

MAINE STATE LEGISLATURE

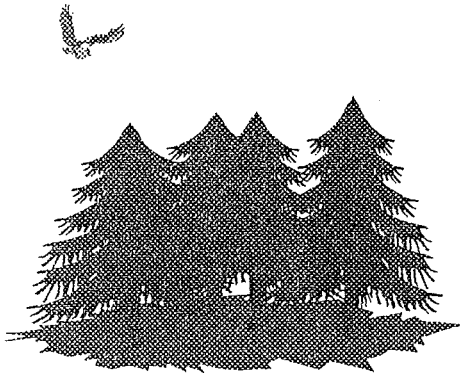
The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

Amy Holland

LAW & LEGISLATIVE
REFERENCE LIBRARY
43 STATE HOUSE STATION
AUGUSTA, ME 04333



Maine Department of Environmental Protection
November 1997

Submitted By:
Ned Sullivan, Commissioner

PROGRAM EVALUATION REPORT

Submitted to the Maine Legislative Committee on Natural Resources

MAY 15 2009



STATE OF MAINE
DEPARTMENT OF ENVIRONMENTAL PROTECTION

LAW & LEGISLATIVE
REFERENCE LIBRARY
43 STATE HOUSE STATION
AUGUSTA, ME 04333

ANGUS S. KING, JR.
GOVERNOR

EDWARD O. SULLIVAN
COMMISSIONER

November 3, 1997

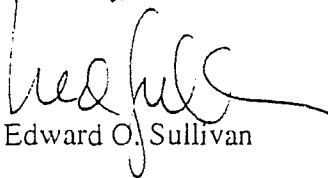
Senator Sharon Anglin Treat, Senate Chair
Representative G. Steven Rowe, House Chair
Joint Standing Committee on Natural Resources
Room 437 State House
Augusta, Maine 04333

Dear Senator Treat, Representative Rowe, and Committee Members,

Attached is the Department of Environmental Protection's 1997 Program Evaluation Report, submitted to you in compliance with the Government Evaluation Act, Maine Revised Statutes Title 3, chapter 35.

I hope you will find this report helpful and informative. It is an attempt to summarize in a concise and complete manner many different aspects of the function and duties of the Department. Should you have any questions about this report, please contact me and I or my staff will be happy to answer your questions.

Sincerely,


Edward O. Sullivan

AUGUSTA
17 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0017
(207) 287-7688
RAY BLDG., HOSPITAL ST.

BANGOR
106 HOGAN ROAD
BANGOR, MAINE 04401
(207) 941-4570 FAX: (207) 941-4584

PORTLAND
312 CANCO ROAD
PORTLAND, MAINE 04103
(207) 822-6300 FAX: (207) 822-6303

PRESQUE ISLE
1235 CENTRAL DRIVE, SKYWAY PARK
PRESQUE ISLE, MAINE 04769-2094
(207) 764-0477 FAX: (207) 764-1507

Authorizing Laws or Mandates	Pg. 3
Department of Environmental Protection	
<i>Board of Environmental Protection</i>	
<i>Office of the Commissioner</i>	
<i>Pollution Prevention/ Toxics Use Reduction</i>	
Bureau of Air Quality	
Bureau of Land and Water Quality	
Bureau of Remediation and Waste Management	
Program Descriptions	Pg. 6
Bureau of Air Quality	
Bureau of Land and Water Quality	
Bureau of Remediation and Waste Management	
Commissioner, Deputy Commissioner and Board of Environmental Protection	
<i>Office of Policy and Implementation</i>	
<i>Office of Education and Outreach</i>	
<i>Office of Innovation and Assistance</i>	
<i>Office of Management Services</i>	
<i>Persistent Toxics Initiative</i>	
<i>Maine Environmental Priorities Council</i>	
Organizational Structure	Pg. 25
Overview	
Position Count	
Organizational Charts (attached as Appendix A)	
Compliance with State and Federal Health and Safety Laws	Pg. 27
Equal Employment Opportunity/Affirmative Action	
Americans with Disability Act	
Workers Compensation	
Federal Occupational Safety and Health Act	
Financial Summary	Pg. 28
Expenditure and Allocation Summary and Notes	
Financial Statements (attached as Appendix B)	
Regulatory Agenda and Rules in Effect	Pg. 30
(attached as Appendix C)	
Cross-Agency Coordination	Pg. 31
Natural Resources Subcabinet	
<i>"Natural Resources Strategic Planning Team"</i>	
<i>"Environmental Agenda 1996"</i>	

Land and Water Resources Council
A. C. E. Administrative Services Center
Other Examples of Cross-Agency Coordination
Information Services Policy Board
Department of Agriculture
Department of Marine Resources
Department of Human Services, Bureau of Health and Drinking Water
Department of Transportation
Department of Economic and Community Development

Constituencies Served **Pg. 33**

Overview
List of Stakeholder Groups
(attached as **Appendix D**)

Alternative Delivery Mechanisms **Pg. 34**

Innovation, Technical and Business Assistance
Alternative Approaches for Program Services
Alternative Approaches for Administrative and Information Services

Emerging Issues **Pg. 37**

New Federal Ozone Standards
New Federal Standards for Fine Particulates and New Monitoring Network
Continued Improvements in Modeling for Mobile and Area Sources
Air Toxics and Backyard Burning
Continuing Control of Non-Point Sources
Continuing Wetlands Loss
Implementation of Watershed Approaches
Water Toxics and Persistent Toxics Initiative
Threats to Groundwater
Home Heating Oil Above Ground Storage Tank (AST) Leaks
MTBE in Drinking Water Supplies
Land Use, Patterns of Development and Sprawl
Climate Disruption/ Climate Change
Clean State Initiative
Changes to DEP's Funding Mix

Appendices

- A. Organizational Charts
- B. Financial Statements
- C. Regulatory Agenda and Rules in Effect
- D. List of Stakeholder Groups

PROGRAM EVALUATION REPORT TO THE MAINE LEGISLATURE
on the *Department of Environmental Protection*

Authorizing Laws or Mandates

Maine Department of Environmental Protection

Maine Revised Statutes, Title 38, section 341-A establishes the Department of Environmental Protection, whose purpose is stated in §341-A(1) as follows:

- 1. Purpose** The Department shall prevent, abate and control the pollution of the air, water and land and preserve, improve, and prevent the diminution of the natural environment of the State. The Department shall protect and enhance the public's right to use and enjoy the State's natural resources and may educate the public on natural resource use, requirements, and issues.

The Department of Environmental Protection (DEP) is responsible for environmental protection and regulation in the state of Maine. The Department administers programs, educates and makes regulatory decisions that contribute to the achievement of this mission. The agency can trace its roots back to the Sanitary Water Board, created in 1941. The purpose of the Board was to study, investigate, and recommend means of eliminating pollution and to prevent pollution of waters used for recreational purposes. The Board was renamed the Water Improvement Commission in 1951. In 1969, the Commission's title was modified to the Environmental Improvement Commission.

On July 1, 1972, legislation re-designated the Commission as the Board of Environmental Protection and created a new Department of Environmental Protection, consisting of a Commissioner and three bureaus: Air Quality, Land Quality Control, and Water Quality Control. Over the years, the Department has continued to evolve to its current organization consisting of the Board of Environmental Protection (appointed by the Governor), the Commissioner's Office and three bureaus which administer the Department's environmental programs: Air Quality, Land and Water Quality, and Remediation.

