

# Commentary: Maine should demand accountability from its solid waste monopolist

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By Sen. Rick Bennett

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There have been several alarming stories in recent days about how Juniper Ridge Landfill, owned by the state and managed by Casella Waste Systems, is refusing to accept sludge from several wastewater treatment facilities, putting our municipalities in an untenable situation. The cause, according to Casella, is that the company is no longer allowed to use bulky waste from out of state to stabilize the landfill. Instead of coming up with solutions, Casella has decided to hold our communities hostage in the name of profit.

Maine's government acted responsibly by enacting L.D. 1911 to stop future contamination of farmland and drinking water by banning the land application of PFAS-laden sludge. We also enacted L.D. 1639 to save limited state-owned landfill space for Mainers by halting the disposal of construction debris from out of state. During the committee hearings on these bills last session – bills that Casella claims are responsible for the lack of stability at Juniper Ridge Landfill – I repeatedly asked for information from Casella about their business practices and financials. This is information Maine taxpayers have a right to know about the landfill they own.

In 2004, Casella entered into a 30-year contract with the state's General Services Administration to operate this landfill. Our right to know did not end with the signing of this contract. Policymakers can't make good decisions if relevant information is kept from them. As the consequences of widespread PFAS contamination have become clearer, the financial underpinnings of our solid waste policies have become murkier. Casella refused to provide critical information to the committee then; the company is no more forthcoming today.



An employee of Ferreira Trucking gets ready to head off after pumping a load of sewage sludge from Scarborough Sanitary District on March 1.

Superintendent David Hughes said that the truck was supposed to come Feb. 24 to pump the sludge that has continued to pile up at the plant. "If the truck didn't show, I would've had to start making some rash decisions on what to do," Hughes said. *Brianna Soukup/Staff*

*Photographer*

## ABOUT THE AUTHOR

**Sen. Rick Bennett**, R-Oxford, served on the Environment and Natural Resources Committee in the last Legislature. He is currently the Senate Republican lead on the Appropriations and Financial Affairs Committee and a member of the Government Oversight Committee.

Are the dramatic rate increases Casella is imposing on municipalities justified? What is the actual cost of using alternative bulking materials to ensure landfill stability compared to what Casella is paid to take construction and demolition debris from out of state? What is a fair rate for Casella to charge municipalities to manage sludge?

Right now, communities are in a take-it-or-leave-it situation. Casella's business is essentially a public utility, but the Public Utilities Commission does not regulate it and it has not volunteered to share financial information the PUC would routinely require.

Landfill management is complex and important. Casella services around three dozen sewer treatment facilities in the state out of the roughly 41 that are licensed to manage biosolids. That puts Casella in a huge position of power over the majority of our wastewater treatment facilities here in Maine and across New England. There are no other storage options for those facilities.

What is happening with our wastewater treatment districts right now shows the danger of one company having a monopoly over goods and services. It leaves no room for price competition and limits options for customers, in this case Maine taxpayers. Without competition, a company has no reason to innovate and look for different solutions.

But there are different solutions. Casella has claimed that the increase in sludge and decrease in out-of-state bulky waste has caused instability in the landfill. Yet there are other readily available options to ensure landfill stability. Still, Casella has no reason to look for alternatives when they know that Maine's wastewater treatment facilities have little choice but to kowtow to their demands and increased fees.

Casella is a billion-dollar corporation. In addition to being paid to manage the state-owned Juniper Ridge Landfill, it makes money from multiple landfills it owns across the region. It is long past time for the state of Maine to take a good, hard look at the iron grip Casella has on our waste options. So far, Casella appears unwilling to work together with municipalities and the Department of Environmental Protection to find solutions other than increasing fees and trying to overturn legislation that protects Mainers' health and safety.

Without competition or effective financial oversight, the market doesn't function as intended. Mainers deserve better.

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