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## Regulatory Updates: The Maine Waste Management Agency

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## News and Commentary

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#### Regulatory Updates: The Maine Waste Management Agency

The Maine Waste Management Agency (MWMA) is still attempting to site a special waste landfill. Legislation passed in January 1992 revised the search process to encourage evaluation of volunteer sites. Presently, MWMA is pursuing one site (T2R8) through the licensing process. The T2R8 property is owned by Lincoln Pulp and Paper Company and is located near Howland and Lincoln. The agency will not move to the construction phase unless it needs a special waste landfill. Other commercial sites have been able to expand and some waste is being exported out of state. Each year MWMA will reassess the need for a special waste landfill.

A lawsuit against MWMA has been filed by Waste Disposal, Incorporated, a landowner in Porter, Maine. The two primary legal complaints are that the MWMA Facility Siting Board's procedure used to evaluate the Lincoln site was flawed and that the legal agreement between Lincoln Pulp and Paper Company and the agency is illegal and inappropriate. The lawsuit was filed in March, and the judge denied the request for a temporary restraining order.

The paper company's T2R8 property was originally intended for the company's special wastes - boiler ash and lime wastes. The company spent about \$1 million on preliminary studies. They received a preliminary feasibility report from DEP, which is essentially permission to complete further studies.

Lincoln Pulp and Paper Company will have access to the proposed special wastes landfill. The company, presently, is land spreading their waste, but the company has limited land for this use. If the landfill capacity is not required for state purposes, Lincoln Pulp and Paper Company will be able to lease back part of the land and construct a section of the landfill. Under the proposal, Lincoln, Howland and other surrounding communities will not have to pay disposal costs for their special wastes.

Since Lincoln Pulp and Paper Company had originally intended to construct a facility, it had collected a significant amount of data, in order to achieve preliminary approval from the DEP, which was sold to MWMA. The actual property will be sold to MWMA at cost. The agency has hired a consultant to conduct a characterization study of the T2R8 site. MWMA officials anticipate spending \$600,000 to \$700,000 on the characterization study and on the design of the facility.

The MWMA will require a solid waste facility permit from the Board of Environmental Protection and a zone change and a development permit from the Land Use Regulatory Commission (LURC). MWMA expects to apply for these permits in December 1993, with joint hearings before LURC and DEP possible in the summer of 1994.

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