



STATE OF MAINE
DEPARTMENT OF ENVIRONMENTAL PROTECTION
17 STATE HOUSE STATION AUGUSTA, MAINE 04333-0017

DEPARTMENT ORDER

IN THE MATTER OF:

AROOSTOOK WASTE SOLUTIONS)	LICENSE TRANSFER
)	&
Transfer of)	NAME CHANGE
PRESQUE ISLE LANDFILL)	
Presque Isle, Aroostook County)	Solid Waste
S-007501-WR-AC-T)	Air Emissions
A-997-71-C-T)	Waste Water Discharge
W-008088-6B-J-T)	Stormwater
MER05B774)	
and,)	

Change of name)
TRI-COMMUNITY RECYCLING &)
SANITARY LANDFILL)
Fort Fairfield, Aroostook County)
S-003707-WR-AA-T)
S-004838-SX-K-T)
A-977-71-F-T)
W-008246-5J-F-T)
MER05B730)

Pursuant to Maine’s Hazardous Waste, Septage and Solid Waste Management Act, 38 M.R.S. §§ 1301–1319-Y; Protection and Improvement of Air laws, 38 M.R.S. §§ 581 to 610-D; and Waste Water Discharge laws, 38 M.R.S. §§ 413 to 415, rules promulgated pursuant to these laws and the Department’s *Rules Concerning the Processing of Applications and Other Administrative Matters*, 06-096 C.M.R. ch. 2 (June 9, 2018), the Maine Department of Environmental Protection (Department) has considered the application of AROOSTOOK WASTE SOLUTIONS (Applicant) with its supportive data and other related materials on file and FINDS THE FOLLOWING FACTS:

1. APPLICATION SUMMARY

The Applicant submitted an application to the Department for the transfer of all active Solid Waste, Air Emissions, and Waste Water Discharge licenses, as defined in 06-096 C.M.R. ch. 2 § (1)(L), any modifications, condition compliance orders, all other approvals, and all applications pending, held, or submitted relating to the Tri-Community Recycling & Sanitary Landfill (TCL) facility in Fort Fairfield and the Presque Isle Landfill (PILF) in Presque Isle, Aroostook County. Simultaneously with the transaction, the name of the existing corporation

AROOSTOOK WASTE SOLUTIONS)
Presque Isle and Fort Fairfield, Aroostook County)

LICENSE TRANSFER

will be changed to Aroostook Waste Solutions (AWS) and the PILF will be transferred to AWS. The Department accepted Applicant's license transfer application as complete for processing on September 7, 2018.

2. LICENSES TO BE TRANSFERRED

A schedule of Solid Waste, Air Emissions, and Waste Water Discharge licenses and applications concerning the two facilities and appurtenant facilities is set forth in Appendix A. The intent of this Order is to transfer all active Department licenses, permits, certificates, registrations, applications, and decisions that apply to the facilities. Any such license, permit, certification, registration, application, or decision concerning the facilities not specifically listed in this Order is incorporated herein.

3. TRANSFER REQUIREMENTS

The following information regarding Aroostook Waste Solutions was submitted in support of the transfer application:

- A. Full Name and Address.** The full name and address of the Applicant is: Aroostook Waste Solutions, P.O. Box 605, Caribou, Maine, 04736.
- B. Title, Right, or Interest.** The Applicant submitted a Memorandum of Understanding, dated January 26, 2018, executed by TCL and the City of Presque Isle, as evidence of an agreement to convey the PILF to the Applicant. The Applicant has requested that this transfer be approved conditioned on the submission of final evidence of completion of the conveyance. Based on the foregoing, the Applicant has provided sufficient evidence of title, right, or interest in the projects to allow the transfer of the licenses, permits, approvals, permits-by-rule, registrations, variances, certifications and amendments thereto, condition compliance orders, and pending applications concerning the projects, subject to the conditions set forth below.
- C. Financial Capacity and Intent.** The Applicant submitted an estimate of annual environmental compliance costs of facility operations including landfill closure. The Applicant also submitted audited financial statements for the year-ending December 31, 2017. Based on the foregoing, the Applicant has demonstrated sufficient financial capacity and intent to assure compliance with all Department licenses, permits, approvals, permits-by-rule, registrations, variances, certifications and amendments thereto; condition compliance orders, pending applications, as well as any statutory and regulatory criteria applicable to the facilities, subject to the conditions set forth below.
- D. Technical Capacity and Intent.** The Applicant has provided resume information for key environmental compliance personnel who will be responsible for the continued operation of the facilities. Based on the foregoing, the Applicant has demonstrated that it has the technical capacity and intent to comply with all Department licenses, permits, approvals, permits-by-rule, registrations, variances, certifications and amendments thereto, condition compliance orders, pending applications, and any statutory and regulatory criteria applicable to the plant and facilities, subject to the conditions set forth below.

