



October 11, 2013  
13331

Mr. Eric Cousens, Director of Planning & Permitting  
Department of Planning, Permitting & Code Enforcement  
City of Auburn  
60 Court St.  
Auburn, ME 04210

**Lewiston Auburn Water Pollution Control Authority Municipal Wastewater Sludge Compost Facility - Penley Corner Rd., Auburn**

Dear Mr. Cousens:

On behalf of the Lewiston Auburn Water Pollution Control Authority (LAWPCA), we are requesting an amendment to the Special Exception Approval and Site Plan Review Approval for the Municipal Waste Water Sludge Composting Facility (CF) located off Penley Corner Rd. This project was initially approved by the Planning Board in April of 1992. The only change to the facility, since the 1992 approval, was the addition of a finished storage pad, which received City of Auburn approval and was constructed in 2007. The CF is located at 230 Penley Corner Road within the "Agriculture and Resource Protection District" and as a "municipal wastewater sewerage composting facility" is an allowed special exception use.

We are requesting an amendment that Special Conditions of the 1992 approval A, B, C, D, G, H, I, J, K, O, P and T be removed from the approval, since these special conditions apply to requirements that had to be completed prior to the start of construction or the opening of the facility or in the case of O the facility was constructed within 5 years of the approval. That Special Condition S be removed, because the interest in serving on the special board ended within 2 years of the opening of the facility and the special board is no longer needed. That M, N and R are rewritten to reflect that the facility has been constructed and in operation for over 20 years as follows:

M – The granting of this approval is dependant upon and limited to compliance with the proposals, plans and oral statements as submitted by or on behalf of LAWPCA to the Auburn Planning Board.

N - LAWPCA shall comply with all applicable federal, state and local laws and requirements, including but not limited to, licenses, permits, authorizations, conditions, agreements, and orders during operation.

R – LAWPCA shall ensure that the facility operates in compliance with the following performance standards at all times:

1. LAWPCA shall ensure that odor intensity measured at any dwelling or any public road shall not be more than 1.0 unit higher than background levels if the odor is characteristic of sludge, compost or the composting process and attributable to the composting operation. Odor intensity shall be measured on the butanol scale in accordance with ASTM E 544.
2. The odor control system discharge shall have an odor concentration not exceeding 100 units ED50 as determined in accordance with ASTM E 679. All air spaces where sludge or non-finished compost is stored, processed, transported or otherwise handled shall be considered air streams required to undergo odor control treatment. Air spaces where bulking agents are stored, processed, transported or otherwise handled may be required to undergo odor control treatment.

After the Commencement Date of Operations, the odor control system discharge shall be monitored annually during the month of July using an odor panel (ASTM E 679). *This may be waived annually upon written request to the City Manager by May 31<sup>st</sup> and approval by the City Manager.* Additional tests using either odor units at the point of discharge (ASTM E 679) or odor intensity at any dwelling or public road (ASTM E 544) may be requested at other times by the City Manager, or a City Councilor provided that the sum of all additional tests shall not exceed 12 per year, to ascertain whether the odor levels as specified in this Article have been achieved. The City Manager or City Councilor shall not unreasonably request additional odor monitoring.

All studies, tests and monitoring required by the Article shall be conducted by independent laboratories agreed upon by LAWPCA and the City Manager. LAWPCA shall submit the results of any studies and testing required under this Article to the City Manager and the City Council. If the standards for odor control referred to in this Article are violated, LAWPCA will have 72 hours to comply and if unable to do so, will shut down operations and cease bringing amendments to the site until such time as it can comply. If the facility must shut down 3 times in any 12 month period, it will remain shut down until such time as it can comply. If the facility must shut down more than 3 times in any 12 month period, it will remain shut down until such time as LAWPCA demonstrates, to the satisfaction of the City Council, that continued operation of the Facility will not violate such odor control standards. In the event that the facility must be shut down due to odors or for some other reason under the *Planning Board approval*, LAWPCA shall have 7 days to complete the removal of compost material and sludge unless an alternative schedule is agreed upon by the City Manager and LAWPCA to minimize odor impacts.

