



STATE OF MAINE  
DEPARTMENT OF ENVIRONMENTAL PROTECTION



PAUL R. LEPAGE  
GOVERNOR

AVERY T. DAY  
ACTING COMMISSIONER

November 12, 2015

Michael Barden  
Dept. of Economic & Community Development  
59 State House Station  
Augusta, Maine 04333-0059

Don Meagher  
NEWSME Landfill Operations  
2828 Bennoch Road  
Old Town, Maine 04468

RE: Juniper Ridge Landfill Expansion; Application #S-020700-WD-BI-N

Dear Mr. Barden and Mr. Meagher:

The Department has completed its review of the following items regarding the above-noted application, subject to the comments included herein:

- Chapter 400.4.A, Title, Right or Interest:** Staff have reviewed all the ownership records for the property on which the landfill is located that were submitted with the application (Volume I, Appendix B) as well as the tax map and list of abutters (Volume I, Appendix M). Staff note that the Quit Claim Deed, dated February 3, 2004 listed the “State of Maine, acting by and through its Executive Department, State Planning Office” as the grantee. With the dissolution of the State Planning Office on July 1, 2012, the Bureau of General Services, within in the Department of Administrative and Financial Services, became the state agency acting as the owner and licensee of the Juniper Ridge Landfill. No modification of the existing deed is necessary. Staff also note that a review of the City of Old Town Assessor’s Office records does not currently reflect the most-recent ownership records for Map 003, Lot 1A and Lot 1B, as submitted by the applicant. A portion of Lot 1A was sold by the University of Maine to SSR, LLC on April 11, 2013, as recorded in Book 13165, Page 33 at the Penobscot County Registry of Deeds. Staff’s analysis of the deed concludes that it includes language for the right of way across the parcel to allow access to the landfill.
- Chapter 400.4.C, Technical Ability:** Staff have reviewed all the statements and supporting information contained in Volume I, Section 3.3 and Volume I, Appendix D of

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312 CANCO ROAD  
PORTLAND, MAINE 04103  
(207) 822-6300 FAX: (207) 822-6303

PRESQUE ISLE  
1235 CENTRAL DRIVE, SKYWAY PARK  
PRESQUE ISLE, MAINE 04769  
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the application. Staff have no comments regarding the technical ability of the applicant to design, construct, operate, maintain, close and accomplish post-closure care of the solid waste facility. However, staff have not completed its review of the criminal and civil disclosure statement prepared in accordance with 06-096 CMR 400.12 and will prepare comments on this portion of the application at a later date.

- **Chapter 400.5, Public Benefit Determination:** Staff comment that the applicant has submitted a Public Benefit Determination, dated January 31, 2012, contained in Volume I, Appendix A-8 of the application, and that the Public Benefit Determination meets the requirements of 06-096 CMR 400.5.D, whereby the Department will not accept an application for processing under the provisions of 38 M.R.S.A. §1310-N for a solid waste disposal facility subject to the requirements of this section unless and until the Commissioner makes a positive determination of substantial public benefit.
- **Chapter 400.10, Liability Insurance:** Staff have reviewed the Certificate of Liability Insurance contained in Volume I, Appendix P of the application and note that Sections A and C of the Certificate expire on April 30, 2016 and Section B expires on January 1, 2016. In the future, the applicant will need to provide a current Certificate of Liability Insurance consistent with the expiration date of these Sections to ensure continuous coverage for the active life and closure of the disposal facility.
- **Chapter 401.1.C.1.a, Bird Hazard to Aircraft:** Staff comment that the Dewitt Municipal Airport in Old Town, Maine is greater than 13,000 feet from the proposed waste handling area and will not pose a bird hazard to aircraft.
- **Chapter 401.1.C.2.a – d, Prohibitive Siting Criteria:** Staff have reviewed the information submitted by the applicant and comment that the proposed facility will not be located within 1,000 feet of Class AA or SA waters, will not lie over or be within 300 feet of a significant sand and gravel aquifer, will not be located within 200 feet of a fault that has had displacement in Holocene time and will not be located in, on, or over a coastal sand dune system, coastal wetland, or fragile mountain area.
- **Chapter 401.1.C.3.a(i-vii), 401.1.C.3.d and 401.1.C.3.e, Restrictive Siting Criteria:** Staff have reviewed the information submitted by the applicant in support of these criteria and comment that the proposed expansion will meet or exceed these set-back criteria. Staff and outside agency reviews for compliance with 401.1.C.3.b, c and f are ongoing and will be addressed at a later date.
- **Chapter 401.2.A.2, Aerial Photographs:** Staff comment that the applicant has submitted aerial photographs, taken within the past year and of a scale of 1 inch equals 500 feet, that give complete stereo coverage of the area within 2000 feet of the perimeter of the proposed facility. The proposed facility site boundary and the property boundaries are clearly outlined on one of the photographs.

Letter to Mr. Barden and Mr. Meagher  
November 12, 2015  
Page 3 of 3

As staff completes its review of portions of the application, additional correspondence will be issued documenting either that staff concurs with the information in specific sections, or that additional information is needed before a review of specific sections can be completed. If you have any questions regarding the above-noted items, please contact me at 287-7704.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael T. Parker". The signature is fluid and cursive, with the first name "Michael" being the most prominent.

Michael T. Parker, Project Manager  
Division of Solid Waste Management

Cc (via email): V. Eleftheriou, MeDEP  
S. Farrar, MeDEP  
R. Behr, MeDEP  
L. Caron, MeDEP  
M. Booth, Sevee & Maher  
T. Doyle, Esq., Pierce Atwood