AROOSTOOK WASTE SOLUTIONS)
Presque Isle and Fort Fairfield, Aroostook County)

LICENSE TRANSFER

BASED ON THE ABOVE FINDINGS OF FACT, the Department CONCLUDES that AROOSTOOK WASTE SOLUTIONS has demonstrated title, right, or interest to the Presque Isle and Tri-Community Recycling & Sanitary Landfills as well as the technical and financial capacity and intent to comply with the conditions of all Department licenses, permits, approvals, permits-by-rule, registrations, variances, certifications and amendments thereto, condition compliance orders and pending applications associated with the Facilities described in this Order's findings, including without limitation those licenses and applications listed in Appendix A and Appendix B, and to satisfy all applicable statutory and regulatory criteria, subject to the conditions set forth below.

THEREFORE, the Department APPROVES the application of AROOSTOOK WASTE SOLUTIONS, SUBJECT TO THE FOLLOWING CONDITIONS and all applicable standards:

1. EFFECT ON EXISTING ORDERS. All other Findings of Fact, Conclusions, and Conditions associated with all approvals that are the subject of this Order remain as approved and are incorporated herein.
2. SEVERABILITY. The invalidity or unenforceability of any provision, or part thereof, of this License shall not affect the remainder of the provision or any other provisions. This License shall be construed and enforced in all respects as if such invalid or unenforceable provision or part thereof had been omitted.
3. EFFECTIVE DATE. Transfer of the permits itemized in this Order and the change of name shall become effective when the Applicant, Aroostook Waste Solutions certifies in writing to the Department that the transfer of the licensed facilities to Applicant has occurred.

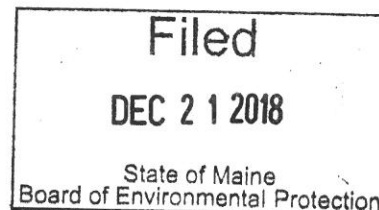
DONE AND DATED AT AUGUSTA, MAINE THIS 21st DAY OF DECEMBER, 2018.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

By: 
Melanie Loyzim, Acting Commissioner

PLEASE NOTE ATTACHED SHEET FOR GUIDANCE ON APPEAL PROCEDURES

Date of initial receipt of application: August 17, 2018
Date application accepted for processing: September 7, 2018
Date filed with the Board of Environmental Protection:



AROOSTOOK WASTE SOLUTIONS)
Presque Isle and Fort Fairfield, Aroostook County)

