

Acadia Disposal District Annual Report 2024 for 2023

The Acadia Disposal District (ADD) is an independent quasi-municipal, tax-exempt solid waste corporation with its main office located in the Town of Mount Desert. It received its Certificate of Organization from the State of Maine in 2003. The purpose of the ADD is to assist with the cost-effective, environmentally friendly, efficient, and lawful management, disposal, and recycling of municipal solid waste (MSW) materials on behalf of its member towns. The ADD has an adopted set of by-laws by which the district is operated, and each member community has signed an interlocal agreement as a requirement for joining. Charter Members of the ADD include the Towns of Cranberry Isles, Mount Desert and Trenton; Frenchboro and Tremont have since joined; Southwest Harbor rejoined in 2023. We would welcome additional member communities.

A. Board of Directors: In conformance with the member town's interlocal agreements, the Board of Directors consists of one representative per member town. Each director has one vote regardless of the population or evaluation of the town they represent. We encourage anyone with solid waste related questions or comments to contact their local director. The members are:

Cranberry Isles: Director Jim Fortune at james@cranberryisles-me.gov

Frenchboro: Director Richard Turner at rladdturner@gmail.com

Mount Desert: Director and Chair Tony Smith at 29parsonscounty@gmail.com

Southwest Harbor: Director Jim Vallette at jvallette@southwestharbor.org

Tremont: Director and Clerk Carey Donovan at carey3d@gmail.com

Trenton: Director Martha B. Higgins at atlmainiac@comcast.net

Treasurer, Kathi Mahar

B. ADD Website: The ADD website went online in February 2019. We are working with our web site provider to improve the site. As with last year, we look to update the site by including more information related to solid waste and recycling on it. We can be found at <https://acadiadisposal.org>

C. Municipal Solid Waste

a. Recycling: Most towns who had opted for the Hampden facility "One Bin All In" program have restarted their own program following the closure of that facility in May 2020. The process was doing what it was designed to do but a lack of funds and insufficient management lead to the closure, achieving greater than 50% diversion on a number of occasions while it was open. The technology worked. It is anticipated that the facility will offer "One Bin All In" when it reopens with an anticipated start date of 2025.

b. Municipal Review Committee (MRC): The MRC is a nine-member Board of Directors (the Board), of which I am one, which works for its 115 member towns, cities, and solid waste districts, who are elected to staggered three-year terms by the member communities. All members of the Board serve the entire membership on an at-large basis with a focus on implementation of the MRC mission for the benefit of the entire MRC region. The MRC mission is to help provide access to safe, sustainable, efficient, and affordable management of MSW with a maximum diversion of materials away from landfills. Board members are not paid as some people seem to believe but are volunteers. The Board is typically comprised of town and city managers, public works directors, finance directors, former bankers, members of their local selectboard or council, managers of solid waste facilities and folks retired from jobs or who participate in volunteer work that lends itself to being a productive Board member. An executive director, consultants, and legal counsel assist the Board with their duties and responsibilities. Additional information about the MRC can be found at www.mrcmaine.org.

c. MRC and the Hampden Solid Waste Processing Facility:

Early in August 2022, after many months of negotiations between the Bondholder Trustee, the Receiver, Lienholders, and the MRC, the sale of the waste processing facility in Hampden to the MRC was approved. This was exciting news and marked a significant first phase of the plant's reopening. We then came to terms with the last objecting lienholder, and with that news, the courts were able to approve the sale of the facility to the MRC. After two long years of uncertainty, MRC was excited to take full control of, and make timely decisions on, plant operations. Efforts began to focus on reopening under the new name, Municipal Waste Solutions (MWS), and the successful return to processing MSW and recycling for our members.

As such, later in August, the MRC purchased and owned a state-of-the-art \$80-plus million facility and the land on which it sits. The MRC is excited for this new opportunity — for increased recycling, for less waste to landfill and, for helping the state with its climate goals. The plant is in good operating condition. During its closure, the MRC monitored the plant's control systems and equipment and kept it warm during cold winter months. We know that the plant's technology works. It operated successfully during the seven months prior to its closing, demonstrating that it was capable of accepting and processing waste with diversion rates that exceeded the 50 percent Department of Environmental Protection (DEP) permit requirement. It is important to remember that the prior owner's failure was due to poor management, lack of financing, and delayed permit approval, not the plant itself.

