

Environmental group alleges Casella Waste Systems manufactured sludge crisis

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By Jessica Lowell

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A dumpster containing dewatered sludge is seen last Tuesday at Gardiner's wastewater treatment plant.

Joe Phelan/Kennebec Journal

AUGUSTA — An environmental public health nonprofit group said Friday that Casella Waste Systems has manufactured Maine's sludge crisis that has left 30 wastewater treatment plants across the state with no place to send their sludge.

Officials with Casella say that claim is false.

"(This is) beyond insulting to the men and women who operate these facilities and work to provide these services to the people of Maine," Casella spokesman Jeff W. Weld said Friday. "Anyone who believes otherwise is not being honest with themselves or the public."

Earlier this week, officials at Casella cited two state laws passed last spring as hampering the company's ability to handle sludge produced at the wastewater treatment plants with which it contracts for sludge removal.

One, LD 1911, banned land application of biosolids — also known as sludge — and the sale and distribution of compost or other materials containing sludge and septage.

The other, LD 1639, restricted the materials that can go to in-state landfills, limiting the importation of construction debris from out of state. The debris is typically mixed with sludge to solidify it for disposal at the state-owned Juniper Ridge Landfill, north of Old Town.

That change has resulted in a 15% increase in monthly sludge intake at Juniper Ridge, according to company officials. At the same time, the company reports it has seen a decline of nearly 14% in available material to mix with sludge so it can go into Juniper Ridge.

Without sufficient material to bulk up the sludge, it cannot be taken to Juniper Ridge.

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Casella officials have urged the municipalities it serves to contact state legislators and ask for relief from these restrictions.

According to the Portland-based Defend Our Health, data from Casella's lobbyists shows sludge contributions have increased by less than 4.4% and bulky waste is down only 3.9% since the two laws were passed last spring.

Adam Nordell, campaign manager at Defend Our Health, became an advocate after PFAS contamination was discovered on the organic farm he and his wife owned and operated, prompting closure of the farm.

The two laws Casella cited came about due to concerns about the impact of PFAS, known as "forever chemicals," on the state's environment. PFAS has been found at the state's landfills, in wastewater, in sludge and at septage spreading sites.

"The bottom line here is who is Casella accountable to?" Nordell said.

Nordell said the two laws have had an impact on Casella's bottom line.

"And now, it seems that Casella has done a poor job of finding alternative bulking agents, after the people of Maine asked them to stop filling our landfill with out-of-state waste, even though there are readily available alternative items that other landfills use to stabilize wet material," Nordell said. "The corporation is acting irresponsibly, and is deliberately putting our wastewater treatment districts in an untenable situation."

Sarah Nichols, the Sustainable Maine director at the Natural Resources Council of Maine, said the state deserves a more helpful partner during the sludge crisis.

“Instead of doing everything they can to help with this transition,” Nichols said, “they are doing everything they can to make it as difficult as possible and place blame everywhere else but themselves.”

Weld said the company predicted this outcome, even as the legislative bills were being debated.

“This is not a matter of us choosing one material over another or attempting to disrupt the system,” he said. “We provide service in reality, not in theory or based on assumptions, and we have a responsibility to do so as safely as possible.”

As early as May, the company was notifying its Maine wastewater treatment plant customers of cost increases it anticipated following the new laws. Those cost increases are expected to be passed on to sewer ratepayers, although it is not yet clear what those increases will be.

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Casella officials have said the primary option now for dealing with sludge is to truck it to a landfill in New Brunswick, Canada. On Friday, Weld declined to say whether transports to New Brunswick are taking place, noting the terms of its agreements with business partners are confidential. He did not identify the landfill where sludge is being taken or the tipping fee charged.

Tim Wade, president of the Maine Water Environment Association, hosted a conference call Friday of treatment plant operators across Maine to get a picture of the current situation.

Many plants are receiving trailers within hours of “critical impact,” while other plants have storage capacity available, but are planning for delays in sending off sludge.

“Some experience less flow this time of year, but are concerned about their systems when seasonal residents, businesses and visitors return,” Wade wrote in an email, noting a few have seen limited impacts because they have contracts with different disposal outlets.

Wade said some municipalities are considering moratoriums on new sewer connections, and are refusing to accept materials pumped from residential septic tanks.

In the meantime, Weld said Casella is working to resume normal hauling operations for its Maine customers, transporting sludge to facilities owned by Casella or other entities.

David Madore, deputy commissioner of the Maine Department of Environmental Protection, said Friday the department was not aware of any permit violations or storage shortages.

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