

STATE PLANNING OFFICE NEWSLETTER

Current News and Updates for Municipal Officials

Maine State Planning Office 38 State House Station Augusta ME 04333 Web: www.maine.gov/spo Tel: 207-287-6077

Solid Waste in Maine

What's the future of solid waste in Maine?

It has been 17 years since the Legislature passed the Waste Management Act. In the 1980s, municipalities faced the hard realities of dump closures and the skyrocketing costs of transporting solid waste to newly-constructed regional incinerators or distant commercial landfills. Tipping fees were a new phenomenon. The state's recycling rate was 17% with fewer than 60 towns with recycling programs. Existing public and private landfills were reaching the end of their licensed capacity. There was no such thing as e-waste. *Styrofoam*™ still contained CFCs and there was little concern about a few paint cans or mercury batteries thrown into the hopper.

In response, in 1989, the Legislature adopted a publicly-managed solid waste system that includes:

- Declaration of a solid waste management hierarchy; with a preference for reducing the

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volume and toxicity of waste

- A statewide goal to recycle 50% of municipal solid waste
- State assistance for public recycling programs
- Provision for planning, policy development, and municipal technical assistance separate from regulatory functions
- A ban on new commercial solid waste disposal facilities
- State responsibility for siting and operating new solid waste disposal facilities
- Reinforcement of municipal responsibility for managing solid waste.

Please see *Future of Solid Waste* on page 3

Solid Waste Bills in the 2nd Legislative Session

The 122nd Legislature debated a number of solid waste bills in the 2nd Session, which adjourned on April 28. Some of the bills are:

- LD 141: limits to 50% of total waste burned in licensed boilers the amount of wood fuel derived from construction/demolition debris.
- LD 1578: would have provided host community benefits to Saco for impacts from the Maine Energy plant. This bill failed to be enacted.
- LD 1777: creates a Blue Ribbon commission to

study solid waste management in Maine (see related article on p. 5).

- LD 1795: bans out-of-state waste in municipal and state-owned disposal facilities until January 1, 2007.
- LD 1792: increases opportunities for recycling mercury thermostats and establishes a minimum \$5 "bounty" per recovered thermostat.

The Legislature will return on May 22 to complete its business.

Director's Column

By Martha Freeman



Legislators of different parties and from all over Maine, municipal officials, business representatives, and representatives of the Governor spent much time recently on property taxation of business equipment. The end result,

the passage of LD 2056 as amended, is a good product. It meets the needs of varying interests and provides a boost to Maine's prosperity. The Taxation Committee's 12-to-1 vote in favor of the bill, the Senate's 34-to-0 vote in favor of passage, and the House's 123-to-18 favorable vote suggest that many share this view.

The substance and process of LD 2056's enactment represent a win for all. The new law prospectively exempts business equipment from personal property taxation. The exemption applies to equipment that otherwise would first have been subject to taxation on or after April 1, 2008. The exemption does not apply to storefront retail equipment; the state will reimburse retailers 100% for this taxation. For exempt equipment, the state will reimburse municipalities 100% in the first year, ramping down to 50% over five years. Municipalities with more than 5% of their valuation in exempt business equipment and those eligible for "Revenue Sharing 2" will receive additional compensation. For property exiting the BETR

Please see *Director* on page 6

Maine is one of only 13 to receive funding for its WIRED Initiative out of nearly 100 applicants. "This grant is a great opportunity from Jonesboro from Kittery. It is funding for the future of Maine."

— Governor John E. Baldacci

Maine Announces WIRED Initiative

In April, the state kicked-off a three-year \$15 million economic development effort funded by the U.S. Department of Labor under the Workforce Innovation in Regional Economic Development, known as WIRED.

Recognizing the realities of global competition and Maine's changing regional economy, Governor Baldacci sought the grant to re-skill Maine's workforce and bolster its boat-building and advanced composites industries. The project covers Maine's coastal region, emanating from Brunswick and encompassing the coast from Kennebunkport to Calais and extending inland to Lewiston, Greenville, and Orono. The region covers 11 of Maine's 16 counties.

A consortium of industry, government, education, and philanthropic leaders will direct the initiative, which sets out to create over 2,000 marine trades jobs. Maine's WIRED initiative will assist businesses with training and retraining workers, marketing and outreach, and start-up funding and expansion capital. It will develop linkages to transform scientific research into new products and services, and to ensure a favorable institutional climate.

