

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals
(may include minor formatting differences from printed original)

Report to the Joint Standing Committee on Environment and
Natural Resources
131st Legislature, Second Session

Analysis of Sludge and State-Owned Landfills as Public Utilities

Pursuant to 2023 Public Law, Chapter 283

January 2024

Contacts:

Melanie Loyzim, Department of Environmental Protection
(207) 287-2812

Maine Public Utilities Commission
(207) 287-3831



MAINE DEPARTMENT OF ENVIRONMENTAL PROTECTION
17 State House Station | Augusta, Maine 04333-0017
www.maine.gov/dep

I. Introduction

[Public Law 2023, Chapter 283, section 3](#) requires the Maine Department of Environmental Protection (Department), in consultation with the Public Utilities Commission (Commission), to “*evaluate options for and develop recommendations regarding state regulation of the transportation, landfill disposal and other management of sludge generated from wastewater treatment plants as the activities of a public utility and regarding state regulation of the operation of state-owned solid waste landfills as a public utility.*”

More than 90,000 wet tons of sludge is generated by publicly owned treatment works (POTWs) in Maine per year. In 2018, 17,013 tons of sludge generated by POTWs was agronomically utilized through land application, 25,701 tons was composted, and 59,018 tons was disposed in Maine landfills. In 2019, the Department began restricting land application of sludge generated by wastewater treatment plants that exceeded loading rate thresholds for per- and polyfluoroalkyl substances (PFAS). This resulted in a significant increase in the amount of sludge disposed in Maine landfills, up to 86,932 tons in 2022.

Effective August 8, 2022, [P.L. 2021, Chapter 641](#), *An Act To Prevent the Further Contamination of the Soils and Waters of the State with So-called Forever Chemicals*, banned the land application of sludge and sludge-derived products such as compost and fertilizers, increasing the annual rate of sludge disposal. In 2023, the majority of sludge generated by POTWs in Maine was disposed in landfills in Maine, with almost 90% of the sludge disposed at the state-owned Juniper Ridge Landfill (JRL).

During Spring 2023, the operator of JRL, Casella Waste Systems, Inc. (Casella), temporarily reduced the amount of sludge accepted at JRL. This resulted in an immediate impact to many existing POTW customers who relied upon JRL for sludge disposal. Other disposal facilities in Maine continued to provide uninterrupted services to their own contracted customers, but had limited capacity to accept more sludge from Casella’s customers.

While Casella provided sludge transportation and disposal services for their customers to dispose of sludge at an alternative location, it came at a significantly higher cost to these POTWs. Increased costs for POTWs result in higher sewer bills for Maine citizens, many of whom cannot afford such an increase for the essential service of wastewater treatment, and who do not have other options for managing their wastewater (e.g., installing a septic system). Unexpected cost increases in 2023 led to demands for public disclosure of all costs associated with managing sludge, particularly transportation and disposal.

The Department and the Commission’s analysis is guided by these factors that preceded the Legislature’s directive to conduct this analysis. This report follows sludge from its generation at wastewater treatment plants to its disposal at landfills, and describes existing regulatory authorities of the Department and Commission.

II. Sludge Management in Maine

A. Wastewater Treatment

The federal Clean Water Act and Maine law for the Protection and Improvement of Waters ([Title 38, Chapter 3](#)) establishes requirements for the safe management of wastewater. The discharge of pollutants to “Waters of the State”¹ is subject to review and licensing by the Department. The Department has delegation from the U.S. Environmental Protection Agency to ensure compliance by Maine facilities with Clean Water Act requirements, including through licensing discharges under the National Pollutant Discharge Elimination System (NPDES).

Wastewater is a mixture of solids and liquids generated by residential, commercial, institutional and industrial sources. Wastewater may require treatment prior to discharge, depending on the pollutants it contains. [P.L. 2023, Ch. 283, An Act to Facilitate the Management of Wastewater Treatment Plant Sludge at the State-owned Juniper Ridge Landfill](#), refers to “wastewater treatment plants.” There are both public and private facilities in Maine that treat wastewater. Wastewater treatment plants owned by a public entity are publicly owned treatment works (POTWs) ([38 M.R.S. § 361-A, paragraph 3-D](#)). There are 150 POTWs in Maine, with treatment capacities ranging from 500 gallons per day to 19.8 million gallons per day (see Figure 1 and Appendix A). Maine POTWs receive wastewater through sewer infrastructure and from trucked deliveries, including septage. Septage is waste, refuse, effluent, sludge and any other materials from septic tanks, cesspools or any other similar facilities ([38 M.R.S. § 1303-C, paragraph 27](#)).

Some facilities in Maine treat their own wastewater through engineered septic systems or treatment plants. There are 8 facilities in Maine that dispose of sludge from their wastewater treatment plants at their own landfills.

