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Senator Brenner, Representative Tucker, and honorable members of the committee on Environment and Natural Resources.

My name is Mali Obomsawin and I am a member of the Wabanaki community, enrolled in Odanak Abenaki Nation (QC) and am from Farmington. I am an activist and journalist for Sunlight Media Collective and Racial Equity and Justice. As an Indigenous person I find all the bargaining and negotiating away of the health and waters of my homeland reprehensible. The percentages and compromises and talk of investments and commerce that I've heard in this hearing are akin to negotiating away the rights and wellbeing of my own mother. I understand that this kind of language doesn't resonate with settler governments, but that is just a symptom of not having come from this land yourselves. I implore you to imagine that this land is your ancestral homeland for the purpose of this issue.

Waste mismanagement is a huge problem in Maine, and for decades state legislators have been accomplices to private, interstate waste companies like Casella dumping toxic waste into ME rivers and landfills for decades. Mainers need the DEP to commit more than lipservice toward environmental protection and climate change science, and be accountable to the health of Maine and Mainers. We need to protect our waters and soils from hazardous waste, not open the gates for them to enter the state.

On Earth Day we saw hundreds of citizens demonstrating against environmental injustice that is occurring on the Penobscot River because Juniper Ridge receives over 200,000 tons of out of state waste every year. Maine owns this landfill, but Casella Waste Systems has operated it since 2004. Maine and JRL do this in tandem – and Maine turns a blind eye when JRL trucks 1.3 million gallons of landfill leachate PER MONTH from its facility to ND Paper in Old Town, who then dumps it directly into the Penobscot River after insufficient processing...

A large portion of that waste is construction and demolition debris, which requires much more stringent regulation for processing than regular municipal waste, due to the toxins and heavy metals it contains. Leachate is a hazardous cocktail of chemicals that is created when rainwater filters down through layers of waste. According to Penobscot Nation's Natural Resources Department, the mill doesn't have the capacity to adequately process the complex toxins contained in landfill leachate - especially what's coming from Juniper Ridge. Since ND Paper's processing facility was designed to process mill waste, it is not capable of processing those complex compounds.

Many of the activists that gathered on Earth Day called for legislators to close the legal loophole that allows the state-owned landfill to take in out-of-state waste. This loophole lies in the definition of what is deemed out of state, and how waste is brought here:

Legally, out-of-state waste can become codified as in-state waste through a recycling facility or through incineration. Much of the construction and demolition debris coming from out of state to JRL is being "recycled" by ReEnergy based in Lewiston. Their intake is 90% out-of-state waste, and JRL accommodates about 93% of ReEnergy's output. This is how the waste is "generated" within the State". (PL 2019 Chapter 619).

I also want to speak to another example of out of state waste contaminating Wabanaki homelands. Because my nation descends from the Kennebec River, even though our was expelled to Quebec taking refuge from massacres in the 1700s, I want to speak to my ancestral river.

In addition to the Penobscot river, out of state waste is being funneled into Norridgewock's Crossroads Landfill – who have applied to EXPAND their facilities by starting a new landfill only 3000 ft from the Kennebec River. – Let me mention that the DEP has drafted an 'approval with conditions' For this application. This demonstrates the DEP's continued complicity and abetting out of state waste and pollution of our rivers. Approving Crossroads' expansion would create new capacity in Maine for out-of-state waste,

which is – as we know - already far too dangerous and toxic for other states to accept. Many of the waste materials that would be allowed at the new landfill are currently banned from deposition in other northeast states and provinces where they originate. Why is Maine volunteering its beautiful rivers and landscapes - the homelands of the WABANAKI people - as dumping grounds? Especially at a time when restoration of the Kennebec River is critical to saving Wild Atlantic Salmon from extinction in North America, the DEP needs to do EVERYTHING in its power to protect this watershed

That landfill would be approved to take in large volumes of PFAS/PFOS-contaminated sludge (as has been occurring at the current landfill and JRL) – but not required to test or treat for PFAS. In 2019 tests of Kennebec River fish by the DEP, at the testing location beneath Shawmut dam, located downstream of the Waste Water Treatment Plant on the Kennebec where the majority of the current WM landfill leachate is discharged, was also the site of the highest levels of PFOS in fish, with levels more than double those of any other test location. These out of state wastes are dangerous to maine citizens and ecosystems – and actively harming the health of both. I second what Dawn Neptune Adams has said, that we are facing this issue because the other states have more responsible waste policy makers and enforcement than Maine;

I second Dawn Neptune Adams definition of environmental justice – and add that waste mismanagement is a racial justice issue.

I just want to address the irony of REP HANLEY's concerns regarding the “definition of social justice” – it appears that even when things are defined, that the state is not concerned with what the intention behind these legislations.

Definitions can be easily bent and worked around by the state depending on the profitable opportunity du jour, regardless of intention. As an indigenous person once again I am forced to be distinctly aware of how words and definitions are manipulated to benefit industry and profit at the expense of the environment and Black brown and indigenous, and poor communities.

I am in support of LD1639 and frankly think we can do better.