists situations that **would** allow disposal of MSW at Juniper Ridge: “JRL is currently licensed to accept non-hazardous waste generated within the State, including up to 81,000 tons of MSW a year until 2018. The proposed expansion will be licensed to accept similar waste types; however, the proposed expansion will be prohibited from accepting municipal solid waste, except MSW bypass material. For the purpose of this license, MSW bypass is defined as any solid waste that is destined for disposal or processing at a solid waste incinerator, but that cannot be disposed of or processed at that incinerator because of the incinerator’s malfunction, insufficient capacity, inability to process or burn, down-time, or any other comparable reason as approved by the Department”. The future of the PERC plant in Orrington, Maine, which does send bypass to Juniper Ridge, is in question. While that plant will hopefully continue to operate, this is not guaranteed. In fact, if the amount of wastes being delivered to the PERC plant drops below a certain level, the plant is no longer economically viable and will shut down. “Down time” and “inability to process” are both provided as examples of when MSW would be approved for disposal at Juniper Ridge, and if the PERC plant ceases operations, this amounts to hundreds of thousands of tons of MSW.

Lastly, the State of Maine has a Solid Waste Management Hierarchy that applies to all in-state waste disposed of at Juniper Ridge. That said, this draft claims that the state cannot apply the hierarchy to out-of-state waste that comes to Maine for processing and then disposal at Juniper Ridge: “the Board finds that Maine recycling and source reduction law does not extend to generators located outside Maine.” This is a very weak finding and is in fact in direct conflict with Maine Statute: (38 M.R.S. 1310-N(5-A) “An applicant for a new or expanded solid waste disposal facility shall demonstrate that:

- (1) The proposed solid waste disposal facility will accept solid waste that is subject to recycling and source reduction programs, voluntary or otherwise, at least as effective as those imposed by this chapter and other provisions of state law...: and
- (2) The applicant has shown consistency with the recycling provisions of the state plan.”

For the Board to find that state statute applies to Maine waste, but not to waste coming in from outside Maine’s borders, puts Maine residents at a distinct disadvantage and disregards Maine law. The Maine Department of Environmental Protection and Board of Environmental Protection are tasked with upholding and enforcing Maine’s environmental regulations, not disregarding those regulations at will and out of convenience when enforcement may be more difficult.

I sincerely hope that the Board will conduct due diligence and consider these issues, and thus revise the draft permit before finalizing it into a license for expansion at Juniper Ridge.

Charles B. Leithiser
394 Fourth St.
Old Town, ME 04468
207-992-3744

From: Greg Louder
To: Tarbuck, Kathy
Cc: chip@barharbormaine.gov; ""Sophie Wilson"; "Catherine Conlow"; "MRC-Bd-Karen Fussell"; "Ken Fletcher"; "Mike Roy"; "James Guerra"; "Tony Smith"; "Lessard, Susan"; "Craig Stuart-Paul"
Subject: MRC Comments on JRL Landfill Expansion License Applications
Date: Monday, May 08, 2017 12:14:43 PM
Attachments: MRC Comments on JRL Expansion Applications.pdf

Dear Ms. Tarbuck:

Please find attached MRC's comments on the draft license concerning the Juniper Ridge Landfill Expansion Applications #S-020700-WD-BI-N and #L-19015-TG-D-N.

MRC appreciates the opportunity to comment.

Copied on this email are those individuals copied on the MRC comments attached hereto.

Thank you and feel free to contact me with any questions.

Greg Louder

■ 395 State Street
■ Ellsworth, ME 04605
■ www.mrcmaine.org



866-254-3507
207-664-1700 ■ Voice
207-667-2099 ■ Fax
glounder@mrcmaine.org ■ E-mail

DELIVERED VIA EMAIL

May 8, 2017

Kathy Tarbuck, P.E.
Senior Environmental Engineer
Maine Department of Environmental Protection
Bureau of Remediation and Waste Management, Division of Technical Services
17 State House Station
Augusta, ME 04333
ph (207) 287-7743
kathy.tarbuck@maine.gov

RE: MRC Comments On Draft License Concerning Juniper Ridge Landfill Expansion Applications #S-020700-WD-BI-N and #L-19015-TG-D-N

Dear Ms. Tarbuck:

The Municipal Review Committee, Inc. (the MRC), as an interested party, is pleased to submit these comments for consideration by the Maine Department of Environmental Protection (the Maine DEP) regarding the Staff Recommendation/Draft Board Order dated April 14, 2017 (the Draft Order) on the application for a new license for expansion of the Juniper Ridge Landfill (the Landfill) through the proceeding referenced above. These comments provide an overview of the MRC in light of pending changes in its membership of Maine municipalities, and discuss MRC positions on and concerns regarding specific terms and conditions of the Draft Order.

Overview of the MRC

The MRC is a non-profit membership organization currently comprised of 133 Maine municipalities and public entities that, taken together, represent 187 Maine municipalities that deliver municipal solid waste (MSW) to the PERC waste-to-energy facility (the PERC Facility) in Orrington, Maine, pursuant to waste disposal agreements and a partnership agreement and ownership structure (the PERC Agreements) that are all scheduled to terminate on March 31, 2018.

Since 1991, the MRC has had a mission of ensuring affordable, long term and environmentally sound disposal of MSW on behalf of its member communities. In furtherance of its mission, the MRC is sponsoring the development of a new solid waste processing facility in Hampden, Maine

(the Hampden Processing Facility), that would begin to accept and process MSW as of April 1, 2018, following termination of the PERC Agreements. The Hampden Processing Facility provides the opportunity for all generators of MSW within eastern and central Maine communities to achieve a new level of diversion of MSW for recovery of materials and products, and away from conventional landfill disposal, in compliance with applicable law and policy for the State's solid waste management hierarchy as described so eloquently in Section 18 of the Draft Order. The roles of the MRC in the development process have included, among other things, acquisition of an option to acquire the property on which the Hampden Processing Facility is being constructed; submittal of applications to the Maine DEP for Solid Waste, Minor Source Air Emissions, Stormwater Management, and Natural Resources Protection Act Licenses/Permits for the Hampden Processing Facility (which permits were issued by the Maine DEP on July 14, 2016 and the issuance of which was upheld by the Maine Superior Court); and commencement of construction (through investment of over \$5.0 million by MRC Joining Members) of an access road and related infrastructure on the property.

In addition, the MRC has entered into Joinder Agreements with 84 Maine municipal entities representing 115 Maine municipalities that would begin delivering MSW to the Hampden Processing Facility as of April 1, 2018., Those entities/municipalities (at a minimum) would constitute the MRC's membership as of and after that date.

The MRC is committed to achieving the success of the Hampden Processing Facility for serving the MSW needs of its membership on an affordable, long-term and environmentally sound basis in full compliance with the solid waste management hierarchy. The MRC's comments on the Draft Order are provided in part to inform the Maine DEP of potential impacts of any final approval of the application on the development of the sustainable, successful operation of the Hampden Processing Facility over the long term. Our goal is to ensure that provisions and conditions of the Final Order relevant to the Hampden Processing Facility are crafted in ways that maximize the prospects for success in achieving operation over the long term in conformance with the solid waste hierarchy.

Positions On and Concerns Regarding the Terms and Conditions of the Draft License.

The key objective of the MRC in this proceeding is to advocate for a Final Order that incorporates enforceable provisions that preclude MSW from being accepted for disposal at the Landfill that could otherwise have been processed at the Hampden Processing Facility. Disposal of MSW at the Landfill without processing would be a fundamental violation of the solid waste management hierarchy as set forth in Section 18 of the Draft Order and as set forth in 38 M.R.S. § 2101 and related provisions of 38 M.R.S. § 1304-B. In the view of the MRC, processing of MSW at the Hampden Processing Facility is clearly preferred under the hierarchy to management of MSW at any alternative location through measures that might involve only nominal materials recovery or volume reduction without the extensive processing and recovery steps that the Hampden Processing Facility will offer. Finally, diversion of MSW to an

alternative location for nominal processing should be precluded to avoid undermining the efficient and economic operation of the Hampden Processing Facility.