As part of the wastewater treatment process, sludge is created as a by-product.

“Sludge” means nonhazardous solid, semisolid or liquid waste generated from a municipal, commercial or industrial wastewater treatment plant, water supply treatment plant or wet process air pollution control facility or any other waste having similar characteristics and effect. The term does not include industrial discharges that are point sources subject to permits under the federal Clean Water Act, 33 United States Code, Section 1342 (1999). ([38 M.R.S. § 1303-C, paragraph 28-A](#))

B. Waste Management

The Department has authority to regulate all handling of solid waste in Maine for the purposes of protecting public health, safety and the environment.

¹ “Waters of the State” means any and all surface and subsurface waters that are contained within, flow through, or under or border upon this State or any portion of the State, including the marginal and high seas, except such waters as are confined and retained completely upon the property of one person and do not drain into or connect with any other waters of the State, but not excluding waters susceptible to use in interstate or foreign commerce, or whose use, degradation or destruction would affect interstate or foreign commerce. ([38 M.R.S. § 361-A, paragraph 7](#))

"Solid waste" means useless, unwanted or discarded solid material with insufficient liquid content to be free-flowing, including, but not limited to, rubbish, garbage, refuse-derived fuel, scrap materials, junk, refuse, inert fill material and landscape refuse, but does not include hazardous waste, biomedical waste, septage or agricultural wastes. The fact that a solid waste or constituent of the waste may have value or other use or may be sold or exchanged does not exclude it from this definition. (38 M.R.S. 1303-C, paragraph 29)

The Department licenses facilities that store, transfer, recycle, process, treat, and dispose of solid wastes in accordance with [38 M.R.S. § 1310-N](#). The Department also registers persons who transport solid waste in Maine in accordance with [38 M.R.S. § 1304](#). For additional information regarding management of solid wastes in Maine and landfill capacity, see the Department's *Maine Materials Management Plan: 2024 State Waste Management and Recycling Plan Update and 2022 Waste Generation and Disposal Capacity Report*.²

Sludge is a mixture of solids removed in the primary wastewater treatment process via physical settling, and/or secondary sludge created by excess biological organisms removed in the secondary biological treatment process. Sludge can contain biological and chemical hazards. Sludge is typically dewatered at the wastewater treatment plant to remove water and produce a cake that can be handled and transported like a solid, rather than liquid, waste. Dewatered sludge is a "special waste"³ that must be managed pursuant to the *Maine Hazardous Waste, Septage and Solid Management Act*, [38 M.R.S. §§ 1301 to 1319-Y](#).

Wastewater treatment plants vary widely in size and the amount of sludge they generate. Depending on the size and design of the POTW, sludge may be removed from the POTW at various frequencies, from daily to annually and even less frequently, for disposal. Maine's annual sludge generation is estimated at 19,600 dry-tons at 22% total solids. Lagoon POTWs only generate sludge for disposal when the lagoons have accumulated a significant quantity of sludge. This is typically every 20-25 years.

POTWs are subject to public processes for budgeting and rate setting. Operational funding for POTWs is provided by user fees. Sludge disposal is only one cost in the overall budget of a POTW, which is typically subject to municipal approval. Other costs include staffing, energy, debt service, operations and maintenance, and materials and supplies.

² <https://www.maine.gov/tools/whatsnew/attach.php?id=12222463&an=1>.

³ [38 M.R.S. § 1303-C, paragraph 34](#)