Office of the Commissioner, Deputy Commissioner and Board of Environmental Protection

The Board of Environmental Protection consists of 10 citizen members, appointed by the Governor, to serve as the overall policy-making arm of DEP. In 1997, the Board (BEP) meets on a regular bimonthly schedule of the second and fourth Wednesday of each month. The operations of the Board are covered in more detail in Title 38, Section 341-D. A program evaluation report on the Board of Environmental Protection will be submitted under separate cover.

The primary activities of the Office of the Commissioner are described in more detail in the following section on **Organizational Structure**. The four units in the Office of the Commissioner were created as a result of the Productivity Realization reviews conducted during 1995 and authorized in 1996 by the Second Regular Session of the 117th Legislature. PL 1995, Chapter 560, Section E-2.

The **Office of Innovation and Assistance**. The Office of Innovation and Assistance within the Office of the Commissioner's Office has three primary statutory mandates.

Office of Pollution Prevention Title 38, Section 342.

Technical and Environmental Assistance Program Title 38, Section 343-C.

Pollution Prevention Advisory Committee Title 38, Section 343-D.

Bureau of Air Quality

Maine's Air program was created in response to Federal requirements under §110 of the Clean Air Act (1970). Following the establishment of National Ambient Air Quality Standards (NAAQS) for certain air contaminants (See CAA §109), each state was required by §110 to adopt and submit a plan for the implementation, maintenance, and enforcement of the national standards within each air quality control region within each state. These state plans are known as State Implementation Plans, or SIPs. §110 also specifies implementation plan requirements which must be met for approval by the EPA administrator. §110 requires the administrator to publish and implement a plan for any state which fails to adopt, submit and/or obtain approval for its SIP. Upon the approval, the rules adopted by a state that constitute its SIP become Federally enforceable.

CAA §§109 and 110 are implemented through 40 CFR, Part 50 (National Primary and Secondary Ambient Air Quality Standards) and Part 51 (Requirements for Preparation, Adoption, and Submittal of Implementation Plans). 40 CFR Part 52 (Approval and Promulgation of Implementation Plans) contains the approved SIPs for the various states; Maine's SIP is found at 40 CFR Part 52, Subpart U.

Maine Revised Statutes specific to the Air program may be found at Title 38, Chapter 4. Title 38, section 581 initiates Maine's Air program, stating in relevant part:

"...The Legislature by this chapter intends to exercise the police power of the State in a coordinated state-wide program to control present and future sources of emission of air contaminants to the end that air polluting activities of every type shall be regulated in a manner that reasonably insures the continued health, safety and general welfare of all the citizens of the State; protects property values and protects plant and animal life..."

Bureau of Land & Water Quality

Maine Revised Statutes specific to the Bureau of Land and Water Quality programs relating to water quality and land use impacts include:

Licensing or Notice Programs:

Hydropower (Title 38, sections 631-640)

Natural Resources Protection Act (Title 38, sections 480-A to 480-Z)

Performance Standards for Excavations for Borrow, Clay, Topsoil or Silt (Title 38, 490-A et sec.

Performance Standards for Quarries (Title 38, sections 490-W to 490-EE)

Site Location of Development Law (Title 38, sections 481-490)

Storm Water Management (Title 38, sections 420-D)

Waste Discharge Licensing (Title 38, sections 413 to 414-C)

Monitoring Programs:

- Dioxin Monitoring Program (Title 38, section 420-A)
- Marine Environmental Monitoring Program (Title 38, section 410-F)
- Surface Water Ambient Toxic Monitoring Program (Title 38, section 420-B)
- Volunteer Monitoring Program (Title 38, section 424)

Planning, Grants, and Technical Assistance:

- (some licensing statutes also contain assistance provisions)
- State contribution to pollution abatement (Title 38, section 411)
- State contribution to residential overboard discharge replacement projects (Title 38, section 411-A)
- Planning, grants by State for planning, and technical and legal assistance; and consultation on waste water disposal (Title 38, sections 411-B, 412, 412-A, & 412-B)

Standards or prohibitions concerning certain activities:

- Cleaning agents containing phosphates banned (Title 38, section 419)
- Discharge of waste from water craft (Title 38, section 423)
- Erosion and sedimentation control (Title 38, section 420-C)
- Certain deposits and discharges prohibited (Title 38, section 417)
- Log driving and storage (Title 38, section 418)
- Manure spreading, and log driving and storage (Title 38, sections 417-A and 418)
- Registered owner's liability for vehicle illegally discharging waste (Title 38, section 423-C)
- Water craft sewage pump-out facilities at marinas (Title 38, section 423-B)

Other:

- Classification of Maine Waters (Title 38, sections 464-469)
- Enforcement (in relation to water classification) (Title 38, sections 451 to 451-A)
- Ground water protection program (Title 38, section 401)
- Mandatory Shoreland Zoning program (Title 38, sections 435 *et. seq.*)
- Nonpoint Source Pollution Program (Title 38, sections 410-H to 410-K)
- Water Levels, release from dam ownership (Title 38, sections 840-843; 901-908)

Bureau of Remediation and Waste Management

Maine Revised Statutes specific to the Bureau of Remediation and Waste Management include:

- Voluntary Response Action Program (Title 38, section 343-E)
- Oil Discharge and Pollution Control (Title 38, sections 541 to 560)
- Underground Oil Storage Facilities & Ground Water Protection (Title 38, sections 561 - 570-L)
- Asbestos Control (Title 38, sections 1271 to 1284)
- Lead Abatement (Title 38, sections 1291 to 1297)
- Me Hazardous Waste, Septage and Solid Waste Management Act (Title 38, sections 1301 *et seq.*) including:
 - Municipal Landfill Closure and Remediation Waste (Title 38, sections 1310-C to 1310-I)
 - Solid Waste Facility Licensing (Title 38, sections 1310-N to 1310-BB)
 - Tire Stockpile Abatement (Title 38, sections 1316 to 1316-M)
 - Hazardous Matter Control (Title 38, sections 1317 to 1319-W)
 - Used Oil Collection (Title 38, section 1319-Y)
 - Uncontrolled Hazardous Substance Sites, (Title 38, sections 1361 to 1371)

Program Descriptions

Bureau of Air Quality

Overview

The Bureau of Air Quality administers state air pollution laws and the Federal Clean Air Act. The Bureau consists of three divisions: Field Services, Technical Services, and Licensing and Compliance Assistance.

