



May 14, 2021

Honorable Stacy Brenner, Senate Chair  
Honorable Ralph Tucker, House Chair  
Joint Legislative Committee on Environment & Natural Resources  
100 State House Station  
Augusta, ME 04333

**Re:** LD 1639, An Act to Protect the Health and Welfare of Maine Communities and Reduce Harmful Solid Waste

Senator Brenner, Representative Tucker, and members of the ENR Committee:

The Lewiston Auburn Water Pollution Control Authority (LAWPCA) appreciates the opportunity to provide comments in respectful opposition to LD 1639.

**About LAWPCA** - The Lewiston Auburn Water Pollution Control Authority was created by an act of the Maine Legislature in 1967 to provide wastewater treatment services to the Cities of Lewiston and Auburn. The plant started operation in 1974. Our mission is to serve the public by protecting public health and enhancing the Androscoggin River water quality. We have been a leader in biosolids beneficial reuse as nutrients to DEP licensed farm fields since the 1980's, operated our composting facility since 1992-2019, and continue to operate the only public anaerobic digestion and energy recovery facility in the State since 2013.

**Discussion about the bill** - We support efforts to reduce, reuse, or recycle, which is what this bill appears intended to accomplish. Our own re-use efforts have been severely diminished in 2019 with DEP's response to PFAS, which has now forced us to send approximately 75% of our solids to landfill per year. In short, most treatment plants in Maine, including ours, need landfills due to PFAS. We are very concerned with the unintended consequences this bill would have on utilities such as ours that currently have no reasonable alternatives other than landfilling most of our biosolids. Landfills need to use bulky and municipal wastes to mix with the biosolids to bulk them up so they are stable enough to be safely placed in the landfill. Most biosolids are typically 80-90% water – sort of the consistency of slightly dried mashed potatoes, reducing the water content is costly and energy intensive, and something treatment plants have worked on for decades. Landfills are already currently limiting how much biosolids they receive to landfill, and that is with the bulky waste coming into them. Reducing the bulky waste supply, regardless of the source and however well intentioned, would severely compound the already difficult biosolids management scenario that treatment plants like ours face, by reducing the last remaining outlet they have for disposal of biosolids.

Our facility, and particularly our biosolids reuse programs, have been tremendously impacted financially over the past couple years due to PFAS contamination. In 2019, in order to respond to the enforcement of PFAS screening standards, the Authority spent over \$100,000 in unbudgeted funds on program response, sampling, and testing for PFAS. The financial impacts on our land application program have resulted in an additional \$300,000 / year expense to landfill this biosolids that had always been beneficially reused. As proud recyclers, the last place we want to send this material is to landfill. Unfortunately, the DEP's sudden response to PFAS has forced us there.

There are simply no outlets in Maine for the management of biosolids beyond landfill. As a large facility which produces 8,500 yards of anaerobically digested material annually that is not suitable for commercial composting, is too wet for incineration, and would need to be hauled out of the State or Country for disposal if unable to be landfilled in Maine, we face this reality daily.

These landfills require a significant volume of bulking agent in order to accept the volumes of biosolids being sent their way, so creating restriction on what is currently our last outlet for biosolids in the State could be devastating and result in tremendous negative financial and environmental impacts if these materials are then required to be trucked long distances to other states, assuming they would even accept them. I don't mean to sound alarmist about this, but am trying to be a realist about the State solid waste situation.

PFAS has caused sudden significant market restrictions, increased cost, fear, and operational uncertainty. In order to address this issue, The State and DEP should be developing extensive long-term plans in coordination with all stakeholders that work towards a reduction of landfilling biosolids, thus reducing the volume of materials needing landfilling, and preserving our limited landfill capacities.

At LAWPCA, we understand the negative impacts of landfilling our material and are in the process of designing a solids drying technology to reduce the volume of material requiring disposal by 80%. This project may cost as much as \$10 million, however it has tremendous environmental benefit and potential to be beneficially repurposed. Projects such as these, as well as other evolving technologies hold promise in helping to address some of the PFAS and biosolids dilemma we are all facing, however they take years to build, money, and planning.

The crisis that treatment plants like ours are dealing with is already in full swing, the solutions are years out, the science to address PFAS is painstakingly slow, yet the regulatory decisions that have already been made regarding PFAS in biosolids have far outstripped the science or the logic. Approving legislation such as this in the middle of this process will only complicate the current State solid waste situation and cause significant financial harm to the individual and business ratepayers served by these wastewater treatment plants that have to send biosolids to landfills out of state.

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**Conclusion.** Thank you for your time and attention in considering our testimony. We are in the business of cleaning water and improving the environment as a whole and are not advocating for any position on out-of-state disposal policy, other than it has the potential to inadvertently affect the disposal of biosolids which has a significant financial impact to our ratepayers, however we respectfully request that you vote LD 1639 “ought not to pass” and allow our industry and DEP the time to develop sustainable and environmentally sound solutions to biosolids disposal in regards to PFAS that do not require landfilling nor the associated (and currently necessary) volumes of bulky waste.

Thank you for your time and attention.

Sincerely,



Travis Peaslee, P.E.  
General Manager  
Lewiston Auburn Water Pollution Control Authority