



JOHN F. SHEA

HEARING OFFICER STATEMENT OF QUALIFICATIONS

John F. Shea, Esquire, has 40 years of experience in conducting administrative and quasi-judicial hearings. He is available to act as Hearing Officer for Solid Waste Site Assignments under M.G.L. c. 111, § 150A and 310 CMR 16.00, and as Mediator or Arbitrator in land use and environmental disputes.

The following information highlights Mr. Shea's experience in conducting hearings.

- Hearing Officer for Resource Waste Services of Roxbury, LLC's request for a minor modification of its 1978 site assignment for a C&D waste processing and transfer station, to allow an increase in the authorized daily tonnage by 49 tons per day (tpd) (from 740 tpd to 799 tpd). The **Boston** Board of Health acting for the Boston Public Health Commission heard expert and lay testimony in a one-day virtual public hearing (2024).
- Hearing Officer for New England Waste Disposal Inc.'s request for a minor modification of its 2020 site assessment for its transfer station, to allow operational changes, waste holding times, hours of operation, and waste deliveries from its affiliated facility in Taunton. The **Taunton** Board of Health heard extensive expert and lay testimony in a one-day in-person public hearing (2023).
- Hearing Officer for 887 Woburn, LLC's application for a minor modification of March 15, 2022 site assignment for a C&D waste handling, processing and transfer facility regarding a Condition on overnight storage of materials. The **Wilmington** Board of Health heard lay testimony in a one day virtual public hearing (2020).
- Hearing Officer for G. Mello Disposal Corp.'s application for a site assignment for a solid waste transfer station in Georgetown, MA. The **Georgetown** Board of Health heard expert and lay testimony in a two-day in-person public hearing. There were two Ten Citizen Group Intervenors, Abutters, and Participants (2022).
- Hearing Officer for 887 Woburn, LLC's application for a site assignment for a Construction Demolition ("C&D") waste handling, processing and transfer facility in Wilmington, MA. The **Wilmington** Board of Health heard expert and lay testimony in a two-day hybrid, virtual and in-person public hearing (2022).
- Hearing Officer for the Bourne Integrated Solid Waste Management Department's application for a major modification of existing site assignments for vertical and horizontal expansions of the landfill. The **Bourne** Board of Health heard expert and lay testimony in a two-day virtual Zoom public hearing. A Ten Citizen Group intervened as a party represented by counsel from the Conservation Law Foundation (2022)

- Hearing Officer for Resource Control, Inc. (Waste Management) and City of Fitchburg's application for a major modification of an existing site assignment to increase the maximum height, a 1.8 acre expansion in site assigned area for a stormwater basin, and for the City of Fitchburg's solid waste and recycling center. The **Westminster** Board of Health heard expert and lay testimony in a one-day, hybrid public hearing (2021).
- Hearing Officer for the TJJ Development Corporation's application to modify an existing site assignment to increase the allowable maximum daily and yearly tonnage at its solid waste handling and transfer facility. The **Northbridge** Board of Health heard expert testimony in a one-day public hearing (2021).
- Hearing Officer for United Medical Waste Management, Inc.'s major modification of an existing site assignment application for a medical waste handling and transfer station. The **Webster** Board of Health heard expert testimony from the Applicant and the peer reviewer in a one-day public hearing (2021).
- Hearing Officer for Globalcycle, Inc.'s site assignment application for a solid waste handling facility and transfer station for liquid, semi-solid and solid non-hazardous solid waste. The **Taunton** Board of Health heard expert testimony in a one-day public hearing (2021).
- Hearing Officer for Bio-Med Innovation, Inc.'s site assignment application for a medical and biological waste (MBW) handling facility in which MBW is sterilized in steam autoclaves, compacted and transported to landfills for disposal. The **Middleton** Board of Health heard expert testimony in a two-day public hearing (2020).
- Hearing Officer for AKS Recycling, Inc.'s application for a minor modification of the existing site assignment to add an MSW baler, plastic wrapping of bales, and storage and transport of bales for off-site disposal. The **Fitchburg** Board of Health heard expert testimony in a one-day hearing (2020).
- Hearing Officer for S&J Exco, Inc.'s proposed addition of a 140-ton per day municipal solid waste transfer station and buffer area. The **Dennis** Board of Health heard expert and lay testimony in a one-day hearing (2018).
- Hearing Officer for TJJ Development Corporation's proposed minor modification of the existing site assignment for its **transfer station** for an increase in the tons per day and tons per year of municipal solid waste. The **Northbridge Board of Health** heard expert and lay testimony in two days of hearing (2017).
- Hearing Officer for Resource Control, Inc.'s (subsidiary of Waste Management of Massachusetts) application for a minor modification of the existing site assignment for the **Westminster landfill** on a proposed removal of the average daily tonnage limit that would allow the facility to accept the maximum daily limit on all operating days. The **Westminster** Board of Health heard expert and operator testimony in a one-day hearing (2017).