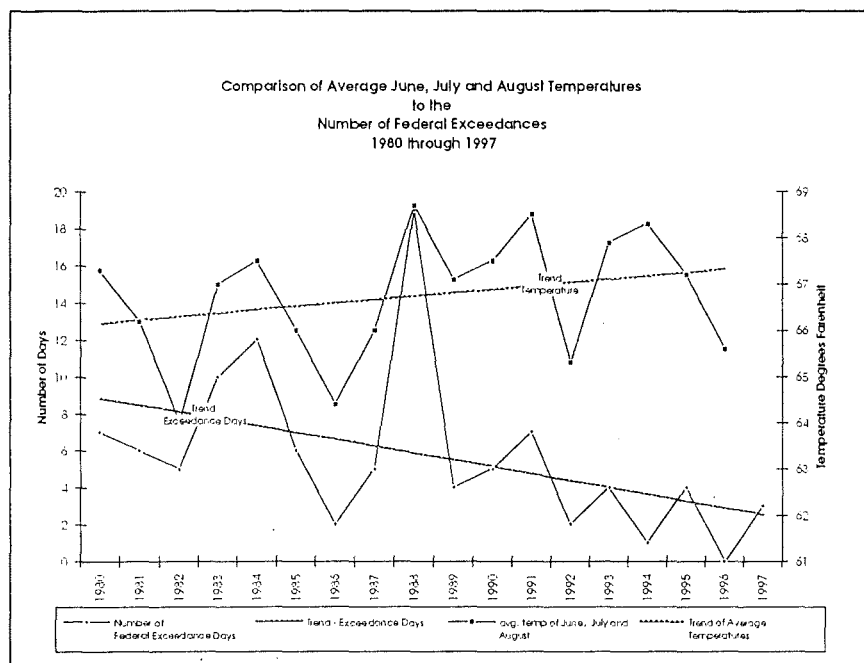
The ultimate goal of Maine's air program is to provide clean air to all its citizens using the most cost effective and least disruptive strategies. Meeting this goal and providing a significant degree of program and regulatory stability will help make Maine attractive to new and existing industry, thus promoting a strong economy. In support of that goal, our highest priorities are: (1) attainment of the National Ambient Air Quality Standard (NAAQS) for ozone (O₃) and, (2) implementing a regulatory program that is environmentally sound, fosters compliance, and is sufficiently flexible to respond to a changing economy without sacrificing environmental quality.

Strategic Planning Goals and Measurable Objectives

GOAL: To ensure and enhance the continued health, safety and general welfare of all citizens of the State, so that everyone can breathe clean air every day of the year, in every part of the State. To protect plant and animal life as well as property from air contaminants created by human-derived air polluting activities of every type, and to render our air, land and waterways free from harmful levels of air contaminants.

A-1: Ground-level Ozone -- By 1999¹, ground-level ozone and its precursors, nitrogen oxides and volatile organic compounds, will be reduced to levels needed to meet and maintain the state/federal outdoor air quality standard of 0.12 parts per million within the entire State of Maine.

¹EPA acceptance of the 1999 attainment date is conditioned on submission of an approvable overwhelming transport demonstration.



A comparison of the average summertime temperatures to the number of exceedences of the federal ozone standard over the past 17 years shows a downward trend in ozone levels even as the trend in average temperatures is slightly up.

A-2: Ambient Air Quality Standards -- By 2005, Maine's existing outdoor air quality standards for lead, carbon monoxide, sulfur dioxide, nitrogen dioxide, fine particulate matter, toluene, and perchloroethylene will be met and maintained.

Maine, as a result of past efforts, has attained and maintained the National Ambient Air Quality Standards for all criteria pollutants except for O₃.

A-3: Non-criteria Pollutants -- By 2005, implement all federal control requirements and a voluntary program in order to reduce total mass emissions of non-criteria pollutants, as listed in Chapter 137 of the department's regulations, by 25% based on 1996 baseline data.

Programmatic Assessment and Areas for Improvement

During FY96, DEP continued to make progress in its efforts toward providing clean air to all its citizens. Maine, as a result of past efforts, has attained and maintained the National Ambient Air Quality Standards for all criteria pollutants except for O₃. By adopting and implementing both a 15% Volatile Organic Compound (VOC) reduction plan and NO_x RACT (Reasonably Available Control Technology) requirements, and through its development of an overwhelming transport demonstration, the State has taken major steps in its effort to attain the O₃ standard pursuant to statutory requirements. As a result of these measures, Maine sources (large and small) now comply with many new control requirements.

In addition, Maine has fully supported and will benefit from the efforts of the Ozone Transport Commission (OTC) to develop a regional nitrogen oxide control (NO_x) program and a national low emission vehicle program. As a result of a number of imaginative O₃ planning decisions and creative interpretations of the Clean Air Act by EPA, Maine was able to meet its 15% emission reduction

requirements without the need to implement the controversial I/M 240 vehicle test program. While the implementation of some type of vehicle emissions program will still be necessary for Maine to achieve attainment with the O₃ ambient standard, additional time was gained for Maine to develop a more publicly acceptable alternative, and to better educate the public on the need for such programs.

In addition to the progress made in developing and implementing effective O₃ compliance plans, a major effort was undertaken to ensure the fiscal stability of the regulatory program. The passage of legislation apportioning moneys from the State's General Fund was critical to this effort, as the grants and the various fees associated with air permitting (for both Title V and non-Title V permits) alone were insufficient to defray the expenses associated with the full range of air program activities. The additional funding will ensure that DEP's air program continues to have the resources necessary to execute its mission in terms of permitting/compliance activities, technical/regulatory assistance, and public education/outreach activities.

To assure the public that our planning and compliance activities are making progress toward the needed emission reductions (and, ultimately, the attainment and maintenance of good air quality) the Bureau continues its efforts to maintain and enhance its emission inventory, source monitoring, and ambient air quality programs.

While significant progress has been made in several areas within the air program, a chronic lack of resources, tight (multiple) Federally imposed deadlines, and competing priorities have frustrated our efforts in other areas, particularly where new programs that directly impact the public are involved.

To date, Maine has failed to fully comply with the Clean Air Act Requirements relating to the implementation of an Inspection and Maintenance (I&M) program for automobiles and light trucks. The 1997 Legislature enacted a law requiring DEP to investigate various alternative I&M programs, and provide recommendations to the Legislature at the commencement of the second legislative session.

Overall, there is a strong need to improve our ability to rally public, industrial, and legislative support for both air program goals and the programs that are implemented to achieve these goals. It is certain that the programs that must be implemented in order to achieve attainment with the O₃ ambient standard will be stressful to many sectors of our economy. As was demonstrated with Maine's I/M program, these stresses will not be tolerated unless and until there is a better public understanding of the need for these programs; from such understanding is derived public acceptance and support.

Reformulated Gasoline (RFG) still faces some legislative opposition; the 1997 legislative session carried over a bill to repeal the requirement for the use of RFG in Maine. The debate will thus be continued into the second session, on, first, whether to continue the use of RFG at all, and, concurrently, the additional air quality benefits of phase II of the RFG program. While RFG remains controversial, however, its air quality benefits have been instrumental in providing the flexibility in both timing and technical requirements to enable DEP to design a more "Maine grown" and customer friendly vehicle emissions program.

Maine's air program agenda has also been inhibited by EPA's failure to meet many of its legislative deadlines for the development of programs intended to assist the States in designing and implementing their own programs. Unilaterally and in association with NESCAUM, the OTC, and STAPPA/ALAPCO, DEP has petitioned EPA to meet its legislative obligations.

Increasing public and legislative interest in bioaccumulative compounds in the environment (such as mercury and dioxin) has revealed the inadequacy of a traditional regulatory approach in dealing with these issues. No aspect of the statutes or regulations governing the air program is equipped to deal with the implications of long term chronic exposure to these compounds.

The emission inventory and compliance/permitting programs have not yet taken full advantage of state-of-the-art electronic data reporting and transfer systems. DEP will continue work with industry to explore opportunities to take advantage of data transfer technologies.

Maine's most important initiative to be completed in 1998 is the design, development, and implementation of an ozone attainment plan. Maine is committed to being an active participant in local, regional, and national assessment and strategy development activities to prepare for a final attainment plan. The plan will include provisions for the adoption of all of the necessary regulations necessary to continue to realize progress in meeting the ozone standards.

