



STATE OF MAINE  
DEPARTMENT OF ENVIRONMENTAL PROTECTION

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GOVERNOR

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COMMISSIONER

September 14, 2012

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Re: Application for a Solid Waste Project Amendment  
Juniper Ridge Landfill

Dear Applicant:

The Department has received your application to amend the solid waste license for the Juniper Ridge Landfill (JRL), # S-020700-WD-N-A, dated April 4, 2004. The proposed Amendment requests, among other things, to allow disposal of unprocessed municipal solid waste (MSW) at JRL other than the MSW legitimately bypassed from Maine incinerators to JRL, which is already licensed.

As you know, the Department issued a Public Benefit Determination (PBD) for expansion of JRL, # S-020700-W5-AU-N, on January 31, 2012 that was affirmed by the BEP on July 19, 2012. The PBD provides partial approval of an application from the State Planning Office/NEWSME Landfill Operations, LLC (SPO/NEWSME) which stated, among other things, that it proposed to continue disposal of the same waste streams which are currently permitted in JRL. The Department's Findings and Conclusions were based upon this representation as to the waste streams. Indeed, the PBD contains Condition No. 5, which imposes a limit of 25,000 tons of MSW bypass from Maine Energy to the JRL Expansion in any calendar year unless otherwise authorized by specific conditions in a Department license. Nothing in SPO/NEWSME's

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application for the PBD or in the PBD itself states, or even suggests, that unprocessed MSW, other than MSW from a legitimate bypass from Maine Energy, PERC, MMWAC or ecomaine, would be disposed at the JRL Expansion. Instead, SPO/NEWSME's application repeatedly asserts that its operation of JRL supports the waste management hierarchy, in which landfilling is the disposal of last resort.

Given this application and the basis for the PBD, I find, pursuant to 38 M.R.S. § 1310-AA(5), that the application proposes a material change in the underlying facts or circumstances upon which the PBD was based, requiring a modification of the PBD. The PBD must be modified in this regard prior to submission of the technical application for expansion of JRL. Please contact Department staff to discuss the timing and procedure for submitting an application for modification of the PBD.

Sincerely,

A handwritten signature in black ink, appearing to read "Patricia W. Aho". The signature is fluid and cursive, with a large initial "P" and a distinct "W." before the last name.

Patricia Aho  
Commissioner

cc: Ron Dyer, DEP  
Paula Clark, DEP  
Cyndi Darling, DEP  
Michael Parker, DEP  
Nancy Macirowski, AAG