

**Submit to: Maine DEP**

**Due annually by February 28th**

**Attn: Vincent Prescott  
17 State House Station  
Augusta, Maine 04333  
Phone: 207-441-2906  
vincent.prescott@maine.gov**

**Annual Report Form  
for facilities with  
SOLID WASTE PROCESSING LICENSES  
including those with BENEFICIAL USE LICENSES**

**For YEAR: 2022**

Facility Operator: \_\_\_\_\_ Email: \_\_\_\_\_ Phone: \_\_\_\_\_

Facility Operator mailing address: \_\_\_\_\_  
\_\_\_\_\_

Contractor Contact: \_\_\_\_\_ Email: \_\_\_\_\_ Phone: \_\_\_\_\_

Billing Contact: \_\_\_\_\_ Email: \_\_\_\_\_ Phone: \_\_\_\_\_

**Name of Facility:** \_\_\_\_\_

**Facility Location Address:** \_\_\_\_\_  
\_\_\_\_\_

**Email Address:** \_\_\_\_\_

**DEP Processing Facility License Number(s):**

S- \_\_\_\_\_

S- \_\_\_\_\_

S- \_\_\_\_\_

S- \_\_\_\_\_

S- \_\_\_\_\_

**DEP Beneficial Use License Number(s), if any:**

S- \_\_\_\_\_

S- \_\_\_\_\_

S- \_\_\_\_\_

S- \_\_\_\_\_

S- \_\_\_\_\_

**1. Information on all wastes accepted at the facility:**

**A.** Enter the number from the list below, or a description of each waste type received and the amount (by weight) of each waste type by State or Province of origin and generator type. If measured weight is not available, indicate waste volume and density used to calculate weight entered in the “Explanatory notes and comments” field at the bottom of the table. Please attach incoming shipment records as available.

**Please note:** If you have trouble with the text boxes formatting your information correctly, please notify either Vincent Prescott or your program manager right away and we will send you a paper form.

Please use ONLY the following waste types as applicable to your facility.

- |   |   |
|---|---|
| <ul style="list-style-type: none"> <li>1. Mixed CDD (may include building materials, furniture and carpet, asphalt, wall board, pipes, metal conduit, etc.)</li> <li>2. Land clearing debris (brush, stumps, bark)</li> <li>3. Clean lumber (free from metals, plastics, and coatings)</li> <li>4. Treated wood</li> <li>5. Asphalt roofing &amp; shingles</li> <li>6. Sheetrock/ wallboard/ gypsum</li> <li>7. Furniture</li> <li>8. Carpet</li> <li>9. Glass (describe type or source)</li> <li>10. Metals - ferrous</li> <li>11. Metals - non-ferrous</li> <li>12. Metals – mixed</li> </ul> | <ul style="list-style-type: none"> <li>13. Tires</li> <li>14. Vehicle batteries</li> <li>15. Plastics</li> <li>16. Mixed paper &amp; corrugated cardboard (OCC)</li> <li>17. Coal, oil or multifuel boiler ash</li> <li>18. Virgin oil-contaminated soil, gravel, other aggregate</li> <li>19. Non-virgin oil contaminated soil, gravel, other aggregate</li> <li>20. Other contaminated soil, gravel, other aggregate</li> <li>21. Sandblast grit</li> <li>22. Catch basin grit &amp; street sweepings</li> <li>23. Reserved for additional types, <b>after authorization by DEP Staff:</b> _____</li> </ul> |
|---|---|

Waste Type Received	Origin is Maine (check)	Origin by State, Province, or Facility	Amount Received (Break out by State or Province)	Amount Processed	Unit of Measure

Explanatory notes and comments:

**B. Incoming waste characterization.** Attach results and a summary of all in-coming waste characterization events conducted in the reporting calendar year. This must include all data and results of the characterization of all wastes accepted at the facility, as well as the totals of data from your completed waste characterization forms (e.g., “Data Analysis Form” or other approved form) used to quantify by weight the recyclable and non-recyclable content of waste materials accepted for processing at the facility. (This item is not applicable to processing facilities that do not generate any residues requiring disposal.)

