



YORK SEWER DISTRICT

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TREATMENT PLANT
106 MAIN STREET

September 24, 2020

Board of Environmental Protection
C/o Paula Clark, Bureau of Remediation and Waste Management
Maine Department of Environmental Protection
17 State House Station
Augusta, Maine 04333
By Email: paula.m.clark@maine.gov

Dear Chair Draper and Members of the Board:

I'm writing to you today on behalf of the York Sewer District, urging you to reject the citizens petition proposing changes to the Maine Solid Waste Management Rules, Chapter 400.

Two bills put forward, during the 129th Legislature, LD 112 and LD 401, provided for and produced thorough public participation from all parties. For nearly two years, the Department of Environmental Protection (the Department), the Environment and Natural Resources Committee (ENR), legislature, administration, numerous stakeholders, and members of the general public, extensively vetted the issues raised in this petition. The ENR and the Department should be congratulated for juggling so many needs and concerns of so many, trying to come up with a balanced approach. In the end these two bills were passed and enacted making significant changes to Maine's Solid Waste Management Rules, strengthening recycling requirements.

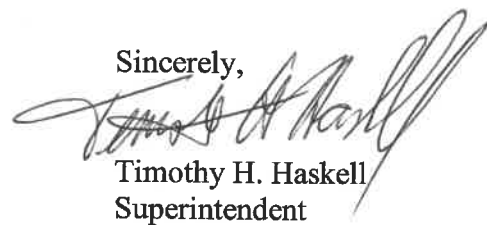
The outcome may not have been perfect for all (the clean water industry included), but an exhaustive effort was put forward by the Department and ENR to address concerns over Construction and Demolition Debris (CDD), Alternative Daily Cover (ADC), Oversized Bulky Waste (OBW), and special wastes, just to name a few. Significant new recycling requirements were incorporated within the legislation resulting in substantial required infrastructure investments of at least one processing facility. The laws' intent would increase required recycling while trying to maximize the beneficial reuse of end result materials for ADC. These newly enacted laws appear to provide for a balanced solid waste policy approach and the intention of these laws should be allowed to move forward unchanged.

If these proposed changes are considered, we fully expect a number of unintended consequences will occur along with negative economic impacts and more uncertainty going forward in how biosolids may be affected. If a facility that normally has an end result ADC material that now disappears, this would impact another facility that needs that ADC material, now requiring the use of a more costly material. If an OBW material, used as a stabilizer in a landfill, is similarly eliminated, then the ability of the landfill to accept some materials may be curtailed or be eliminated. This could cause a significant economic impact to the public and the clean water industry, given many rely wholly or significantly on landfills taking biosolids for disposal. It is well known that the processing and handling of biosolids has been drastically impacted over the last year and a half, with no improvement to the uncertain future of this material. Costs have already increased. Continued uncertainty, combined with the changes being proposed, may result in significant cost increases to the ratepayers and taxpayers. As disposal alternatives disappear, costs could easily increase by 100% or more. We are a relatively small sewer district and our current biosolids processing budget has already increased from \$120,000 to \$180,000 due to recent changes and uncertainties. If the petition does result in modification of Chapter 400, we fully expect the previous amount will need to increase to \$247,500 to plan for possible disposal sites no longer being available to us.

We request that you let the Department follow through on what has already been enacted and report on the effectiveness of the changes. When necessary in our industry, we make thoughtful, calculated changes to process control, analyze the results of our actions, and make other changes when and if necessary. We hope the same philosophy is applicable here.

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Timothy H. Haskell", written over a printed name and title.

Timothy H. Haskell
Superintendent