- Hearing Officer for Waste Management of Massachusetts' and the Taunton Department of Public Works' application to modify the existing site assignment for the **Taunton Sanitary Landfill** to increase the maximum height by 40 vertical feet over 8.2 acres. The **Taunton** Board of Health heard testimony in a one-day hearing (2016).
- Hearing Officer for New England Recycling, Inc.'s application for a site assignment or its proposed construction of a **transfer station**, serviced by rail, for municipal solid waste ("MSW"), construction and demolition waste ("C&D"), and contaminated soil, at a maximum acceptance rate of 1,000 tpd and an annual waste rate of 800 tpd. The **Taunton** Board of Health heard expert testimony in a one-day hearing (2016).
- Hearing Officer for Covanta Company of SEMASS, L.P.'s proposed minor modification of its site assignment for the **SEMASS Resource Recovery Facility** to expand the hours of waste receipt during routine, holiday and emergency periods. The **Rochester** Board of Health heard expert testimony in a one-day hearing (2014).
- Hearing Officer for Waste Management of Massachusetts, Inc.'s proposed major modification of the site assignment for the **Middleborough Sanitary Landfill** to increase the daily acceptance rate from 173 tpd to 320 tpd, and increase the maximum annual capacity from 39,670 tpy to 60,000 tpy. The **Middleborough** Board of Health heard expert and lay testimony in a one-day hearing (2013).
- Hearing Officer for Covanta of Haverhill, Inc.'s proposed minor modification of a site assignment for the **Danvers Transfer Station** to increase the maximum waste acceptance rate from 250 tpd to 350 tpd of MSW, to increase days and operating hours, and to accept presorted recyclables. The **Danvers** Board of Health heard expert and lay testimony in a one-day hearing (2013).
- Hearing Officer for Resource Control, Inc.'s (subsidiary of Waste Management of Massachusetts) proposed modification of a site assignment for the **Barre Landfill** to increase the maximum permitted daily waste acceptance rate from 375 tpd to 510 tpd of MSW and C&D debris. The **Barre** Board of Health heard expert and lay testimony in a one-day hearing (2012).
- Hearing Officer for Fitchburg Recycle & Salvage Center, Inc.'s proposed construction of a **transfer station** for 340 tpd of municipal solid waste (MSW) and 40 tpd of construction and demolition waste. The **Fitchburg** Board of Health heard expert and lay testimony in a two-day hearing (2012).
- Hearing Officer for Recycle America and Harvey Recycling's proposed major modification of a 2006 Site Assignment for its **recycling facility and transfer station** to accept 300 tpd of municipal solid waste, to reduce the tonnage of asphalt shingles to 100 tpd and to allow 750 tpd of construction and demolition debris and various recyclables. The **Fitchburg** Board of Health heard expert and operations testimony in a one-day hearing (2012).

