



Maine Municipal Association

60 COMMUNITY DRIVE
AUGUSTA, MAINE 04330-9486
(207) 623-8428
www.memun.org

Testimony of the Maine Municipal Association
Neither for Nor Against
LD 401– *An Act To Preserve State Landfill Capacity and Promote Recycling*
And
LD 524- *Resolve, Regarding the Promotion of Composting*
And
In Opposition to
LD 988- *An Act to Reduce the Landfilling of Municipal Solid Waste*

April 3, 2019

Senator Carson, Representative Tucker and members of the Joint Standing Committee on Environment and Natural Resources. My name is Rebecca Graham and I am testifying neither for nor against LD 401, *An Act To Preserve Maine's Landfill Capacity* and LD 524, *Resolve, Regarding the Promotion of Composting*, and in opposition to LD, 988, *An Act to Reduce the Landfilling of Municipal Solid Waste*, on behalf of the Maine Municipal Association's (MMA) 70-member Legislative Policy Committee.

Many smaller municipalities are frustrated with current the practice that allows excludes some contracted haulers from disposing of solid waste in facilities that are operated through exclusive contracts, but accepts waste from out of state sources. This practice causes significant increases in costs for many communities to manage solid waste. Additionally, recycling programs run by many municipalities struggle to find a market for disposing of recycled materials making the effort more expensive than beneficial. It is not clear how LD 401 will address this particular problem.

Because LD 401 as drafted is a concept draft, the LPC reviewed the concepts expressed but could not take a firm position until they had the opportunity to review any proposed language. For this reason, municipal officials are "neither for nor against" LD 401, but generally support the proposed concepts expressed in the bill summary.

LD 524 is a resolve that could potentially add information and align two departments to support existing municipal composting efforts. Efforts designed to assist municipalities to address waste management challenges is welcomed by the Association's LPC. Therefore municipal officials generally support the objectives proposed in LD 524 and ask that the committee consider including municipal stakeholder engagement in the policy evaluation process

as municipal officials will be responsible for carrying out many policies possibly recommended by the study.

Regarding LD 988, last week I provided feedback directly from municipal officials regarding their concerns about preserving landfill capacity for Maine generated waste. Municipal officials have worked diligently to close local landfills in spite of recent developments that challenge these closures like the new testing requirements for municipal sludge. The costs could be significant and timing couldn't be worse since any entity previously approved to spread the treated waste has been stockpiling material all winter and now unable to dispose of this material.

The town of Sanford followed DEP guidelines, and borrowed \$2 million from the department to build a facility that would divert municipal wastewater material into a beneficial resource, and allow the community to close their local landfill. Following this significant and fully licensed investment, the department's recent policy shift regarding the beneficial use of sludge and additional testing requirements means that all the material generated may now potential need to be landfilled. As a consequence, Sanford will now not cap their landfill as they have a duty to address this materials management crisis to reduce the already significant burden on the local property taxpayer.

Any reduction in landfill options is simply impossible under the current circumstances and the decision to ban the spreading of sludge results in the implementation of conflicting regulatory imperatives. The department has placed communities and its property taxpayers between a rock and a hard place for knee-jerk reaction policy. For this reason, municipal officials are strongly opposed to LD 988 and any effort to reduce the land-filling of solid waste until there is science-based certainty and alignment in solid waste policy.