Recently, Christina Sklarz-Libby was named program manager for the initiative and Henry Renski as deputy manager. Christina holds an M.S.B.A from Husson College with over 10 years of experience in economic development. Henry is a returning Maine native who worked as a policy analyst for the State of North Carolina and is presently working with SPO staff to measure the economic impacts of the Brunswick Naval Air Station base closure. Both Christina and Henry will be housed at the State Planning Office.

A project summary of the Maine WIRED proposal can be viewed at the US Labor website at: <http://www.doleta.gov/pdf/Pages%20from%20WIRED%20Abstracts-%20Comprehensive.pdf>

What is the Future of Solid Waste in Maine?

Solid Waste from page 1

In the nearly 20 years since the inception of the current solid waste management system, municipalities, businesses, and residents have worked to achieve the state's 50% recycling goal with good results. Based on the State Planning Office's 2003 calculation, which includes construction and demolition debris, we recycle 35% of our municipal solid waste. According to the US Environmental Protection Agency, which excludes construction and demolition debris, we recycle 49% of our waste. In EPA's ranking, Maine is the top recycler in nation.

Yet much has changed since 1989. These changes include:

- Continuing growth in the amount of waste generated by residents and businesses
- More attention to toxics in household products and a number of disposal bans on them
- A growing public awareness of environmental impacts of solid waste facilities, including air and water quality, truck traffic, and aesthetic issues including visual impact, noise, and odors
- Increased difficulty in siting solid waste facilities
- The state's acquisition of Juniper Ridge Landfill
- An increase in imported solid waste and bypass waste
- Many programs having maximized participation by residents in recycling

In addition, the State Planning Office notes several issues that will impact the future management of solid waste in Maine:

- Maine has never attempted to quantify the cost of its existing waste management system. What are the social, environmental, and economic costs of how we manage waste today or of alternative means?

- Waste is increasingly being seen as a resource, which if recovered and processed locally, could create jobs and keep more dollars in our communities. How can we ensure that no raw garbage is landfilled in the state before extracting its last ounce of value for resource recovery?
- Global energy issues make reliance on petroleum fuel problematic. Should biomass or waste-to-energy play a bigger role in meeting Maine's energy needs?
- New recycling technologies are emerging. How do these technologies fit within or augment local recycling and processing centers in Maine?

In EPA's 2003 ranking of states, Maine is the top recycler in the nation.

These changes and issues make us believe that we need to challenge old ways of thinking and inspire new attitudes and behavior. We need to move beyond 50% recycling. The State Planning Office calls for a new statewide goal; one that

- maximizes recycling
- minimizes the volume and toxicity of waste
- reduces consumption
- ensures that products are made to be reused, repaired, recycled or composted
- extracts value from waste for resource recovery

The State Planning Office endorses moving beyond our 50% recycling goal. We can continue that goal and take the lead in solid waste management to minimize the need for, and consumption of, landfill capacity.

GROWTH MANAGEMENT EVALUATION COMPLETED

In March, the State Planning Office presented its recommendations for improving the office's administration of the Growth Management Act. One recommendation calls for focusing the state review of local comprehensive plans on the Future Land Use Plan; with a lesser amount of scrutiny on other sections of the plan. The State Planning Office also plans to pilot regional development plans in four areas that are well-suited to regional approaches: transportation, housing, natural resource protection, and economic development.

The next issue of this newsletter will feature the growth management recommendations and their implementation. For more information: <http://www.state.me.us/spo/landuse/whatsnew/review.php>.

“Despite the challenges of local comprehensive planning, our research shows that community planning is valued, is worthwhile, and should be continued.”

— Finding from SPO's Growth Management Evaluation

REGIONAL EFFICIENCY GRANT FUNDING RESTORED

As part of the state's supplemental budget, the Legislature approved funding to help communities regionalize service delivery. Grant funds can assist communities with feasibility studies, legal work, and other costs associated with developing regional initiatives. To be eligible, two or more municipalities must collaborate. Counties and regional governments may also apply on behalf of their regions. \$500,000 in grants is available for FY07. Grant applications will be solicited in the fall 2006 with awards in the spring of 2007. The funds are administered by the Department of Administrative and Financial Services. For more information: <http://www.maine.gov/dafs/fund.htm>

WORKING WATERFRONT PILOT

In 2005, voters approved \$2 million in funding as part of the Land for Maine's Future bond to protect strategically-significant working waterfront properties. The Maine Department of Marine Resources expects to launch the program in June 2006. Grants will fund up to 50% of the acquisition costs for properties that provide permanent access to fishing waters by commercial fishermen. Eligible applicants include: private businesses, cooperatives, municipalities, and organizations qualified to hold conservation easements. The Land for Maine's Future Board will select the projects to be funded. For more information contact: Jim Connors at jim.connors@maine.gov.

