

June 30, 2014

Karen Knuuti  
Maine Department of Environmental Protection  
106 Hogan Road, Suite 6  
Bangor, Maine 04401

**RE: Municipal Review Committee Public Benefit Determination Application**

Dear Ms. Knuuti:

In several sections of its April 14, 2014 application for a Public Benefit Determination (PBD Application), the Municipal Review Committee (MRC) states that: "...the MRC cannot rely on the Juniper Ridge Landfill, which cannot provide certainty that permitted capacity will be available for the types and amounts of waste and waste residuals to be managed by the MRC on either a short-term or long-term basis after 2018..." (p. 1-5, 1-15, 1-17).

The MRC states on page 2-1 that: "the Juniper Ridge Landfill will reach its capacity in 2017."

In the May 22, 2014 MRC response to your letter of May 19, 2014, Andrew Hamilton, representing the MRC, further elaborates that: "The MRC cannot rely on Juniper Ridge Landfill (JRL) to provide disposal capacity for its range of waste types and quantities specified in Table 1-3 for the MRC's planned waste disposal period of 30 years. Based on the *Materials Management Plan, 2014 State Waste Management and Recycling Update & 2012 Waste Generation and Disposal Capacity Report*, at the current utilization rate, JRL will reach its licensed capacity in 2021. We understand that JRL is licensed to accept residuals, CDD, OBW, special waste, and limited amounts of MSW within its current licensed capacity. However, the remaining licensed capacity is limited (estimated to reach capacity in 2021) and its license does not allow it to accept the full range of MSW outlined in Table 1-3. The MRC needs to plan, permit, and implement an integrated solid waste management approach for its full range of waste types for a reasonable life-cycle duration (i.e., 30 year period) in order to be successful. Therefore, JRL as currently licensed cannot meet the short term or long term capacity needs of the MRC."

We are writing in response to the above statements of the MRC pertaining to JRL.

As a result of the JRL Amendment Application (#S-020700-WD-BC-A) which was affirmed and modified by the Maine Board of Environmental Protection on June 19, 2014, JRL can accept for disposal: (i) 81,800 tons per year of in-state MSW until March 31, 2018, and (ii) solid waste residuals (which could include residuals from an MRC processing facility, as long as it did not accept out of state waste) until JRL reaches capacity, which is estimated by the DEP to be in 2021. Bureau of General Services (BGS) and New England Waste Services of ME, Landfill Operations, LLC (NEWSME) are certainly willing to discuss with the MRC, if they so desire, a modification of the MSW tonnage limit and an extension of the time period for MSW disposal to the end of the current licensed capacity at JRL in order to address the MRC's short-term (5 years) MSW disposal needs from 2019 to 2021.

Beyond the current licensed capacity, BGS and NEWSME are also working toward an expansion of JRL as was anticipated in the 2004 Operating Services Agreement (OSA) between the State and Casella. The DEP issued a Determination of Environmental Feasibility for a 21.9 million cubic yard expansion of JRL on April 13, 2007. A Public Benefit Determination Partial Approval (JRL PBD) for a 9.35 million cy expansion of JRL was approved by the DEP Commissioner on January 23, 2012. The JRL PBD could be modified to provide for disposal of MRC's long-term (10 years) disposal needs in the JRL expansion. However, no PBD modification would be required to accept residuals from an MRC processing facility that accepts only in-state waste in the JRL expansion.

Regarding the MRC's goal to secure disposal capacity for a "reasonable life-cycle duration" of 30 years, BGS and NEWSME agree that assuring landfill disposal capacity well into the future is prudent planning given the lengthy time period required to license new or expanded capacity. Indeed, in 2011, NEWSME and the State Planning Office (BGS' predecessor) applied to the DEP for a public benefit determination for a 21.9 million cy expansion of JRL to provide disposal capacity for Maine through the end of the term (February 2034) of the OSA. The DEP Commissioner approved a PBD for a partial expansion of JRL rather than the full expansion because the DEP's public benefit determination process establishes long-term disposal needs as 10 years. This same 10-year limit that has been applied to JRL should also apply to the MRC's PBD application.

In summary, Juniper Ridge can accommodate the MRC's residual disposal needs in our current license and in the JRL expansion we are pursuing. JRL can also accommodate the MRC's short-term and long-term MSW disposal needs with modifications to the existing JRL license and the expansion PBD. While there is always an element of uncertainty in obtaining these modifications and in completing the remaining approvals for a JRL expansion, the uncertainty and time requirements for obtaining all of the necessary approvals for a green field landfill as proposed by the MRC would be even greater.

Sincerely,



Michael Barden

Manager, State-owned Landfills



Brian Oliver

Regional Vice President, Casella Waste Systems and

New England Waste Services of ME Landfill Operations, LLC

cc: Greg Louder, MRC  
Bill Mayo, Old Town