

May 2026 Letter of Intervention- #HQH-D4D1-RJBBR

Dear Mr. Mangeon,

I am writing to inform you that I intend to intervene in the JRL expansion Public Hearing that is announced but not scheduled. I am also registering my protest that this process is taking place before Judge Mallonee decides the fate of the second Public Benefit Determination. The PBD is supposed to be a prerequisite for an Expansion Hearing procedure. In addition, by my count you have only given prospective intervenors from May 5th to May 22nd to decide whether to commit to the time requirement necessary to serve as an intervenor, as I did in the last JRL Expansion Hearing nine years ago. I realize this is standard DEP practice, and it is also a good example of how Meaningful Involvement of the Public is now and has for decades been restricted.

JRL is located within 1.75 miles of my home, and the border to border distance between our properties is less than that. We have been periodically denied the ability to peacefully enjoy our home because of odorous gases emanating from JRL. There is a constant threat of fire. This also constitutes a threat to our health, and at times we have had to hide inside when it becomes difficult to breathe due to JRL emissions. Property devaluation is a concern, as well as are restrictions on best forest management practices due to the necessity of maintaining a direct sight barrier between us and JRL. Our elected officials may be intimidated by a clause that puts a monetary penalty on Old Town if we do not support landfill expansion, which is almost certainly unconstitutional. An enlarged JRL would enhance the prospects of groundwater pollution spreading from the state landfill and impacting our dug well. I have intervened at every opportunity in the history of JRL, and also engaged with the BEP as an appellant at least 6 times. My Standing has been attacked by Casella and proven to be unimpeachable. Additional threats to myself and family will be listed below.

ISSUES OF CONTENTION

My issues of contention include but are not limited to the following items:

Enhanced threats of flooding and pollution spreading north and east from the current landfill footprint. Greenhouse gas emissions, both from JRL at present, in the future, and resulting from transportation of wastes long distances from Old Town/Alton. Threats to endangered species and critical habitat associated with endangered species. Vectors in many forms, notably by toxic bird excrement spread large distances (for example, from JRL to Pushaw Lake). Lack of cost-benefit analysis. Failure to comply with Maine Waste Hierarchy rules. Refusal to comply with Operating Services Agreement from the very

beginning of State ownership. Lack of leachate treatment and maintaining unnecessarily large operating areas that enhance both leachate volumes and greenhouse gas emissions.

In addition, there has been a lack of in-depth civil and criminal investigations into Casella's business practices across their operational areas from Maryland to Maine. Lack of DEP fines are not a badge of honor. The threat and appearance of Regulatory Capture, as well as monopolization of waste streams and disposal hurting Mainers financially. Widespread pollution to the waters of the Penobscot River and its tributaries in many toxic forms deleterious to human and animal life. PFAS importation, and PFAS importation from out of state to supposedly help control in-state PFAS-containing sludges. DEP or any other State Agency refuse to accept responsibility for developing alternative waste disposal sites outside of Penobscot County. Lack of implementation of waste reduction and control methods, such as Zero Waste. Incomplete descriptions and understanding of hydrogeological features around JRL, coupled with a lack of investigation of the threat of land subsidence due to incredible waste weight and compacting at JRL, which is probably the largest man-made structure in Maine. Inadequate attention to Environmental Justice was a concern of mine at the last Expansion Hearing, and that has increased over time.

I plan to engage in all the various steps along the pathway to intervention. I may also choose to enlist the services of a spokesperson and expert witnesses. The Record for this Expansion Procedure should be expansive and include: The Record from the last Expansion Hearing. The Record from all PBD meetings, testimony, and applications. The entire Record of the Superior Court PBD proceedings. Testimony to the legislature on Waste related Bills. All related media reports including newspaper stories from across Casella's operating area.

This Intervention process should be delayed until after we hear the Judge's response and recommendations related to the second PBD application. There should also be an additional opportunity for others to intervene at that point. We should not be putting the cart ahead of the horse.

In addition, there is a situation that may require Legislative attention and guidance from the Attorney General: This expansion would extend capacity beyond the expiration date of the OSA in February 2034. There should be a thorough Review of this issue either at the Hearing or certainly prior to any licensing of expansion.

Respectfully Submitted,

Edward S. Spencer

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