



City of Old Town

February 19, 2010

Natural Resources Committee
Senate Chair, Seth Goodall
House Chair, Bob Duschense
100 State House Station
Augusta, ME 04333

Re: Follow-up to work session on LD 760

Honorable Sen. Goodall and Rep. Duschense:

I wanted to write this letter to follow up to the discussion held on Friday, February 5, 2010 because the tight time frame did not allow for a full discussion of the issues regarding the State Planning Office annual report to the Joint Standing Committee on Natural Resources in response to PL 2009, chapter 412. During the lengthy discussion with State Planning Office Director, Martha Freeman, a few committee members stated they would like to hear from the community of Old Town or Norridgewock on particular items. In addition, I also wanted to address certain concerns that were raised during the discussion with Director Freeman.

As the host community for the landfill, I support SPO's desire to create a website that will provide detailed information of the landfill and its operations. The City embarked on setting up a separate page for browsers to access a wide array of information that we extrapolate from the monthly landfill operating report. We welcome any and all help to have as much available via the web. We plan to put permit applications and permit approvals on the web but would certainly welcome SPO or DEP taking on this task on an easily accessed site.

Of particular interest to the City of Old Town is a strong desire to have accountability in the landfill operations. The City is very concerned that there remain a separation of duties between the owner (SPO) and the regulators (DEP) to ensure clarity and compliance. We believe this will be the single most important challenge to Augusta as this landfill continues into the future as an assurance to the Citizens of the State and the communities in Maine, that this landfill operates in accordance with the rules and regulations. If the Legislature requires too strong a collaboration between the two

separate entities, this could create more issues of accountability and compliance being compromised, whether actual or perceived.

As to the report, it would seem reasonable that SPO issues an operational report and DEP issues a regulatory report that could be combined into an annual report. I believe that SPO and DEP routinely communicate on issues related to this landfill because the City reaches out to both entities as issues arise at the state's landfill. The City has also observed that SPO and DEP both attend the Juniper Ridge Landfill Advisory Committee meetings as well as participates together on other committees dealing with solid waste as a resource to those committees.

A question regarding the truck traffic and whether the increased weights has mitigated or alleviated the truck traffic on secondary roads. That is difficult to say with any definition. Personally, I have observed more trucks on I-95, but cannot say if less are traveling on Main Streets in Maine. Many trucks travel these secondary roads to get to the factories, schools, supermarkets, retail and other commercial destinations with goods for sale or manufacturing which take them through many of these roads from the point of origin to its destination. Perhaps another organization can advise the Committee on the overall impact of the increased weight limits for I-95 and whether it has succeeded to get trucks off the secondary roads and onto the Interstate.

There was a brief discussion of the CDD fiber procurement for the former paper mill in Old Town and whether it should be removed from the landfill's operating services agreement. Since 2006, there have been 4 different owners of this facility. The current owner has a desire to utilize green, energy efficient methods to achieve their goals. Right now the CDD does not fit into Patriarch Partners, Old Town Fuel and Fiber's plans. However, it cannot be denied that the attractive price of this wood fuel made its purchase more attractive to this current owner and will be to subsequent owners, if we continue to see change take place. However, I must also state that Red Shield Environmental invested significant funds into rebuilding the bio-mass boiler so it would operate more efficiently and environmentally compliant to the extent that it cannot be said that the boiler is an "old" boiler. This boiler will have many years of energy productivity for the Old Town manufacturing site. In fact, this facility holds the promise to pave the way for research and development for years to come. If this or a subsequent owner of the mill facility decides to burn CDD in the future, they will only do so, if it does not compromise their operating license and their overall objectives.

In listening to my colleague from Norridgewock, I have to concur with her in that we were also notified on or about December 14' 2009 to issue a local response to the questions posed by the Committee. This letter was composed by me as City Manager but with tremendous input from others such as the City Code Enforcement Officer who is directly involved with Juniper Ridge Landfill, the City Council and the Old Town members of the Landfill Advisory Committee to have as well rounded a response for the Natural Resource Committee.

The City participates heavily with the Juniper Ridge Landfill Advisory Committee and also staffs the committee for Old Town, Alton and Indian Island and funds this participation, use of City facilities and staff to transmit the meetings on the local public access channel. The City also has appointed a local landfill expansion review committee who worked for about 1 year and reviewed the lengthy drafts of the City's new landfill ordinance which was recently adopted by the City Council. This committee will also be engaged during the landfill expansion process. The Old Town City Council is also considering a restructure their standing committees to include special projects which will deal with the landfill expansion and other landfill projects.

The Juniper Ridge Landfill Advisory Committee is a committee of the State and their role is somewhat ambiguous. I have interpreted the legislation and rewrote it into a document that follows the wording of the legislation and can be found on the City website. However, others have interpreted this legislation in broader terms which has caused some confusion and frustration within the Advisory Committee itself. Reviewing this committee structure might become necessary depending on the desired goals and responsibilities.

I would like to offer to the Natural Resource Committee that the City of Old Town and the Town of Norridgwock could serve as a local advisor to you as you strive to embrace the next few years of solid waste management. The Communities goals are not much different than that of the State.

Respectfully,

Margaret N. Daigle
City Manager

Cc: City Council
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