

MINUTES OF THE REGULAR MEETING OF THE LEWISTON-AUBURN
WATER POLLUTION CONTROL AUTHORITY

The regular meeting of the Lewiston-Auburn Water Pollution Control Authority was held on October 11, 2024, at 7:30 a.m. at the Authority offices at 535 Lincoln St Lewiston

Directors Present: Norm Lamie
 Dan Goyette
 Steve Ness
 Mike Broadbent
 Kevin Gagne
 Jeff Beaulé
 Mark Adams

Directors absent: n/a

General Manager: Travis Peaslee

Assistant General Manager: Absent

Secretary: Candace Taylor

Treasurer: Absent

Dan Goyette called the meeting to order at 7:32 a.m.

Mike Broadbent made a motion to accept the minutes of the September 12, 2024 meeting. Kevin Gagne seconded, all others approved, and the minutes were placed on file.

Financial Reports

Travis Peaslee reviewed the financial reports. Mike Broadbent made a motion to approve the financial reports. Mark Adams seconded, all others approved, and the motion passed.

2025 Draft budget will be included in the November agenda and if needed, schedule a budget workshop before the end of that month. We will need to provide a 10-day public notification before a presumed adoption at our December 13th board meeting.

After a discussion on financial audits, Norm Lamie made a motion to award a 3-year agreement to RHR Smith for financial audit services for fiscal years 2024, 2025, and 2026. Jeff Beaulé seconded, all others approved and the motion passed.

Public Comment

No members of the public were present, and no public comments were received.

Report from Cities/Sewer Districts

Mike Broadbent reported that smoke testing narrowed down the on-going Miller Street issue to Turner and Court St. where 9 catch basins lite up. Jeff Beaulé reported they are working on cleaning up an easement on a property with a significant area storm drain connected to the sewer.

General Manager Report

Biosolids Deliveries: Travis Peaslee reported that we were able to deliver all 594 yards of material directly to Hartland. Biosolid volumes have normalized, and we anticipate it staying this way throughout the fall.

Anaerobic Digestion and Co-Generation: Travis Peaslee reported that things are operating well at the digestion complex, that both co-generation units are operational, that we made lower than average amounts of gas but higher than average power for the month. Despite the mechanical repairs we plan to make to CHP #2 in the near future, things are pretty good on this front.

Septic Receiving: Travis Peaslee reported that we brought in 546,000 gallons, which is 151,000 gallons or \$21,140 more than budgeted. Year-to-date we are 809,9000 gallons or \$113,386 more than budgeted.

Effluent Quality: Travis Peaslee reported that effluent continues to look good. We had zero influent bypass events, and no use the secondary bypass, and treated roughly 175 million gallons. We did have one effluent violation foe E.coli: however, it was likely the result of an improperly sterilized sample bottle since there was enough chlorine residual for adequate disinfection, and three subsequent tests yielded acceptable results. We received really good results from the whole effluent toxicity test performed last quarter, and also got word that we passed our annual laboratory quality assurance testing. Our crew continues to manage the laboratory and process exceptionally.

Old Business

Biosolids & PFAS:

On the Lewiston landfill license amendment front, we arranged for SME to be onsite on September 17th to observe the mixing and placing of one 22-yard load of our material. The result was that a 5:1 mix ratio is preferred due to the equipment being used at the landfill. The bench top study showed that a 3:1 mix works well from a compaction and gas potential standpoint, however, unless the landfill utilizes different equipment in the future, we will likely be limited to the 5:1 mix ratio. SME plans to submit a report to the DEP stating that a range of 3:1 to 5:1 mix ratios is feasible depending on operational/equipment changes. It is unclear at the moment how

this will be written in to the final permit amendment, but I am hoping to have it written loosely so that we can adjust volumes, as future operations adjust.

Travis continues to work closely with Brown & Caldwell on the 30% dryer design update. We worked through two dryer proposals and settled on the PWTech/Dorset dryer to base our updated design around. We have also been working through options for dried materials management, and hope to have most of this wrapped up by the end of November. It is worth noting that the Brunswick AD project has funded a dewatering and drying design from the PWTech/Dorset team.

We now have a no volume commitment disposal approval with Waste Management, and up to 500 tons of volume reserved for us through the remainder of 2024 at Englobe. We also have a "soft" approval at Casella JRL, and Travis is told that we could have an official agreement within a matter of days if we were to run in to an emergency situation. We will continue to work with all three entities to keep these emergency back-up options available for as long as possible.

