

2012 eco-Excellence Awards

HANDOUT #1

Honoring local environmental activities



March 7, 2011 (Wednesday)

10:30 am-1:00 pm

Summary

Attendance: 82 (based on # of name tags)

Participating towns: 17

Entries: 24

Awards

Total awards presented: 21

Community awards (individuals): 16

Grand Award (rocking chair): Allen Avenue Unitarian
Universalist Church, Portland

Business awards: 5

Best Business Award (engraved plaque):
Meadowmere Resort, Ogunquit

Recycled fleece jackets given to nominators and
winners: 88



Comparative Data:

<u>Date</u>	<u>Municipalities</u>	<u>Framed Awards</u>	<u>Attendance</u>
3/16/06	11	12	N/A*
4/24/07	21	21	35
3/18/08	26	31	90
3/24/09	30	33	90
3/16/10	35	38	108
3/22/11	24	41	100+
3/07/12	17	18	82

(*individual presentations at towns)



Participating communities (owner-communities in bold):

Cape Elizabeth	Harpswell	Scarborough
Casco	Jay	South Portland
Eliot	Ogunquit	Standish
Falmouth	Parsonsfield	Waterboro
Freeport	Portland	Yarmouth
Gray	Readfield	



Media Coverage (as of 4/9/12):

- November 1; *West End News*
- November 10; *The Current*
- November 18; *Journal Tribune*
- November 23; *The Cape Courier*
- December 29; *The Bridgton News*
- January; *Sunrise Guide* (newsletter)
- January 5; *Sanford News*
- January 13; *The Sentry*
- January 19; *Gorham Times*
- January 19; *The Current*
- February 9; *Seacoast Online*
- March 14; *Fosters Daily Democrat*
- March 14; *Reporter*
- March 17; *Journal Tribune*
- March; Falmouth Town Website
- March; Cape Elizabeth Town Website
- March; Yarmouth Town Website
- March 29; *Seacoast Online**
- March 29; *Seacoast Online**
- March 29; *York County Coast Star*
- March 30; *Lakes Region Weekly*
- April; *Sunrise Guide* (newsletter)
- April 6; *Scarborough Leader*

*two different articles: Eliot and Ogunquit



(L) Standish Award winner Stuart Lecki from Bon Appetit describes the local ingredients used to prepare lunch (below).



LD 425 An Act To Stimulate Demand for Renewable Resources

Sponsor: Sen. Richard Rosen

Final Action: EUT Committee voted unanimously Ought Not to Pass (Dead)

This bill was championed by Maine's four waste-to-energy (WTE) facilities to create a new Renewable Energy Credit (REC) for WTE. It would have amended the law in the following ways:

1. Amend the definition of "renewable capacity resource" to add waste energy resources.

2. Define "waste energy resource" as a source of electrical generation that is fueled by municipal solid waste in conjunction with recycling and whose total power capacity does not exceed 35 megawatts. In addition, the waste energy resource would have to meet Maine's air emissions standards for resource recovery facilities and licensing standards for solid waste facilities and ensure that residuals from the waste energy resource are disposed of at a landfill meeting Maine's licensing standards.

3. Establish a 3.5% portfolio requirement for electricity from waste energy resources.

4. Allow competitive electricity providers to meet the portfolio requirements for waste energy resources through the use of renewable energy credits or an alternative compliance payment to be set by the Public Utilities Commission.

Unfortunately, we were not able to garner support for the idea within the Legislature.

LD 693 An Act Concerning Solid Waste Facility Citizen Advisory Committees

Sponsor: **Rep. Robert Duchesne**

Final Action: Public Law, Chapter 543

This act relates only to the Citizen Advisory Committee created regarding the Juniper Ridge Landfill in Old Town.

