



JANET T. MILLS
GOVERNOR

STATE OF MAINE
DEPARTMENT OF ENVIRONMENTAL PROTECTION



MELANIE LOYZIM
COMMISSIONER

Public Meeting Handout

Application for Public Benefit Determination Juniper Ridge Landfill

The State of Maine, Department of Administrative and Financial Services, Bureau of General Services, has applied for a determination of public benefit for a proposed expansion of the State-owned Juniper Ridge Landfill. Before the Department can act upon an application for a proposed landfill expansion, the Commissioner must determine that the proposed expansion would provide a substantial public benefit. The proposed expansion would provide 11.9 million cubic yards and 11.3 years of disposal capacity. Juniper Ridge Landfill is operated for the State by Casella Waste Systems, Inc., under the terms of an operating services agreement.

The following provides some applicable excerpts from Chapter 400 of Maine's Solid Waste Management Rules pertaining to applications for public benefit determination.

400(5)(E). Standards for public benefit determination. The Commissioner shall find that a proposed solid waste disposal facility or expansion that is subject to the provisions of this section provides a substantial public benefit if it meets the following standards:

- (1) The facility meets immediate, short-term, or long-term capacity needs of the State. For purposes of this paragraph, immediate means within the next 3 years, "short term" means within the next 5 years, and "long term" means within the next 10 years. When evaluating whether a proposed facility meets the capacity needs of the State, the commissioner shall consider relevant local and regional needs as appropriate and the regional nature of the development and use of disposal capacity due to transportation distances and other factors;
- (2) Except for expansion of a commercial solid waste disposal facility that accepts only special waste for landfilling, the facility is consistent with the State Waste Management and Recycling Plan and promotes the Solid Waste Management Hierarchy as set out in 38 M.R.S.A. § 2101;
- (3) The facility is not inconsistent with local, regional, or state waste collection, storage, transportation, processing, or disposal; and
- (4) The facility is not inconsistent with ensuring environmental justice for the community in which the facility is proposed.

400(4)(N) Solid Waste Management Hierarchy

- (1) **Standards.** The purpose and practices of the solid waste facility must be consistent with the State's solid waste management hierarchy set forth in 38 M.R.S.A. § 2101, which establishes that it is the policy of the State to actively promote and encourage waste reduction measures and the maximization of waste

diversion efforts, and which sets forth an integrated approach to the management of solid waste generated in and imported to the State, based upon the following order of priority:

- (a) Reduction of waste generated at the source, including both the amount and toxicity of the waste;
- (b) Reuse of the waste;
- (c) Recycling of waste;
- (d) Composting of biodegradable waste;
- (e) Waste processing that reduces the volume of waste needing land disposal; including incineration; and,
- (f) Land disposal of waste.

(2) **Submissions.** The application must include evidence that affirmatively demonstrates that the purpose and practices of the solid waste facility are consistent with the solid waste management hierarchy including, but not limited to:

- (a) **Solid waste disposal facility.** Notwithstanding the provisions of section 6 of this Chapter, evidence that demonstrates that the waste has been reduced, reused, recycled, composted, and/or processed to the maximum extent practicable prior to incineration or landfilling, in order to maximize the amount of material recycled and reused, and to minimize the amount of waste being disposed. Such evidence shall include, but is not limited to, a description of the reduction, reuse, recycling, composting and/or processing programs/efforts that the waste is or will be subject to, and that are sufficiently within the control of the applicant to manage or facilitate, including relevant metrics to evaluate effectiveness; and a description of ongoing efforts to increase the effectiveness of these programs/efforts.

For the purposes of this section, reducing, reusing, recycling, composting and/or processing waste to the “maximum extent practicable” prior to disposal means handling the greatest amount of waste possible through means as high on the solid waste management hierarchy as possible, resulting in maximizing waste diversion and minimizing the amount of waste disposed, without causing unreasonable increases in facility operating costs or unreasonable impacts on other aspects of the facility’s operation. Determination of the “maximum extent practicable” includes consideration of the availability and cost of technologies and services, transportation and handling logistics, and overall costs that may be associated with various waste handling methods.

400(1)(TT-1) Definition of Environmental Justice. “Environmental justice” means the right to be protected from environmental pollution and to live in and enjoy a clean and healthful environment regardless of ancestry, class, disability, ethnicity, income, national origin, or religion. Environmental justice includes the equal protection and meaningful involvement of all people with respect to the development, implementation, and enforcement of waste management laws, regulations, and licensing decisions.

Web Links and Contact Information:

Maine DEP Juniper Ridge Landfill Website:

<https://www.maine.gov/dep/waste/juniperridge/index.html>

Department of Administrative and Financial Services, Bureau of General Services Juniper Ridge Landfill Website: <https://www.maine.gov/dafs/bgs/maines-state-owned-landfills/juniper-ridge-landfill>

Chapter 400 of the Solid Waste Management Rules:

<https://www.maine.gov/sos/cec/rules/06/096/096c400.docx>

January 2024 Maine Materials Management Plan:

<https://www.maine.gov/tools/whatsnew/attach.php?id=12222463&an=1>

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