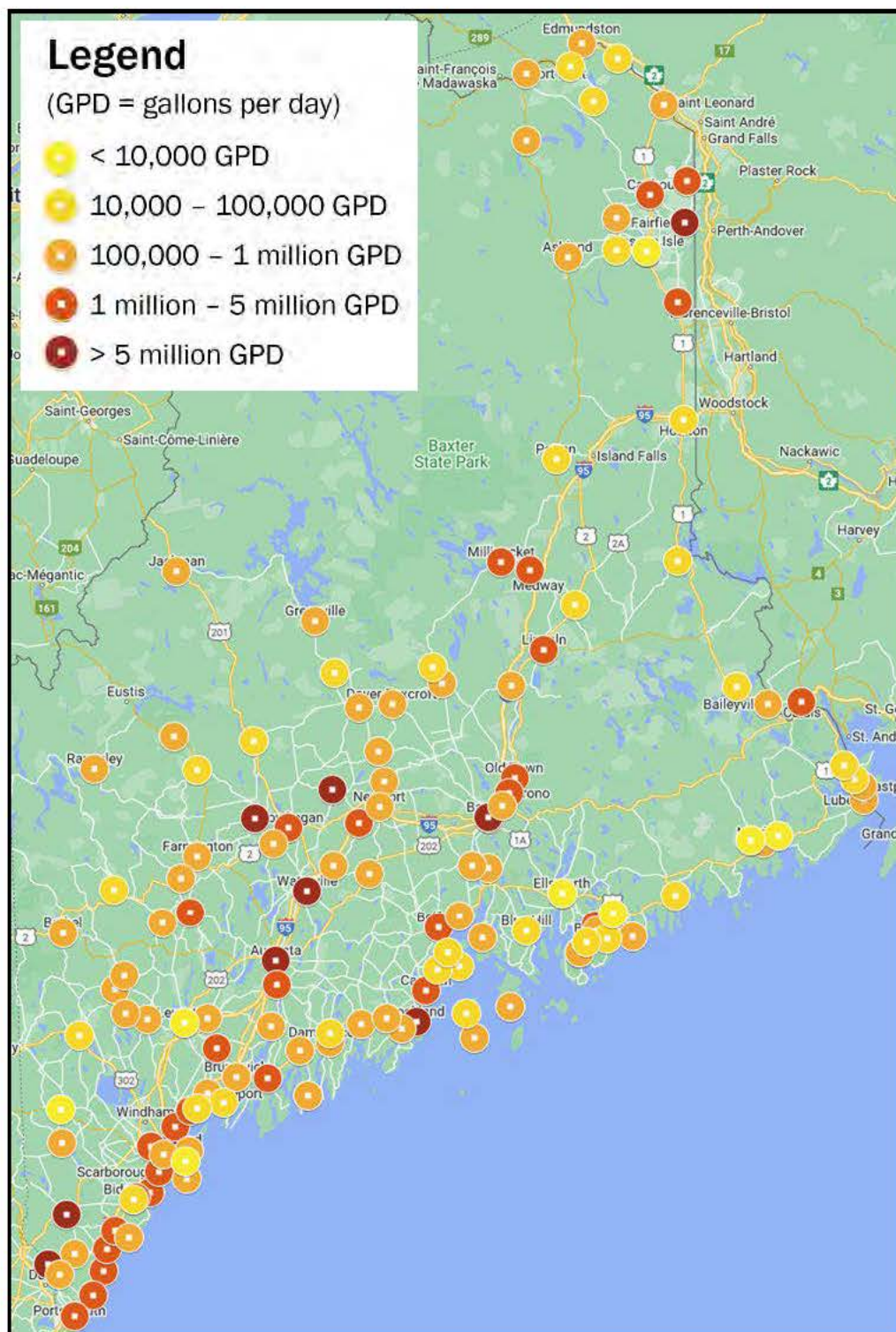


Figure 1. Distribution of POTWs by size⁴

⁴ An Evaluation of Biosolids Management in Maine and Recommendations for the Future. Brown and Caldwell, 2023. www.maine.gov/tools/whatsnew/attach.php?id=12198306&an=1

C. Sludge Transportation

Sludge is transported in Maine by truck. Sludge may be transported within Maine, imported into Maine, or exported from Maine. The solids content of sludge determines container requirements for transportation. Sludge with a high liquid content is transported in a tank truck. Container sizes and design vary depending on load sizes and loading infrastructure at different wastewater treatment plants. Smaller containers may be needed for facilities with smaller loading bays or limited capacity to store containers, while larger containers may be used for facilities with sufficient space or higher rates of sludge generation. Transportation costs generally correlate to the weight of the material transported and distance transported, which correlates to fuel prices. Wetter sludge is heavier than drier sludge, so wetter sludge costs more to transport than drier sludge.

The Board of Environmental Protection (Board) is authorized to “adopt rules relating to the transportation of solid waste, including, without limitation:” a) licensing categories of transporters of septage and conveyances used for the transportation of septage, b) establishment of fees to cover the Department’s administrative costs, c) development and management of a manifest system, and d) requiring evidence of financial capacity including liability insurance, performance bonding and ability to comply with applicable laws and rules ([38 M.R.S. §1304 \(1-A\)](#)). The Board is also authorized to adopt rules relating to the handling of special waste, including, without limitation: a) containerization and labeling, b) reporting on handling, c) waste which is not compatible, and d) a marking system to identify vehicles transporting solid waste ([38 M.R.S. §1304 \(1-B\)](#)). The Board implemented this authority in 1991 by establishing Chapter 411, *Non-Hazardous Waste Transporter Licenses* ([06-096 C.M.R. ch. 411](#))⁵, which contains requirements for civil and criminal disclosure, fees, proper handling and spill cleanup, and reporting of wastes transported on Department-approved manifest forms. Manifests for the transportation of special wastes must indicate the dates of loading and unloading, the name and location of the waste generator, the type and quantity of the waste, and the name and location of the waste facility to which the waste is transported. Currently, non-hazardous waste manifest forms are carbon-copy forms that must be ordered from the Department. Once completed, the second page of each form is submitted to the Department. The Department manually files these paper manifests by manifest number and has no electronic system for managing the data provided. These manifests may be used during investigations of illegal dumping.