Waste Management continues efforts to finalize their final draft of a services offer for future use of their dryer project. They have struggled for some time now establishing emergency power capability to the site due to conflicts with CMP. It may take some political intervention to get things moving, but once they do, we should be able to obtain the final draft so that we can start making decisions on our end.

Travis had a meeting with the DEP solids waste staff on September 26th to continue discussing state level biosolids management and have another follow-up meeting on October 24th. The commissioner is trying to pitch a bond package to the Governor. Best case scenario would be a November 2025 bond referendum, it doesn't appear any such money would be available to us for a dryer project until the middle of 2026. Because of the timing, DEP noted that CDS funds should be sought out. Other highlights from that meeting were: Casella will be submitting CDD related legislation this session; DEP is required to provide the legislature with a PFAS report; JRL public determination process is still on-going with a lot of local and environmental group push-back; and the AFFF spill in Brunswick will likely spur new PFAS legislation and may make the Brunswick AD project more challenging to move forward.

CSO Project:

Things are moving fast, and we received 90% design last month, a month after receiving 60%. We have provided comment back and the DB team is working through a master sheet of comments. Some highlights are: Pump stations modeling is underway and have offered a site visit in late November to see the models if anyone is interested in seeing it. DB team performed a site visit to evaluate an alternative approach to the plant water system. Travis mentioned that there was an issue with the crane truck being ordered and was considering moving to the next lowest bid provided because of it. Norm Lamie made a motion to allow Travis to decide to move to the next lowest bid, if needed. Kevin Gagne seconded, all were in favor and the motion passed.

Travis also noted that construction trailers are scheduled to arrive the week of October 14th, that Sargent is starting with water relocation and driving sheets at the end of month or early November, and that the ground breaking event is scheduled for October 16th at 11:00.

Travis has spoken with Bond Counsel (Bernstein Shur), DEP SRF manager, and the MMBB about the remaining project funding needs. He was directed to submit an application for a temporary note for the full amount needed on the project, which he suggested using \$18M. He was told that the MMBB would take the full amount to their board for approval. Once approved, they would approach DEP SRF program, and \$10M of the total would be available since that is the amount currently approved. We would then apply through the DEP in the spring of 2025 for the remaining \$8M. Once approved by DEP, the MMBB would then make the full \$18M available to us. We would only pay interest on any amount of money we use, and once the project wraps up, would convert to a permanent loan for whatever the final figure is. With over \$2.75M of undesignated funds, Travis thinks the temporary note approach makes the most sense.

Norm Lamie made a motion to approve the following:

VOTED by the Board of Directors (the "board of the authority" or the "Lewiston-Auburn Water Pollution Control Board") of the Lewiston-Auburn Water Pollution Control Authority, Maine (the "Authority") as follows:

- (1) That the board of the authority hereby approves the application made to the State Revolving Loan Fund at the Maine Municipal Bond Bank for approval to borrow up to \$18,000,000 of financing to fund the construction of a 2.1 MG CSO storage tank to meet 1-year design storm criteria. The project will include a diversion structure, pump station, concrete storage tank and cover, equipment and garage building, stand-by generator, and ancillary pipes, valves, and pumps to complete the Project (the "Project").
- (2) That, pursuant to authority granted by the Charter of the Lewiston-Auburn Water Pollution Control Authority (1967 Private and Special Law Chapter 92, as amended) the authority is hereby authorized to issue and sell to the Maine Municipal Bond Bank a Sewer Bond of the Authority (the "Bond") in an aggregate principal amount not to exceed \$18,000,000, and if needed an interim note in anticipation thereof.
- (3) That the Treasurer and Chairman of the board of the authority are hereby authorized to execute and deliver the Bond, and interim note in anticipation thereof, on behalf of the Authority to the Maine Municipal Bond Bank. The Bond is to be sold upon such further terms and conditions and at such interest rates as may be approved by the Treasurer and Chairman of the board of the authority and shall be attested by the Clerk. The term of the Bond does not exceed 120% of the economic life of the Project.
- (4) That the Authority hereby irrevocably pledges the user fees, rates, assessments and other charges of the Authority for the payment of the principal of the Bond.
- (5) That the Treasurer and Chairman of the board of the authority are hereby authorized to execute and deliver Loan Agreements with the Maine

Municipal Bond Bank, in such form as the Maine Municipal Bond Bank shall require, for the interim loan, if any, and for the permanent financing.

(6) That the Authority officers and officials are hereby authorized to execute and deliver any and all documents and certificates, and to take any and all actions, of the Authority as may be necessary or convenient to carry out the full purport and intent of the foregoing orders, or any one of them.

Kevin Gagne seconded, all were in favor and the motion passed.