It is apparent that Maine will need to expand the universe of NO_x emission sources from which emission reductions can be realized; heavy duty diesel truck emissions will most certainly be included within this universe. To achieve these reductions, Maine will need to design and implement an I&M program targeting this class of vehicles and to continue work at the Federal level to redesign new diesel engines to be less polluting.

Mobile source emissions contribute a significant portion of Maine's air pollution. Mobile source emission reduction strategies include the promotion and use of Low Emission Vehicles (LEVs). The Clean Vehicles Program, authorized by the 1997 legislature, promotes the use of clean, alternatively fueled vehicles to reduce mobile source emissions. The infrastructure to support this and similar programs needs to be developed in the short term.

The implementation of the new fine particulate ambient standard (PM_{2.5}) will require a significant additional expenditure of scarce program resources. Additional federal funding has been promised to support the capital purchases of monitoring equipment necessary to implement the program. If this funding is not forthcoming, it will likely become necessary to suspend or terminate existing monitoring activities in order to comply with new monitoring requirements.

Bureau of Land & Water Quality

Overview

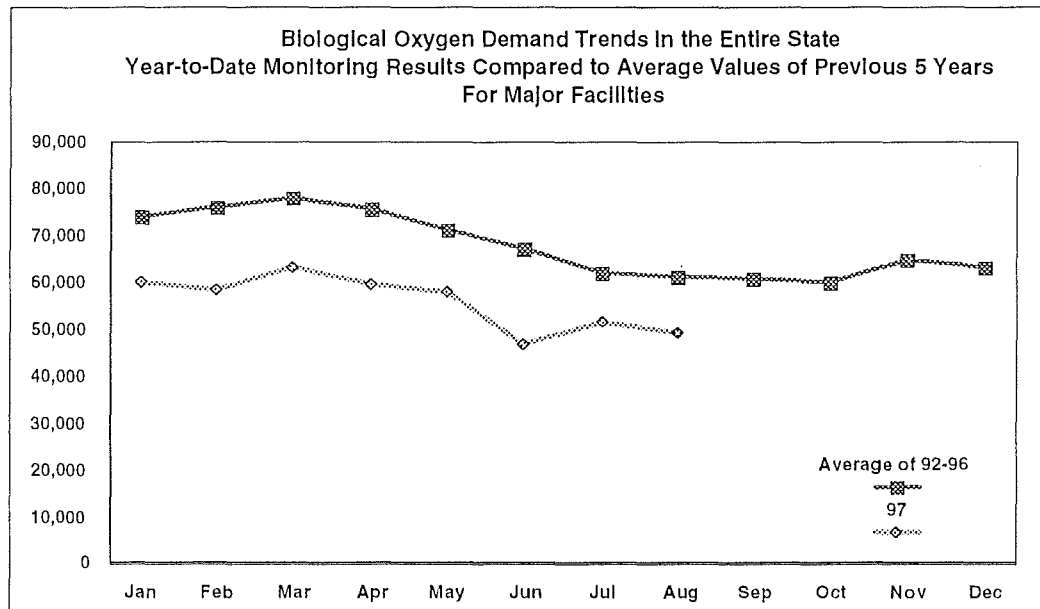
The Bureau of Land and Water Quality administers land and water quality protection programs. The bureau is divided into five divisions: Land Resources Regulation; Water Resource Regulation; Environmental Assessment; Watershed Management; and Engineering and Technical Assistance.

Strategic Planning Goals and Measurable Objectives

GOAL: To ensure that land and water resources are protected, restored and enhanced as ecological systems supporting both the natural world and human activities, and to ensure that all waters of the state meet or exceed their classification standards.

B-1: Lakes and Ponds -- By 2005, the overall trophic state of Maine lakes will be stable or improving.² Continue and improve monitoring for toxics contamination in lakes so that measurable objectives may be set.

B-2: Rivers and Streams -- By 2005, reduce by 65 miles the portions of Maine rivers and streams that do not meet fishable/swimmable or other applicable water quality standards as a result of a decrease in pollutants from combined sewer overflows (CSOs) and other sources, excluding dioxin.³ By 2000, have no Maine river under a fish consumption advisory due to dioxin.

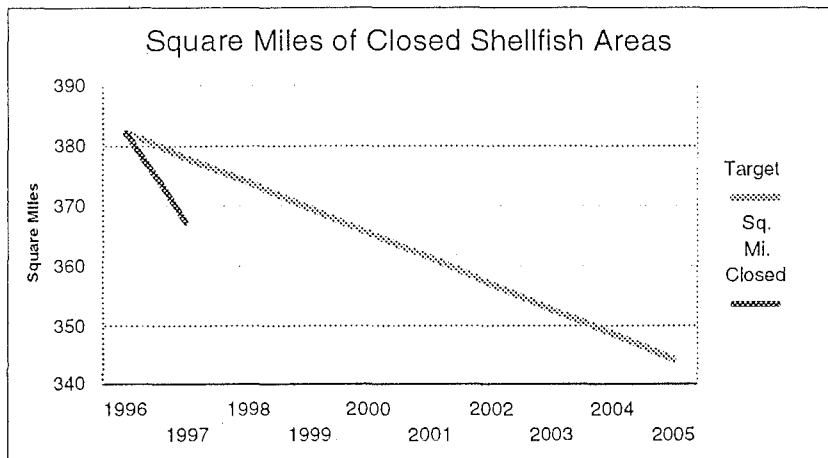


Biological oxygen demand (BOD) is an indicator of river water quality. 1997 monitoring results to date show a continuation of the downward trend statewide, seen for the last 5 years.

²Using the draft 1996 State of Maine Water Quality Assessment (305(b) Report) as a base line.

³Using the 1996 State of Maine Water Quality Assessment (305(b) Report) as a base line. Approximately 448.8 of 31,672 river and stream miles (1.4%) do not fully support fishable-swimmable goals, and 97.3 miles (0.3%) do not meet designated water quality classification standards. *Note:* The 1996 Report pre-dates the state-wide mercury advisories. Mercury advisories represent a new area where we will need to establish a goal.

B-3: Estuarine and Marine Areas -- By 2005, reduce by 10% the square miles of estuarine and marine habitat in nonattainment due to bacterial contamination.⁴ Reduce the square miles not supporting designated uses due to other causes and, by 2005, develop a scientific basis to define non-attainment, impaired and threatened coastal waters so that measurable objectives may be set in relation to these causes. By 1998, determine how to better protect, enhance and manage beach systems and associated coastal resources in southern Maine, and provide for a measurable objective.



Preliminary data as of September 1, 1997 shows that 15 square miles of shellfish areas have been opened from the 1996 305(b) report baseline of 382.5 square miles. This represents 3.9% of the 10% objective.

B-4: Wetlands -- Ensure no net loss of wetlands functions and values, that wetlands of special significance are identified and protected, and that the loss of all wetlands due to regulated activity is minimized. Develop a data base and assessment methods so that a measurable objective may be set.

B-5: Ground water -- By 2000, have the fundamental understanding and data necessary to set measurable objectives for the protection of ground water quality and evaluation of use, value and vulnerability.

B-6: Watershed and Ecosystem Health -- Continue to work to protect ecosystems and, by 2005, develop the information base needed to establish measurable objectives for the protection of ecosystem health. Current information is insufficient to set outcome measures.