Ownership of the plant offers a unique opportunity for MRC communities to take control of and be responsible for their own municipal solid waste. There is more at stake here than just the plant in Hampden. The state's other processing facilities are aging and have limited capacity. Adding the Hampden plant's capacity and modern technology to the state's solid waste processing infrastructure is critical to meeting the needs of this region. It can also increase statewide recycling and diversion rates and foster more collaboration in efforts to diversify Maine's approach to municipal solid waste management.”

It has been estimated that \$20 million will be needed to successfully restart the plant and cover operating costs until the facility achieves profitability. Rather than asking MRC members to provide this level of funding, MRC solicited proposals from potential private sector partners. MRC identified and agreed to terms with a company called Innovative Resource Recovery (Innovative), a leading resource recovery company that specializes in transforming waste into valuable resources. Innovative is committed to advancing sustainable waste management practices by implementing advanced technologies and fostering collaboration with industry stakeholders.

In June of 2023, the MRC and Innovative announced the signing of a landmark agreement to become co-owners of MWS' Hampden facility. This collaboration marks a significant step forward in advancing sustainable waste management practices and promoting a circular economy in Maine.

The Hampden plant has long been recognized as a crucial hub for effective waste processing and recycling in the region. By bringing together the expertise and resources of MRC and Innovative, this partnership aims to enhance operational efficiencies, expand recycling capabilities, and further reduce the environmental impact of municipal solid waste.

The partnership represents a powerful synergy in our mission to build a more sustainable future. By combining our knowledge, experience, and resources, we are poised to transform waste management practices, maximize recycling rates, and promote environmental stewardship within our communities.

From the MRC, “We are excited to embark on this joint venture with Innovative Resource Recovery. Our shared commitment to innovation and sustainability will enable us to provide more effective waste

management solutions while minimizing the environmental impact. This collaboration is a testament to our dedication to the well-being of our communities and the preservation of our natural resources.”

Innovative expressed their optimism for the partnership, stating, “Joining forces with Municipal Review Committee is a significant milestone for us. We are excited to contribute our expertise in resource recovery to the Hampden facility, working alongside MRC to revolutionize waste management practices and foster a circular economy. Together, we are creating a partnership that is a model for other regions and communities to take for a more sustainable future for generations to come.” The partnership between MRC and Innovative represents a shared commitment to finding innovative solutions for waste management challenges, promoting recycling, and reducing the reliance on landfilling. Through this collaboration, both organizations aim to set new standards for sustainable waste management practices and make a positive impact on the environment and local communities.

Since the partnership was formed, MWS continues to advance engineering and development activities to support a re-start of the Hampden facility in 2025. As part of the due diligence process, the equipment was previously turned on and run as part of Innovative’s due diligence process related to their purchasing a portion of the facility. Since the formation of the partnership, trial runs of the facility were conducted using MSW chosen from a cross section of MRC members representing different recycling approaches, including communities that engage in mixing and sorting, those utilizing curbside recycling, and those relying on local transfer stations for recycling. DEP and the facilities equipment manufacturer were in attendance.

The primary objectives of the trial runs were to verify equipment functionality as well as obtain samples of the organic and fiber streams that will be processed in the expanded anaerobic digestion system. Those feedstock samples were shipped to MWS’s anaerobic digestion technology partner for a series of lab tests to further support the overall modifications to the facility. In addition to the engineering activities, we continue to advance various commercial and regulatory elements of the re-start plan, including key workstreams such as working with the DEP on permitting, identifying additional sources of feedstock that will allow us to fully utilize the facilities capacity, and developing markets for the various products that will be recovered at the facility. MWS expects to construct process modifications this year and commencing commercial operations in 2025.

D. Maine Waste Generation and Capacity Report: The DEP released the 2020 & 2021 Municipal Solid Waste Generation and Disposal Report to the legislature. The report is submitted biannually to the Joint Standing Committee on Environmental and Natural Resources and reviews Maine’s solid waste and recycling landscape. We encourage you to review the report on the DEP’s website. Some of the larger points that affect the MRC and MWS are the recycling rate and the disposal capacity.

Predictably, Maine did not meet its goal of a 50% recycling rate for 2020 and 2021 reaching 34% and 33.7% respectively. The report highlights the many factors that affect the recycling rate including global recycling commodity prices. This low rate relative to the State’s goal of 50% is one reason the MRC is focused on reopening MWS and ensuring that it is fully operational thus reducing the reliance on landfills for disposal. The report highlights that there is enough landfill disposal capacity for the next five years at current Maine generated MSW rates. Additional capacity should become available when the MWS plant is operational e.g., less landfill disposal.

