

APRIL 2004

2004.04.01: ALTON OLD TOWN LANDFILL COMMITTEE

2004.04.02-08: PHOENIX ARTICLE

Alex Irvine article in the Portland Phoenix, "Dumping Ground," see online at:

http://www.portlandphoenix.com/features/top/ts_multi/documents/03719392.asp

2004.04.05: DISCUSSION WITH GALLAGHER

On 2004.04.05, Elmer Lommler and Paul Schroeder were in Augusta reviewing and copying documents provided by the Governor's office. A message sent soon after this event read, in part:

"Fortunately their person who does copies, Jamie, was out sick, so they offered to let us do it ourselves (without discount from regular 25c fee). So we were in the copy room and Dawn Gallagher came in. I cautioned her and perhaps myself that since the record was closed perhaps we should not be talking to her, but she stayed around for about 20 minutes. Among the other topics we covered (including that she was meeting with Casella the next morning to discuss technology issues) I stated that the most important fact to come out of the 2 days of hearings was that an unlimited amount of construction and demolition debris could come into the state from out of state, and just because it would be sorted by Casella in Lewiston or another site, it suddenly became in-state and could go to the landfill. I also stated that this amount would be a minimum of 300,000 tons per year, with no upper limit in place. I said that at a minimum coming out of all this that the state's definition of "out of state" needs to be revisited. She said, paraphrasing: Well, the way this is being applied in this case may itself be against the intent of the original law.

"I was somewhat shocked to hear this and don't think I [pcs] even said a word of reply - possibly I might have said "exactly" but Elmer would have to verify that."

My notes from that date state: "Points made to Dawn G.: -- volume of out of state waste (she: intent of original law --?); -- shrinkage of resources for gov't to do their job; -- closing of the record / vs. our conversation / vs. PUC; -- disposal of old computers -- mission of DEP / vs. no one else to do it; -- concerns of MRC then / now; -- theory on mill sludge [NB this was aimed at withdrawal of GP request to burn mill sludge in the biomass boiler, with the theoretical assumption that they no longer needed to burn when below-market disposal capacity was available to them]; -- my typed testimony; -- energy / emissions audit boiler vs. Bangor Hydro, corrected her on Hydro's 'coal fired generators.'"

2004.04.08: CLINTON DOES NOT SUPPORT LICENSE

Throughout most of March the MRC engaged in a concerted public relations effort to support the amendment license application. Among those efforts was a check-off form sent to member communities that they supported the MRC and the license. The Town of Clinton didn't take a position, but sent a message via the town manager Keith Trefethen, which reads in part, "The Board of Selectmen reviewed the materials sent to them but took no position or action on the subject other than to say that the Town of Old Town and its taxpayers should be heard and a resolution with them involved should be conducted. [new par.] The Clinton Board takes this position because of its own local issue related to the Land Spreading of Residual Lime Products from State Approved Facilities. This issue has created a lot of discussing and complaint from local taxpayers and the Board allowed the residents to discuss this issue and ended up resolving it within the community. They relate this issue to what is happening in Old Town even though one could argue they are not the same."

2004.04.09: DEP ISSUES ORDER

2004.04.09: DEP ISSUES RESPONSE TO COMMENTS SUMMARY

The copy I have, dated April 9, does have SPO responses. The BEP packet for July 15 meeting has the original version, also dated April 9, in which the SPO comments are not included. Question: What is the correct date for the final document -- I believe it was sometime in May and should be so dated. [NB The copy distributed with the Record indicates that the SPO comments were posted 2004.05.04.]

2004.04.14: ALTON OLD TOWN LANDFILL COMMITTEE

2004.04.16: HIGGINS LETTER IN PHOENIX

In the April 16-22 issue of the Phoenix, Higgins wrote:

THAT'S GARBAGE

I read with professional interest your article on the Old Town landfill (see "Dumping ground," April 2, by Alex Irvine). Our firm was one who attended the pre-bid meetings, sorted through the documents and chose not to respond to the State's RFP. The financial requirements were clearly arranged to bail out Georgia-Pacific; something we felt shouldn't fall on the shoulders of a Maine company.

The only way the landfill RFP made sense financially was to anticipate receiving a DEP permit for a huge expansion of the landfill, thus increasing the potential revenue. The

DEP and State Planning Office told us that issuing that permit was not guaranteed. We weren't willing to take the huge risk of paying \$25 million for a "possible" expansion permit. Presumably, Casella, as the only bidder, had information that mitigated that risk.

As an aside to your article, for four years now, Regional Waste Systems has been trying to permit a one-million-cubic-yard landfill expansion. RWS' permit still has not been issued. The Casella/Old Town expansion permit, which could not (or should not) have been submitted any earlier than last fall, was granted last Friday. Six months start to finish. That permit is for a seven-million-cubic-yard-expansion.

Eric Higgins

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