



STATE OF MAINE
DEPARTMENT OF ENVIRONMENTAL PROTECTION



PAUL R. LEPAGE
GOVERNOR

PATRICIA W. AHO
COMMISSIONER

August 31, 2015

Edward S. Spencer
P.O. Box 12
Stillwater, ME 04489

RE: MRC-Fiberight Applications for Solid Waste Processing Facility (#S-022458-WK-A-N), Air Emission License (#A-1111-71-A-N), State Stormwater Permit (#L-26497-NJ-B-N), Site Location of Development Act Minor Revision (#L-26497-26-C-M) and Natural Resources Protection Act Individual Permit (#L-26497-TG-A-N)

Dear Mr. Spencer:

In reviewing our files, we realized that we mailed you an incorrect version of the letter responding to your request for a public hearing on these applications. Please replace the August 24, 2015 letter that you received with this corrected version. We apologize for this error.

Thank you for your e-mail dated August 3, 2015, regarding the above-referenced applications for permits for a municipal solid waste (MSW) processing and recycling facility (Facility) in Hampden, ME. The Municipal Review Committee (MRC) and Fiberight have jointly filed applications to construct and operate the Facility, which will be designed to accept up to 650 tons per day of in-state MSW.

Staff reviewed your e-mail requesting that the Department hold a public hearing for the proposed project. According to the Department's Rules Concerning the Processing of Applications and Other Administrative Matters, 06-096 CMR 2 § 7, "the Department will hold a hearing in those instances where the Department determines there is credible conflicting technical information regarding a licensing criterion and it is likely that a public hearing will assist the decision maker in understanding the evidence." Your request refers to concerns regarding conflicting possible outcomes technically and scientifically, the uncertainties of regional waste allegiances, and lack of public access to facts involved with the proposal. Staff reviewed your request and advised me that it does not contain credible conflicting technical information regarding licensing criteria to support a public hearing. Therefore the Department has determined that there is insufficient justification to hold a public hearing for the pending application in this instance. Nonetheless, we will continue to welcome and consider any comments submitted during the review of this application.

The Department will be holding a public meeting in the Hampden area to receive comments about this project. These meetings will be open to everyone and are designed to provide an opportunity for everyone to offer comments about the project.

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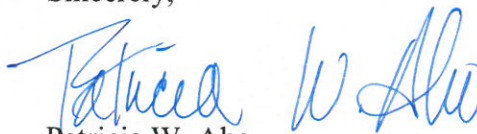
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Letter to Edward Spencer
August 31, 2015
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Again, thank you for your e-mail. If you have further questions please contact the project manager, David Burns, at dave.e.burns@maine.gov.

Sincerely,



Patricia W. Aho
Commissioner

cc: Greg Louder, MRC
Craig Stuart-Paul, Fiberight
Denis St. Peter, CES
David Burns, DEP
Karen Knuuti, DEP
Lynn Muzzey, DEP
Tiffany LaClair, DEP

Burns, Dave E

From: Cheryl Spencer <cjkspencer@gmail.com>
Sent: Tuesday, August 04, 2015 9:39 AM
To: Burns, Dave E
Subject: Fiberight Proposal

Dear David Burns,

Please consider this a request for a public hearing in regard to the MRC/Fiberight proposed MSW processing facility in Hampden which the Department accepted as complete on 7/15/15. As you know, I have been very involved with solid waste issues since the state took ownership of the mill's Old Town landfill in 2003. The MRC/Fiberight proposal could shape the waste landscape in central Maine and beyond for decades to come.

This is a complex issue both scientifically and in regard to the public and private interests involved, including PERC, the MRC communities, and citizens living in proximity to the proposed site, the Juniper Ridge Landfill in Old Town, PERC in Orrington, and those along the haul routes to all of the above.

The proposed high-tech MSW processing facility sounds like a futuristic solution to our MSW disposal needs. However, as far as I know there is no working facility on any kind of scale to compare this to and study its useful byproducts and their value. In addition, it is unclear just what the nature of the plant's residual wastes will be, both solid and liquid.

Due to the apparent split between the MRC and the PERC partners, it is unclear where the MRC communities' MSW will be sent post- 2018.

The Fiberight proposal sounds like it will need a minimum of 150,000 tons of MSW annually in order to be viable. Before 2014, the MRC's total MSW was about 180,000 tons a year.

At the same time, many of these towns and cities have adopted single source recycling programs, which have reduced the MSW output by substantial amounts. We have heard that Waterville and some nearby town(s) have chosen to send their wastes to the Crossroads Landfill in Norridgewock. My understanding is that the actual contracts for MSW disposal are with the PERC plant, not the MRC, and that these communities are currently deciding who to align with post-2018. What I've heard as a resident of Old Town is that it looks like we will stay with PERC. Therefore, it seems doubtful that the MRC can deliver their goal of 150,000 tons of MSW annually to the new plant, unless they look beyond this region and beyond the borders of Maine.

I stood in opposition to the MRC's proposed landfill in Argyle/Greenbush, and am also against expanding JRL. However, on the Fiberight proposal I am neutral as to the outcome, and need more information before making a decision. I think that most of the citizens and leaders of the MRC communities have a similar stance as mine. Due to the conflicting possible outcomes technically and scientifically, the uncertainties of regional waste allegiances and lack of public access to facts involved with the MRC/Fiberight proposal, I feel that a Public Hearing is necessary where those involved speak under oath. At a bare minimum we need several days of testimony under oath to fully understand the dynamics involved.

Respectfully submitted,
Edward S. Spencer
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