In this context, the MRC offers the following comments on the language in the Draft Order and, in certain instances, requested language for the Final Order:

1. Generally, the MRC supports and applauds the references to and conditions of the Draft Order that preclude or limit land disposal of MSW at the Landfill. In particular, Section 37.A of the Draft Order refers to the current limits of 81,000 tons per year of MSW generated within the State that the Landfill can accept **until** 2018, and makes clear that the proposed Landfill expansion will be prohibited from accepting MSW except MSW bypass material as defined therein. The MRC requests that the Maine DEP retain this language in the Final Order.

In this context, the MRC notes that the language of the current license does not clearly indicate whether or not the Landfill is licensed to accept up to 81,000 tons of MSW generated within the State **during and after 2018** for disposal in areas other than the expansion area. Consistent with the objectives stated above, the MRC requests that the Maine DEP clarify in the final license that the Landfill is not licensed to accept up to 81,000 tons per year of MSW generated within the State during and after 2018 in areas other than the expansion area; and that, in fact, the prohibition on acceptance of MSW (other than MSW bypass) during and after 2018 will apply to **all** licensed areas of the Landfill, and not solely to the expansion area.

MRC specifically supports inclusion in the Final Order of the language of Condition 10.A, which would except MSW from the non-hazardous wastes allowed in the Landfill, and Condition 10.B, which specifically prohibits the applicant from accepting MSW in the Landfill expansion. MRC supports a clarification as described above that would specifically prohibit the applicant from accepting MSW other than MSW bypass into the Landfill on or after January 1, 2018.

2. The MRC is concerned with the reference in Condition 11.A of the Draft Order to "...waste delivered under an interruptible contract with PERC..." and requests that such language be deleted from the conditions that will appear in the Final Order. Similarly, the MRC is concerned with the reference in Condition 11.B of the Draft Order to "...holders of interruptible contracts..." and requests that such language be removed from the conditions that will appear in the Final Order.

The MRC notes that the language of Condition 11 of the Draft Order is carried over almost verbatim from Conditions 16.A, 16.B and 16.D of the Solid Waste Order Amendment #S-020700-WD-N-A dated April 9, 2004, in an application for a vertical increase and acceptance of additional waste streams at the Landfill (the 2004 Order Amendment). That language had originally appeared in 2002 in an order approving a minor revision to the

license for the Pine Tree Landfill in Hampden. The language was included in that revision in order to accommodate contracts between PERC and a supplier of out-of-state MSW such that the MSW would be eligible for landfill disposal in the event PERC was unable to accept it and elected to interrupt deliveries under such contract. This language, although no longer necessary to accommodate PERC contracts, was carried forward into the 2004 Order Amendment for the Landfill (then called the West Old Town Landfill), notwithstanding other prohibitions on the acceptance of out-of-state MSW at the Landfill.

Today, and going forward, the MRC cannot identify any scenario in which the language referenced above relating to interruptible contracts would serve a useful purpose. The MRC notes further that the Applicant did not specifically request the inclusion of such language related to interruptible contracts for MSW anywhere in the application or in subsequent materials submitted as part of the application review, nor were there any references in such materials to the requirements for interruptible contracts that must be accommodated through language in permit conditions. Thus, the MRC notes that the record contains no information supporting the basis for inclusion of the language that refers to interruptible contracts and requests that such language be deleted.

If the Applicant, at this late date, seeks to retain such language, it is unclear what the implications might be relative to the MSW Bypass situation. Further, given the risk of a significant change in the facts and circumstances underlying this aspect of any new license for this facility as the result of a contract being interrupted, there is a distinct possibility that the underlying Public Benefit Determination made by the Department over five years ago would need to be re-opened. Hence, that is yet a further reason to eliminate the language relating to interruptible contracts in Condition 11 of the Draft Order.

3. The MRC requests further clarification of the circumstances in which MSW initially delivered to, or intended for delivery to, the PERC incinerator in Orrington might qualify to be considered MSW Bypass. We note that the Landfill has a long history of accepting for disposal the non-hazardous combustion ash and front-end process residue (including non-processible solid waste material) that is generated at the PERC facility. The MRC has no objection to the continuation of the acceptance of such materials for disposal at the Landfill, provided that the PERC facility is in continuous operation as a combustion facility. The MRC also has no objection to the acceptance for disposal at the Landfill of MSW Bypass -- i.e., MSW that the PERC facility receives in excess of its ability to accept, process and/or combust during short-term temporary planned shutdowns for maintenance or due to unplanned production problems as referenced in Section 18.B (10) of the Draft Order (pg 39) -- again, provided that the PERC facility is in continuous operation as a combustion facility.

What would be unacceptable to the MRC, and needs to be clearly precluded by the conditions of the Final Order, would be the transfer of MSW from the PERC facility to the Landfill for disposal on an ongoing basis due to shutdowns that could not reasonably be deemed temporary or short-term in anticipation of rapid return to continuous operation as a

combustion facility. The PERC facility is not licensed as a processing facility. It follows that MSW accepted at the PERC facility, but not combusted, should not qualify as MSW Bypass unless the strict standard referenced above regarding short-term temporary interruptions of combustion activity is satisfied -- even if the MSW is shredded or otherwise handled through the front-end processing equipment at the PERC facility. MSW that can be accepted on the PERC tipping floor cannot qualify as MSW Bypass simply because it cannot or would not be combusted. Similarly, MSW diverted away from the PERC facility during times when the PERC facility is not in continuous operation as a combustion facility, or when shutdowns are not short-term, cannot qualify as MSW Bypass if there would have been room on the tipping floor for it to be accepted.

Further, Condition 11.C of the Draft Order requires the applicant to notify the Department if waste deliveries in excess of processing capacity at MSW incinerators continue from a particular incinerator for a period exceeding one week. There is no precedent of bypass events at the PERC incinerator exceeding one week in the course of normal operations, even during maintenance outages and shutdowns for major repairs. In this context, the MRC requests that the applicant be precluded from receiving MSW bypass from any particular incinerator for events that exceed one week in duration.

In particular, the MRC requests that Condition 11.A. of the Draft Order be revised to read as follows in the Final Order:

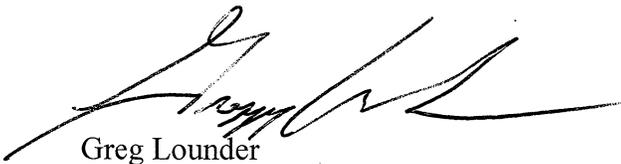
- C. The applicant shall not dispose of any unprocessed MSW from any source other than bypass from the following sources: PERC incinerator in Orrington, or waste delivered in excess of processing capacity at other MSW incinerators in Maine; provided, however, that (1) MSW that can be accepted on incinerator tipping floors cannot qualify as MSW Bypass simply because it cannot or would not be combusted if accepted, and (2) MSW diverted from incinerators during times when not in continuous operation as a combustion facility cannot qualify as MSW Bypass if there would have been room on the tipping floor for it to be accepted or if bypass events related to shutdowns exceed one week.”
4. The development of the Hampden Processing Facility provides the opportunity for all generators of MSW within eastern and central Maine communities to achieve a new level of diversion of MSW for recovery of materials and products, and away from conventional landfill disposal, in compliance with applicable law and policy for the State’s solid waste management hierarchy. To support the hierarchy, the MRC requests that the Final Order include a condition that no MSW be considered MSW Bypass (and permitted for disposal at the Landfill) unless such MSW would be in excess of the capacity that could be accepted for processing at any nearby licensed processing facility. The MRC further requests that the applicant be required to provide verifiable authorization from the operator of such processing facility that it is unable to accept such MSW and that bypass is required, using language that might be comparable to that in Conditions 11.B and C of the Draft Order.