Strategic Objectives and Recent Performance

FY97 saw significant advancements in the tools available to the Department to improve our protection of surface waters. To address the significant problem of nonattainment of water quality standards in rivers due to dioxin contamination of fish tissue, the 1997 Legislature adopted new, stringent requirements for the discharge of dioxin from bleached kraft mills, and authorized continuation of the dioxin monitoring program, at increased funding levels. In addition, the

⁴Using the 1996 State of Maine Water Quality Assessment (305(b) Report) as a baseline, 382.5 sq.mi. nonattainment due to bacterial contamination; 38.4 partial attainment.

Department promulgated a water quality standard for dioxin. The Department will be working to ensure compliance with this standard by all known or suspected dioxin discharges. During the FY97 field season, DEP enhanced its fish test sampling program to improve confidence levels in the test to determine if dioxin fish below mill outfalls are at background levels by 2002.

In addition, the 1997 Legislature also enacted a Legislative Resolve on mercury, a significant concern for Maine's surface waters. The Resolve directs the Land and Water Resources Council to develop an inventory of mercury sources and strategies to reduce mercury loadings. The Legislature also enacted a \$5.5 million bond for waste water pollution abatement. \$4.5 million will go before the voters in November 1997, the remaining \$1 million (for small community grants) will go before the voters in June 1998.

Compliance trends are also significant. From 1993 to 1996, municipal treatment plants improved their compliance with waste discharge licenses from 93.6% to 96.4% for BOD, and from 94.6% to 96.8% for TSS. From 1990 to 1996, the 7 bleach kraft mills reduced their total pounds of BOD released annually by 48%, and total pounds of TSS by 38%.

The past year saw major improvements in our ability to protect Maine's lakes. The 1997 Legislature authorized rules establishing permitting requirements for stormwater runoff. Most significantly, these rules contain requirements to reduce phosphorus from new development in watersheds most at risk due to development, which includes 247 lakes. The permitting program will be implemented in the fall of 1997, and DEP has developed informational material to send to municipalities, application forms and educational materials for the public.

A significant development this past year was the 1997 Legislature's enactment of a priority watershed program. This will greatly enhance DEP's ability to target watershed efforts toward the high priority waterbodies, through a coordinated effort across state agencies. In coordination with other state agencies, DEP has begun the process of identifying priority watersheds. As a companion to this legislation and the stormwater program, the 1997 Legislature also authorized a bond issue for \$500,000 to install management measures to reduce nonpoint source pollution. This bond will be put before the voters in June 1998.

This past year also saw improvements in DEP's ability to protect wetlands. The Legislature enacted a wetlands compensation fee program, which will provide greater options for compensating wetlands loss by enabling applicants to pay into a fund where resources can be combined and applied to valuable wetlands enhancement or restoration projects. This year also saw substantial progress in DEP's wetlands prioritization plan for Casco Bay. This project holds great promise as a model for a strategic wetlands protection program for the state. The State Wetland Conservation Plan, which has been lead by the State Planning Office, will be completed and sent to EPA this fall.

Another important development, which affects all water resources, was the creation, by Executive Order, of the Council on Environmental Monitoring and Assessment (CEMA). CEMA is charged to coordinate and support the environmental monitoring efforts of volunteer environmental monitors. Volunteers are increasingly vital to our ability to monitor and assess the status and trends of surface waters. The creation of CEMA highlights the importance of volunteerism and will help coordinate those efforts statewide.

Programmatic Assessment and Areas for Improvement

The past year also saw some disappointments in DEP efforts to improve program capabilities. Despite extensive effort by stakeholders over a two-year period, there was not sufficient support to gain Legislative approval for NPDES delegation. The bill to enable the statutory changes and fee increases necessary for delegation is carried over until next session.

DEP's working relationships with the federal agencies has been uneven, particularly in attempts to reach agreement on irrigation and low flow issues. This will continue to need focused efforts in the coming year. Likewise, the wetlands law enacted a couple of years ago has yet to realize its promise of greater efficiency and improved coordination between DEP and the federal agencies.

There continues to be ambiguity among the public and the Legislature regarding the appropriate roles for DEP and municipalities in site plan reviews, including how this relates to the growing concern with sprawl and how the Site Law can be better coordinated with community planning. DEP has been an active supporter and participant in the ECO/ECO conference on patterns of development in October, which is expected to help provide direction on this complex issue. (See **Emerging Issues**)

The most serious resource issue facing water programs is the continued inadequacy of the funding to support water licensing and related activities such as compliance inspections, water quality monitoring, and enforcement. The Legislature did authorize an additional \$200,000 to enable staff to be supported through FY98. Permanent funding will have to be obtained if current licensing functions are to continue.

One of the water program's priorities in FY98 will be to improve the implementation of the toxics testing program, to ensure that timely and quality data are received from the dischargers and that timely and appropriate permit and compliance action is taken where there are exceedences of toxic pollutants. Similarly, lack of funding for staff support for Overboard Discharge (OBD) removal has required DEP to scale back support in this area, which reduces shellfish restoration. Program staff are moving to out source DEP activities where possible using bond funds through regional planning commissions (See **Alternative Delivery Systems**.)

The water program began a major effort this past spring to improve tracking of individual facility compliance and to develop consistent case management protocols. This has entailed an intensive effort to search the files and to modernize data systems. Continued effort will be needed in this area until we have a system that is fully in place, usable (and used) by staff, and reliable and efficient in producing reports and updates on compliance status.

The lakes program was significantly cut back in 1991 and has not recovered. The Great Ponds Task Force recommended reinstating the program and increasing DEP efforts in education and outreach, lakes biology, and enforcement. This bill was carried over to 1998 legislative session.

There appear to be gaps in state laws regarding the appropriate regulation of concentrated animal feeding operations. Pursuant to a Legislative Resolve, DEP is participating in an effort led by the Department of Agriculture to assess current statutory authorities and to make recommendations to the Legislature to protect human health and the environment and to promote livestock production.

In the area of stormwater management, we need to improve our understanding of how stormwater best management practices on small sites work in Maine, especially removal efficiencies when BMPs are combined.

Persistent, bioaccumulative toxics are a significant problem for surface waters. A significant portion of the problem appears to be airborne, which is largely outside the framework of existing regulatory programs -- both water and air -- to address. DEP will continue to press forward with efforts to improve knowledge of the sources of these contaminants, the relative risks and exposure pathways, and develop effective strategies to address these risks.

Bureau of Remediation and Waste Management

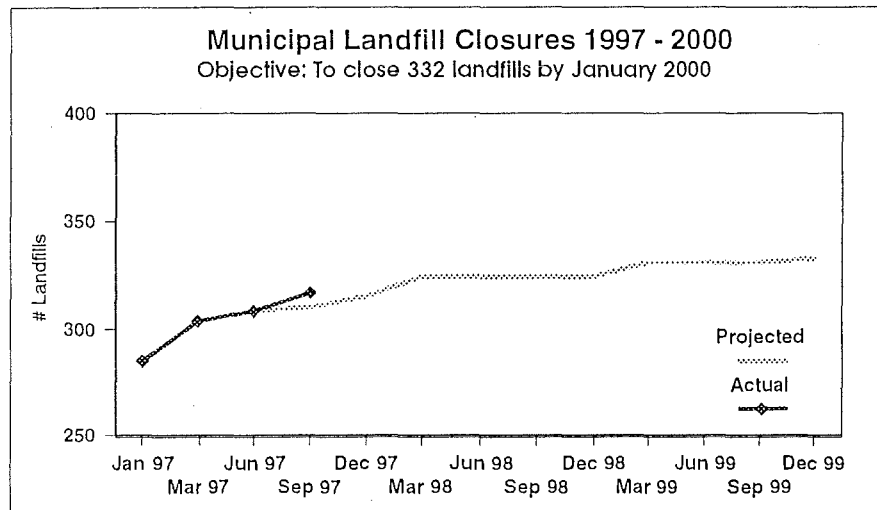
Overview

The Bureau of Remediation and Waste Management regulates the handling of solid waste, biomedical waste, hazardous matter and oil. The Bureau is organized into six divisions: Remediation; Technical Services; Oil and Hazardous Waste Facilities Regulation; Solid Waste Facilities Regulation; Response Services; and Program Services. A separate Pollution Prevention Unit coordinates bureau regulatory activities with the education and outreach efforts of the Department's Office of Innovation and Assistance.

