

Ms. Tarbuck

Enclosed please find the Comments of PERC Holdings and Henry Lang-Representing the PERC Partnership the on the Draft Amendment License

Ms. Tarbuck

The PERC Partnership has long recognized Casella as a partner in the processing of Maine solid waste. PERC has recognized and supported Casella/JRL as a critical part of PERC's operation and as an integral part of the integrated solid waste management system.

Given the new terms recently introduced into the draft permit supporting and requiring large scale land disposal of unprocessed MSW by the Municipal Review Committee communities, PERC cannot and will not support the proposed Juniper Ridge permit as drafted. PERC was in full support of the amendment application accepted in December of 2017, recognizing the need for and utility of a tool to manage stranded MSW. The new provisions inserted in the most recent draft do nothing to promote or encourage Casella to maintain their long support of the processing of MSW in the State of Maine. The comments/provisions only allow an outside party (the MRC) to consume valuable landfill capacity in spite of available, underutilized, and economically reasonable MSW processing capacity at the PERC facility. The capacity at the PERC facility seems to have become a deciding factor in the decision to allow the landfilling of unprocessed MSW into the two largest landfills in Maine. The acceptance of this provision, under the guise of a transitional “bridging” agreement necessary while the MRC processing facility is being built will ironically make the MRC one of the largest, if not the largest source of unprocessed MSW into landfills in the State of Maine.

The findings in support of this provision are based on incomplete information and or inaccurate information provided by sources outside of PERC.

*STATE OF MAINE, ACTING THROUGH 19 SOLID WASTE LICENSE
THE BUREAU OF GENERAL SERVICES)
OLD TOWN, PENOBSCOT COUNTY, ME)
JUNIPER RIDGE LANDFILL)*

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Department has independently calculated the future non-landfill capacity as 170,000 ton per year at ecomaine, 70,000 tons per year at MMWAC, 210,000 tons per year at PERC and 145,000 tons per year at CRM for a total of 595,000 tons. Absent other information, the Department considers the projected non-landfill capacity to be 595,000 tons per year once PERC successfully achieves a stable operating capacity and CRM has been constructed and achieves commercial operations.

In the follow-up response to comments, a draft swap agreement between MRC, Waste Management Disposal Services of Maine, Inc. (WMDSM) in Norridgewock and Casella was described further, with the potential for a waste swap on a one to one (1:1) tonnage basis at agreed tip fees. Casella's Pine Tree Waste, Inc. hauling company would deliver waste that is collected in packer and container trucks from MRC communities located within the greater Bangor area to JRL and Pine Tree Waste, Inc. would, in turn, deliver an equivalent amount of Maine MSW from Casella transfer stations located closer to the WMDSM Crossroads landfill in Norridgewock (i.e., Waterville and Westbrook). If the draft waste swap agreement is finalized, it should not change the amount of MSW being disposed of at the respective landfills, but would reduce the truck miles needed to transport the MSW, reducing overall fuel use and emissions.

- PERC has confirmed multiple times that its MSW processing capacity has been reduced by 100,000 tons per year, and that it cannot operate viably at more than 210,000 tons per year on a regular basis.

As noted in Draft License #S-020700-WD-BL-A at page 19:

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In contrast to information included in the various commenting documents and follow up conversations;

- PERC can operate very efficiently at a level over 210,000 tons per year and higher. This assertion by the MRC consultant not based from operational experience or supported by industry documentation.
- The terms cited to support the official conclusion and the information distributed to the public that the diversion of the MRC MSW to JRL and the distance Crossroads landfill is more cost effective and better for the environment are grossly misrepresented.
- The landfilling of unprocessed MSW is not an environmental benefit. The claim that the swap will materially lessen emissions while the same number of trucks are collecting the MSW is nonsensical and doesn't consider relevant factors such as increased emission of greenhouse gases from the landfills.
- The transportation infrastructure required for the proposed swap is extensive. These issues and associated costs have not been revealed or recognized by the parties involved. When the transportation costs are correctly accounted for, the cost of landfilling exceeds the processing opportunity in the Bangor area.
- The justification that the transportation expense has been "reserved for" doesn't not preclude them as part of the per ton expense. It should also be noted that the MRC "reserve" are monies previously contributed by the cities and towns.
- The diversion of MSW from the waste shed surrounding the PERC facility which would impair the ability of the PERC facility to compete in the local market and which would effectively force the PERC facility to seek additional out-of-state waste.
- Circumvent the Solid Waste Management Hierarchy by financial encouragement to dispose of waste at either landfill rather than higher on the hierarchy.

PERC, with a demonstrated processing capacity of over 300,000 tpy will now be struggling to meet the minimum MSW fuel requirements to operate at the planned reduced operating level of 210,000 tons per year. Most of the MSW was to come from the agreement signed with the MRC back in December and also from the new agreement with Casella. Casella has honored their agreement with PERC.

Any long-term inability to enforce or the continued unwillingness of public entities to comply with the Maine Solid Waste Hierarchy will have great negative impacts on PERC.

As previously stated, given the new terms recently introduced into the draft permit supporting and requiring large scale land disposal of unprocessed MSW by the Municipal Review Committee communities, PERC cannot and will not support the proposed Juniper Ridge permit as drafted. PERC was in full support of the amendment application accepted in December of 2017, recognizing the need for and utility of a tool to manage stranded MSW. The Casella permit should not be burdened by the external issue of any proposed agreement especially one that face in the face of a long-established state statute.