5. The MRC requests stated above promote and further the solid waste management hierarchy objectives described by the Department in Section 18 of the Draft Order and as required in 38 M.R.S. § 2101 (the solid waste management hierarchy statute) and 38 M.R.S. § 1304-B and Chapter 400 of the Department's implementing regulations. *See* 06-096 C.M.R. ch. 400, § 4(N)(1) (stating “The purpose and practices of the solid waste facility [here, Juniper Ridge Landfill] must be consistent with the State's solid waste management hierarchy set forth in 38 M.R.S.A. §2101, which establishes that it is the policy of the State to actively promote and encourage waste reduction measures and the maximization of waste diversion effort, and which sets forth an integrated approach to the management of solid waste generated in and imported to the State”) (emphasis supplied).

Accordingly, in addition to conditions that no MSW be considered bypass unless in excess of any nearby processing facility's capacity, the MRC specifically requests that the Department's Final Order include as part of its conditions a statement recognizing that acceptance of any MSW by the Applicant is also subject to applicable legal requirements under the State's solid waste management hierarchy statute, its references to relevant provisions in 38 M.R.S. § 1304-B and implementing regulations. The MRC respectfully requests that this conditional statement be added to Draft Finding/Conclusion 16 on page 97 of the Draft License and to Draft Condition 11 on page 101 of the Draft License as part of any Final License.

Thank you for this opportunity to comment on the Draft License

MUNICIPAL REVIEW COMMITTEE, INC.



Greg Louder
Executive Director

Copies: MRC Board of Directors
Craig Stuart Paul, CEO, Fiberight, LLC

From: Emma Macaillen
To: Tarbuck, Kathy
Cc: Emma Macaillen
Subject: Juniper Ridge Expansion
Date: Monday, May 08, 2017 3:48:23 PM

To: Kathy Tarbuck

I submitted a testimony last October with my concerns about the expansion of Juniper Ridge. The dumping of the leachate into the river is my largest concern with health issues affecting salmon, vegetation, and humans. The second concern is the relatively short life of the rubber lining at the new site and the ultimate pollution to the waters surrounding the area once it deteriorates in 26 years. Casella did not outline their safety plan for this or provide adequate testing for contamination or levels of particulates ongoing. Yearly measurements are in no way adequate.

In summary, I can only say that because the State of Maine has not proactively addressed waste treatment, this expansion is a way out.

It places our land and waters at risk for toxicity and death.

We continue to place greed over human value and risk our survival. This DEP action is a joke, and a lethal one.

Remember this decision when your grandchildren are ill and dying from the poisons you arbitrarily dump. The earth cannot survive the horrors you are inflicting on it. How can you in good conscience make such decisions?

Emma Macaillen
Cedric's great grandmother

Sent from my iPhone

From: Kendall Mackey
To: Tarbuck, Kathy
Subject: Juniper Ridge expansion
Date: Monday, May 08, 2017 11:05:25 AM

Hello Kathy,

I am a Maine citizen and am emailing to express my deep concern for the expansion of the Juniper Ridge Landfill and to urge the board of environmental protection to stop this expansion from moving forward.

The landfill is located just miles from the Penobscot Nation, and the wastewater is treated and dumped practically adjacent to Indian Island. We cannot allow expansion projects that would have devastated impacts on the communities nearby to move forward.

Maine needs comprehensive regulation of waste towards zero waste goals, so we can stop being a dumping ground for other New England states and stop burdening indigenous communities and low income communities with toxic garbage.

I look forward to hearing your response to these concerns and how the board of environmental protection plans to address them.

Sincerely,

Kendall Mackey
Portland, ME

From: Barbara Maria
To: Tarbuck, Kathy
Subject: Juniper Ridge landfill expansion
Date: Monday, May 08, 2017 3:30:20 PM

Department of Environmental Protection,

An expansion of the Juniper Ridge Landfill would be a huge mistake with dire consequences in the future. The Penobscot River must be protected from further pollution and the sustainable fishing rights of the Penobscot Nation should be protected.

Please, no expansion!
Sincerely,
Barbaria Maria

From: Karen Marysdaughter
To: Tarbuck, Kathy
Subject: Comments on JRL expansion draft license
Date: Thursday, April 20, 2017 2:43:21 PM

I am writing to comment on the draft license for an expansion of the Juniper Ridge Landfill. I am completely opposed to this expansion and urge you to reject Casella's application. Having reviewed materials from the recent hearings on the matter, it is clear that the state has not fully considered the economic and environmental impacts both to the local community and to the state, of an expansion of the facility.

I remain convinced that the JRL currently, and certainly if expanded, is a threat to water quality, wildlife, and the quality of life of the surrounding community. It makes no sense to dump waste in a wetland, especially as we face more extreme weather events that are likely to increase flooding.

Furthermore, expanding our capacity to dispose of solid waste enables more and more consumerism, which is destructive to the environment at the point of manufacture and transit, as well as disposal. We would do much better to stem the tide of solid waste with policies and technology that allow us to reduce, re-use, and recycle. Such policies and technology would mean more jobs for the state of Maine as well.

I am also deeply disturbed by the gradual easing of restrictions over the past few years over what can be disposed of at the JRL. The definition of "Maine wastes" has been eroded to the point that we are becoming a dumping ground for wastes that other states don't want. It seems we are dangerously close to creating a "sacrifice zone" in the Old Town/Alton area. Now is the time to stop tempting fate and take a firm stand to protect the people and environment of Maine.

Karen Marysdaughter
karenmd@myfairpoint.net
262-3706 (home)
930-5440 (cell)

From: Gabe Paul
To: Tarbuck, Kathy
Subject: Draft License- Juniper Ridge Landfill Expansion
Date: Monday, May 08, 2017 2:06:13 PM

Kkwey kolasihkawəl iyo wələkisəkət
(hello, i greet you this beautiful day)

I am concerned about the expansion of the landfill just north of my home. I feel the land we live on has been contaminated for hundreds of years and just recently there has been an effort to restore the watershed in our region. The significant impacts are shown in our high cancer rates and shortened life expectancy of the people in our community. My grandmother died of cancer and many others in my family have overcome this sickness. I have smelled the sulfur at times from my home. I hope my children wont have to fight for a clean environment. I recycle and reduce my consumption. Please don't expand this landfill for the benefit of a few.

I oppose the expansion of the Juniper Ridge Landfill.

Gabriel Paul

Language Instructor

Cultural & Historic Preservation Dept.

12 Wabanaki Way

Indian Island, ME 04468

W: 207-817-7470

gabe.paul@penobscotnation.org

www.penobscotculture.com

From: Victoria Randall
To: Tarbuck, Kathy
Subject: Juniper Ridge Landfill Expansion Comment
Date: Monday, May 08, 2017 12:53:10 PM

After reviewing the Draft Board Order on the Juniper Ridge Landfill Expansion, I am writing to ask that the Board withdraw approval of the landfill expansion and enact a moratorium on landfill expansions in Maine. Maine is capable of more effective waste reduction goals. Other New England states, Massachusetts for example, are enacting ambitious and visionary goals towards zero waste, which Maine could emulate and learn from. The fact that likely a majority of the waste that ends up at Juniper Ridge originates in other New England states is blatantly outside the spirit of Title 38, which states that Juniper Ridge will only accept in-state waste. Maine is a national treasure and we need comprehensive regulation of waste towards zero waste goals. We need to preserve our natural resources and our states natural beauty!

I'm deeply concerned with the state's failure to consider Environmental Justice; the landfill disproportionately impacts the Penobscot Nation. The issue of expansion must be studied in the context of their treaty-protected sustenance fishing rights. In the mean time, we are unfairly burdening indigenous communities and low income communities with the harmful impacts of the waste industry.

I am also concerned with the lack of transparency and lack of democratic process that characterize the purchase and development of this landfill by the state, which has been well documented by local organizers.

Please reject the Juniper Ridge Landfill Expansion application, and undertake efforts to make Maine leaders in waste reduction policy. The landfill expansion is not in line with our identity as a state that values and protects our natural resources. Maine needs comprehensive regulation of waste towards zero waste goals, so we can stop being a dumping ground for other New England states and stop burdening indigenous communities and low income communities with toxic garbage!

