

## Environmental Justice Deserves a Higher Standard

The case now before the Maine Court—*Penobscot Nation v. Maine Department of Environmental Protection*—asks a fundamental question: What does environmental justice mean when the community at risk is a federally accepted sovereign Indigenous nation whose identity is inseparable from the river that sustains it? At its core, this case concerns environmental justice—an area that, under modern EPA protocols, is increasingly narrowed to the point of near disappearance.

The dispute centers on the proposed expansion of the Juniper Ridge Landfill (JRL) in Old Town. The landfill is state-owned and operated by Casella subsidiary NEWSME, which has intervened alongside the Department of Environmental Protection (DEP). The Penobscot Nation is appealing the DEP's Public Benefit Determination, arguing that the agency's analysis fails to meet the environmental justice standards required by law.

The DEP's brief contains striking omissions. It ignores documented cancer disparities, leaves out key contaminants, misstates sustenance-fishing exposure, substitutes landfill-to-landfill comparisons for cumulative burden analysis, and treats PFAS treatment as a cure-all. Most importantly, it fails to meaningfully address the sovereign rights and cultural continuity of the Penobscot Nation. Environmental justice is not just about pollution levels; it is about who bears the risk, who decides, and what is at stake culturally.

For the Penobscot people, the river is not simply a waterway. It is a relative, a food source, a ceremonial space, and a foundation of identity. This should not be foreign in a society that grants legal personhood to corporations. What is unfamiliar is the refusal to recognize Indigenous relationships to place as legally consequential. Contamination is not only ecological harm—it is cultural harm. It threatens the continuity of a sovereign people whose identity is bound to this river.

The question is not “pollution or no pollution.” It is: How much uncertainty should society impose on a sovereign Indigenous nation when dealing with chemicals that persist for decades and accumulate in fish, sediment, and bodies? PFAS, mercury, PCBs, and dioxins do not disappear. They impair legally protected sustenance-fishing rights.

NEWSME argues that other towns live near landfills, so the Penobscot Nation should accept this one. That logic erases sovereignty, erases cultural identity, and erases the cumulative industrial burden the Nation has carried for generations.

Environmental justice requires evaluating total load, not isolated facilities. The initial court ruling affirmed that DEP failed to do this. Adding more waste, more leachate, and more uncertainty to an already overburdened watershed is not justice.

DEP's claim that PFAS treatment will occur only if expansion is approved reveals a deeper flaw. If treatment is necessary to protect the river, it is necessary now. Conditioning overdue protections on accepting more cumulative burden is not environmental justice—it is leverage. Communities carrying disproportionate harm should receive immediate risk reduction, not be asked to trade cultural survival for basic safeguards.

A landfill near a town does not threaten that town's cultural survival. A landfill discharging into the Penobscot River does. Harm to the river is harm to the people themselves.

Environmental justice demands a higher standard. Sovereignty demands a higher standard. Cultural survival demands a higher standard. Maine must choose a future in which the Penobscot River—and the people who have cared for it for thousands of years—are protected without condition, without expansion, and without further harm.

John Krueger  
Northport, Maine 04849

**From:** [Maheu, Vera A](#)  
**To:** ["John Krueger"](#)  
**Subject:** RE: Requests Associated with Juniper Ridge Expansion II application, Application NumberHQH-D4D1-RJBRR  
**Date:** Tuesday, July 21, 2026 3:59:00 PM

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Mr. Krueger,

Thank you for your comments on the Public Benefit Determination. Unfortunately, the submittal deadline for public comments pertaining to the Public Benefit Determination was September 27, 2024. Your comments have been saved to file, with the designation "untimely".

Vera A. Maheu  
Environmental Specialist III  
Bureau of Remediation and Waste Management  
Maine Department of Environmental Protection  
Cell 207-451-2294  
[vera.a.maheu@maine.gov](mailto:vera.a.maheu@maine.gov)

Please note that all composting, residual utilization, landfill, transfer station, waste processing, beneficial use, and similar solid waste applications, transfers, and other changes should now be submitted through **the Department's new online license portal, called MELS**. All licensees will need to set up an account in MELS and claim their license on the [MELS Hub](#).

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**From:** John Krueger <jkrueg1@gmail.com>  
**Sent:** Tuesday, July 21, 2026 3:20 PM  
**To:** Maheu, Vera A <Vera.A.Maheu@maine.gov>  
**Subject:** Re: Requests Associated with Juniper Ridge Expansion II application, Application NumberHQH-D4D1-RJBRR

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Thanks for being so quick to answer questions. I'm trying to participate as a late comer to this expansion project. I have prepared a comment that is mostly relevant to the Public Benefit Determination, which is a key concern of mine. I have attached this comment and seek (if it is appropriate) to add this to the public comments record.

John

On Fri, Jul 17, 2026 at 9:26 AM Maheu, Vera A <[Vera.A.Maheu@maine.gov](mailto:Vera.A.Maheu@maine.gov)> wrote:

Mr. Krueger,

The proceeding next week in court pertains to the Public Benefit Determination. It is not a testimonial hearing, no one will be testifying, and the court is not seeking public comment. Lawyers will be presenting arguments to the judge in the appeal of the Public Benefit Determination. The proceeding is open to the public, so you may attend and listen in the courtroom. The court is in charge of the appeal process, not the Department. If you require more information pertaining to the appeal of the Public Benefit Determination, please contact the court.

The request you submitted to be considered an interested party, and the Technical PFAS Comment Letter, is for the license application, which is an entirely separate process than the Public Benefit Determination. A hearing date pertaining to the license application has not yet been set. All information pertaining to the Juniper Ridge Landfill Expansion is being posted to the website previously sent to you. I encourage you to check the website weekly for any updates.

Regards,

Vera A. Maheu  
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**From:** John Krueger <[jkrueg1@gmail.com](mailto:jkrueg1@gmail.com)>

**Sent:** Thursday, July 16, 2026 3:48 PM

**To:** Maheu, Vera A <[Vera.A.Maheu@maine.gov](mailto:Vera.A.Maheu@maine.gov)>

**Subject:** Re: Requests Associated with Juniper Ridge Expansion II application, Application NumberHQH-D4D1-RJBRR

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Will there be an opportunity for me to provide testimony at the hearing next week in Bangor, in person or in writing?

John

On Thu, Jul 16, 2026 at 9:05 AM John Krueger <[jkrueg1@gmail.com](mailto:jkrueg1@gmail.com)> wrote:

I remain under the impression that as an interested party I would receive personally a notice of an important hearing.

John Krueger  
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On Thu, Jul 16, 2026 at 8:24 AM Maheu, Vera A <[Vera.A.Maheu@maine.gov](mailto:Vera.A.Maheu@maine.gov)> wrote:

Good Morning Mr. Krueger,

All information pertaining to the Juniper Ridge Landfill ("JRL") expansion is available on the Department's website at:

<https://www.maine.gov/dep/waste/juniperridge/index.html>

The notice for next week's hearing, along with supporting documentation, can be found under the Application for Public Benefit Determination subsection. Please also note that I am now the Department's point of contact for the JRL site. All future communications should be directed to me. Thank you.

Regards,

Vera A. Maheu  
Environmental Specialist III  
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Maine Department of Environmental Protection  
Cell 207-451-2294  
[vera.a.maheu@maine.gov](mailto:vera.a.maheu@maine.gov)

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