Name Change

As noted last month, it appears the only path forward to formal recognition of our new name is to modify our charter. We have confirmed that Representative Kristen Cloutier is willing to sponsor the legislative change, therefore we owe her the suggested language before the middle of next month. Below are the two sections that Travis believes would require changing:

Sec. 1. Incorporation and purposes. There is hereby created a nonprofit body corporate and politic to be known as the Lewiston-Auburn Water Pollution Control Authority, hereinafter called "the authority". The authority may also operate under the assumed name of The Lewiston Auburn Clean Water Authority. The purposes of the authority are to operate, maintain and improve a sewage treatment plant or plants and other facilities necessarily incident thereto, and to receive and treat and dispose of the wastewaters discharged by the sewage systems of the City of Lewiston and the Auburn Sewerage District. The authority has all such powers, rights, privileges and immunities as may be necessary for the accomplishment of the aforesaid purposes, whether or not such powers are hereinafter specifically given.

Sec. 14. ~~Lewiston Auburn Water Pollution Control~~ Board of the Authority Board. The authority is under the management and direction of a board of directors, which is known as the Lewiston-Auburn Water Pollution Control Board, also referred to as "the board" or "the board of the authority" The board consist of 7 members.

The Board was in favor and agreed to move forward with submitting these changes..

Compost Facility

Things are a little slow on this front as we await responses from DEP on how best to proceed. Travis is trying to get all interested parties together for a meeting soon so that we can discuss an appropriate path forward, as there is a lot of uncertainty surrounding the ground water components. He has spoken with Ron Bissonnette about drafting a P&S agreement with the necessary conditions, however he took off to Portugal until the middle of the month, so we will have to await his return before doing anything further here.

Climate Adaptation Plan (CAP): We signed the agreement with Wright Pierce and also submitted the MMBB application for the CAP grant. Wright Pierce will be onsite for the day on October 22nd to kick the project off.

Board appointments: Norm has indicated that he intends to retire from the board at the end of 2024. His position is a Lewiston resident appointed by the Mayor of Lewiston, and confirmed by the city council, to serve a 2-year term. Kevin is going to speak with the city clerk to see about possibly nominating Mark Adams to fill the position for a 2-year term.

New Business

Biosolids sample(s) analysis request: Dr. Rachel Criswell (Redington-Fairview General Hospital) and Dr. Abby Fleisch (Maine Health Institute for Research), are physicians who do research on PFAS (in Maine and elsewhere) and see patients who have been affected by the Maine PFAS contamination. They currently have a research study looking at the water levels of PFAS and blood levels of PFAS in folks from central Maine as well as mental health outcomes such as stress and anxiety. They are interested in learning about what else may be in biosolids that can affect human health, and to do that they are thinking about applying for funding to study these "co-exposures" in our study population. These "co-exposures" include microplastics and heavy metals, among other things such as pharmaceuticals. The DEP directed them to Travis, and we had a virtual meeting where they expressed a desire to obtain some samples of biosolids from LACWA to measure some of these contaminants in biosolids, to see whether they are a concern for their population. This would form the pilot data for a future grant, they hope. They noted that the information is intended to remain confidential, and that their focus and these efforts are for the sole purpose of best supporting their patients. The board noted that they would like Travis to obtain some clarifications on data being collected, as well as set some perimeters to clearly define what would be tested and what would happen with that information.

Informational Items

Staffing update: We thought we were going to be fully staffed; however, we currently still have a vacancy for a truck driver/mechanic. The position is posted and we are reviewing and processing applications as soon as they come in.

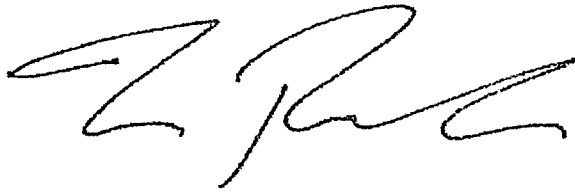
On a separate note, MEMIC has come to a settlement agreement with an employee who has not physically worked for us in nearly two years. Our understanding is that a Judge has to approve of the settlement, which is supposed to happen within the next month.

Roofing Project: IRC has begun work on roof repairs and will have it fully secured within the week. Phase II, which involves coating of the rubber membrane, is weather dependent and may happen this month if it stays warm enough. If not, we are told that we are first on the list to get it done in the spring.

Adjourn

Mike Broadbent made a motion to adjourn. Steve Ness seconded, all approved, and the motion passed.

Attest

A handwritten signature in black ink, appearing to read 'T. Peaslee', written in a cursive style.

Travis B. Peaslee, General Manager