Thank you for accepting my comment.

Sincerely,

Victoria Randall

13 Hamlin St., Orono ME 04473
May 8, 2017

Maine Board of Environmental Protection
c/o Kathy Tarbuck, Project Manager, Juniper Ridge Landfill

Dear Chair Parker and Members of the Board of Environmental Protection:

I am writing these comments with reference to the application for a license to expand the Juniper Ridge Landfill in Old Town and Alton, #S-020700-WD-BI-N and #L-19015-TG-D-N. I have closely followed the West Old Town / Juniper Ridge Landfill process since Jan. 2004, and have testified, submitted written comments, served on a blue ribbon commission on waste, and kept personal documentation of this process of great public importance. Please see written comments I submitted during last October's public hearing, and also please review the Year One Timeline (2003-2004) of the decision that has brought us here (available at DEP's JRL comments page as: www.maine.gov/dep/ftp/Juniper-Ridge/hearing_comments/2016_10_18_Paul_Schroeder_Testimony_JRL_expansion_application.pdf)

In the 14 years since the Juniper Ridge deal was crafted into legislation by the successful bidder for its 30-year operations contract, our state has made little progress in resolving our waste policy dilemmas. We are still operating a fragmented system of public facilities (such as ecoMaine), private facilities (such as the PERC waste to energy plant) and hybrid facilities such as JRL. What is appalling to me as an engaged citizen is how much effort the state has spent in keeping the current system operating in a status quo mode, rather than finding policy levers of both carrot and stick variety that might steer us toward a more sustainable, less polluting, even zero-waste future.

The establishment of a 30-year plan to put 30 million cubic yards of trash into the Old Town facility is a major disincentive to search for more environmentally friendly solutions. As the keepers of our state's environmental trust, I suggest that the BEP is now called upon to call a halt to this process, as a first step toward establishing waste policies that are appropriate for our resource-conservative future.

I realize that saying "no" entails risk for the Board. Over the years many citizens including myself have stepped up to bear the costs of citizenship in order to preserve our state as the treasure that it is. Now is the time for the Board to step up, too.

In terms of public perceptions, the deeply entwined relationship between the state and the contracted operator is an unholy alliance. I have observed with great dismay the many joint filings, briefs and testimonies that have been co-presented and co-written by the state's attorney general's office and attorneys for the operator. There is a kind of legal fiction surrounding this, that the state as 'owner' is also somehow the 'manager' of the facility (Application at p. 4, "The Department of Economic and Community Development is the manager of JRL."). As the owner, the state also is officially the "applicant" (Application at p. 3). Yet, the operator is "required to pay all costs associated with the development, operation, closure and post-closure care of the landfill and the proposed expansion." (Application at p. 7)

The application itself illustrates the difficulty in maintaining the state/operator distinction. In Table 1 the term "applicant" is defined: "Refers to both BGS and NEWSME

(or a successor operator)." Yet the application (at Sec. 1.A, p. 3) clearly states that "The State of Maine, acting through the Bureau of General Services ... has applied for ... approval to construct a 9.35 million cubic yard expansion..."

This confusion of identity and role between the state and the operator derive from a fundamental mismatch of purpose between state policy and one particular for-profit corporation. The framework for state ownership of all new landfills, as established in 1989, was intended to ensure that the state could be a market participant and thus could legally limit what wastes could be deposited in Maine's landfills. Maine's one and only operating state landfill was established for the purposes of "saving the mill" in Old Town along with satisfying a single operator's long term business strategy. There is a concept termed "regulatory capture" that illustrates the process through which regulatory agencies are in effect captured by the industries they regulate. Somehow the State of Maine, through its own legislative process, set in motion the capture of the state's environmental, planning and economic development regulators in favor of a particular corporate entity.

Along the way, with nearly unlimited landfill capacity being created in Old Town by legislative fiat, incentives to preserve landfill space and find and create waste management alternatives (including alternative landfill sites) have been nonexistent.

Now we are at a day of decision. Though the current public benefit determination is limited to an expansion of approximately 9 million cubic yards (doubling what is already in place there) in a short time the process will be underway to fill the landfill to its entire, projected 30 million cubic yard capacity. This easily available, lowest-cost, lowest-rung (of the waste hierarchy) 'solution' will stand in the way of actual waste reduction, recycling, and reuse. It is not helpful that this facility is managed by an operator whose only interest is in rapid fill, overseen by hands-off representatives of the state as owner.

As an engaged citizen, I am well aware of the "costs of citizenship" which I gladly bear when issues of concern are conducted in a way that is fair to the public. I now look back over this process and conclude that citizen trust has been violated and communities have been treated unjustly.

As members of the Board, you also bear the "costs of citizenship," and we appreciate your contributions. The time has come for you to take extraordinary care with the decision you are about to make. It is within your power and responsibility to say "no" and to help the state avoid a momentous mistake. Are we locked in, forever (this is how long the landfill will be with us) to a misguided and unholy alliance?

Please take time to evaluate this process within the entire context of environmental protection and waste management planning. Please respond, at every one of the points where the draft license reads "... the Board finds ...," with a resounding "no" in favor of the environment and people you are pledged to protect.

Thank you for your consideration,



Paul C. Schroeder
207 907 0906 / pauls@commoncoordinates.com

From: Chris Sockalexis
To: Tarbuck, Kathy
Subject: Juniper Ridge Landfill Expansion Project
Date: Monday, May 08, 2017 2:37:39 PM

Good Afternoon,

The location of the Juniper Ridge Landfill is within the cultural landscape of the Penobscot Nation.

Due to the natural environment of the region, the location of the landfill has the potential to contain pre-contact archaeological sites that may be associated with past hunting and gathering activities due to the fact that wetland features are attractive for game animals and medicinal plants.

Chapter 400 of DEP Maine Solid Waste Management Rules Licensing Criteria, Section 3.D, "Licensing Criteria for Solid Waste Facilities", specifies that the Department (DEP) shall issue a license for a solid waste facility only when it finds, based upon substantial evidence in the record, that the solid waste facility will not contaminate any water of the State, contaminate the ambient air, constitute a hazard to health or welfare, or create a nuisance.

Air and water quality are major concerns for the Penobscot Nation. By increasing the size and usage of the existing landfill, an increased threat of pollutants entering into the Penobscot River watershed via the leachate collection process and potential breaches within the landfill liners will only exacerbate the burden already put upon the watershed from many years of industry. The increased pollutants entering the watershed (locally and downstream) affects all forms of life and can be detrimental to sustenance and commercial fishing, not only to Penobscot Nation tribal members, but the struggling fishing industry within the Gulf of Maine. Large landfills also contribute to the degradation of air quality as harmful gases such as CO₂, methane, malodorous compounds and other organic compounds, all of which raise air quality problems here in Maine.

Thank you for the opportunity to comment on the Natural Resource Protection Act, Sec 404 Clean Water Act and Solid Waste Act applications for the Juniper Ridge Landfill Expansion.

Chris Sockalexis, THPO

Penobscot Nation
Cultural & Historic Preservation
12 Wabanaki Way
Indian Island, ME 04468
(207) 817-7471

From: karin spitfire
To: Tarbuck, Kathy
Subject: comment on DEP licensing expansion of Juniper Ridge
Date: Monday, May 08, 2017 10:23:02 AM

DEP

When I attended the Hearing in Bangor before the commissioners, I was opposed to the licensing of the expansion.
After listening to

- 1) the presentation from the engineers etc. re what they were using to catch and contain toxins- an idea that something will actually contain, and not pollute the surrounding waters area is totally ludicrous.
- 2) Heard how the sludge is then taken and passed thru the sewage treatment plants and goes into the river... would you drink what goes into or out of that treatment plant. This is not safe for the water of the Penobscot. This poison going into the river is a direct infringement on the sustenance fishings rights of the Penobscot Nation.
- 3) Heard the shenanigans that trash companies go thru to pretend their trash is NOT from out of state, I could not believe any intelligent person could be fooled by this or carry on to pretend it is legal

.
So I continue my opposition to the licensing expansion of the Juniper Ridge land fill.