PL, Chapter 543 makes changes to Sec. 1. 38 MRSA §1310-N, sub-§12 regarding citizen advisory committee notification. Except for applications for minor alterations, the DEP may not issue a license or amend a license to a solid waste disposal facility owned by the State unless the provisions are met:

The owner or operator of a solid waste disposal facility shall, at least 10 days prior to filing with the DEP an application for a license or an amendment to a license, send to each member of the relevant citizen advisory committee a notice that a copy of the license/amendment application will be sent to each appointing authority (which is any entity authorized pursuant to law or resolve to appoint a member to a citizen advisory committee), each municipality and any other appointing authority. The notice must be sent by United States Postal Service, certified mail, return receipt requested; and copies of the certified mail receipts shall be submitted to the DEP.

LD 879 **An Act To Ensure Adequate Landfill Capacity in the State for Solid Waste**
Sponsor: **Rep. Phil Curtis**
Final Action: Public Law, Chapter 566

This bill will allow for the expansion of the Crossroads Landfill in Norridgewock. WTE facilities were able to insert language that requires the Commissioner to determine that a project “promotes the solid waste management hierarchy” in order to receive a public benefit determination.

The law regarding expansion of commercial solid waste disposal facilities and biomedical waste disposal or treatment facilities has been amended to authorize a commercial landfill facility that is not under an order or agreement to close for expansion if the proposed expansion is contiguous with the existing facility and is located on property owned by the person holding the commercial solid waste disposal facility license. It clarifies that an expanded facility may not receive a property tax exemption on real or personal property, and it provides that the department may not process or act upon any application until certain conditions are met.

It also incorporates provisions that amend the laws governing public benefit determinations by:

1. Clarifying that waste used for daily cover, frost protection or stability must be used in accordance with all applicable rules and licenses;
2. Requiring the applicant to provide public notice of the filing of an application for public benefit determination and requiring the DEP to accept written public comment during the course of processing the application;
3. Requiring the DEP Commissioner to hold a public meeting on an application for a public benefit determination.
4. Defining "immediate," "short-term" and "long-term" as they apply to the capacity needs of the State. It requires the commissioner, during evaluation, to consider relevant local and regional needs and the regional nature of the development and use of disposal capacity due to transportation distances and other factors;
5. Adding as a standard for determining whether the facility will provide a substantial public benefit;
6. Requiring that the a project “promote the solid waste management hierarchy;”
7. Specifically authorizing the commissioner to issue a full or partial approval of an application, with or without conditions;
8. Clarifying that the public benefit determination review of a state-owned facility is a review that is independent of other contracts that may have been entered into between the State and the facility operator or any other party; and
9. Specifying that the modification of a public benefit determination is authorized if there has been a change in facility ownership or of the operator.

LD 1278 An Act To Stabilize Solid Waste Management Funding
Sponsor: **Rep. Robert Duchesne**
Final Action: Public Law, Chapter 544

PL, Ch 544 establishes fees on the disposal of construction and demolition debris and residue from the processing said debris. Beginning January 1, 2013, the fee imposed will be \$1 per ton, and beginning January 1, 2014, the fee imposed will be \$2 per ton. It exempts from the fees construction and demolition debris and the residue from the processing when disposed of at small municipal and regional association landfills. It provides that funding from the fees may be expended only for the State's obligations to municipalities under the closure and remediation cost-sharing program for solid waste landfills. It also provides that the statutory waste handling fees are imposed for solid waste that is disposed of at state-owned landfills.

WTE facilities argued for a fee increase on landfilling of raw MSW, but were unsuccessful.

LD 1412 An Act To Promote the Proper Disposal of Used Medical Sharps
Sponsor: **Rep. Melissa Innes**
Final Action: ENR Committee voted unanimously Ought Not to Pass (Dead)

This bill sought to require a manufacturer of medical sharps to participate in a program, individually or in conjunction with other manufacturers, for the collection, handling, transportation, treatment and disposal of unwanted medical sharps. It would also have provided that an entity that uses medical sharps not be required to dispose of them by shredding.

The Energy and Natural Resources Committee was informed by the DEP that they are a looking into a product stewardship program with products that allow individuals to destroy used needles at home, such as the Demolizer II, a system for low to medium volume medical waste that disposes of both sharps and other medical waste. It uses dry heat technology to render waste sterile and sharps unrecognizable. The need for this bill was deemed unnecessary.

