

Casella officials watch in silence as Thurston Town Board warms to idea of banning sewage sludge permits

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The Town of Thurston's board split sharply last night on whether a proposed one-year moratorium on waste facility permits should apply only to new landfills or extend to municipal sludge spreading operations as well.

The board committed to vote Feb. 15 on a draft moratorium that could be read to block both landfills and sludge spreading. Three of five town board members said they'd vote 'yes.'

That was not good news for Casella Waste Services Inc., which quietly bought or leased 2,789 acres last summer in order to take over the long-established sludge spreading business of Leo Dickson & Sons Inc. Casella has asked the state Department of Environmental Conservation to transfer Dickson's spreading permit to its Casella Organics unit.

Casella, which operates throughout New England, runs several of the state's largest landfills, including facilities in Steuben, Chemung, Ontario and Allegany counties. But company officials have insisted they don't want to develop the Thurston properties as a landfill.

Even so, many in the Thurston community initially thought that was the main environmental threat after Casella's stealthy entry into the community. A petition signed by 131 people encouraged the town to pursue a "landfill ban."

Thurston Town Supervisor Wendy Lozo said last night she was open to considering a ban on landfill permits, but she strongly opposed a moratorium that could block the DEC's transfer of the Dickson permit to Casella. The company might file suit against the town, she warned.

"If they get a judgment against us, it's not going to be for \$100,000. We're talking millions," Lozo said.

But board member Michael Volino dismissed the likelihood of a suit. "We need to ban (sludge) spreading," he said, reflecting the views of several who attended last night's meeting.



Thurston Town Supervisor Wendy Lozo and Board Member Michael Molino disagreed on whether the moratorium should apply to sewage sludge spreading.

“We fought the Dicksons for years with their stunning violations of regulations,” said Wayne Wells, a local resident. “Casella is going to be way harder to stop once they get their foot in the door.”

Several board members and others who attended the meeting urged any of the three Casella officials sitting in the second row of the audience to weigh in.

John Leslie of Casella Organics responded: “We are not prepared make a presentation tonight. But we would be glad to come back and give an informational meeting and talk to you about what our plans are.”

From 2012 to 2021, Leslie had served as Casella Organics’ division manager in Maine, where he supervised Hawk Ridge, New England’s largest compost facility. Hawk Ridge mixes municipal sewage sludge with sawdust and wood chips. It markets the resulting mix to golf courses, nurseries, garden centers and athletic facilities.

Last year Maine banned all spreading of municipal sewage sludge on fields because its was contaminated with PFAS “forever chemicals” that had tainted cow’s milk, financially ruining several dairy farms. Casella lobbied against the legislation, which threatened to disturb Hawk Ridge’s business plan.

Tim Hargrave, who owns a farm adjacent to the Thurston land Casella now controls, pressed Leslie to make a statement.

"We're not looking for a presentation," Hargrave said. "We're looking for just an outline. What's your business plan over there? Simple. A two-sentence business plan."

Leslie declined. After the meeting he also declined to comment to WaterFront and referred questions to Casella's director of communications, Jeff Weld.

Board member Holly Chase said she wondered, "Why weren't they (Casella officials) here until they heard about the moratorium?...They did not come to the town and say, 'Hi, How are you doing?' They were, 'Hey, I hope you don't notice.'"

Chase offered a motion to accept the draft moratorium "as it is written," which passed 3-2. In a show of hands, a strong majority of the 40 or so people present at the meeting favored the draft moratorium. But Lozo, who said she did not approve of some draft language, ruled that a final vote on it had to wait until Feb. 15.

The proposed draft calls for a one-year moratorium on all local and state permits for new or expanded waste facilities "as defined and applicable under Part 360 et seq." of state regulations, "including, but not limited to landfills, transfer stations and waste processing facilities that accept, process, dispose of, combust, gasify, or transfer solid waste in the town of Thurston."

State solid waste rules are covered by NYCRR Parts 360-366 and 369. Since the spreading sewage waste, or biosolids, is covered by Part 361-2.4, the proposed moratorium could be read to ban new sludge spreading permits for one year.

Rachel Treichler, the Hammondsport attorney who wrote the draft, said told the town board she modeled it after a document from Rensselaer County and was satisfied that it was well crafted. She declined further comment to WaterFront.

Weld, the Casella spokesman, said: "It is our understanding of the moratorium that it would impact new waste facility permits and, as previously stated, Casella has no intentions of siting a new waste facility on this property and therefore would not be seeking any new permits."

Weld added that the company did not expect the sludge spreading permit to be transferred from Dickson to Casella before the town board's Feb. 15 vote on the draft moratorium.

Asked how Casella intended to deal with the requirement that sludge spreading must be restricted to fields with crops, Weld said: "Casella's role would be to supply nutrients to the farmer, and the farmer would continue to grow crops on the land."

The DEC did respond to Waterfront's emailed questions directly, but issued a general statement.

