



# NEWSLETTER

Municipal Review Committee | 395 State Street | Ellsworth, ME 04605 | [www.MRCMaine.org](http://www.MRCMaine.org)

ISSUE 5.1 | April 2017

## Court Denies PERC's Appeal

*and sends a strong signal that our project adheres to Maine environmental laws and regulations.*

The MRC is delighted with the Maine Business Court's decision last month affirming the actions of the DEP in issuing permits to the MRC and Fiberight for a new recycling, organics and solid waste processing project in Hampden, Maine. No appeals were filed on the judge's decision and the matter is now closed. The court determined:

- DEP issued the project's permits consistent with the laws and regulations governing solidwaste processing facilities.
- The administrative record contained substantial evidence to support DEP's determinations of Fiberight's financial ability; MRC, Fiberight and their consultants' technical abilities to design, construct, operate, maintain and close the proposed facility;
- The project is consistent with the State of Maine's Solid Waste Management Hierarchy;
- DEP's acceptance of Fiberight's self-certification of Post-Hydrolysis Solids as a non-waste is correct; and
- DEP acted consistent with its authority in declining to hold a public hearing while it conducted a typical review of applications through public meetings, public comments, and technical analyses of application materials.

Fiberight President Craig Stuart-Paul said the decision validates, yet again, that the Fiberight/MRC project is good for Maine. He said "PERC filed a frivolous lawsuit in an attempt to derail our efforts to bring an environmentally friendly solution to recycle the State's waste; this ruling confirms that all of the project stakeholders acted responsibly and lawfully. Now we are free of this distraction we will focus on getting construction back on track, ready to accept waste in April next year."

### FAME APPROVES FIBERIGHT FINANCING

*The FAME Board of Directors approved Fiberight's application to qualify the project to finance debt with the best interest rate available. Fiberight has said that the FAME bonds would give them access to tax free financing, which could potentially save on interest costs. The debt financing will be provided by private lenders.*

## UPCOMING MEETINGS

**April 26**

**Finance Committee: 9:00 AM**

**Board Meeting: 10:00 AM**

Orono Municipal Building  
59 Main Street, Orono

## ABOUT THE MRC

The Municipal Review Committee (MRC) is a non-profit association of Maine communities led by an elected, volunteer board of directors. For more than 25 years, the member communities of the Municipal Review Committee (MRC), now numbering more than 180 cities and towns, have used the PERC waste-to-energy incinerator in Orrington to process their municipal solid waste (MSW). After 2018, the contracts with PERC will expire. The MRC has partnered with Fiberight to offer an innovative solution to recycle and process our MSW post 2018.

Visit [www.mrcmaine.org](http://www.mrcmaine.org) or contact Greg Louder at 207-664-1700 or [glouder@mrcmaine.org](mailto:glouder@mrcmaine.org) to learn more about the Municipal Review Committee and to add your name to our email contact list.

## JOIN OUR EMAIL LIST & FOLLOW US ON SOCIAL MEDIA

MRC regularly sends updates and announcements by email to those who have signed up for our alerts.

We also have active Facebook and Twitter accounts, and we've posted informative videos from recent meetings on our YouTube account. All of these are accessible from the homepage of our website, [mrcmaine.org](http://mrcmaine.org).



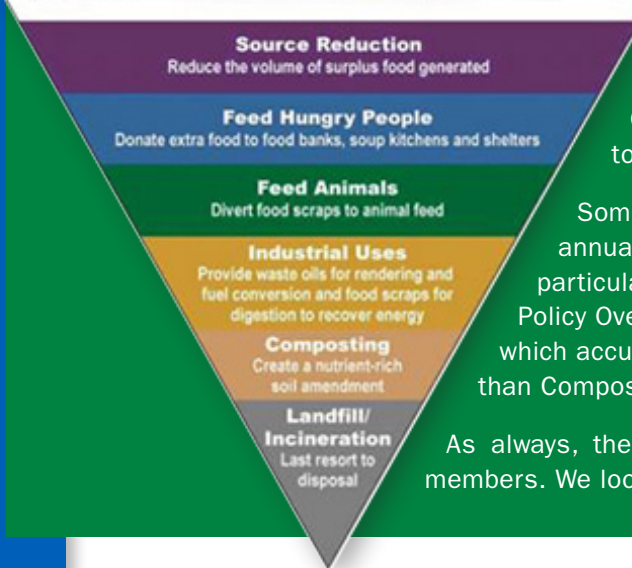
## Hampden Site Update

Despite the snow this winter, the access road and utilities are ready for Phase II of construction.

> The pump station and access road work were close to completion in early February.



### Food Recovery Hierarchy



## MRC at MRRA

MRC is a proud sponsor of the 24th Annual Maine Resource Recovery Association’s Recycling and Solid Waste Conference and Trade Show! If you plan to attend, make sure to stop by our booth and say hello.

Some topics for the conference you’ll recognize, like the popular annual “The Good, the Bad, and the Ugly” session from DEP. We’re particularly interested in the “Food Waste Recovery Hierarchy and Policy Overview” on Monday afternoon. See EPA’s hierarchy to the left, which accurately depicts Industrial Uses of food scraps as a higher use than Composting and Landfill/Incineration.

As always, the conference will be a great opportunity to catch up with members. We look forward to seeing you there!

## Member Input Requested for April 26 Board Meeting

MRC is busy at work on a number of final adjustments needed to complete its project development responsibilities and to account for the final project scale and economics. There are pending discussions and decisions that will take place at the next Board Meeting where comments are encouraged by members either before or at the meeting.

The reduction in tonnage and increased number of Departing Members results in a lower reserve than originally anticipated and will require the Board of Directors to consider reallocation of some reserve funds to ensure Joining Members are protected from risk to the maximum extent possible. Furthermore, changes to the proposed rebate structure are necessary to ensure that rebate revenue potential is preserved.

The MRC has posted a memorandum addressing proposed changes on our website ([www.mrcmaine.org/post-2018/](http://www.mrcmaine.org/post-2018/)).

Other items the MRC Board will consider on April 26 in an effort to complete the MRC portion of site development responsibilities are: **(a)** exercise of the option to close on the purchase of the Hampden parcel; **(b)** release funds for Phase II of the road and utility improvements; **(c)** enter into the Phase II construction agreement; **(d)** enter into an agreement with the Town of Hampden to support the Cold Brook Road development route and **(e)** enter into an agreement with the Hampden Water District for water line extension and system reliability improvements.