

**Comments by City of Old Town to
Maine Department of Environmental Protection**

**Re: Juniper Ridge Landfill Amendment
Application for License # S-020700-WD-BC-A**

Presented by James N. Katsiaficas, Esq., Perkins Thompson
for the City of Old Town

February 28, 2018

The Maine Bureau of General Service (BGS) and NEWSME Landfill Operations, LLC (NEWSME) have submitted an application to extend the date for acceptance at the Juniper Ridge Landfill (JRL) of 81,800 tons per year of in-state Municipal Solid Waste (MSW) from the current March 31, 2018 date until such time as the approved disposal capacity in the existing Juniper Ridge Landfill is exhausted.

The City of Old Town has been an interested party in the previous JRL permit amendment and public benefit determination processes and an intervenor in the recent JRL expansion proceeding. In all of these, as the host community, Old Town has taken the position that it did not oppose or object to such applications, but wanted to participate to protect the health, safety and welfare of its residents.

However, the City of Old Town, as a municipal government, also is responsible under State law (38 M.R.S. § 1305(1)) to provide solid waste disposal services for the domestic and commercial solid waste generated within its borders. The City's current solid waste disposal agreement with Penobscot Energy Recovery Corporation (PERC) terminates March 31, 2018 and its new agreement with PERC commences the next day. On March 31, 2018, 187 municipalities and entities in Northern Maine that currently dispose of their solid waste through PERC will begin a new era – some will dispose of solid waste through the Municipal Review Committee (MRC)/Fiberight facility, others through ecomaine or Mid-Maine Waste Action Corporation (MMWAC), and others, like Old Town through PERC. With all of these changes, there will may be a need for disposal capacity for Maine-generated MSW beyond March 31, 2018 in order to ease these transitions.

Therefore, as it did when BGS and NEWSME appealed DEP's permit amendment decision in 2014, the City of Old Town supports this application. A November 20, 2017 letter from City Manager William J. Mayo to DEP is part of the BGS/NEWSME application. The reason for the City's support is that loss of this MSW disposal capacity in the existing permitted portion of JRL after March 31, 2018 could have negative impacts on the City's ability to provide statutorily mandated solid waste disposal services and to maintain its level of recycling, given the imminent changes in solid waste disposal in Maine.