**C. Amounts of products shipped for beneficial use or used on-site.** Enter the number or description of each of the following processing product shipped, the amount shipped and the destination (users or facility). If you are using the material on-site, list the destination as “on-site” and if the use is not exempted, the license number for the activity. Use of processing products in a landfill is not a beneficial use. Please use **ONLY** the following descriptors:

- |   |   |
|---|---|
| <ul style="list-style-type: none"> <li>1. CDD wood fuel chips</li> <li>2. Wood fuel chips</li> <li>3. Wood chips for landscaping</li> <li>4. Erosion control mix (ECM)</li> <li>5. Tire fuel chips</li> </ul> | <ul style="list-style-type: none"> <li>6. Tire chips for engineered applications</li> <li>7. Construction fill</li> <li>8. Reserved for additional types, <b>after authorization by DEP Staff:</b> _____</li> </ul> |
|---|---|

Description of processing products	Weight	Unit of measure	Destination - user, facility, or project

Facility: \_\_\_\_\_

Reporting Year: \_\_\_\_\_

**D. Summary of recyclables shipped.** Enter the description and amounts of all recyclables that were shipped off-site, and the destination facilities. Materials that are being shipped to another facility for further processing must be identified separately in the table.

Description of Recyclable or Material Needing Further Processing (use ONLY types as listed in 1.A)	Weight	Unit of Measure	Need additional processing (check)	Destination State, Province, or Facility

**E. Summary of residues shipped.** Enter the description and amounts of all residues that were shipped off-site, and the destination facilities.

Description of Residue	Weight	Unit of Measure	Destination Facility and State or Province

**F. Out-going waste characterization.** Attach results and summary of all out-going waste residue characterization events conducted in the reporting calendar year. This must include all data and results of the characterization of all waste residues shipped from the facility for disposal. (This item is not applicable to processing facilities that do not generate any residues requiring disposal.)

Facility: \_\_\_\_\_

Reporting Year: \_\_\_\_\_

**G. Summary of end-of-year on-site storage.** Enter the amounts of products, recyclables, and wastes stored on site as of December 31.

Type of product, recyclables and waste stored on site as of December 31	Weight (tons)	If converting from cubic yards, use conversion factors from Table 1 of <i>Characterization of Construction/Demolition Debris by the Visual Estimation Method for Use by Solid Waste Processing Facilities</i> , available on-line at <a href="http://www.maine.gov/dep/waste/solidwaste/index.html">www.maine.gov/dep/waste/solidwaste/index.html</a> under "Additional Information and Guidance".

**H. Recycling and beneficial use demonstration for processing facilities that generate any residues that are disposed rather than being recycled or beneficially used.** Legislation passed in 2021 (LD 1639) included changes to 38 M.R.S. § 1310-N (5-A) and § 1303-C (40-A) that effect the calculation of the recycling and beneficial use demonstration required for a processing facility that generates any residues that are disposed rather than being recycled or beneficially used. The pertinent statutory language is appended at the end of this form. If you have any questions about the statutory language or how to use the worksheet, please contact your project manager.

Check here if the facility generated no residues that were disposed and proceed to Section 2.

Use the following worksheets to calculate the recycling rate for your facility in accordance with the applicable statutory requirements.

**Inbound Material from Table A, above.**

Source of Material	Weight (tons)
Originated in Maine	
Originated Outside Maine	
<b>TOTAL INBOUND</b>	

Facility: \_\_\_\_\_

Reporting Year: \_\_\_\_\_

**Shipped Material from Tables C, D and E, above.** Use the same descriptions as used in the tables.

Description of Material	Weight (tons)	From Which Table?
<b>TOTAL SHIPPED</b>		

**Calculation of Facility Recycling Rate -**

Material Qualifying as Recycled or Processed into Fuel for Combustion	Weight (tons)
Material used in a landfill for daily cover, frost protection or other operational or engineering-related use approved by the DEP license	
Waste used as boiler fuel substitutes	
Metal recovered from waste	
Waste or waste-derived product as material substitutes in construction	

**$\frac{\text{TOTAL SHIPPED (above)}}{\text{TOTAL INBOUND}} \times 100 = \text{TOTAL RECYCLING RATE}$**   
 (from Table A, column "Amount Received") Place your calculation in box #1 →

1.)