- Hearing Officer for the Carver-Marion-Wareham Regional Refuse District's proposed major modification of an existing **landfill** for disposal of SEMASS ash residue and bypass solid waste, at permitted daily and annual average rates. The **Carver** Board of Health heard expert and lay testimony in a one-day hearing (2011).
- Hearing Officer for the City of Taunton's proposed modification of the existing site assignment of the Taunton Sanitary **Landfill** (operated by Waste Management of Massachusetts) for a vertical expansion above the approved elevation. The **Taunton** Board of Health heard expert and lay testimony in a one-day hearing (2010).
- Hearing Officer for Casella Waste Management of Massachusetts, Inc.'s proposed major modification of an existing site assignment to allow the Rochester Environmental Park facility to accept and **transfer** municipal solid waste (MSW), single stream recyclable materials, and construction and demolition waste (C&D). The **Rochester** Board of Health heard expert and lay testimony in a one-day hearing (2008).
- Hearing Officer for South Hadley Landfill, LLC's proposed modification of an existing site assignment to create a **new disposal cell** over the closed unlined landfill and a grading and shaping area to support the new cell. The **South Hadley** Board of Health heard expert and lay testimony in a contested three day public hearing (2007).
- Hearing Officer for Connecticut Valley Sanitary Waste Disposal, Inc.'s proposed site assignment on land adjacent to the existing Chicopee Sanitary Landfill for **landfill** operations. The **Chicopee** Board of Health heard testimony from lay and expert witnesses in a contested two-day hearing (2006).
- Hearing Officer for New England Recycling, Inc.'s proposed minor modification of an existing site assignment to allow an **increased** daily tonnage limit for the handling and **processing** of construction and demolition debris material. The **Taunton** Board of Health heard testimony in a one-day hearing (2006).
- Hearing Officer for the City of Northampton's proposed horizontal and vertical **expansion** of the existing solid waste **landfill**. The **Northampton** Board of Health heard expert witness testimony in a one-day hearing (2006).
- Hearing Officer for the Holyoke Sanitary Landfill, Inc.'s (a subsidiary of Waste Management of Massachusetts) proposed minor modification of an existing site assignment for the **Granby Sanitary Landfill**, for an increase in the daily disposal rate from 1000 tons per day (tpd) to 1200 tpd in Granby, Massachusetts. In a one night hearing, the **Granby** Board of Health considered prefiled written and oral testimony from three (3) expert witnesses (2006).
- Hearing Officer for the National Reclamation of Raynham LLC's proposed solid waste **transfer station** for 1000 tons per day. The **Raynham** Board of Health heard testimony in eight hearings from the Applicant, a Ten-Citizen Group, individual intervenors, including the Town of Easton, and expert testimony, and received 136 Exhibits (2005-2006).

- Hearing Officer for the Town of Bourne's proposed major modification of an existing site assignment for the **expansion** of the Bourne Integrated Solid Waste Management Facility for future **waste management** activities, excluding landfilling and combustion. The **Bourne** Board of Health heard testimony in a one-day hearing (2005).
- Hearing Officer for the Waste Management of Massachusetts and City of Taunton's proposed vertical **expansion** at the **Taunton Sanitary Landfill**. The Board of Health heard testimony in a two-day hearing (2005).
- Hearing Officer for the Waste Management of Massachusetts' proposed increase in operating capacity at the Regional Solid Waste **Processing and Transfer Station** in **Raynham**, Massachusetts. The Board of Health heard testimony in a one-day hearing (2004).
- Hearing Officer for New England Recycling, Inc.'s proposed minor modification to site assignment for an increase in tonnage limits in Taunton, Massachusetts. The **Taunton** Board of Health heard testimony in a one-day hearing. (2003)
- Hearing Officer for the AKS Recycling Facility, Inc.'s proposed transfer station and solid waste **processing and recycling** facility in Fitchburg, Massachusetts. The **Fitchburg** Board of Health considered oral testimony from the Applicant, expert witnesses, and a Participant waste management company, in a contested two-day hearing. (2003)
- Hearing Officer for the Holyoke Sanitary Landfill, Inc.'s (a subsidiary of Waste Management of Massachusetts) proposed modification of existing site assignments for the **Granby Sanitary Landfill**, for a vertical **expansion** of 54 acres and for increases in the daily and annual disposal rates, in Granby Massachusetts. In two days of hearings, the **Granby** Board of Health considered prefiled written and oral testimony from ten (10) expert witnesses. There were multiple intervenor parties and participants: abutter intervenors, a ten citizen intervenor, a group of participants, and a board of selectman participant (2003).
- Hearing Officer for Waste Management of Massachusetts' proposed **expansion** of and increase in daily maximum tonnage disposal rate for the Taunton Sanitary **Landfill** in March 2002. The **Taunton** Board of Health heard testimony in a one-day hearing (2002).
- Hearing Officer for Resource Control, Inc.'s (a subsidiary of Waste Management of Massachusetts) proposed modification of an existing site assignment, for the site assignment of new area for the **landfill** and a waste handling, diversion and recycling facility, and for an increase in waste handling tonnage in Westminster, Massachusetts in January 2002. The **Westminster** Board of Health considered both testimony during a one-night hearing and prefiled and oral testimony (2002).
- Hearing Officer for the Waste Management of Massachusetts Regional Solid Waste **Processing and Transfer** Station Facility in Raynham, Massachusetts in August 2001. The Town of **Raynham** Board of Health heard testimony in a

