



STATE OF MAINE
DEPARTMENT OF ADMINISTRATIVE & FINANCIAL SERVICES
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AUGUSTA, MAINE 04333-0078

SERVING THE PUBLIC AND DELIVERING ESSENTIAL SERVICES TO STATE GOVERNMENT

JANET T. MILLS
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*Testimony of Anya Trundy, Deputy Commissioner
Department of Administrative and Financial Services
Testifying in Opposition to*

LD 1782, An Act Regarding Municipal Solid Waste Disposal Planning and the Juniper Ridge Landfill in the City of Old Town

Sponsored by Sen. James Dill
Before the Joint Standing Committee on Environment and Natural Resources

Senator Tepler, Representative Doudera, and members of the Joint Standing Committee on Environment and Natural Resources; I am Anya Trundy, a Deputy Commissioner for the Department of Administrative and Financial Services (DAFS) and I am here today to testify in Opposition to this bill on behalf of the Bureau of General Services (BGS).

Firstly, this bill would require the contract operator of any state-owned landfill to pay a base per ton host fee of not less than \$5.00 per ton for all acceptable waste disposed of at the landfill. This fee would go towards funding the host communities' municipal and school budgets. In the case of Juniper Ridge, the per ton host fee paid by Casella as the landfill operator to the host community of Old Town was established in the 2005 Host Agreement and is annually adjusted as set forth in the agreement. The Host Agreement and 2003 Operating Services Agreement between the State and Casella were intended to function in tandem, and the existing host fee is closely tied to the tipping fees established in, and annually adjusted in accordance with, the OSA. The new \$5 base per ton host fee proposed by this legislation represents a near doubling of the currently applicable host fee.

Secondly, the bill goes on to require DAFS/BGS and the Maine Department of Environmental Protection (DEP) to collaborate on a comprehensive solid waste management plan, which conflates the roles of regulator and licensee. Under 38 MRS §2122, it is the DEP's responsibility to plan for the management, reduction, and recycling of solid waste for the state. DEP recently issued its *Maine Materials Management Plan: 2024 State Waste Management and Recycling*

Plan Update and 2022 Waste Generation and Disposal Capacity Report, and DEP's state-wide view of Maine's solid waste management capacity is demonstrated by the October 2, 2024 Public Benefit Determination finding in favor of JRL's expansion.

Furthermore, BGS does not have the capacity to undertake a plan of the magnitude required by LD 1782. All three state-owned landfills are overseen by a single position within BGS; conducting a study as outlined in the bill would require additional staff with expertise in landfill planning, and a substantial appropriation to contract with a professional firm.

Finally, the bill would require DAFS/BGS and DEP to create a solid waste management plan specific to JRL. DEP already has extensive rules for waste management, including the landfill licensing process that already serves this purpose by evaluating numerous factors prior to the approval of an expansion- this includes landfill capacity, the types and volumes of material to be deposited, types and volumes of bulking materials, ratios of materials and bulking materials, stability of slopes, maximum annual limits, and more.

As previously stated, DEP's Public Benefit Determination recognized that expansion of JRL is necessary to meet the solid waste disposal capacity needs of the state as a whole. JRL's expansion is critical, not only because its current capacity will be consumed by 2028, but also as a stopgap while the next phase of waste management in Maine is designed, constructed, and comes online.

In addition, a recent DAFS/BGS commissioned study about the sufficiency of bulking material also included a survey of all landfill capacity in the state. That study concluded that many municipal landfills are nearing their capacity within the next decade and that the Crossroads Landfill, the state's only commercial landfill, has an approximate 14 years of capacity remaining. The Committee has been provided that report.

In conclusion, DAFS/BGS urges the Committee to vote LD 1782 Ought Not to Pass.