Thank you.
Karin Spitfire
P.O. Box 53
Belfast, ME 04915

-----Original Message-----

From: suenron7@roadrunner.com [mailto:suenron7@roadrunner.com]
Sent: Tuesday, May 02, 2017 8:39 AM
To: Web DEP Info
Subject: Info DEP question/comment

To: infodep
From: Ronald Staples
Email: suenron7@roadrunner.com
Phone:
Other contact info:
Reply requested by: May 8 2017

Question or Comment

I would like to BEG you to consider adding NO MORE of anything to the Juniper Ridge Landfill. Im involved in clean water as a Water Protector and wish that you recognize the peoples will to stop adding to the possible problem with Maine becoming the dumping ground for all of new england.. Period.

From: Craig Stuart-Paul
To: glounder@mrcmaine.org; Tarbuck, Kathy
Cc: chip@barharbormaine.gov; "Alan Iantosca"
Subject: Fiberight Comments on JRL Landfill Expansion License Applications
Date: Monday, May 08, 2017 2:31:08 PM
Attachments: 17 0508 Fiberight Comments on the draft new license decision on the Juniper Ridge Landfill Expansion Application #S-020700-WD-BI-N (2).pdf
image001.png

Dear Ms. Tarbuck:

Please find attached Fiberight's comments on the draft license concerning the Juniper Ridge Landfill Expansion Applications #S-020700-WD-BI-N and #L-19015-TG-D-N. We have copied MRC above (having referenced MRC in our document), and we appreciate the opportunity to comment.

Kind regards

Craig



Craig Stuart-Paul
Chief Executive

e-mail | craigsp@fiberight.com

Telephone | 410-340-9387

The information transmitted via this e-mail is intended only for the person or entity to which it is addressed and may contain confidential and/or privileged material. Any review, retransmission, dissemination or other use of, or taking of any action in reliance upon this information by persons or entities other than the intended recipient is prohibited. If you received this in error, please contact the sender and delete the material from any computer.

DELIVERED VIA EMAIL

May 8, 2017

Kathy Tarbuck, P.E.
Senior Environmental Engineer
Maine Department of Environmental Protection
Bureau of Remediation and Waste Management, Division of Technical Services
17 State House Station
Augusta, ME 04333
ph (207) 287-7743
kathy.tarbuck@maine.gov

RE: Fiberight Comments on the draft new license decision on the Juniper Ridge Landfill Expansion Application #S-020700-WD-BI-N and #L-19015-TG-D-N made available for comment by interested persons in accordance with state law and Department rule

Dear Ms. Tarbuck:

Fiberight LLC. (Fiberight), as an interested party, is pleased for this opportunity to submit these comments for consideration by the Maine Department of Environmental Protection (the Maine DEP) regarding the Staff Recommendation/Draft Board Order dated April 14, 2017 (the Draft Order) on the application for a new license for expansion of the Juniper Ridge Landfill (the Landfill) through the proceeding referenced above. These comments provide an overview of Fiberight in light of its planned investment in an advanced waste recycling project in Hampden, ME, and discuss Fiberight positions on, and issues related to, specific terms and conditions of the Draft Order.

Overview of Fiberight

Fiberight is a privately held corporation that has invested in the development of a core technology platform designed to process Municipal Solid Waste (MSW), and in doing so recycle a significantly higher proportion than traditional disposal methods such as landfilling and incineration. Fiberight has scaled its process through demonstration scale, and has over 8,000 hours' experience from its Lawrenceville, VA facility.

In January 2015, pursuant to a public procurement process that commenced in 2013, Fiberight was selected by the Maine Municipal Review Committee ("MRC") from over 10 respondents, including integrated waste companies, as the preferred project partner to construct and operate a 650-ton per day mixed waste processing facility under a 15-year contract with renewals up to 40 years.

The MRC is a non-profit membership organization currently comprised of 133 Maine municipalities and public entities that, taken together, represent 187 Maine municipalities that

deliver municipal solid waste (MSW) to the PERC waste-to-energy facility (the PERC Facility) in Orrington, Maine, pursuant to waste disposal agreements and a partnership agreement and ownership structure (the PERC Agreements), that are all scheduled to terminate on March 31, 2018.

Fiberight has entered into a waste supply agreement and lease with the MRC to underpin project finance, and ensure long-term deliveries of waste to the Facility. Fiberight is committed to achieving the success of the Hampden Processing Facility for serving the MSW needs of MRC and its members on an affordable, long-term and environmentally sound basis in full compliance with the solid waste management hierarchy.

Fiberight's comments on the Draft Order are provided in part to inform the Maine DEP of potential impacts of the Final Order on the development of the sustainable, successful operation of the Hampden Processing Facility over the long term. Our goal is to ensure that provisions and conditions of the Final Order relevant to the Hampden Processing Facility are crafted in ways that maximize the prospects for success in achieving operations over the long term in conformance with the solid waste hierarchy.

Most Importantly for Fiberight, Maine's solid waste hierarchy is foundational for the financing of the Hampden Processing Facility, as is continued support for it from Maine's legislature and regulatory bodies. Any attempt to undermine the hierarchy, or the creation of loopholes, real or perceived, could damage Fiberight's ability to finance and construct the Hampden Processing Facility.

Positions on and concerns regarding the terms and conditions of the Draft Order.

The key objective of Fiberight in this proceeding is to advocate for a Final Order that incorporates enforceable provisions that preclude MSW from being accepted for disposal at the Landfill that could otherwise have been processed at the Hampden Processing Facility. Disposal of MSW at the Landfill without processing would be a fundamental violation of the solid waste management hierarchy as set forth in Section 18 of the Draft Order and as set forth in 38 M.R.S. § 2101 and pursuant to 38 M.R.S. § 1304-B that sets forth municipal MSW disposal responsibilities, among them the solid waste management hierarchy, which clearly states that reuse of waste, recycling of waste, composting of biodegradable waste and waste processing are all preferred to land disposal of waste.

Moreover, in the view of Fiberight, processing of MSW at the Hampden Processing Facility is clearly preferred under the hierarchy to management of MSW at any alternative location through measures that might involve only nominal materials recovery or volume reduction without the extensive processing and recovery steps that the Hampden Processing Facility will offer. Finally, diversion of MSW from the Hampden Processing Facility to an alternative location for nominal processing should be precluded to avoid undermining the efficient and economic operation of the Hampden Processing Facility.

Fiberight and its financial backers are investing over \$55M in the Hampden Processing Facility to ensure the greatest level of recycling and organics conversion to useful energy and manufacturing products possible, thus fully aligning with the solid waste hierarchy. Fiberight considers it unreasonable for any other operator to be allowed to short-cut the letter and spirit of the hierarchy by establishing an MSW bypass capacity that might afford said operator the opportunity to dispose of waste with token efforts at recycling and recovery of other products of value; and without the processing systems installed to maximize the recovery of recyclable materials. It would also be unfortunate if a future operator of PERC decided to merely process a portion of MSW, and dispose of a higher than usual percentage of non-combusted Front End Process Residues (“FEPR”) at the landfill.

Section 18 B (2) of the Draft order includes the following language: “.FEPR currently comes to JRL from the PERC incinerator in Orrington. PERC’s FEPR is approximately 20% by weight of the non-combustible portion of the facility’s MSW that cannot be incinerated and is removed mechanically prior to combustion of the refuse-derived fuel.”

Fiberight requests the Maine DEP to more completely define and limit PERC FEPR that may be disposed at the Landfill above and beyond the definition proposed in Section 18 B (2) of the Draft Order, to align with a long history of PERC’s operational norms. Further, Fiberight requests more complete definition of “the non-combustible portion of the facility’s MSW that cannot be incinerated”, noting that historically, non-combustible FEPL has been defined by PERC and others to be material that has a “gross calorific value of less than 3,600 Btu/lb”.