Although it is within the statutory authority granted to the Board, Chapter 411 specifically excludes “conveyances which transport wastewater treatment plant sludge to licensed disposal facilities; and conveyances which transport non-hazardous waste residuals to licensed utilization or composting sites.”⁶ Therefore, the Department has limited information about the quantity of sludge generated by each of Maine’s POTWs, what conveyances are used to transport that sludge, and the final disposition of each POTW’s sludge.

⁵ Chapter 411 has not been revised since it was originally adopted in 1991.

⁶ [06-096 C.M.R. ch. 411](#), Section 2(D)(3)

The Department obtains information about the amount of sludge delivered to licensed solid waste facilities in Maine from those facilities' annual reports⁷, but receives no information about quantities of sludge that may be transported from Maine POTWs to facilities outside of Maine.

Prices for transportation are set in private contracts between licensed transporters and their customers. Prices vary due to fuel costs, labor costs, miles traveled, and other factors. In some cases, the company that operates a disposal facility may also be the company that provides transportation services for wastes to a disposal facility, or a subsidiary of the same parent company. This information is not required to be disclosed to the Department. However, the authority provided in [38 M.R.S. §§1304\(1\) and 1304\(1-A\)](#) appears sufficiently broad (i.e., “without limitation”) that the Board could require disclosure of pricing and costs by rule.

D. Landfill Disposal

There are eight landfills that are licensed and currently operating that may accept municipal solid waste⁸, eight generator-owned landfills that are associated with a specific manufacturing facility which are licensed to take waste only from that facility, 19 smaller landfills operated by municipalities that accept wood waste and construction and demolition debris (CDD), and a small secure landfill that in addition to wood waste and CDD accepts WWTP sludge and other special wastes. In 2022, 1,450,850 tons of waste were disposed at these landfills, 933,653 tons of which were disposed at the state-owned Juniper Ridge Landfill (JRL).⁹

There are six landfills licensed in Maine that can accept sludge generated by POTWs for disposal:

- Crossroads Landfill, owned by Waste Management in Norridgewock
- Juniper Ridge Landfill, owned by State of Maine in Old Town
- Tri-Community Landfill, owned by Aroostook Waste Solutions in Fort Fairfield
- Presque Isle Landfill, undergoing temporary closure¹⁰ owned by Aroostook Waste Solutions in Presque Isle
- Hartland Landfill, owned by Town of Hartland in Hartland
- Bath Landfill, owned by City of Bath in Bath

⁷ Annual reports for landfills are required by [06-096 C.M.R., ch. 401](#), section 4(D), and for composting facilities by [06-096 C.M.R., ch. 410](#), section 4(H).

⁸ This number includes landfills licensed to accept municipal solid waste, municipal solid waste bypass, and municipal solid waste ash from incinerators.

⁹ *Maine Materials Management Plan: 2024 State Waste Management and Recycling Plan Update and 2022 Waste Generation and Disposal Capacity Report*. <https://www.maine.gov/tools/whatsnew/attach.php?id=12222463&an=1>, Table 12.

¹⁰ The Presque Isle Landfill stopped receiving waste in 2023 and will be temporarily closed with an interim cover while Aroostook Waste Solutions diverts all waste intended for landfilling to Fort Fairfield. After the Fort Fairfield Landfill reaches capacity in approximately 2041, it will be permanently closed, and the Presque Isle Landfill will be reopened.

The disposal of municipal WWTP sludge increased from 59,018 tons in 2018 to 86,932 tons in 2022 (See Figure 2). In 2022, 78,383 tons (or approximately 90%) of sludge from municipal wastewater treatment plants were disposed at JRL.

Prices for landfill disposal (“tipping fees”) are set in private contracts between licensed landfill operators and their customers. Prices vary due to waste type, ease or difficulty of managing certain wastes, operational costs (i.e., need for bulking materials), and other factors. The 2004 Operating Services Agreement between the State of Maine and Casella Waste Systems¹¹ limits JRL tipping fees for certain waste types, including special wastes such as wastewater treatment plant sludge. See Appendix B for JRL’s not-to-exceed tipping fees for calendar year 2023.

