

September 3, 2020 Comments BEP for Chapter 400 Hearing

Dear Chairman Draper, Members of the Board of Environmental Protection, and Interested Parties,

Please consider this proposed Amendment to our Citizen Petition for DEP rule change to be considered at a BEP Public Hearing September 17, 2020. Since the Board's first discussion of this matter back in early March, we distributors of the Petition have been concerned that it may adversely affect the PERC Waste to Energy plant in Orrington, and to a lesser degree, the WTEs operated by ecoMaine (South Portland) and MMWAC (Auburn). Therefore, we request that part of our proposed text shall read:

HHhh-1. Waste That Is Generated Within The State. "Waste that is generated within the State" means waste materials for which the original point of discard is located within the State of Maine. "Waste that is generated within the State" includes residue and bypass generated byprocessing and recycling facilities within the State, only if the materials creating the residue and bypass had an original point of discard within the State of Maine.

The only change is elimination of the word "incineration". We have discussed this matter at length among our fellow Petitioners and the operators of the PERC plant. Our overall purpose is to begin a reform of waste rules in Maine and achieve greater diversion of waste from landfills, especially those owned by the State and other public entities. Waste to Energy plants are part of this diversion state-wide. The WTEs in the Portland and Lewiston/Auburn areas reportedly have stable landfill capacity nearby to accommodate their ash disposal needs.

We have been consulting with the PERC facility and believe that this change is of mutual and satisfactory benefit.

Respectfully submitted,

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