This report also touched on the Maine Materials Management Report (MMMR) to be released in January 2024. It highlighted that it would provide recommendations “to treat waste as a valuable resource to be recovered rather than as a liability.” This is what the Hampden facility is designed to do in accordance with the state’s Solid Waste Management Hierarchy. The MMMR will also provide guidance in regard to the DEP’s Extended Producer Responsibility Program for Packaging (EPR) implementation, a summary of which follows here.

E. DEP's Extended Producer Responsibility Program for Packaging:

The MRC has been closely watching and actively participating in the DEP's EPR program law implementation and rulemaking process. Representatives of the Board of Directors and those on the MRC Waste Flow Committee have taken the lead for the MRC in this process. They have conducted meetings with representatives of the DEP in Bangor and participated in the EPR's Producer Exemptions and Municipal Reimbursement stakeholder meetings.

As described in the information on the DEP websites EPR section, in July 2021, the Maine legislature passed a law establishing a stewardship program for packaging. The law shifts the cost of managing packaging waste from municipalities and citizens to producers of the products we buy. It places a fee on producers based on their packaging choices. Payments by producers will be based on the net amount of packaging used and will consider toxicity and whether the packaging is readily recyclable. This will provide incentives for producers to choose more readily recyclable packaging and use less packaging. The program's purpose is to reduce the volume and toxicity and increase the recycling of packaging material. Producers of products will pay into a fund based on the amount and the recyclability of packaging associated with their products. These funds will be used to reimburse municipalities, on a participatory voluntary basis, for eligible recycling and waste management costs, make investments in recycling infrastructure, and help Maine citizens identify their best recycling methods.

After the creation of the law, the process moved into the rulemaking phase of the EPR program that has been completed. Rulemaking provides the details that are required to implement the program described in the law that is not actually outlined in the law itself. The rulemaking process is designed to ensure the consideration of all input provided by "interested parties" of which the MRC and our members are. The DEP further defines the "interested parties" as "stakeholders." The DEP collaborates with stakeholders to develop a draft rule that takes into account comments and concerns from the stakeholders.

Elements that were defined through rulemaking include processes for determining:

- producer payments;
- producer reporting requirements;
- which types of packaging are considered readily recyclable;
- which municipalities are similar municipalities;
- municipal reporting requirements and reimbursements;
- requirements for the assessment for program performance;
- methods for performing audits of recycling, solid waste, and litter;
- a schedule for reporting by the stewardship organization; and
- for reviewing proposed investments for recycling infrastructure and education.

The draft rule is then published for public comment which is where we are now. After a comment period, the department must consider all comments and make changes as appropriate; if substantive changes are made, a new comment period follows. The rule must then be adopted by the Board of Environmental Protection, a citizen board that oversees several DEP activities. Major substantive rules, which may be developed to allow for additional packaging exemptions, also require the approval of Maine's legislature.

DEP has made considerable effort to gather stakeholder input to gather as much information as possible. At the stakeholder meetings representatives of the MRC attended, one thing has been abundantly clear and reinforced. Moving forward, the amount of work required by the DEP, stakeholders and all others concerned with the successful implementation of the program will be tremendous.

F. Household Hazardous Waste & Universal Waste Collection Day: The ADD sponsored another successful HHW&UW (Household Hazardous Waste & Universal Waste) collection event on September 23, 2023. We were once again at MDIHS. As before, this year's collection was open from 9:00 AM to 10:00 AM for truckloads of materials from the outer islands then from 10:00 AM to 2:00 PM for the general public. Financial assistance from the League of Towns, use of the MDIHS parking lot, the donation of two roll-off containers from Gott's Disposal, the work of our volunteers and waste vendors we have successfully worked with in the past, helped make this a very successful event. We thank them all. Materials were delivered to us from the same towns as last year.

Universal Waste (UW): The comparison summary of universal waste collected in 2022 and 2023 is shown below. Some of the waste is measured per each item; some by weight. This is the first year flat screen televisions have been collected separately from long outdated ones and broken out and reported separately.