**Minimum Required Recycling Rate is  $\geq 50\% = \text{Total Shipped} \times 0.5$**   
 Place your calculation in box #2 →

2.)

**Calculation of Percentage Recycled Other Than Placement in a Landfill**  
**Minimum Required is  $50\%^1$  of the Number in Box #2 =  $\text{Box \#2} \times 0.5$**   
 Place your calculation in box #3 →

3.)

<sup>1</sup> Except for a facility subject to the tiered percentages in 38 M.R.S. § 1310-N (5-A)(B)

**2. Operations**

Provide a summary of the processing operation including: a summary of complaints received by the facility during the previous year, a discussion of any odor problems, and any other problems encountered, and follow-up actions taken to address complaints and other identified problems.

**3. Alterations to the facility operations and site**

A description of all changes to the facility site or operations that have occurred during the reporting year, and as-built plans as applicable. Also, any changes to minor aspects of the facility site proposed to be changed in the current year may be described.

Facility: \_\_\_\_\_

Reporting Year: \_\_\_\_\_

**4. Monitoring (if facility has a monitoring plan approved by the DEP).**

A summary and evaluation of past year's monitoring results, monitoring program and equipment; recommended changes may be submitted. Attach additional sheets or provide a separate attachment if additional space is needed.

Do you have a monitoring program:                      Yes                      No

Monitoring Results:

Equipment:

Proposed Changes (if any:)

I have examined this report and to the best of my knowledge and belief, said report is true, correct, and complete. *Signature of person completing this form* \_\_\_\_\_

*Printed name of person completing this form* \_\_\_\_\_

---

PLEASE ATTACH ADDITIONAL PAGES AS NEEDED



**Statutory Provisions Applicable to Calculation of Processing Facility's Recycling Rate**

**38 M.R.S. § 1310-N (5-A)(B)**

**5-A. Recycling and source reduction determination.** The requirements of this subsection apply to solid waste disposal facilities and to solid waste processing facilities that generate residue requiring disposal.

B. The provisions of this paragraph apply to solid waste processing facilities that generate residue requiring disposal.

- (1) An applicant for a new or expanded solid waste processing facility that generates residue requiring disposal shall demonstrate that all requirements of this paragraph will be satisfied. On an annual basis, an owner or operator of a licensed solid waste processing facility that generates residue requiring disposal shall demonstrate compliance with all the requirements of this paragraph. The annual demonstration of compliance must be included as an element of the facility's annual report to the department submitted in conformance with the provisions of subsection 6-D, paragraph B and department rules.
- (2) A solid waste processing facility that generates residue requiring disposal shall recycle or process into fuel for combustion all waste accepted at the facility to the maximum extent practicable, but in no case at a rate less than 50%. For purposes of this subsection, "recycle" includes, but is not limited to, the reuse of waste generated within the State as defined in section 1303-C, subsection 40-A, paragraph C; the recovery of metals from waste; the use of waste or waste-derived product as material substitutes in construction; and the use of waste as boiler fuel substitutes.

At least 50% of the waste that a solid waste processing facility characterizes as recycled under this subparagraph must have been reused or recycled by the facility through methods other than placement of the waste in a solid waste landfill, except that a solid waste processing facility that was in operation during calendar year 2018, that accepts exclusively construction and demolition debris and that accepted more than 200,000 tons of such debris in calendar year 2018 shall:

- (a) Reuse or recycle at least 15% of such debris through methods other than placement in a solid waste landfill by January 1, 2022;
  - (b) Reuse or recycle at least 20% of such debris through methods other than placement in a solid waste landfill by January 1, 2023;
  - (c) Reuse or recycle at least 30% of such debris through methods other than placement in a solid waste landfill by January 1, 2024;
  - (d) Reuse or recycle at least 40% of such debris through methods other than placement in a solid waste landfill by January 1, 2025; and
  - (e) Reuse or recycle at least 50% of such debris through methods other than placement in a solid waste landfill by January 1, 2026.
- (3) A solid waste processing facility subject to this paragraph shall demonstrate consistency with the recycling provisions of the state plan.
  - (4) The requirements of this paragraph do not apply to solid waste composting facilities; solid waste processing facilities whose primary purpose is volume reduction or other waste processing or treatment prior to disposal of the waste in a landfill or incineration facility; solid waste processing facilities that are licensed in accordance with permit-by-rule provisions of the department's rules; or solid waste processing facilities that are exempt from the requirements of the solid waste management rules related to processing facilities adopted by the board.
  - (5) If the department amends the rules relating to fuel quality for construction and demolition wood fuel and the amendment adversely affects the ability of a solid waste processing facility to meet the 50% standard in subparagraph (2), the department may not enforce the requirements of subparagraph (2) against that processing facility and the department shall submit to the joint standing committee of the Legislature having jurisdiction over natural resources matters a report relating to the rule change. The joint standing committee of the Legislature having jurisdiction over natural resources matters may submit legislation related to the report.

## Statutory Provisions Applicable to Calculation of Processing Facility's Recycling Rate

The department shall adopt rules to implement the provisions of this paragraph. Rules adopted pursuant to this paragraph are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A. [PL 2021, c. 626, §2 (AMD).]

[PL 2021, c. 626, §2 (AMD).]

### **38 M.R.S. § 1303-C**

As used in this chapter or in chapter 24, unless the context otherwise indicates, the following terms have the following meanings. [PL 1989, c. 878, Pt. H, §7 (AMD).]

#### **40-A. Waste generated within the State.** "Waste generated within the State" means

- A. Waste initially generated within the State; [PL 2019, c. 619, §3 (NEW).]
- B. Residue generated by an incineration facility or a recycling facility that is located within the State, regardless of whether the waste incinerated or processed by that facility was initially generated within the State or outside the State; [PL 2019, c. 619, §3 (NEW).]
- C. Residue generated by a solid waste processing facility that is located within the State, regardless of whether the waste processed by that facility was initially generated within the State or outside the State, as long as:
  - (1) The residue is used at a solid waste landfill for daily cover, frost protection or other operational or engineering-related purpose, including, but not limited to, landfill shaping or grading, and such use has been approved by the department under the landfill's license and such use complies with all applicable rules of the department and all applicable conditions of the landfill's license; and
  - (2) The use of the residue under subparagraph (1) complies with the requirements of section 1310-N, subsection 5-A, paragraph B, subparagraph (2); [PL 2019, c. 619, §3 (NEW).]
- D. Residue generated by a solid waste processing facility that is located within the State, regardless of whether the waste processed by that facility was initially generated within the State or outside the State, as long as:
  - (1) The residue does not meet the requirements of paragraph C; and
  - (2) The residue is generated by the facility only as an ancillary result of the facility's processing operations; and [PL 2019, c. 619, §3 (NEW).]
- E. Residue generated by a solid waste processing facility that is located within the State, regardless of whether the waste processed by that facility was initially generated within the State or outside the State, as long as:
  - (1) The residue does not meet the requirements of paragraph C or D;
  - (2) The residue is not considered recycled under section 1310-N, subsection 5-A, paragraph B, subparagraph (2) and is disposed of at a solid waste landfill; and
  - (3) The solid waste processing facility is in compliance with the requirements of section 1310-N, subsection 5-A, paragraph B, subparagraph (2). [PL 2019, c. 619, §3 (NEW).]

Beginning February 1, 2023, notwithstanding paragraphs B, C and E, if the total weight of the residue generated in a calendar year by an incineration facility, recycling facility or solid waste processing facility that is disposed of or otherwise placed in a solid waste landfill in that calendar year exceeds the total weight of the solid waste initially generated within the State that was incinerated or processed by that facility in that calendar year, any such excess residue generated by that facility is not considered waste generated within the State.

[PL 2021, c. 626, §1 (AMD).]