- one-night hearing for the proposed facility on municipal property adjacent to the former municipal landfill (2001).
- Hearing Officer for the Volume Reduction Associates Solid Waste **Transfer Station** Facility in 1999 on the site of the former municipal landfill in Hadley, Massachusetts. The **Hadley** Board of Health held two telephone prehearing conferences and a one-night hearing. There was opposition by citizen intervenors (1999).
 - Hearing Officer for the TBI, Inc. Solid Waste **Transfer Station** and Materials **Recycling Facility** Site Assignment from September 1997 through October 1997. There were one (1) prehearing conference and eight (8) sessions of evidentiary hearings. The **North Andover** Board of Selectmen and three (3) "ten citizens" groups intervened in the proceeding and two (2) individuals were "limited participants". The Board of Health heard testimony from eight (8) expert witnesses and ten (10) lay witnesses, and received extensive documentary evidence (1997).
 - Hearing Officer for the **Cohasset** Heights Landfill Site Assignment from January 1996 through April 1996. The public hearing on the proposed lateral **expansion** of the **landfill** was broadcast "gavel-to-gavel" on cable TV. There were multiple intervenors/parties: the Cohasset Conservation Commission, Board of Selectmen, and Water Commissioners; the Town of Hingham Board of Selectmen, Water Commissioners and Board of Health; the Trustees of Reservations; Fifteen (15) Consolidated Ten Citizen Groups; and 267 Petitions to Participate. There were twenty-one (21) expert witnesses, 45 lay witnesses, 144 exhibits, and 3,324 pages of transcript (1996).
 - Hearing Officer and Legal Advisor to the Commissioner of the **Cambridge** Department of Health and Hospitals on an application to confirm a site assignment and expand a construction and demolition waste **transfer station** in 1987, before the effective date of Chapter 584 of 1987, the Solid Waste Act and the MassDEP site assignment regulations. I structured and scripted the public hearing, advised the Commissioner on evidentiary and procedural issues, conducted direct and cross-examination of witnesses, managed the participation of intervenors and participants, and prepared a draft decision with findings of fact and rulings of law (1987).
 - Hearing Officer to the **Acushnet** Board of Health in review of a private operator's site assignment application to expand a **landfill** (1986), and as legal counsel in closure of the **landfill** in an adjudicatory proceeding, and in an orchard owner's hazardous waste damage and cost recovery action under M.G.L. c. 21E.
 - Legal Advisor to the **Boston** Department of Health and Hospitals and Mayor Raymond Flynn in enforcement/closure actions against seven parties on illegal waste disposal and **transfer station** operations in the **Roxbury** area in 1987. I advised the Department on the collection of evidence, structured and scripted the conduct of the public hearings, assisted in the development of the public record, drafted administrative orders, and provided follow-up advice to Corporate Counsel in defense and enforcement of such orders in Superior Court (1987).

- Counsel in administrative hearings in solid waste siting and compliance matters: for **K.R. Rezendes** on coal ash landfill and structural fill projects in **Freetown**; for **BFI** on a landfill proposed for **Freetown**; for the City of **Woburn** in enforcement/closure of an illegal C&D landfill; for the **Douglas** Board of Health on a proposed landfill; for **Farm Credit Bank** in reviews of the Bondi's Island Landfill and the Citizen Vicon Incinerator in **Springfield**.
- Counsel to Developers, Municipalities and private parties in public hearings, mediations, arbitrations, and administrative and court appeals on siting and permitting of commercial and industrial facilities with unique environmental and public health and safety issues (1982-2022).

* * *

John was founding chairman of the BBA Solid Waste Committee and past chair of the BBA Recycling Task Force. On behalf of private clients, he has participated in proceedings of the Solid Waste Advisory Committee to shape DEP policy, and in commenting on draft DEP solid waste management and siting regulations, the several versions of the Solid Waste Master Plan, and on proposed legislation to amend solid waste laws. He has been a mediator and a participant in mediations in environmental and land use controversies. He was trained and certified as a Mediator by National Center Associates in Vermont in 1985.

4863-1155-4985.1