UW Summary	2022		2023	
Item	Units	Weight	Units	Weight
	Each	Pounds	Each	Pounds
Fluorescent Lights	391	NA	542	NA
Batteries:				
Alkaline	NA	295	NA	267
Lead Acid	NA	1,893	NA	1,331
Lithium	NA	38	NA	106
NiCD	NA	29	NA	78
NiMH	NA	26	NA	10
Button Cell Battery	NA	7	NA	4
CFL	21	Ea.	0	NA
U lamp	18	Ea.	0	NA
CPU's and Laptops	NA	558	NA	675
Miscellaneous: Circuit Boards, Drives, Monitors	NA	1,374	NA	1,724
Monitors	NA	148	NA	487
Printers	NA	873	NA	654
Televisions – non-flat screen	NA	2,689	NA	673
Flat Screen Televisions	1 st . year broken out		NA	392
Air Conditioners	NA	0	NA	0
Microwaves for recycling	NA	0	NA	0
Smoke Detectors	NA	27	NA	31
Wire and Cable	NA	0	NA	0
Cell Phones	NA	0	NA	0
Freon containing	NA	0	NA	0
PCB Ballasts	NA	0	10	NA
Non-PCB Ballasts	NA	0	35	NA
Hg Containing Devices	NA	1	3	NA
Totals	391	7,957	590	6,432

Household Hazardous Waste (HHW): There were 739 units of HHW items collected in 2022 compared to 854 in 2023 with one unit being equal to five gallons or twenty pounds, as applicable. This was another very good collection day for all concerned. The waste materials included oil-based paint, turpentine, varnish, stains, auto fluids, paint removers and strippers, swimming pool and photo chemicals, adhesives, solvents, fertilizer, oven and drain cleaner, fungicides, herbicides, pesticides, acids, and linseed oil. We do not record

exact amounts of the specific waste material; we work with the vendor to estimate the number of units of each.

G. Regional Household Hazardous Waste Collection Facility: As reported last year, the ADD is considering the development of a local regional hazardous waste collection facility. Working with members of our congressional delegations, we were successful with our application for funding, being awarded \$350,000 towards the costs of our proposed project. It is the opinion of the ADD that the more opportunities there are for people to properly dispose of such materials the larger the amount of materials will be that are properly managed and disposed of and not end up in the regular trash or other places it should not go. If we are successful with developing a local collection point for these materials, we plan to continue the annual collection that we typically hold as long as it proves a benefit to the people.

We retained the services of a civil and environmental engineering firm to provide us with professional technical support. In brief, the scope of work includes three phases with associated work tasks:

Phase 1: Preliminary Site Identification and Public Education

- Task 1: Regulatory Clarification
- Task 2: Site Selection and Evaluation
- Task 3: Public Education and Input

Phase 2: Permitting

- Task 1: Facility Concept Plans
- Task 2: Permitting

Phase 3: Design and Construction

- Task 1: Facility Design and Construction Administration

To date, we have only committed to Phase 1 of the services with our engineering firm. We want to see the result of the efforts involved with it before committing to additional work.

H. Student Grants: As reported in the past, the ADD established a student grant program for schools located in ADD member towns. The grant must be applied for before implementation of a project and there is no deadline for our receipt of an application. We do not have a formal application form but the request for a grant must be made to us in writing. If you have any questions about the grants or the process, please contact Chair Tony Smith at 29parsonscounty@gmail.com

I. Insurance: ADD purchases volunteer, property and casualty and workers compensation insurance from MMA. We are required to carry the workers compensation insurance even though we do not have any employees; the volunteer directors are considered when rates are calculated for coverage. The insurance is to cover any lost time suffered by a volunteer should they be hurt while participating in an ADD function e.g., a Board of Directors meeting, the HHW&UW collection, etc. Each year we have received a rebate from MMA for not having filed any claims.

J. Financial Audit: We had another successful audit for FY-2023 using the services of James W. Wadman CPA in Ellsworth. Thanks to Treasurer Mahar for her management of our accounts and her preparation of audit materials provided to the auditor. She is key to our audit success.

K. Summary: In summary, the Board of Directors of the ADD would like to encourage all residents and taxpayers in our member towns to become active in learning about solid waste issues. We particularly encourage our municipal officials and officers to do so. Even though each director works with the

understanding that they would like to become the solid waste expert in their community, nothing can replace firsthand knowledge.

Our meetings are open to the general public in person or by Zoom and, as of this date, are held at 9:30 A.M. every other Wednesday in the Town of Southwest Harbor's town office located at 26 Village Green Way. The Zoom link is included on each agenda.

Thank you very much for your continued support.

Tony Smith, ADD Chair

(Note: Sources for some of the information in this report include, but are not necessarily limited to, the DEP website; the MRC website and member correspondence and; attendance at various meetings.)