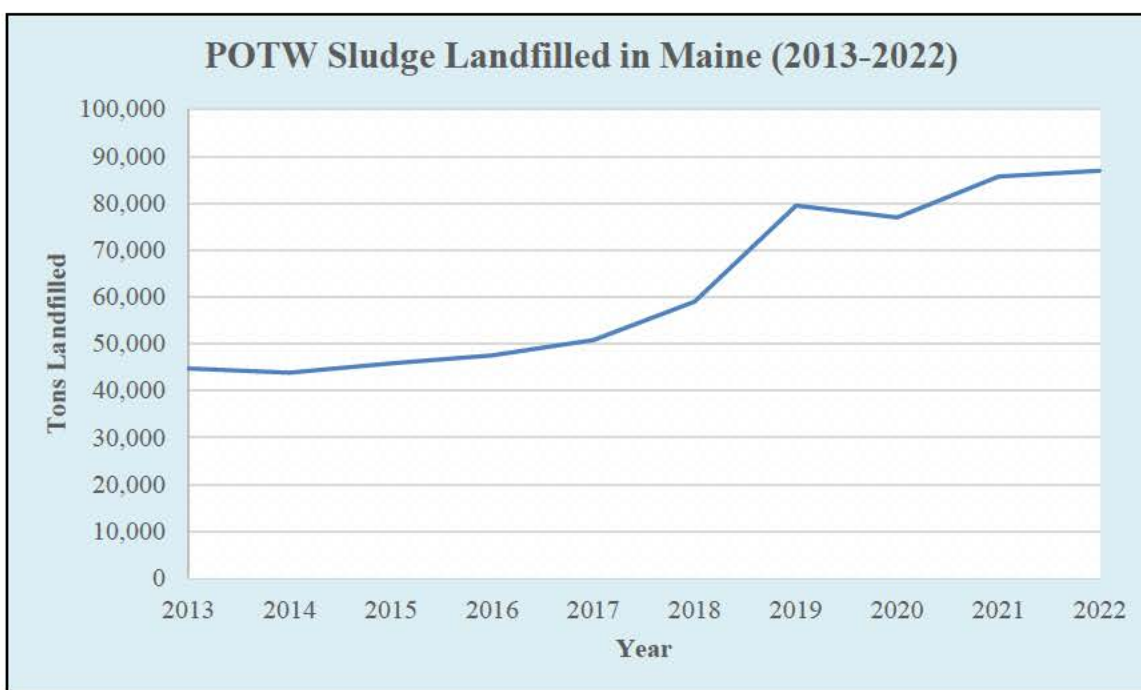


Figure 2. POTW Sludge Landfilled in Maine

E. State-owned Landfills

The Department of Administrative and Financial Services, Bureau of General Services has authority to own, design, develop or operate, or contract with private parties to operate, solid waste disposal facilities in accordance with [5 M.R.S. § 1742](#) and [Title 38, chapter 24, subchapter 4](#). “Solid waste disposal facility” means a solid waste facility for the incineration or landfilling of solid waste or refuse-derived fuel ([38 M.R.S. § 1303-C, paragraph 30](#)).

¹¹ Operating Services Agreement, 2004. <https://www.maine.gov/dafs/bgs/themes/bgs/images/pdf/OSA.signed.pdf>

[Public Law 2019, Chapter 291](#), “An Act to Implement Changes to Maine’s Solid Waste Laws Pursuant to a Review of the State Waste Management and Recycling Plan,” established priorities for the utilization of state-owned solid waste disposal facilities. [38 M.R.S. § 2152-A, paragraph 3](#) states:

“The Legislature intends that the State prioritize the disposal at State-owned solid waste disposal facilities of special wastes for which there are limited disposal options in the State and minimize the disposal at State-owned solid waste disposal facilities of non-bypass, unprocessed municipal solid waste.”

There are three state-owned landfills licensed in Maine:

- Juniper Ridge Landfill, in Old Town, is operated by Casella in accordance with an Operating Services Agreement, effective until 2034.
- Dolby Landfill, in East Millinocket, stopped acquiring waste in 2021 and is undergoing closure.
- Carpenter Ridge Landfill, in T2R8 NWP, was licensed by the Department in 1996 but never constructed.

There are no other solid waste disposal facilities owned by the State of Maine.

There is only one state-owned solid waste disposal facility currently accepting waste in Maine – JRL, which received the vast majority of sludge generated in Maine in the last several years. Tipping fees for disposal at JRL are limited by the State’s Operating Services Agreement (see Appendix B for 2023 rates for special wastes). Acceptance of wastes at JRL is controlled by the landfill’s operator, Casella, and subject to both physical and licensing restrictions.

Due to existing limitations on tipping fees for special wastes in the Operating Services Agreement between Casella and the State of Maine, the Department and the Commission suggest that it would be unnecessary for state-owned solid waste disposal facilities to be regulated as a public utility for the purposes of publicly managing rates for the disposal of sludge from POTWs.