Therefore, Fiberight respectfully requests that section 18, B (2) of the Draft order be amended to properly define PERC’s FEPR by inclusion of the following language after “refuse-derived fuel.”, and before “FEPR is currently utilized”:

“PERC FEPR shall a) not exceed 25% by weight of MSW processed by PERC, and b) have an as-received gross calorific value of less than 3,600 Btu/lb”

In addition to our comments supra, Fiberight also wishes to note for the record that we have reviewed the comments provided by MRC regarding this matter, and we are in agreement with them.

Thank you for this opportunity to comment.

Fiberight LLC.

A handwritten signature in black ink, appearing to read "Craig Stuart-Paul".

Craig Stuart-Paul
Chief Executive

From: linswak@gmail.com
To: Tarbuck, Kathy
Subject: Juniper Ridge expansion
Date: Wednesday, May 03, 2017 11:13:25 AM

Dear Ms. Tarbuck,

I am writing to register my opposition to any expansion of the Juniper Ridge waste dump. My household works hard to recycle, reuse, compost and be a good neighbor. Nothing about this expansion is good for my neighbors in Old Town and Alton. I am opposed to taking any out of town waste, and especially, any more threats to our watershed.

I was a volunteer on the Penobscot River Trust, the project that, for 17 years worked to restore clean waters, fisheries and energy efficiencies to our beloved river. Any more insults to our watershed are against the tide of history in this region. The dump also is on historic Penobscot land, and as a 'settler' in Maine, I resist any more insults and expansion onto land that they stewarded for 10,000 years. In 250 years, we (non-indigenous) have soiled this area.

But tides are changing, and our citizens have new ethics that do not involve more dumping in the landscape, more waste on wetlands. I oppose this project and wish to see a new plan for dealing with our waste: reducing, composting organics, better recycling of materials.

Linda Swackhamer
11 Veazie St., Veazie 04401
Linswak@gmail.com

From: betsy tannian
To: Tarbuck, Kathy
Date: Monday, May 08, 2017 2:54:52 PM

In regards to the expansion of the Juniper Ridge dump.....PLEASE no expansion..no way.

Impact on the Penobscot Reservation would be atrocious.

Please do the right thing...just say no.

Thank you,

Betsy A. Tannian

From: kat t
To: Tarbuck, Kathy
Subject: Attn: Kathy Tarbuck - Comments Regarding Juniper Ridge Landfill Expansion May 2017
Date: Monday, May 08, 2017 4:11:11 PM
Attachments: Juniper Ridge LandfillV2.ppt

Dear Ms. Tarbuck

Below are my comments sent to US Army Corps of Engineers File Number: NAE-1991-1909-M1 with a few edits for clarity and current events.

The points I made to the USACE are still valid and I am using them to voice my concerns of the yearly struggle we face with JRL's endless requests for expansion and its impact on our area.

Please see the attached Power Point presentation for supporting timeline and images.

Respectfully,

Kat Taylor
Argyle Twp.

----- Forwarded message -----

From: kat t <kat.byteme@gmail.com>
Date: Thu, Sep 29, 2016 at 7:34 PM
Subject: Comments to US Army Corps of Engineers File Number: NAE-1991-1909-M1
To: Shawn.B.Mahaney@usace.army.mil

September 29, 2016 Comments to US Army Corps of Engineers

File Number: NAE-1991-1909-M1

Contact Person USACE: Shawn Mahaney

Comments Submitted By

Kat Taylor

1039 Southgate Rd.

Argyle Twp., ME 04468

[207-394-2791](tel:207-394-2791)

Kat.byteme@gmail.com

RE: Juniper Ridge Landfill request for expansion...again

Dear Mr. Mahaney, et al:

I recently learned of Juniper Ridge Landfill's application for expansion and I wish to make formal comments against the expansion based on the following criteria:

*The US Army Corps permit is in a Public Comment phase until Thursday, Sept. 29. Relevant issues for the Corps include the NRPA criteria, as well as a more **comprehensive consideration of economic impacts, effects to the Public Welfare, and Environmental Justice issues**, which are unfortunately excluded from the State's review process.*

Juniper Ridge Landfill is massive; it can be seen as far away as Burlington, Maine, 50 miles away, and is now visible driving north/south on Route 16 out of Old Town and at the south end of Route 116/Southgate Rd, Old Town. It is over 320' tall and a blight on the landscape. Residents on Routes 43 and 16 have had once beautiful scenic views ruined by what locals call "Mount Baldacci". All travelers heading north on I95 have the pleasure of seeing that eyesore as they head into the great north woods we hold dear. What a great advertisement for keeping Maine green.

JRL has become too big to fail – nothing should be such a threat – with potentially catastrophic consequences to local real estate, health and welfare to residents and impact on wildlife and water bodies from Alton to the Atlantic Ocean. Such an endeavor should never be built next to any body of water that connects to water on the surface or underground.

There are those like Ed Spencer and Dr. Stephen Coughlin who are better qualified than me at explaining the scientific details, but I do know it doesn't take a rocket scientist to figure out that putting a dump directly uphill from Pushaw Stream and other tributaries that empty directly in the Penobscot River is a bad idea. There should be no High Impact Industrial Use where water can be contaminated. We have precious little potable water left on this planet; any existing fresh water supplies must be protected at all costs.

A few years ago, the citizens of Argyle Township came together to defeat an attempt by the Municipal Review Committee to put a landfill here. We demonstrated through collective efforts with other Pro Maine Environmental groups, that there is no need for an expansion or additional landfills since the state hierarchy of waste management dictates we should follow a process that makes them obsolete. But Casella, the operators of Juniper Ridge Landfill, keeps trying every few years to get an expansion, just like they worked so hard to get a grandfathered-in landfill that was originally meant to hold only sludge and ash from the paper mill. Please review Timeline.

The reason JRL fought so hard and long for access is that no other local states allow dumping. They know they cannot open another landfill because resistance is so strong against it. So they cling to JRL, hoping they can keep expanding in an area that is unfit for this type of High Impact Industrial Use until...until when? They want to effectively DOUBLE the size of the existing landfill which was never meant to hold all this garbage.

Instead of expanding recycling, Casella has made it more difficult. They limit recycling items to bottles, glass metal and paper. There is no recycling of plastic bags or Styrofoam, big contributors to landfill necessity. And there is low incentive for rural residents to recycle with no curbside pick up or seasonal cleanup, and unorganized township residents who wish to recycle at the Casella recycling center in Old Town must obtain a permit. Out of town, i.e. Bangor, Casella operated recycling centers admit only residents. They even have a guard on site to ask patrons where they live. Recycling should be encouraged and not limited to where one resides.

The impact on those living by Juniper Ridge Landfill over the last decade plus cannot be weighed. The high volume truck traffic comes from all directions, down Route 116, Route 16 and I95; ruining roads at the expense of taxpayers and disturbing what otherwise would be quiet rural neighborhoods. And the annual struggle of concerned citizens to fight this perpetual attack on our area is exhausting. We should not have to fight the state over what should be a no brainer. According to the state of Maine waste hierarchy, landfills are to be phased out. Period.

JRL is an eyesore and it is not an appropriate solution for waste management in this day and age. It is responsible for tainted water and land, loss of wildlife habitat and destruction of Maine's rural sense of place. Casella has shown little interest in phasing JRL out since there is no incentive for them to change.

Even though processing recycling is cheaper than solid waste management, Casella does little to encourage this because in truth they are reaping more profits in out of state MSW through weak legislation/enforcement and loopholes in descriptions of what constitutes 'waste'; using a tactic employed by many toxic interests. This is an unsustainable business practice and will always need expansion to accommodate this model, which is at the bottom of the state of Maine waste hierarchy. We have tolerated it long enough. It must be phased out, not expanded.

