

MUNICIPAL REVIEW COMMITTEE, INC. DOCUMENT MANAGEMENT POLICY

Version 1.0 dated November 2, 2005

1.0 Context. One of the duties of the Municipal Review Committee, Inc. (the MRC) is to represent the interests of its member Charter Municipalities as owners of limited partnership shares in Penobscot Energy Recovery Company, L.P. (PERC), which is a Maine limited partnership that owns the waste-to-energy facility in Orrington, Maine. As an entity whose membership is composed entirely of public entities, the MRC's Board proceedings and filed documents are deemed to be public information pursuant to Maine's Freedom of Access Act (the Act). On the other hand, information related to the conduct of PERC's business that the MRC reviews in the course of carrying out its duties through PERC's Oversight Committee can include trade secrets not appropriate for disclosure. The MRC has been advised by its attorney that information that contains trade secrets (defined in the Act as information that derives economic value, actual or potential, from not being generally known to the public or readily accessible by the public) is exempt from disclosure under the Act if the owner makes reasonable efforts to preserve its secrecy. In this context, the MRC is promulgating this Document Management Policy in order to identify documents that are to be considered public information and/or trade secrets, and to set forth practices to be followed on an ongoing basis to preserve the secrecy of information that might reasonably be considered trade secrets.

- 2.0 General guidelines.** Generally, trade secrets would include information related to the conduct of PERC's business that derives economic value, actual or potential, from not being generally known to the public or readily accessible by the public. Such information might include, but not be limited to,
- The identities of customers that receive PERC's disposal services.
 - The quantities of waste delivered by each customer unless disclosed elsewhere as public information.
 - Tip fees paid by customers other than the Charter Municipalities or by other public entities for whom tip fees have not been disclosed elsewhere.
 - Facility performance data not otherwise being publicly reported to the Maine Department of Environmental Protection, to the State Planning Office, or to other public agencies or entities other than the MRC.
 - Facility costs of operation, maintenance and capital projects.
 - Information regarding contracts, business arrangements, purchasing practices and decisions, marketing, and strategic activities that is not available publicly.

In accordance with these guidelines, the Board has the authority to designate individual items and new items as Trade Secrets.

3.0 Management of specific documents. Specific documents distributed to the MRC Board on a periodic basis shall be managed as indicated in the table that follows. Documents classified as “Public” will be treated as public documents, subject to the Act. Documents classified as “Trade Secrets”, if distributed in Board packets or otherwise to individual Board members, such documents will be collected after use for later destruction, with copies to be held by the MRC’s attorney or other key advisors.

	<i>Document</i>	<i>Production</i>	<i>Classification</i>
1	MRC Board meeting agenda	At least quarterly	Public
2	MRC Board meeting minutes	At least quarterly	Public
3	MRC operating budget financial statements	At least quarterly	Public
4	Reports of audits of MRC financial data	Annually	Public
5	MRC Board insurance	Annually	Public
6	MRC dues collection issues	Quarterly	Public
7	MRC internal financial controls and management	Quarterly	Public
8	Scope of services and budgets for MRC’s service providers	Annually	Public
9	Tip fee review materials: <ul style="list-style-type: none"> Letter and summary calculation Performance Standards Exhibits 	Quarterly	<ul style="list-style-type: none"> Tip fee review letter and summary calculation: Public Letter on compliance with Performance Standards: Public (summary performance data are otherwise available) Detailed exhibits to PERC’s tip fee calculation: Trade Secrets (includes information on customer identities and deliveries, and residuals and product costs)
10	PERC reports on tip fees, production and capital & major maintenance projects including CRMA projects	Quarterly	Trade Secrets. Collect and destroy all hand-outs after review at Board meetings
11	Charter Municipality asset management reports, account balances, financial statements and distribution recommendations	Quarterly	Public
12	New Charters Activity sheet	Quarterly	Public
13	Charter Municipality tonnage summaries and information on outside deliveries	Quarterly	Information on tonnage acquisition and retention strategies in competitive situations is Trade Secrets . All other data and information are Public.
14	Updates on state legislation, regulations and policy		Status updates and Board resolutions are Public. Details of strategic deliberations related to impact on PERC’s operating revenues and costs and competitive position are Trade Secrets .
15	Statements of Account from Merrill	Quarterly	Public

	Merchants Bank		
16	Partnership issues: ownership transfers and agreements	As they arise	All resolutions passed by the Board are Public. Notes on and analyses of issues involving negotiations and strategy addressed in executive sessions are Trade Secrets
17	GAT trading forms and tonnage data	Annually	Public
18	Board elections	Annually	Public

The Board has the authority to add additional items to this list in accordance with the guidelines provided in Item 2.0 above. In the absence of specific guidance from the Board, specific documents not listed above shall be classified and treated as Public or Trade Secrets in accordance with the guidelines provided in Item 2.0 above.

4.0 Amendment. This policy may be amended by the MRC Board of Directors at a noticed meeting at which a quorum is present.

Adopted by the Board of Directors at the meeting on November 2, 2005 to implement and supplement prior votes establishing directives with respect to documents management.