LICENSE TRANSFER

APPENDIX A: LICENSES, Presque Isle Landfill

SOLID WASTE – Presque Isle Landfill		
License Number	Description	Date
07-7501-03530 MOD#1	Conditional Compliance: Industrial Waste	6/6/1983
07-7501-03530	Original Landfill License	9/23/1981
L-007501-07-B-M	Industrial Waste: Adhesive	2/21/1984
L-007501-07-C-M	Leachate Spray Irrigation Area	8/20/1984
L-007501-07-E-A	Leachate Storage Lagoon	01/25/1988
L-007501-07-F-M	Peat Bed Filtration System	01/20/1986
L-007501-7D-M-N	Industrial Waste: Huber Wood Ash	9/19/1988
L-007501-07-M-M	Condition Compliance #11	10/26/1988
S-007501-WC-N-R	License Renewal Approval with Conditions	10/6/1994
S-07501-WC-P-M	FEPR and OBW	10/24/1995
S-07501-WC-ZA-M	East, South and West Side Slopes Remediation	11/23/1998
S-007501-WU-T-N	Disposal of Special Waste	6/15/2001
S-007501-WD-U-M	New Sedimentation Basin	8/13/2001
S-007501-W5-V-N	Public Benefit Determination	11/30/2008
S-007501-WD-W-M	Minor Revision – Gas Collection and Control System	3/9/2009
N/A	Schedule of Compliance	6/10/2009
S-007501-WD-X-N	Landfill Expansion License	10/26/2010
S-007501-WD-AA-C	Condition Compliance #6, #7, and #8 of WD-X-N	2/21/2012
S-007501-WO-Y-N	CDD Landfill Closure	5/29/2012
S-007501-WN-Z-N	Phase I Landfill Closure	6/10/2014
S-007501-WN-AB-C	Condition Compliance #5 Cover Effectiveness	5/12/2016
MEX020011926	State of Maine Central Accumulation Facility	7/12/2002

WASTE WATER DISCHARGE, STORMWATER – Presque Isle		
W008088-6B-F-R	WDL	10/3/2011
W008088-6B-G-M	Minor Revision	10/4/2013
W008088-6B-H-M	Minor Revision of WDL	6/18/2014
W008088-6B-I-R	WDL Renewal	10/17/2017
MER05B774	Multi-Sector General Permit	3/2/2017

AIR EMISSIONS – Presque Isle		
A-997-71-B-R	Air Emission License	11/6/2013

AROOSTOOK WASTE SOLUTIONS)
Presque Isle and Fort Fairfield, Aroostook County)

LICENSE TRANSFER

APPENDIX B: LICENSES, Tri-Community Recycling & Sanitary Landfill

SOLID WASTE – Tri-Community		
License Number	Description	Date
07-3707-03190	Original Landfill License	7/27/1977
07-3707-03190	Original Landfill License - Amended	10/22/1980
L-003707-07-B-M	Grit and Screenings Disposal	3/17/1986
N/A	Schedule of Compliance	1/6/1994
S-003707-WC-D-A	Order Renewal and Amendment Closure Plan (Also known as S-003707-WD-D-R)	3/1/1995
S-003707-WC-E-M	Disposal of FEPR and OBW	2/26/1996
S-003707-WC-F-M	MSW and CDD from Outside of Aroostook County	2/18/1997
S-003707-WU-I-N	Ongoing Disposal of Special Waste	2/24/1997
S-021820-WT-A-N	One-time Disposal of a Special Waste	11/26/1997
S-003707-WK-H-N	Scrap Tire Processing	1/13/1998
S-003707-WC-J-M	FEPR as ADC Minor Revision	5/18/1999
S-003707-WD-K-M	FEPR Minor Revision	7/8/1999
S-003707-WD-R-M	ADC Minor Revision	2/28/2005
S-003707-WU-U-C	Condition Compliance #4, Waste Characterization	09/04/2007
S-003707-WC-T-A	Phase III Amendment	6/11/2008
S-003707-WC-X-C	Condition Compliance #3, Leachate Pipeline	03/29/2011
S-003707-WC-Y-C	Condition Compliance #5, Updated O & M Manual	10/7/2014
S-004838-S4-J-R	Septage Storage and Dewatering Renewal	11/15/2018
MEX020006206	Universal Waste Central Accumulation Facility	2002

WASTE WATER DISCHARGE, STORMWATER – Tri-Community		
W008246-5J-E-R	Waste water discharge - spray irrigation	8/7/2014
MER05B730	Multi-Sector General Permit	2/2/2017

AIR EMISSIONS – Tri-Community		
A-977-71-D-R	Air Emissions License	6/13/2014
A-977-71-E-M	Minor Revision removing uptime requirement	9/9/2016