

Testimony before the  
Committee on Environment and Natural Resources  
Nora Bosworth  
Conservation Law Foundation  
April 28, 2025

**RE: Testimony in Opposition to LD 297 –**

Good morning Senator Tepler, Representative Doudera, and members of the Environment and Natural Resources Committee:

My name is Nora Bosworth, and I am a Staff Attorney with the Conservation Law Foundation (CLF). CLF’s mission is to conserve natural resources, protect public health, and build healthy communities in Maine and throughout New England.

CLF strongly **opposes** LD 297, which would extend Casella’s ability to bury 25,000 tons of out-of-state waste at Juniper Ridge Landfill until 2028—and, more alarmingly, would reopen the door for unlimited out-of-state waste to enter JRL under the guise of landfill cover.

Understanding the harm this bill would cause requires some context. JRL is a state-owned landfill that, by law, is only supposed to accept Maine waste. Landfilling harms both the environment and local communities, so Maine has wisely sought to reserve its limited landfill capacity for in-state waste.<sup>1</sup>

Yet much of the waste that has now filled up JRL, swallowing up the landfill’s capacity faster than DEP predicted, came from Massachusetts and New Hampshire. Specifically, construction and demolition debris (“CDD”)—bulky material that often contains toxic substances like heavy metals and flame retardants.<sup>2</sup> After Massachusetts banned CDD disposal to preserve its *own* landfill space and reduce toxicity, Casella began importing MA’s bulky waste to the ReSource facility in Lewiston, ME, and burying it at JRL as landfill cover. Due to a now-closed legal loophole, this out-of-state waste was previously counted as “in-state” waste.

The Legislature corrected this by passing LD 1639, ensuring that facilities like ReSource cannot send more construction debris to JRL than the amount they originally received from Maine. Any excess counts as out-of-state waste and is barred from JRL. LD 297 would undo this progress. **This bill redefines all residue used as landfill cover as in-state waste.** This would allow

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<sup>1</sup> PL 1989 Chapter 585, An Act to Promote Reduction, Recycling and Integrated Management of Solid Waste and Sound Environmental Regulation; *see* 38 M.R.S § 1310-N.11.

<sup>2</sup> Adane Sewhunegn Molla, et al., *Chemicals of concern in construction and demolition waste fine residues: A systematic literature review*, 299 JOURNAL OF ENV’T MGMT. (2021), <https://doi.org/10.1016/j.jenvman.2021.113654>

thousands of tons of Massachusetts waste to once again fill up JRL under the pretense of landfill cover. **This change has nothing to do with the sludge issue; it is just a profit-driven attempt to cram more waste into JRL.**

LD 297 also seeks to extend an existing carveout allowing Casella to bring in 25,000 tons of out-of-state waste annually, regardless of its use, through 2028. This carveout was originally granted during the 2023 “Sludge Crisis”. Casella claimed JRL was becoming unstable from sludge and demanded to import 235,000 tons of dry bulky waste to balance the landfill. The Legislature and the public pushed back, and Casella ultimately scaled its request down to 25,000 extra tons of construction waste per year, approved only through 2025. Now, LD 297 seeks to extend that carveout to 2028, despite Casella having taken no concrete steps to resolve the underlying issue, like investing in sludge drying systems, or relying on more typical bulking agents. Nor are they economically motivated to do so.

As Susanne Miller, DEP’s Director of Remediation and Waste Management, noted during the sludge crisis: “Casella appears to keep finding reasons for not using the materials we keep finding for them.”<sup>3</sup> Casella’s business model profits from burying as much waste as possible. Again and again, it falls to the state and the Legislature to protect Maine’s environment and communities.

At the very least, this Committee should strike lines 32-34 from LD 297 to avoid reversing Maine’s progress in waste management and environmental protection.

For all the above reasons, we urge this committee to **vote ought not to pass** on LD 297.

Respectfully submitted,

Nora Bosworth  
Staff Attorney, Communities and Toxics  
Conservation Law Foundation  
[nbosworth@clf.org](mailto:nbosworth@clf.org)

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<sup>3</sup> Loftus, *The Showdown Behind the Scenes of Maine’s Sludge Crisis*, BDN.