

2025 Request for Public Hearing on JRL Phase II Expansion HQH-D401-RJBBR

Ms. Dispirito,

This is a request that the Department hold a Full Adjudicatory Hearing on the proposed expansion of the state-owned, Casella-operated Juniper Ridge Landfill located in the City of Old Town, County of Penobscot, State of Maine. Another massive expansion of JRL is fraught with credible conflicting elements that deserve to be fully explored in Public, with all present required to swear an oath of truthfulness.

Before going any further, I want to criticize whatever entities are responsible for the timing of this application process. It appears to be deliberately designed to place deadlines during the Holiday Season and make it more difficult for citizens to participate. The deadline for a Public Hearing request falls between Christmas and New Year's, when Americans gather to celebrate with family and enjoy a respite from responsibilities. So, whoever makes these decisions, you are despicable. This is yet another example of how Maine as owner of JRL and Casella attempt to deny meaningful involvement of citizens.

My reasons for requesting a public Hearing are personal, familial, community and economically founded. My wife and I live within two miles of JRL and our assets include 120 acres of woodland, our residence since 1979 and outbuildings for both personal and business use. These are all degraded and devalued by being forced to have JRL as a neighbor. I had to call in an odor complaint this past Saturday, Dec. 6th, and another odor complaint today, Dec. 10, 2025 at 2:40 PM. I recently deleted a full dozen phone messages from Casella in response to odor complaints this year. I was an official Intervenor during the last Expansion Hearings and plan to serve in that role once again. In addition, I have appeared in front of the Board of Environmental Protection at least 8 times as either an individual or group member, all related to JRL. This despite Casella's law firm trying to deny my standing repeatedly and without success.

The Record for this Hearing should not be limited in any way. It should include all news stories on related topics since JRL began in 2003, every DEP license and Amendment plus the testimonies associated with DEP and BEP activities both in licensing and at the Legislature. In particular, all the Record from the 2016/2017 JRL Expansion should be included for this Hearing. Casella likes to rewrite history to distort its business practices, and limiting the Record is one way they feel necessary to get their way with Maine. Casella's businesses and practices across New England and beyond should be open for Review, as they themselves say that the State lines are artificial.

There are numerous conflicts involved with this attempted Expansion I will mention briefly. For starters, this expansion process is hurtling forward without waiting for a judge's

decision on the Public Benefit Determination Permit. This could complicate and delay the eventual decision. Conflicts in that case include the lack of Environmental Justice during the PBD process. In fact, the concept of Environmental Justice has been almost completely ignored by Casella, the State as Owner (BGS), and the Department throughout the lifetime of JRL since the original Request for Proposals was issued belatedly in 2003. The pending court action on PBD also addresses failure to comply with our State Waste Hierarchy. Currently, municipalities in Maine are required to adhere to the Hierarchy, whereas the towns beyond Maine's borders whose waste ends up at JRL do not have to comply in any way with Maine statute. This is a major conflict.

The Operating Services Agreement between the State as Owner and Casella expires in early 2034. They are now asking for waste capacity at JRL to be extended far beyond that deadline. This is a serious conflict and problem. Before any extension of the OSA there needs to be a comprehensive Review of the history of JRL in regard to compliance with the OSA. Given that the original RFP process was flawed and many think, corrupt, there should be a new bid process to operate JRL beyond the OSA expiration. This does not mean that I am in favor of an Extension. My writings on that should be part of this Record.

During the PBD process it became known that some leachate was being found where it should not have been. Casella's people tried to deny this at their series of meetings since then. We want the DEP and others to answer questions about this and many other issues under oath. Test well results should be analyzed for trends over time and presented in graph form easy to understand. Likewise, leachate test results need to be closely examined for changes in toxicity, both when the leachate leaves JRL and when it leaves the wastewater "treatment" facility and enters the Penobscot River. A discrepancy between DEP and Casella is a credible conflicting technical event. In addition, Casella's DEP permits say that "...the Operator has the ability to control the odors." A Casella person just admitted to me that there are odors but they are "doing the best they can." Quite a difference between permit and reality.

Maine waste laws contain definitions that sound as if they were written by waste industry lawyers, and that is the truth. The common definition of a Recycled material is a waste that is converted back into a usable product, thus replacing the need to make or buy new items. In rules at JRL, Recycled includes materials that are used as Daily Cover. Since JRL has been here, there have been over a million tons of wastes, much of it from beyond Maine, deposited at JRL and counted as Recycled. Casella pays no tip fees on this material, which is roughly one sixth of the total. Plus, we do not know who gets to decide which loads are called Recycled and which entity decides. This is vital because Processing Facilities have to recycle at least 50% of received materials. Casella has profited greatly from the failure of

PERC and the MRC's processing facilities to date. This is conflicting and vital to our waste policies in Maine.

We in the Old Town area, which includes Alton, Indian Island, and many other towns, live in a State Sacrifice Zone. Maine has no plans to site another landfill to deal with our wastes. BGS, as the titular owner, also owns a landfill site near Lincoln called Carpenter Ridge. That location is surrounded by Penobscot Indian Territory, which poses a huge conflict for the Tribe: must they sacrifice another sacred area to protect themselves here and oppose Expansion? What a horrible dilemma. DEP is under tremendous pressure to keep expanding JRL, but since there appears to be no alternative they must ignore conflicts at JRL. DEP is supposed to analyze proposals using scientific methods, but they are forced to comply with decisions of elected officials. Conflicts!

Practically speaking, the only entity keeping track of wastes at JRL is Casella. This means nobody but them really knows if they are honoring financial obligations to host communities and the State. Casella has a history of lying to get what they want. They are a publicly traded waste corporation, but are somehow deemed so trustworthy by the State as Owner and Regulator that there are no regular audits performed. It appears obvious that Casella and BGS have violated the 3rd Party Contracts clause of the OSA by not reviewing JRL contract details before signing. Just recently we learned that Casella wants to ship the approximately 25 million gallons of highly toxic JRL leachate 50 miles upriver to dump it in East Millinocket. This was done without first notifying BGS or the DEP.

I am certain that there are many other credible conflicting technical problems that will be revealed and explored as this process moves along. Holding a Public Hearing is the right thing to do, and it should be held in the Old Town/Bangor area during times that the Public may conveniently attend in person and also participate through the internet. Expansion while allowing present operations to continue is irresponsible and we deserve an in-depth analysis of the greenhouse gas emissions involved. As co-chair of Maine's climate group, Melanie Loyzim may be conflicted.

I look forward to engaging with you at the Hearing and urge you to find an alternative site. JRL was supposed to exclude Out of State wastes and MSW, plus sewage sludge. Another fire could occur at JRL at any time and perhaps render it unusable. What is the plan then?

Regards,

Ed Spencer

West Old Town, Maine