

## LD 1349 Testimony in Favor

Senator Tepler, Rep. Doudera, and Members of the Environment and Natural Resources Committee,

This history of the Juniper Ridge Landfill (JRL), Maine's only functioning state landfill, is replete with examples of bad government. Born in a "Mill Crisis" its Operator was chosen before sending out a Request for Proposals (RFP). The chosen Operator, Casella Waste Systems, refused to honor the \$50 million bond requirement in the RFP after being awarded the contract. State and waste company officials proclaimed that "There will be no out of state waste allowed" at the same time they had signed an agreement facilitating importation.

In 2006 another "Mill Crisis" led to the 2<sup>nd</sup> amendments to the Operating Services Agreement, and the Fuel Supply Agreement opened up Maine's state landfill to almost unlimited imports of out of state Construction and Demolition Debris (CDD). We call these OSA amendments the Secret Amendments because the participants neglected to inform the local municipalities or their elected officials. The DEP, as Regulator of JRL, was left out of the loop! Our JRL Advisory Committee was not advised of these major changes and the Public was excluded until some of us finally realized that there was a change, but it took us until 2008 to understand what had happened.

LD 1349 would restore the power of the legislature to determine the future operation of JRL or any other state landfills. Currently the only guiding principle is for Casella to make as much profit as possible. This includes actions that put the Public Health at risk. Currently Casella has uncovered acres of JRL and is putting more waste in place where the landfill has settled. This unleashes landfill gases, notably methane (a powerful greenhouse gas) into our atmosphere, and the stench of partially decayed garbage spreads over the area for miles around. The public suffers, Casella profits, the State does little to control its own landfill!

Is there any other contract between the State agencies and corporations that come close to the amount of money involved at JRL? There have already been 20 million cubic yards permitted and almost filled. Each one of these cubic yards has to be worth at least \$50 to \$100, which means there has been at least a billion dollars of landfill capacity awarded. This should not continue without enhanced oversight and approval by our State Legislature, which holds the Public trust for Maine property.

The Bureau of General Services (BGS) is the titular owner of JRL. Early last year they held a Public Hearing on whether or not to Extend the JRL OSA beyond its 2034 end date. The Public spoke unanimously against extension. BGS received voluminous comments, but never answered to specific questions and allegations raised by the participants. The State as Owner has always given Casella whatever they wanted, and

that has hurt the Citizens of this area, including the Penobscot Indian Nation. LD 1349 will reassert control of Maine's waste problems by mandating legislative involvement and approval of ongoing contracts. I urge you to vote Ought to Pass.

Respectfully yours,

Ed Spencer