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**From:** Cheryl Spencer <cjkspencer@gmail.com>  
**Sent:** Wednesday, March 28, 2018 4:55 PM  
**To:** Tarbuck, Kathy  
**Subject:** March 29, 2018 Comments on #S-020700-WD-BL-A

Dear Kathy Tarbuck,

Please consider these comments on the Draft License Partial Approval With Conditions. My position is that the time extension should have been denied and non-bypass MSW be banned from JRL after 03/31/18. It is important, however, that the Department has set a firm date to end MSW to JRL, with a potential six months extension at a lower volume limit.

In 2013 DEP granted Casella permission to bring 81,800 tons per year to JRL based on the fact that the MERC closure made it difficult to find a new disposal site for the in-state MSW from those southern Maine communities. The statistics show that the former MERC towns total MSW amounts are 22,827 tons per year. The actual MSW deliveries to JRL increased from 36,878 tons in 2014 to 69,934 tons in 2016, which means that Casella not only utterly failed to divert the MSW in question, but that they are sending over 46,000 tons more than the requirements of the true MERC communities. Overall MSW produced in Maine actually fell each year from 2011 to 2015.

During the one year extension period, 81,800 tons is an excessive amount of MSW. These are not just abstract numbers but represent about 2700 tractor trailer loads. Each of these loads may be very odiferous at their origin, along the way, and when they arrive in Old Town. We have all seen papers flying out of trash trucks coming up the interstate and a lot of the litter along these highways is from JRL-bound MSW. Casella must have a plan for disposal of this MSW beginning April 1st were their application to be denied. Why not place a lower limit on MSW to JRL during the one-year extension? The potential 6 month extension would allow only 30,000 tons, or a 60,000 tons/year rate. Why not begin this reduction immediately, considering all the waste had a place to go in the event of a Denial? Casella was granted a favor in 2013 and has responded by failing to seriously divert MSW and instead has increased the volume to three times the actual former MERC municipalities' needs.

On Page 16 of the Draft it states "Casella conducted an 8-month pilot project with the Town of Scarborough which included curbside collection with disposal at Exeter Agri-Energy through ecomaine although transportation costs were deemed prohibitive." This was to try to remove food wastes from the MSW. How is it that transporting food wastes from Cumberland County to Exeter are "deemed prohibitive" but trucking unsorted MSW to Old Town is affordable?

In multiple places in the Draft it mentions "contracts with JRL" such as on Page 14: "There are 14 communities under long-term contracts with JRL that formerly utilized MERC as a disposal option." JRL is not an entity that signs contracts, so this language is confusing or deceptive. My earlier comments stated my displeasure at having JRL being a contracted disposal destination for any town given our Waste Hierarchy and the currently licensed time periods. BGS should have pointed this out, just as BGS should have noticed in the JRL annual reports that MSW was not really being diverted from JRL. Instead, BGS serves as an official state letterhead for Casella to pursue their corporate profit seeking activities.

There is no mention in the Draft of potential out of state options for MSW disposal, and there should be. It is 199 miles from Maine's border with New Hampshire to Old Town and about 150 miles from the Westbrook Transfer Station to JRL. It is hypocrisy to say that no Maine waste shall have to leave the state when we all know that almost half of the JRL pile was discarded beyond our borders.

Under the (4)Technical Uses for MSW, it says that "...the use of CDD or CDD fines provides an opportunity for increased H<sub>2</sub>S production from the breakdown of sheetrock in the material." I don't buy this logic because all of this CDD material keeps piling into JRL and it will all have to decompose and release its sulfur. The landfill gas cleaning mechanism at JRL produces over a ton of sulfur each day which is dumped back into the landfill. Sheetrock in equals H<sub>2</sub>S out, simply put. Likewise, more MSW equals more organic material equals

more landfill gas. I doubt Casella will have to buy material to finish the grades before the landfill is capped. There is plenty of material inbound to serve this purpose, plus they have access to a borrow pit nearby.

I am 100% opposed to the idea of curbside MSW from the Bangor area being brought to JRL. The MRC has an agreement to send its MSW to Crossroads LF in Norridgewock. MRC MSW was never permitted to come to JRL. Please add a Condition to the License that prohibits this practice. Their choices should be Norridgewock or PERC, period. Local MSW to JRL sets a horrible precedent. The logic that it would save on fuel and emissions may sound like the right thing to do at this point. Does DEP apply this same criteria to CDD originating in Massachusetts? Once again, there is hypocrisy demonstrated.

Department Findings (1) is the truth: "The Department finds that the intent of the 2013 Amendment license was for MERC waste to be disposed of at JRL temporarily and to ensure that activities at JRL support, and do not subvert, the hierarchy." Bringing Bangor MSW to JRL subverts the hierarchy. In (2), it says correctly that "...MSW disposed at JRL has increased without a corresponding increase in the annual generation of MSW in Maine."

Please consider these comments and let the MSW to JRL deadline pass in short order. Failing that, extending the 81,800 tons/year rewards Casella for its non-efforts at MSW diversion. The amount should be lowered. Casella's obligations to its contracts should not place an obligation on BGS and DEP to allow MSW disposal at JRL, the worst option on the Hierarchy. We need to take a firm stand and keep MSW out of JRL. Respectfully submitted,  
Ed Spencer