III. Commission Regulation of Public Utilities

[Public Law 2023, Chapter 283, section 3](#) requires the Department, in consultation with the Commission, to evaluate the options for and develop recommendations as to whether regulation of transportation, landfill disposal and other management of sludge generated from wastewater treatment plants should be regulated in a manner that a public utility is regulated. As set forth above, many aspects of the management and disposal of sludge are, or can be, regulated by the Department. At present, the Commission has no oversight or regulatory authority over any entity that engages in activities relating to the management or disposal of sludge. Characterizing sludge

disposal activities as being in the nature of utility regulation would be a significant change from the Commission's current regulatory approach.¹²

[35-A M.R.S. §101](#) establishes the purpose of the Commission “to ensure safe, reasonable and adequate service, to assist in minimizing the cost of energy available to the State’s consumers, to ensure that the rates of public utilities subject to rate regulation are just and reasonable to customers and public utilities and to reduce greenhouse gas emissions to meet the greenhouse gas emissions reduction levels set forth in [Title 38, section 576-A](#).” Public utilities identified in [35-A M.R.S. § 102](#) are “every gas utility, natural gas pipeline utility, transmission and distribution utility, telephone utility, water utility and ferry.”

In accordance with [35-A M.R.S. § 301, section 4](#), “just and reasonable rates”:

- A. Shall provide such revenues to the utility as may be required to perform its public service and to attract necessary capital on just and reasonable terms; and
- B. Shall, to a level within the commission's discretion, consider whether the utility is operating as efficiently as possible and is utilizing sound management practices, including the treatment in rates of executive compensation.

Every public utility must file a schedule, open to public inspection, of all rates, tolls and charges which the utility has established and which are in force at the time for any service performed by it within the State, or for any service in connection with or performed by any public utility controlled or operated by it or in conjunction with it ([35-A M.R.S. §304](#)). Alternative procedures are available to consumer-owned water utilities.

IV. Recommendations

The Department and the Commission reviewed existing Maine statutory and regulatory authorities pertaining to transportation, landfill disposal and other management of sludge generated from wastewater treatment plants. The Department and the Commission also reviewed current waste handling activities in Maine involving sludge, particularly related to the JRL due to its utilization as the primary disposal site for wastewater treatment plant sludge generated in Maine. The Department and the Commission recommend that additional regulation by the Department, but not the Commission, is appropriate if adequate resources are provided by the Legislature for implementation.

The Commission does not have staff or expertise to regulate wastewater treatment plants, waste haulers, or landfills in any manner. As this report outlines, the business of transporting, disposing and management of all forms of waste, including sludge that is the product of

¹² In the course of this analysis, the Department and Commission identified only one state, New Jersey, which regulates the handling of solid waste as utility regulation. [New Jersey Administrative Code, Title 7, Chapter 26H: Solid Waste Utility Regulations](#) requires every person who engages in the business of solid waste collection or solid waste disposal to hold a certification of public convenience and necessity (CPCN) issued by the NJDEP. This includes a criminal background check and approval by the NJDEP of the rates for each holder of a CPCN, subject to annual review. This regulatory regime was designed to counteract the negative impact of organized crime control of the waste management industry in that state.

wastewater treatment, is subject to regulation in varying forms and levels of authority on both the state and federal level. Adding to the regulation of any of these activities by including it under the Commission's regulatory authority involves more than calling the entities that engage in this activity a "public utility." The Commission's authority over public utilities is all encompassing and should not be entered into without careful study and consideration of the consequences to the proposed regulatory community, as well as to the Department and the Commission. This undertaking would require additional contractual resources to analyze all elements of wastewater and solid waste handling in Maine. This would also require authorization for the Commission to obtain cost information from sludge generators, non-hazardous solid waste transporters, and facilities receiving sludge from generators in Maine that is not currently required to be reported to the Commission or the Department.

POTWs are already subject to public processes for service decisions, infrastructure investments, and rate setting. Regulation of POTWs as a public utility would not increase public transparency of these activities.

Transportation costs for sludge appear to be the most variable factor for POTWs. Costs for transportation of sludge vary due to a wide variety of factors, including facility infrastructure, scheduling and container availability, and market rates for fuel. Regulation of transportation of sludge as a public utility would require establishment of significant new processes by the Commission, including consideration of other applicable state, interstate and federal transportation regulations governing the activity. Multiple new full-time equivalent positions would be needed for implementation by the Commission.

As described in Section II.C. of this report, sufficient authority already exists for the Board of Environmental Protection to regulate transportation of sludge, including disclosure of costs and pricing, but that authority has not been used to date. The Legislature could direct the Board to revise Chapter 411 to remove the exemption for "conveyances which transport wastewater treatment plant sludge to licensed disposal facilities, and conveyances which transport non-hazardous waste residuals to licensed utilization or composting sites," and to include requirements for the reporting on manifests of the cost charged to each waste generator for the manifested load. However, the Department does not currently have sufficient resources to process these additional transporter registrations and manifests.