Strategic Planning Goals and Measurable Objectives

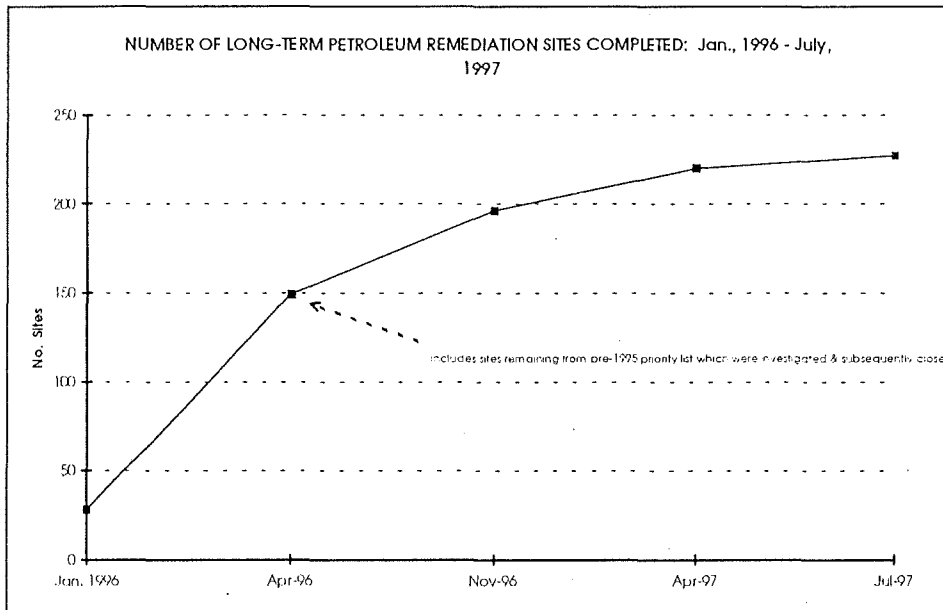
GOAL: To protect public health, safety, welfare and the environment from pollution by oil, hazardous substances, solid waste or septage.

C-1: Contaminated Sites -- By the year 2000, decrease by 15% the number of solid waste, hazardous substance and petroleum contaminated sites⁵ that pose an unacceptable risk to public health, safety, welfare and the environment.



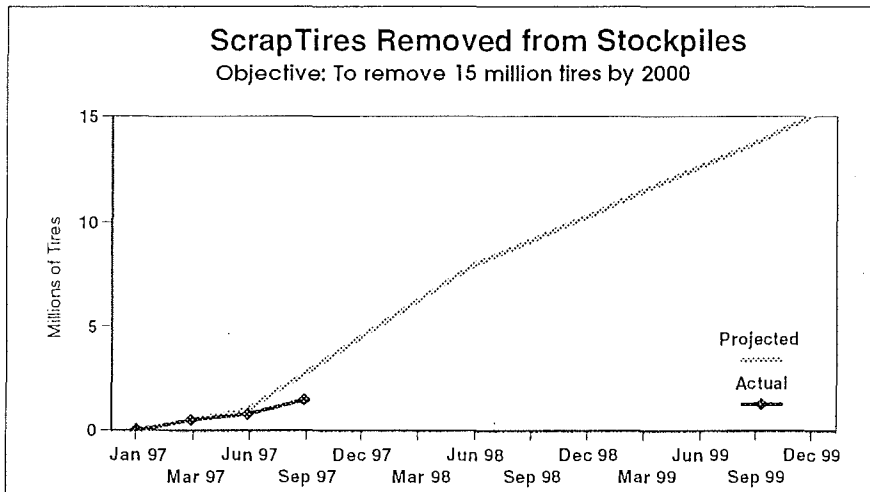
Through the third quarter of 1997 a total of 317 landfills have been closed, against the objective of 223 by 2000.

⁵The baseline number of contaminated sites includes: hazardous substance and petroleum contaminated sites (384), Solid waste contaminated sites (394 landfills), state uncontrolled hazardous substance sites (444), SUPERFUND sites (12), Formerly Used Defense Facilities (167), and Department of Defense installations (10) clean-up and/or closure activity is tracked separately for each category. The 15% goal applies to the aggregate of all these site categories.



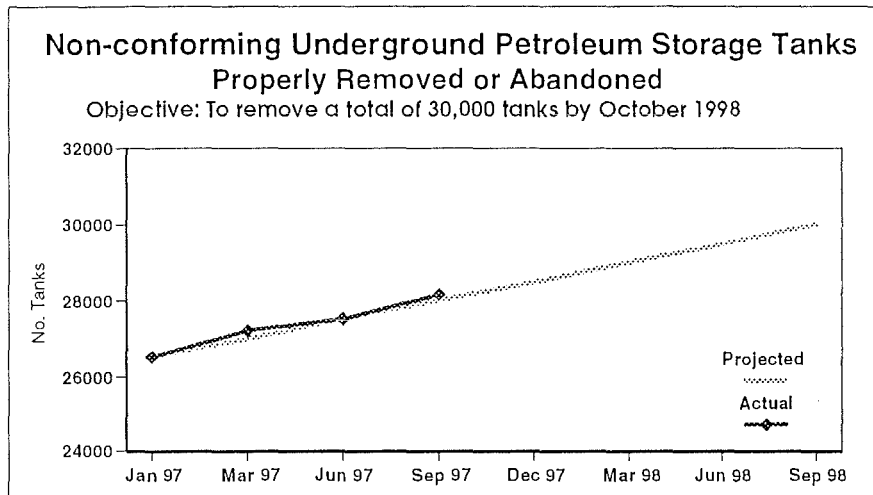
Through July 1997 a total of 227 long-term petroleum remediation sites have been closed.

C-2: Tire Stockpiles – Within 5 years, eliminate the significant environmental and health hazards posed by tire stockpiles, including the removal of a minimum of 15 million tires by the year 2000.



Through the third quarter of 1997 a total of 1.53 million scrap tires have been removed from stockpiles.

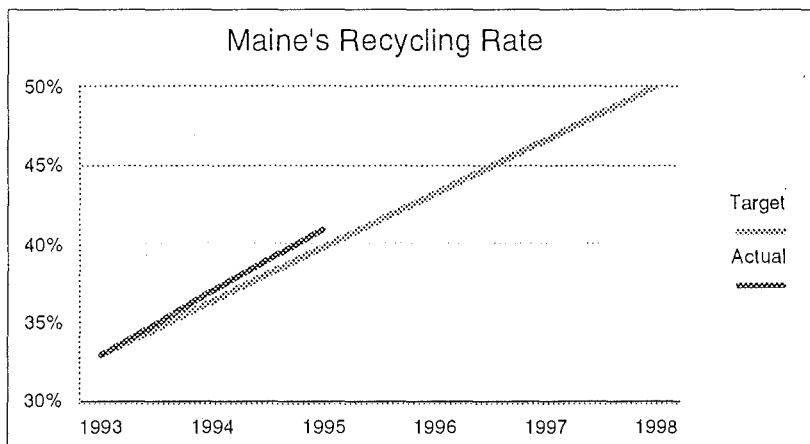
C-3: Waste and Petroleum Management -- Annually, achieve the prevention of any significant new illegal discharges and emissions, and minimize other risks to public health, safety, welfare, and the environment associated with the siting, design and operation of solid waste, septage, hazardous substance and petroleum facilities.