Juniper Ridge had an open house Saturday, October 1st 2016. I've attached the announcement mailed out to local residents. You might also note that the top draw for entertainment is hitting golf balls off the top of Mt Baldacci into what once was a pristine bog...essentially encouraging littering. One has to wonder how much this activity happens since they seem to think it's a big hit; pardon the pun. It is a blatant attempt at Public Relations to mislead the public and garner support for an industry that has passed its time. Also, the image on the invitation is misleading, depicting the landfill as much smaller than it actually is. See attached

Timeline.

Casella's behavior is not reflective of the type of stewardship I expect in people entrusted with the safe containment of this monument to an irresponsible way of life. This complete lack of respect for the land and efforts to mislead the public concerns me deeply and I hope the Land Use Planning Commission and the Department of Environmental Protection will be diligent in their investigation of Juniper Ridge and its impact on our land, now and in the future.

Ultimately, we need to stop trying to fix the problem of waste management from the bottom up. There will always be business for interests like JRL because there is no incentive for decreasing market-generated waste. Manufacturers and advertisers need to be held accountable for their reckless use of non-essential packaging and junk mail. We see huge amounts of waste from the retail industry and they must be held accountable. Make areas responsible for the trash they generate. That is to say, big box stores such as Walmart, should help bear the cost of the waste management and recycling they generate through sales, otherwise they will not change.

There should be an Opt Out option for junk mail and penalize offenders who will not stop. We can unsubscribe from emails and get on a Do Not Call List to avoid telemarketers when these irritants take up little or no space; it is time we applied the same constraints on junk and unsolicited mail. I get five offers a week from Dish TV alone and it's nearly impossible to opt out!

It's easy to throw things 'away' if you don't have to look at the effects. Well, there is no more 'away'. It's time we stop patching up our method of waste management and get hard core about stopping it at the source. We can start by refusing JRL's expansion request and ban them from future expansion.

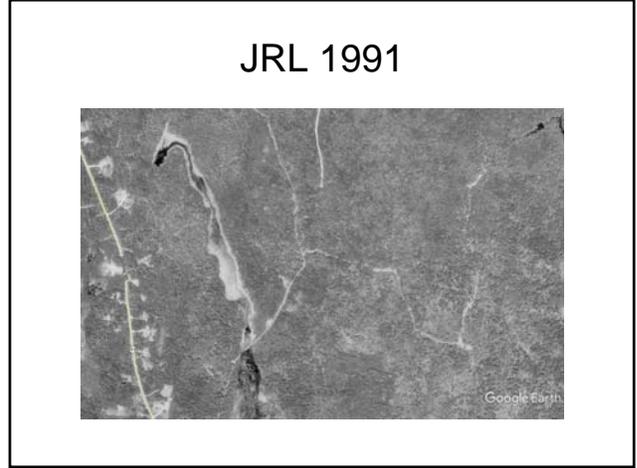
Otherwise, we might as well bring back the burn barrels in the back yard.

Thank you for your attention to this matter,

Sincerely,

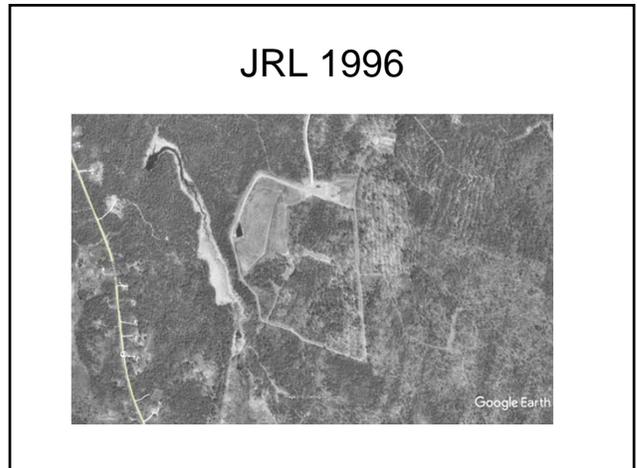
Kat Taylor

Argyle Township



JRL Timeline

- **July 28, 1993** – Original license issued by the Board of Environmental Protection to Fort James Operating Company for a secure landfill for the disposal of mill wastes (primarily sludge and ash).
- **December 1996** – Fort James begins Landfill operations.



JRL Timeline

- **April/May 2003** – The Governor’s Office and Georgia-Pacific began discussion on how to address mill related issues that led to the April 4th decision by G-P to close the two paper machines at the Old Town mill.
- **May/June 2003** – The Governor’s Office, State Planning Office, Department of Environmental Protection and Georgia-Pacific begin framing steps necessary to fulfill needs identified to date. The landfill is identified as an asset of G-P that would also provide needed within-state solid waste disposal capacity, a task that had been legislatively delegated to the SPO.

JRL Timeline

- **June 2003** – Maine Legislature passed Resolve 2003 Chapter 93 (Resolve, To Authorize the State to Purchase a Landfill in the City of Old Town) that authorized the Maine State Planning Office to acquire the existing West Old Town Landfill and to enter into agreements concerning its operation.
- **June 13, 2003** – The State Planning Office released its public notice for “Request for Proposals: Contract for Landfill Operations”, relative to the planned operation of the West Old Town Landfill as a state-owned disposal facility.
- **June 23, 2003** – The State Planning Office holds a ‘pre-bid’ meeting at the Fort James/Georgia Pacific landfill in Old Town.

JRL Timeline

- **July 9, 2003** – Responses to the State Planning Office’s RFP were due. SPO began reviewing the proposal received from Casella Waste Systems, Inc. No other proposals were received.
- **August 18, 2003** – State Planning Office awarded the landfill operations contract to Casella Waste Systems, Inc. State Planning Office and Casella begin drafting the operating services agreement for the operation of the landfill, reflecting the terms and conditions included in the Request for Proposals and Casella’s response.
- **September 26, 2003** – An application was submitted to the Department of Environmental Protection by the Maine State Planning Office, requesting the transfer of the existing West Old Town Landfill license from Fort James to the State Planning Office.

JRL Timeline

- **October 21, 2003** – An Order was issued by the Department of Environmental Protection approving the transfer of the West Old Town Landfill license from Fort James to the State of Maine.
- **October 30, 2003** – An application for an amendment to the original landfill license was submitted to the Department of Environmental Protection by the Maine State Planning Office. The application proposed an increase in the final elevation of the landfill (from 270 feet to 390 feet) that involves construction of a 30 foot high berm around the perimeter of the licensed footprint of the facility.
The application also proposed the acceptance of additional in-state waste types including construction/demolition debris, incinerator residues and smaller quantities of other special wastes.

JRL Timeline

- **April 2004** – The Department of Environmental Protection approves license amendment for vertical increase.

JRL 2004-1



JRL 2004-2



JRL 2006-1



JRL 2006-2



JRL 2007



JRL 2010-1



JRL 2010-2



JRL 2010-3

View from Route 43



JRL 2010-4

View from Route 43



JRL 2011



JRL Timeline

- **September 2011** – State Planning Office and Casella Waste Systems submit application for a public benefit determination to the Department of Environmental Protection for a proposed expansion of the landfill.
- **January 2012** – Department of Environmental Protection issues approval of public benefit determination.

JRL 2012



JRL 2013



JRL 2015



JRL 2016



JRL 2016-2



JRL 2016-3



JRL 2016-4



JRL 2016-5



JRL 2017

Current View Routes 43 & 116 & 16 & 195



Google Earth

JRL 2017

Current View from Routes 116 & 16
JRL = Height 321' and counting



Google Earth

JRL Open House Invitation 2016



JRL Open House Invitation 2016

You're Invited
JUNIPER RIDGE LANDFILL
OPEN HOUSE

SATURDAY, OCTOBER 1st • 10:00 am - 2:00 pm (Rain Date 10/16)

Join us for a special tour of the Juniper Ridge Landfill and learn about the facility's environmental protection systems, full-scale organic waste operations, and how we here you can help reduce landfill waste through our recycling, composting, and electrical waste programs. You will also have time to meet our recycling team and address concerns and provide us feedback that can be used to improve.