LD 1458 An Act To Transfer Recycling Technical Assistance and Solid Waste Policy Responsibilities from the State Planning Office to the Department of Environmental Protection
Sponsor: **Rep. Bradley Moulton**
Final Action: ENR Committee voted unanimously Ought Not to Pass (Dead)

This bill would have transferred certain recycling technical assistance and solid waste disposal policy responsibilities from the State Planning Office, to the DEP, while maintaining other responsibilities at SPO.

The ENR Committee voted to kill this bill, as a form of it was absorbed into the budget bill (LD 1903, Part GG, which transfers the State Planning Office's duties and responsibilities regarding solid waste management and recycling policy to the Department of Environmental Protection and transfers ownership of state-owned landfills and related management duties and responsibilities to the Department of Administrative and Financial Services, Bureau of General Services).

LD 1683 An Act To Provide Funding To Operate the Dolby Landfill in the Town of East Millinocket

Sponsor: **Rep. Herbert Clark**

Final Action: Currently on the Special Appropriations Table

This bill makes a General Fund appropriation in the amount of \$250,000 for the operation of the Dolby Landfill in the Town of East Millinocket.

Because it has an appropriation, it was placed on the Appropriations Committee's "Special Appropriations Table." Final action on all bills on the Table will be taken when the Legislature reconvenes beginning on May 15. .

LD 1706 An Act To Protect Maine's Biomass and Forest Products Industries by Allowing Biomass Generators To Enter into Short-term Contracts

Sponsor: **Rep. Stacey Fitts**

Final Action: Dead

This bill would have authorized the Public Utilities Commission to enter into short-term contracts with qualifying biomass generators. It would have limited the price for the capacity and renewable energy credits generated by a qualifying biomass generator to the projected market price at the time of delivery. The average price of energy generated by a qualifying biomass generator would not exceed the lesser of a rate that, together with revenues from any sales of capacity resources and renewable energy credits, is sufficient for the qualifying biomass generator to be financially capable of normal operations, and 2¢ per kilowatt-hour over the projected wholesale market price of energy at the time of delivery.

This bill was monitored for WTE in case an opportunity arose to include WTE in any special program for biomass. Little interest was expressed in that option and the bill ultimately died.

LD 1863 An Act To Lower the Price of Electricity for Maine Consumers

Sponsor: **Rep. Michael Thibodeau (Governor's bill)**

Final Action: Dead

This bill would have removed the 100-megawatt limit to qualify as a renewable resource for purposes of meeting the State's renewable resource portfolio requirement. It also adjusted language providing for long-term contracts for capacity and energy in a manner that prioritizes and promotes lower costs of electricity to ratepayers over the life of such contracts and resolved a technical statutory conflict caused in 2011 by two laws amending the same paragraph.

This bill would have negatively impacted WTE by allowing large hydro producers (Hydro Quebec) access to the Class II REC market. That market, which ecomaine participates in, has a relatively low value that would be driven lower by any increased supply.

LD 1903 **An Act To Make Additional Supplemental Appropriations and Allocations and To Change Certain Provisions of the Law for the Fiscal Years Ending June 30, 2012 and June 30, 2013 (Budget)**
Sponsor: **Rep. Patrick Flood (Governor's Bill)**
Final Action: Enacted by the House and Senate, Line Item Vetoed by the Governor (which does not affect Part GG)

PART GG

Transfers the State Planning Office's duties and responsibilities regarding solid waste management and recycling policy to the DEP and transfers ownership of state-owned landfills and related management duties and responsibilities to the Department of Administrative and Financial Services, Bureau of General Services.