Through the third quarter of 1997 a total of 28,179 underground petroleum storage tanks have been removed or abandoned.

C-4: Abatement and Waste Transportation -- By the year 2000, reduce to insignificant levels⁶ the risk to public health, safety, welfare, and the environment from the abatement of environmental hazards from, and the transportation of, solid waste, hazardous substances, and petroleum.

C-5: Waste Reduction and Recycling -- By the year 2000, increase by 10% from 1996 levels the portion of Maine's waste streams being managed through appropriate source reduction, reuse, and recycling.



Between 1993 and 1995, Maine's recycling rate increased from 33% to 41%, well on the way to a 1998 target of 50%.

⁶The regulation of abatement, installation and removal, and transportation seeks to prevent the creation of any risks from these activities. However, due to the human factor in the performance of these activities, the measurable outcome of this objective reflects the reality that zero risk will not be achievable.

Strategic Objectives and Recent Performance

Remediation and waste management programs had a number of successes in 1996. Efforts are underway to duplicate those successes in 1997.

In the area of hazardous waste, 23 facility licenses were issued, 68 generators of biomedical waste were registered, and 111 waste transporter licenses were issued. Clean-up work was completed at 51 uncontrolled hazardous substance sites; 126 uncontrolled sites are active, meaning further remedial work is needed.

DEP has achieved nationally recognized compliance rates with underground tank removal deadlines. 1442 underground oil storage tanks removed in 1996 and 56 long-term spill remediation projects were completed at oil storage sites, including replacement of numerous contaminated drinking water supplies. DEP completed an extensive outreach effort to provide technical and regulatory assistance at 170 underground oil storage sites and assisted in the development of a component of the Maine Leader Program focused on gasoline retailers.

Also in 1996, 2279 emergency response incidents were investigated and 53 VRAP (Voluntary Remedial Action Program) site assessments were completed at sites. 57 VRAP remedial actions were completed.

In the area of solid waste, 390 facility licenses were issued (for landfills, transfer stations, sludge disposal, etc.) and 131 companies were issued transporter licenses. Closure work was completed at 50 unlicensed municipal landfills. Since the landfill remediation and closure program was established in 1987, 320 municipal landfills have been closed at a total cost of \$65 million. This is probably the most successful landfill closure program in the country.

6066 tons of used tires (about 600,000 tires) were removed from stockpiles during 1996, at a cost of \$430,000. By September, 1997, the total of tires removed reached 1.7 million, on the way to an objective of 15 million scrap tires removed by 2000.

Legislative authorization was received to extend the insurance program aspect of the Ground Water Oil Clean-up Fund until December 31, 2005. The Legislature also passed a bond bill calling for an additional \$4.5 million for landfill closures and \$2 million for tire stockpile clean up. The tire stockpile bond will go to the voters in November of 1997. The landfill closure bond will go to the voters in June 1998.

In the area of rule-making, DEP has initiated a formal adoption process for comprehensive Solid Waste Management Rules, and has approval pending from EPA for authority to administer the RCRA corrective action program on the state level. DEP has also begun implementation of a policy to facilitate collection of mercury-containing lamps for recycling, new septage management rules (Chapter 420) were adopted and rule revision efforts are underway for Chapter 600 (Oil Terminal Facility Rules), and Chapters 800 and 801 (Hazardous Matter). The bureau initiated several stakeholder groups (Ground Water Oil Clean-up Fund, solid waste, scrap tires) to solicit direct input regarding program matters.

Programmatic Assessment and Areas for Improvement

Proposed bond authorizations are insufficient to complete closure of unlicensed landfills and to make significant inroads in tire stockpile clean up on the schedules previously established. If the present trend of partial funding continues DEP will need to seek annual bond authorizations into the foreseeable future and ground water clean-up and protection work will occur at a slower pace. Higher value bond authorizations would allow us to make greater gains, sooner, in clean-ups of both contaminated sites and tire stockpiles.

DEP has been unable to obtain the expanded waste oil rulemaking authority necessary to adopt the federal waste oil rules. Obtaining expanded waste oil rulemaking authority will allow us to regulate generators of waste oil in a manner consistent with the federal program. Without this authority, we cannot regulate the generation of waste oil.

Stronger regulation of above-ground oil storage tanks is needed in order to prevent leaks and minimize contamination of ground water. DEP will continue to work with the State Fire Marshal's Office and a stakeholder group to achieve this.

In terms of data needs, DEP examines its databases on a regular basis in order to ensure that data generated is accurate and provides a true measure of record. Modifications and adjustments are made to our databases as needed and as resources allow. The proposal of a "licensing service center" for professional certifications (lead and asbestos abatement professionals, hazardous and non-hazardous transporters, etc.) is an example of an effort which will require coordination with the Department of Professional and Financial Regulation in order to create systems which will complement DEP's specific licensing functions. (See **Alternative Delivery Mechanisms**)

At any given time, DEP is engaged in a variety of research projects, generally through entities such as the University of Maine, the Maine Geological Survey, or other research institutions. Research vapor extraction in petroleum contaminated soils, soil contaminant levels causing leaching to ground water, and updates to sand and gravel aquifer maps are samples of research projects under way at this time.

Commissioner, Deputy Commissioner and Board of Environmental Protection

Overview

The commissioner is the chief executive officer of the Department. The commissioner also serves as liaison between the Board of Environmental Protection and the department staff. The deputy commissioner is the chief operating officer for the Department and is responsible for coordination of the day-to-day operations of the Department's program bureaus and the regional offices. The commissioner and deputy commissioner are the Department's key contacts with the Governor's office, the Maine State Legislature, special and public interest groups and the media.

The Board of Environmental Protection consists of 10 citizen members appointed by the governor for staggered terms of four years. Appointments to the Board are subject to review by the Joint Standing Committee of the Maine State Legislature having jurisdiction over natural resources. Members of the Board are chosen to represent the broadest possible interests and experience. The purpose of the Board is to provide informed, independent and timely decisions on the interpretation, administration and enforcement of the laws relating to environmental protection. The Board also provides a forum for public participation in Department decisions through public hearings and regular board meetings. The Board accomplishes its purpose through rulemaking, decisions on selected permit applications, review of the Commissioner's licensing and enforcement actions and by recommending changes in the law to the Legislature.

Office of the Commissioner

The Office of the Commissioner provides support to the commissioner and deputy commissioner in carrying out their day-to-day responsibilities and provides assistance to the program bureaus on topics that cross bureau boundaries. The Office has four functional units: Policy and Program Implementation; Education and Outreach; Innovation and Assistance; and Management Services.

The Office of Policy and Program Implementation is involved in inter-bureau policy analysis, licensing and enforcement tracking, regulation drafting and review, serving as liaison to the Office of Attorney General and performing general administrative functions. This office also coordinates the Department's enforcement actions to ensure effective multimedia planning and efficiency.