Transportation of 90,000 tons of sludge would generate roughly 3,000 manifests per year. At least one new full-time equivalent position at the Department would be needed to process sludge manifests and to provide assistance to regulated transporters (approximately \$100,000/year funded by registration fees). The Department would utilize existing data management staff to explore options for a modernized manifest system and any associated database costs could also be funded by registration fees. Implementation of an electronic manifest system would then enable the responsibilities of assigned staff to shift to data analysis, while continuing to provide reporting and compliance assistance to regulated transporters. Due to lack of information regarding the number of sludge transporters that would be required to obtain a license from the Department, the Department cannot estimate the fee amount that would be necessary to cover each transporter's incremental cost share for administration of this expanded non-hazardous waste transporter program.

In conjunction with expanded regulation of sludge transportation by the Department, further transparency of costs and pricing for utilization of the state-owned JRL could be achieved through amendments to the JRL Operating Services Agreement. The Commission and the Department recommend that any amendments or extensions to the agreement between the State of Maine and Casella for operation of JRL include a requirement for the operator to disclose to the State all terms of individual agreements between the operator and their customers.

Appendix A

**Maine POTW Waste Discharge Licenses
Sorted by Licensed Flow in Million Gallons per Day (MGD)**

	Location	MGD
1.	Cape Elizabeth (Portland Head Light)	0.0005
2.	Ellsworth-Shore Road	0.002
3.	Whitneyville-Canal Road Facility	0.002
4.	Sorrento	0.003
5.	Lewiston-No Name Pond	0.004
6.	Presque Isle-Echo Lake	0.004
7.	Wallagrass Plt. (Eagle Lake Water & Sewer Dist)	0.006
8.	Whitneyville-School Street Facility	0.006
9.	Cornish	0.007
10.	Bar Harbor-Mount Desert High School	0.009
11.	Brunswick-Mere Point	0.011
12.	Bar Harbor-DeGregoire Park	0.012
13.	Monson	0.014
14.	Boothbay Harbor (Bayville Village Corporation)	0.015
15.	Nobleboro-Damariscotta Mills (Great Salt Bay Sanitary District)	0.015
16.	Rumford-Rumford Point (Rumford-Mexico Sewerage District)	0.019
17.	Lincolnville Sewer District	0.025
18.	East Machias	0.026
19.	Yarmouth-Sea Meadows Subdivision	0.028
20.	Biddeford-Biddeford Pool	0.030
21.	Patten	0.030
22.	Bridgton	0.032
23.	North Haven	0.040
24.	Sinclair (Sinclair Sewer District)	0.042
25.	Danforth	0.049
26.	Eastport-Quoddy Village	0.050
27.	Frenchville	0.060
28.	Northport (Northport Village Corporation)	0.063
29.	Islesboro-Dark Harbor	0.064
30.	Milbridge	0.070
31.	Old Town-Indian Island (Penobscot Indian Nation)	0.070
32.	Houlton (Houlton Water Company)	0.075
33.	Kingfield	0.077
34.	Grand Isle	0.080
35.	Mt. Desert-Somesville	0.080
36.	Brownville	0.082
37.	Mattawamkeag	0.090
38.	Indian Township-Princeton Strip (Passamaquoddy Tribe)	0.095
39.	Blue Hill	0.100
40.	Corinna	0.110
41.	Limerick	0.110
42.	Winterport	0.110
43.	Sabattus	0.120

	Location	MGD
44.	Winter Harbor	0.125
45.	Vinalhaven	0.129
46.	Eagle Lake	0.146
47.	Bar Harbor-Hulls Cove	0.150
48.	Mapleton	0.150
49.	Perry (Pleasant Point) (Passamaquoddy Tribe)	0.150
50.	Rangeley	0.150
51.	Waldoboro	0.150
52.	Lubec	0.166
53.	Greenville (Moosehead Sanitary District)	0.170
54.	Stonington	0.175
55.	Norridgewock	0.193
56.	Bingham	0.200
57.	Castine	0.200
58.	Portland-Peaks Island (Portland Water District)	0.200
59.	Searsport	0.200
60.	Warren	0.244
61.	Carrabassett Valley	0.245
62.	Bridgton	0.250
63.	Mt. Desert-Seal Harbor	0.250
64.	Oxford	0.251
65.	Damariscotta-Main Plant (Great Salt Bay Sanitary District)	0.268
66.	Dexter	0.273
67.	Washburn (Washburn Water & Sewer District)	0.283
68.	Ashland	0.300
69.	Howland	0.300
70.	Richmond	0.320
71.	Mt. Desert-Northeast Harbor	0.330
72.	Bethel	0.340
73.	Clinton	0.350
74.	Veazie	0.350
75.	Machias	0.370
76.	Southwest Harbor Water & Sewer District	0.375
77.	Milo	0.390
78.	Fort Kent	0.430
79.	Wilton	0.450
80.	Bucksport	0.460
81.	Mechanic Falls	0.490
82.	Cape Elizabeth (Portland Water District)	0.499
83.	Unity	0.500
84.	Newport	0.524
85.	Van Buren	0.560
86.	South Berwick	0.567
87.	Baileyville	0.600
88.	Fort Fairfield	0.600
89.	Wiscasset	0.620
90.	Canton	0.621
91.	Boothbay Harbor-Main Plant	0.640
92.	Paris-South Paris (Paris Utility District)	0.650
93.	Madawaska	0.674