PUBLIC COMMENTS SOUGHT ON COASTAL PLAN

The Maine Coastal Program invites your comments on the *Maine Coastal Plan Assessment & Strategy*.

The state is required, under Section 309 of the Coastal Zone Management Act, to conduct a needs assessment of nine coastal policy areas that are considered priorities at the national level. These areas are: public access, coastal hazards, ocean resources, wetlands, cumulative and secondary impacts, marine debris, energy and government facility siting, special area management, and aquaculture. Maine's 2006 *Assessment and Strategy* will guide the efforts of the Maine Coastal Program over the next five years. It is released for public comment and reviewed by the National Oceanic and Atmospheric Administration (NOAA) for potential grant funding.

The deadline for comments is June 5, 2006. To review the plan:

<http://www.state.me.us/spo/mcp/309assessment&strategy.php>

Review of Maine Solid Waste Policies on Two Fronts

SPO's Policy Review Task Force

State law charges the State Planning Office with planning for solid waste management and convening a solid waste task force every five years to consider policy issues (38 M.R.S.A. §2122 and §2123-B). The office convened a task force in 2005 and engaged its members on an array of policy questions to inform its review of solid waste management. In April, the office produced its report and recommendations for planning Maine's future solid waste management system. The office's recommendations are informed by the task force discussions.

The report calls for Maine to 'move beyond its 50% recycling goal' (see related article on page 3). It affirms the existing waste management hierarchy and the ban on new commercial solid waste facilities. It recommends improving how we project landfill capacity and how host community benefits are negotiated. Finally, the report suggests looking at how construction debris is managed, how public recycling programs are funded, and how to increase recycling participation by residents and businesses.

The report also recommends creating a solid waste advisory council, which would meet at least once a year and guide the State Planning Office on both policy and programmatic issues.

The State Planning Office plans to present the report and recommendations to the Legislature's Blue Ribbon Commission on Solid Waste as it starts its deliberations this summer (see related article on this page). This summer it will draft legislation to submit to the 123rd Legislative Session to implement a number of the recommendations.

For a list of task force members or to view the report: <http://www.maine.gov/spo/recycle/policy/>

So, what's up with Juniper Ridge?

Directed by the Legislature in 2004, the State Planning Office acquired the Georgia Pacific landfill in West Old Town; an existing licensed and operating disposal facility that has been renamed 'Juniper Ridge.'

The state acquired the landfill to provide disposal capacity for Maine-generated solid waste from municipalities and businesses. While, at this moment, the Georgia Pacific/Koch paper mill in Old Town is up for sale, the state is optimistic that a buyer will be found. Nevertheless, the landfill is a separate operation from the paper mill and will continue to provide the state with disposal capacity well into the

Blue Ribbon Commission

A bill that initially called for the waste management and recycling responsibilities at the State Planning Office to be moved to the Department of Environmental Protection ended up being amended to create a legislative commission to study the management of solid waste in Maine. The 9-member commission will consist of the Commissioner of Environmental Protection and Director of the State Planning Office, and seven legislative appointees, comprising legislative and public members.

The commission will review the following issues: imports and exports of municipal solid waste and construction and demolition debris; a management structure for how solid waste should be managed in the state; host community benefits; municipal solid waste incineration; the state recycling and waste reduction goals; and other issues.

The bill requires that the first meeting be held before July 30, 2006, and that the commission submit a report by January 1, 2007.

For information: <http://janus.state.me.us/legis/> and search for LD 1777.

State Planning Office
38 State House Station
Augusta ME 04333

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State Planning Office

38 State House Station
Augusta ME 04333

<http://www.maine.gov/spo>

Phone:

207.287.6077

E-Mail:

linda.c.laplante@maine.gov



Printed on recycled paper under
appropriation #010 07B 1100

Director from page 2

program, the state will reimburse businesses for taxation 75 % in the first year, ramping down to 50% over six years.

These were difficult provisions to negotiate. Tempers flared, disappointments arose, no one got all they wanted—but all involved hung in to talk and, most important, listen. Everyone compromised and Maine won.

Though I'd like to thank dozens who participated, there's one to single out. Ryan Pelletier, Town Manager of St. Agatha and MMA President, helped others hear municipal concerns and listened with an open mind to the concerns of businesses and the state. It was a pleasure working with him.

*Would you like to receive this newsletter electronically?
Send your e-mail address to: linda.c.laplante@maine.gov*