It has recently been brought to LAWPCA's attention that new standards for measuring odor are now available in lieu of ASTM E 544 and ASTM E 679. LAWPCA is currently looking at these standards and may bring forward a proposal to revise these standards as this amendment goes through the approval process.

That E, F, L and Q continue as special conditions, since they are still applicable to the current operation of the CF. Please note that we have attached a copy of the 1992 Planning Board approval as well as a copy of the 1992 agreement between LAWPCA and the Auburn City Council for your reference.

Several of the biggest concerns during the 1992 approval process were odor control, ability to sell the finished compost and LAWPCA failing to respond to complaints. LAWPCA has kept a record of all calls/complaints regarding the CF from when it started operation and has not received one since March of 2009. During the 20 plus years of operation LAWPCA has received a small number of complaints and has been quick to address them. All compost produced by the CF has been sold to commercial or local, individual users. The successful operation of the CF since it has been open, shows that LAWPCA has been and will continue to be responsive to concerns and a good neighbor.

The one major change from the information submitted for the original approval that has occurred is the construction of an Anaerobic Digester and Energy Recovery Facility at LAWPCA's Wastewater Plant located at 535 River Rd. in Lewiston. This project was recently completed and had a grand opening on September 9, 2013. The project will reduce the amount of biosolids produced by LAWPCA by approximately 40%, which significantly reduces the amount of biosolids going to the CF resulting in excess capacity.

The Anaerobic Digester and Energy Recovery Facility will have a significant impact on LAWPCA operations and the future portion of sewer rates paid by Auburn and Lewiston sewer users to operate LAWPCA. In a report by CDM Smith commissioned by LAWPCA the annual estimated operating costs will be reduced by \$640,000 per year. This report did not include the potential sale of electricity generated from the methane gas produced as a by product of the anaerobic digestion process, which could be as much as \$120,000 per year. Even though this project cost \$11,688,000, the operational savings and the retirement of the debt for the CF will more than offset the cost of this project.

With the reduction in the production of biosolids the CF now has excess capacity. LAWPCA is proposing to offset the excess capacity by bringing in biosolids from other municipal or quasi-municipal facilities and charging a tipping fee. Doing this could result in net additional revenues for LAWPCA of \$55,000 per year. At the time of the original approval it was represented and understood that the biosolids going to the CF would only be coming from LAWPCA. We are requesting this change from LAWPCA supplied biosolids to biosolids from municipal or quasi-municipal facilities as part of the amendment to the existing approvals. There will be no change in the total amount of biosolids being brought to the CF from the previously permitted total amount.

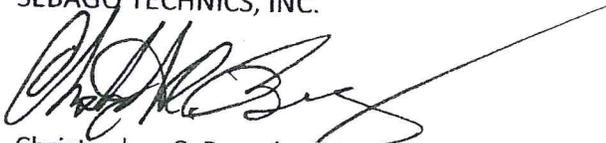
This will also not change the quantity or type of traffic generated by the CF from that approved by the Planning Board in 1992. The amount of biosolids going to and compost leaving will be the same as that permitted, which is the maximum capacity of the CF.

In addition to this letter and the mentioned 1992 Planning Board Approval and 1992 City Council Agreement, we have included the Development Review Application and Checklist; project maps; right, title and interest; and the project plans with this submittal. The project plans consist of a copy of the plan approved by the Planning Board in 1992, the plan approved in 2007 for the addition of the finished product stacking pad and a site plan showing the existing conditions. The 1992 and 2007 plans show 2' contours, but the current site plan is based on an aerial photo and does not have contours. We are requesting a waiver from showing the 2' contours on the current site plan, since the contours remain unchanged from the 2007 plan.

We will attend your next available Planning Board meeting to answer any questions that you or the Planning Board members may have.

Sincerely,

SEBAGO TECHNICS, INC.



Christopher C. Branch, P.E.  
Regional Manager

CCB:jsf

cc: Mac Richardson, LAWPCA