- All golf balls off the top of the landfill
- Free hamburgers, hot dogs and french fries
- Inflatable slides for kids
- Tour an old-fashioned maple sugar house with a new build
- Get an autograph from retired NFL stand out player and O'Maine graduate, Mike Dierker

FREE
Lunch for you and
GREAT GIFTS
&
ACTIVITIES

GRAND PRIZE!
Old Town Canoe
Including two paddlers and life vests

OTHER PRIZES INCLUDE: 140" hockey sticks, 4x6 baseballs, and more!

casella
WASTE & SOLUTIONS
200 Sunnyside Road, Old Town, ME 04468
www.casella.com

QUESTIONS -
Contact Steve Regan: regan@casella.com
or call 207-964-6373

LOCATION -
200 Sunnyside Road
Old Town, ME 04468
(Just off I-95 at exit 16 north)

INQUIRY TO:
EDWARD
US POSTAGE
PAID
E0049254E

Local
Postal Customer

Actual Size of JRL at time of Open House 2016



Note the difference in size of landfill image on invitation. Same perspective.

Presentation by
Kat Taylor
1039 Southgate Road
Argyle Twp., ME 0446

- Images courtesy of Google Earth & Kat Taylor
- JRL timeline from 1989 to 2012 from <http://www.maine.gov/decd/meocd/landfills/juniper.shtml>

From: Shri A. Verrill
To: Tarbuck, Kathy
Subject: comments opposing JRL expansion
Date: Monday, May 08, 2017 3:53:14 PM
Attachments: Juniper Ridge expansion opposing comments.pdf

Hi Kathy,
Please find my comments attached.
Respectfully,
Shri

--

Shri A. Verrill
MS Biology
Botany/Field Ecology
[Wetland Science](#)

Maine Association of Wetland Scientists
Legislative Committee

Society for Ecological Restoration
Certified Ecological Restoration Practitioner (CERP) Committee

Comments opposing Juniper Ridge expansion

May 6, 2017

To:

Ms. Kathy Tarbuck
Solid Waste Project Manager
Maine Department of Environmental Protection
Solid Waste Bureau

From:

Shri A. Verrill
18 Maple Ave.
Freeport, ME
04032

Dear Ms. Tarbuck and to whomever else this matter concerns,

Thank you for reading my comments. I am writing in opposition to the Juniper Ridge expansion. My testimony before the BEP on October 18, 2016 remains true and I urge you to consider the points already made at the numerous hearings. I am not opposed to the reality of landfills. I work at the ecomaine landfill/ashfill in South Portland. Recently I read an in depth report on the state of landfill capacity in Massachusetts (2008) where it was clear that shifting away from solid waste management to focusing energy further up the waste stream¹ is their solution to utilizing their ~8,000,000 remaining tons of landfill capacity. According to a 2017 report from the DEP solid waste capacity goals in Maine echo a similar hopeful tone:

- **Highlights:** “The capacity for disposal of [Municipal Solid Waste] MSW generated in Maine remains adequate into the near term future, based on the currently operating disposal facilities and management systems in place”²
- **Priorities:** “It is the policy of the State to plan for and implement an integrated approach to solid waste management for solid waste generated in this State and solid waste imported into this State, which must be based on the following order of priority: A) Reduce; B) Reuse; C) Recycle; D) Compost; E) Waste To Energy (WTE); F) Landfill²
- **Waste reduction and diversion:** “It is the policy of the State to actively promote and encourage waste reduction measures from all sources and maximize waste diversion efforts by encouraging new and expanded uses of solid waste generated in this State as a resource”²

I recognize that the State of Maine is a leader in solid waste management in the country, but there are some irreconcilable issues that I take with a JRL expansion.

In the State of Maine Board of Environmental Protection Public Benefit Determination for Juniper Ridge Landfill (JRL) Expansion License #S-020700-W5-AU-N (Approval with conditions; June 1, 2012) it is stated that “JRL...only accepts waste generated in Maine”³

“**Generator**” is defined in section **GGG of the Maine Solid Waste Management Rules, Chapter 400 (06-096) under Definitions** "Generator" means any person whose act or process produces a solid waste or whose act first causes a solid waste to be subject to regulation under these rules.

However, there is no definition for “waste generated in Maine”. The Merriam-Webster dictionary uses words like “originate, ‘to be the cause’, and to ‘bring into existence’” to describe the definition of generate (<https://www.merriam-webster.com/dictionary/generated>).

A common grasp of the English language and these two definitions makes it clear that waste generated out of State and brought to Maine is a secondary process, not original, not the cause of existence and therefore JRL’s claim to “only accept waste generated in Maine” (BEP 2012) is false.

Approximately 12% of the closed municipal landfills in Maine have been identified as environment risks as defined by the Maine DEP, [mostly because] waste materials in a landfill slowly decay, producing gasses and leachate that may be released into our air and water. Air emissions from landfills primarily consist of Carbon dioxide (CO2), methane, malodorous compounds, and other organic compounds (US EPA 1995) which contribute to air quality problems. Impacts of landfill leachate include the pollution of ground and surface waters and the energy and chemicals associated with treating collected leachate.⁴

All of this is a problem because it occurs upstream from the Penobscot Nation’s Indian Island where most of the Penobscots’ live. They have been riddled with cancer from the multiple industrial pollution sources into the river. They have gotten a very bad deal from the State of Maine for far too long. And I just do not support piling yet another heap of refuse, basically on top of their heads. They have no place else to go. When the leachate barriers break, and they will, it is the Penobscot people who will pay. They are my good friends and as Mainer’s we should be collectively outraged at the treatment they have received in our name at the hands of our government.

I urge you to reject the application for JRL expansion:

- Expanding our landfill capacity is in opposition to State goals, priorities, and policy
- Accepting MSW from out of State is unacceptable. We are not a dumping ground.
- It endangers water quality of the Penobscot River and therefore the Penobscot People, who are a Riverine Culture.

Thank you for reading and considering my passionate comments.

Submitted respectfully,

Shri A. Verrill

18 Maple Ave

Freeport, ME

04032

1) Assessment of Materials Management Options for the Massachusetts Solid Waste Master Plan Review (2008) Tellus Institute, Boston, MA (<http://www.mass.gov/eea/docs/dep/recycle/priorities/tellusmmr.pdf>)

2) Maine Solid Waste Generation and Disposal Capacity Report: Calendar Year 2015 (January 2017) Report to the Joint Standing committee on the Environment and Natural Resources: 128th Legislature, First Session.

3) State of Maine Board of Environmental Protection Public Benefit Determination for Juniper Ridge Landfill (JRL) Expansion License #S-020700-W5-AU-N (Approval with conditions; June 1, 2012)

4) “Solid Waste Management in Maine: Past, Present and Future”. Materials Management Research Group at the Senator George J. Mitchell Center for Sustainability Solutions (2015)

From: Marty Weaver
To: Tarbuck, Kathy
Subject: Juniper Ridge Landfill
Date: Monday, May 08, 2017 12:20:13 PM

Please register my protest to the expansion of the Juniper Ridge Landfill in Old Town, Maine.

A thirty year contract to a company who essentially wrote the proposal, for an area between two rivers that drain into the Penobscot, is a threat not only to the local inhabitants, who are already feeling the adverse effects of the current landfill, but to all Mainers.

The expansion will bring in more out-of-state trash, while Maine is working hard to reduce its own trash production. If we give out-of-staters carte blanche to dump their trash, what incentive is there for us to reduce our own? Or they to reduce theirs?

We need to make Maine's trash rules as restrictive as Massachusetts' and New Hampshire's, rather than encouraging them to get rid of their trash in Maine, particularly in such an environmentally sensitive area.

We need to practice environmental justice for the Penobscots, whose land and livelihoods we are destroying.

Sincerely,

Marty Weaver
149 Charles Street
Belfast, Maine 04915