	Location	MGD
94.	Jackman	0.675
95.	Kennebunkport	0.700
96.	Freeport	0.750
97.	Dover-Foxcroft	0.800
98.	Eastport-Main Plant	0.820
99.	Farmington	0.900
100.	Thomaston	0.900
101.	Guilford (Guilford-Sangerville Sanitary District)	0.930
102.	Norway	0.975
103.	Mars Hill	1.000
104.	North Berwick	1.000
105.	Lincoln	1.070
106.	Berwick	1.100
107.	Camden	1.210
108.	Caribou-Limestone Water & Sewer District	1.250
109.	Ogunquit	1.280
110.	Kennebunk	1.310
111.	Yarmouth	1.310
112.	Belfast	1.490
113.	Calais	1.500
114.	Hartland	1.500
115.	Houlton (Houlton Water Company)	1.500
116.	Pittsfield	1.500
117.	Falmouth	1.560
118.	Ellsworth – Bayside Rd	1.650
119.	Skowhegan	1.650
120.	Caribou-City Facility	1.710
121.	Orono	1.840
122.	Bar Harbor-Main Plant	2.000
123.	East Millinocket	2.000
124.	Livermore Falls	2.000
125.	Wells	2.000
126.	Lisbon	2.025
127.	Presque Isle	2.310
128.	Millinocket	2.330
129.	Kittery	2.500
130.	Scarborough	2.500
131.	Mexico (Rumford-Mexico Sewerage District)	2.650
132.	York	3.000
133.	Rockland	3.300
134.	Bath	3.500
135.	Old Orchard Beach	3.500
136.	Old Town	3.500
137.	Brunswick	3.850
138.	Saco	4.200
139.	Gardiner	4.500
140.	Westbrook (Portland Water District)	4.540
141.	Anson (Anson-Madison Sanitary District)	5.000
142.	Brewer	5.190
143.	Biddeford	6.500

	Location	MGD
144.	Augusta (Greater Augusta Utility District)	8.000
145.	Sanford	8.800
146.	South Portland	9.300
147.	Waterville (Kennebec Sanitary Treatment District)	12.700
148.	Lewiston (Lewiston-Auburn Water Pollution Control Authority)	14.200
149.	Bangor	18.000
150.	Portland (Portland Water District) East End	19.800

Appendix B**JRL's Not-to-Exceed Tipping Fees**

Operated By

March 14, 2023

NEWSME Landfill Operations, LLC

William Longfellow
Department of Economic and Community Development
SHS #59
Augusta, Maine 04333-0059

Dear Mr. Longfellow:

In accordance with the Operating Services Agreement ("OSA"), the "not-to-exceed" tipping fees in Section 2.11 are adjusted annually based on the change in the prior year's consumer price index, U.S. National market. The index increased 6.04 percent between February 2022 and February 2023. Therefore, the revised tipping fees in Section 2.11, effective February 5, 2023, are as follows:

- Certain Special Wastes, including without limitation bottom ash/fly from municipal solid waste incinerators and sandblast grit \$78.29/Ton
- Oversized, bulky waste from municipal solid waste incinerators, that are unacceptable at municipal solid waste incinerators. \$94.60/Ton
- Front-end residue from municipal solid waste incinerators. \$78.29/Ton
- Municipal solid waste, including municipal solid waste designated as "bypass" on an infrequent basis. \$94.60/Ton
- Construction and demolition debris, free of putrescible waste. \$97.22/Ton⁽¹⁾
- Other special waste. \$78.29/Ton

⁽¹⁾ Includes a \$2 C&D disposal fee established by the Legislature in 2011.

Please give me a call if you have any questions.

Sincerely,

Wendy Plissey

2828 Bennoch Road • Old Town, Maine 04468
Tel.: 207-862-4200, ext. 245 • Fax: 207-862-2839

♻️ printed on recycled paper