LD 1911 **Resolve, Authorizing the Executive Department To Facilitate the Closure of the Maine Energy Recovery Company Facility in Biddeford by Negotiating the Transfer of the Juniper Ridge Landfill and Requiring Other Actions To Improve Recycling**
Sponsor: **Sen. Barry Hobbins**
Final Action: Dead

This bill would have authorized the sale of the Juniper Ridge Landfill (JRL) from the State to Casella Waste Systems. Casella has an initial agreement with the City of Biddeford to sell MERC to the City, but the agreement is contingent on the sale of JRL to Casella. The bill would have allowed JRL to accept municipal solid waste in quantities sufficient to handle the waste currently going to MERC. It would transfer all licenses and the approved Public Benefit Determination regarding JRL to Casella.

The bill was indefinitely postponed (killed) by both the House and Senate when it became clear there was not interest or time to address an issue this complex at the end of the legislative session. This proposal will undoubtedly come back in the future.

April 9, 2012

Owner Communities Senator Thomas B. Saviello
Bridgton 60 Applegate Lane
Cape Elizabeth Wilton, ME 04294
Casco
Cumberland
Falmouth
Freeport
Gorham
Gray
Harrison
Hollis
Limington
Lyman
North Yarmouth
Ogunquit
Portland
Pownal
Scarborough
South Portland
Waterboro
Windham
Yarmouth

Re: LD 1911, Resolve regarding MERC and the Juniper Ridge Landfill

Dear Senator Saviello:

Thank you for all of your hard work in Augusta.

I serve as the General Manager of **ecomaine**, which operates a waste to energy facility serving residents of your district. **ecomaine** is a quasi-municipal organization owned by area communities and supported by local tax dollars. I am writing to request your help to insure that the Legislature take time to thoroughly consider proposed major changes to Maine's solid waste policy.

As you know, the Legislature now has before it a bill to allow for the prompt sale of the Juniper Ridge Landfill (JRL) to Casella Waste Systems. The bill is LD 1911, *Resolve, Authorizing the Executive Department To Facilitate the Closure of the Maine Energy Recovery Company Facility in Biddeford by Negotiating the Transfer of the Juniper Ridge Landfill and Requiring Other Actions To Improve Recycling*. JRL is the state owned landfill in Old Town, which has been operated by Casella as a result of a competitive bid process mandated by the Legislature (Resolve 2003, Ch. 93). **ecomaine** has serious concerns both about the content of this legislation and the speed with which some parties are attempting to rush it through the legislature. Please oppose enacting any legislation this session regarding the sale of the JRL.

Associate Members
Baldwin
Hiram
Naples
Parsonfield
Porter
Saco
Standish

Recycling Members

Andover
Cornish
Harpswell
Livermore Falls
Manchester
Monmouth
Old Orchard Beach
Poland
Readfield
Sanford
Wayne

There are a number of reasons this proposed sale deserves thoughtful and serious consideration:

1. It reverses over 20 years of state solid waste policy. In 1989, the Legislature prohibited the licensing of new privately owned landfills to limit the importation of out-of-state waste to Maine. The State's contract with Casella for operation of JRL specifically excludes waste generated outside of Maine.
2. It will conflict with both Maine and federal solid waste hierarchies, which state that landfilling raw municipal solid waste (MSW) should be the last option for disposal. Waste should be reduced, reused, recycled, or processed through a waste to energy facility before landfilling. Landfilling raw waste is little more than long-term storage. If the existing strict limits on MSW at JRL are eliminated, this sale will exacerbate an

already difficult trash market for us and result in the landfilling of additional raw MSW which may or may not be generated within the State.

3. There have been several significant changes in solid waste policy in the past few months. Time is needed to assess their impact. These changes include a Public Benefit Determination authorizing the expansion of JRL, passage of LD 879 which will lead to the expansion of the Crossroads Landfill in Norridgewock, and the pending reorganization of the solid waste staff at the State Planning Office.
4. JRL is a state-owned asset and, if it is sold, the state should obtain the best price for it. That will require a transparent, free market, competitive process with multiple bidders. The pending legislation is expected to authorize a sale only to Casella.

There is simply not enough time left in the session to give this proposal the serious consideration it requires.

Please say no to the forced fire-sale of JRL.

Sincerely,



Kevin Roche
General Manger
ecomaine

rm/kr