The Office of Education and Outreach coordinates the legislative activities of the Department and acts as liaison between the Department and the Governor's Office and the Legislature. This Office also acts in a public information capacity by preparing materials for print and electronic media, assuring Departmental consistency in reports and brochures, and responding to requests for speakers and special programs. The Office as a whole is responsible for coordinating inter- and intra-departmental public information initiatives and assuming special assignments as needed by the commissioner and the deputy commissioner.

The Office of Innovation and Assistance focuses on pollution prevention, toxic use reduction and small business technical assistance. The Office advocates for pollution prevention and innovation within department programs and regulations and in private sector and market driven activities. The Office liaisons with state and regional economic development agencies, private sector organizations, and regional and national pollution prevention and business assistance organizations.

The Office of Management Services provides support services to the Department through its four administrative units. The Financial, Safety and Training, Computer Services provide financial management and reporting, safety oversight and organizational development functions, and centralized computer support, respectively. The Clerical Support Unit within this office provides facility repair coordination, reception services, telecommunications coordination, and mail distribution for the Department, as well as word processing, purchasing and reception support for the Office of the Commissioner/Office of Management Services.

NOTE: The A.C.E. Service Center serves DEP, along with the Departments of Agriculture and Conservation, in the processing of accounting and human resource actions; however, the management of these actions is the responsibility of the Department's Office of Management Services.

The Persistent Toxics Initiative is a special initiative administered through the Office of the Commissioner. In 1997 the legislature passed two important bills relating to persistent toxics in Maine's environment, the landmark bill addressing dioxin discharges by paper mills, and a legislative resolve on mercury. The Mercury Resolve directed the Land and Water Resources Council (LWRC) to report annually beginning in January, 1998, regarding: inventory existing sources of mercury, both in Maine, and contributions from outside the state; prepare recommendations on additional monitoring and data collection needs, and on any legislative actions required. As of September 1997, the LWRC has begun preparation of an action plan to meet both the specific requirements of the Resolve and to provide an overall framework to guide policy on this topic.

Other recent activities under this initiative have included a) the on-going development of a state-wide dioxin inventory; b) participation in the Northeast Mercury Study, due for release in the fall of 1997; participation in the Northeast Regional Monitoring Network; c) release of a Maine mercury inventory (winter 1997) d) rulemaking for municipal waste combustors to incorporate current federal standards; and e) continued coordination or enforcement, corrective action and air and waste water discharge relicensing of Maine's chloralkali facility.

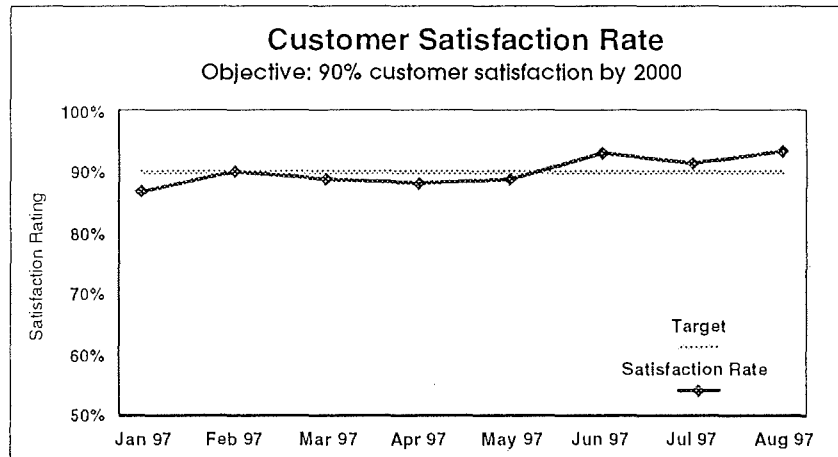
The Maine Environmental Priorities Council is also administered through the Office of the Commissioner. The Council is a collaborative effort with representatives of business, environmental organizations, government agencies, academia and the general public. Its purpose is to evaluate current and emerging issues and trends regarding environmental and natural resource conditions and management. The Council applies the principles of comparative risk to evaluate the extent of risk to Maine's ecological health, human health, and quality of life presented by these issues and trends, and recommend environmental priorities based on this evaluation. The Council is working on a State of the Environment Report, to be issued in the fall of 1998, which will highlight the status of Maine's environment and measure progress toward environmental enhancement and risk reduction goals.

Strategic Planning Goals and Measurable Objectives

RESPONSIBLE MANAGEMENT AND ENVIRONMENTAL STEWARDSHIP

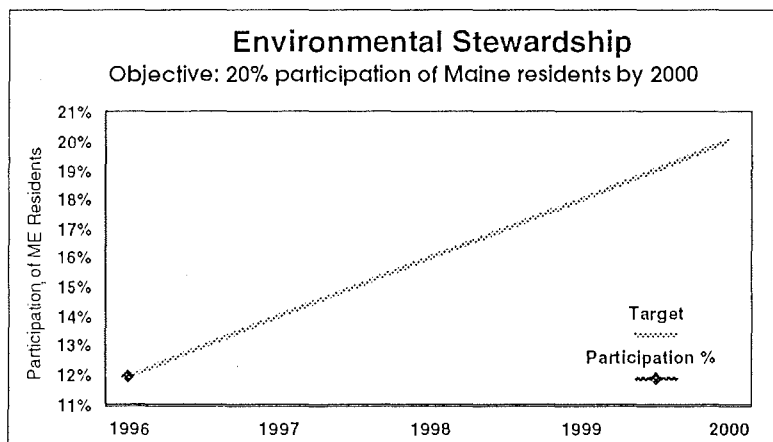
GOAL: To ensure that Maine's environment remains healthy and productive in perpetuity, through the efficient and effective delivery of department services and the development of an ethic of public responsibility for the State's natural resources.

D-1: Customer Service/Satisfaction -- By the year 2000, the percentage of customers who report satisfaction with service received from DEP will reach 90%, up from a baseline of 82% in 1995



From January through August 1997 DEP customer satisfaction rating averaged 89.8%.

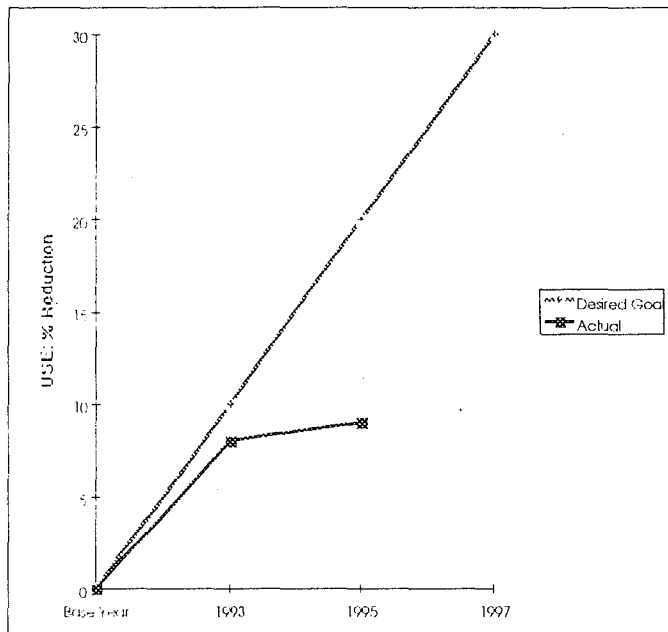
D-2: Environmental Stewardship -- By the year 2000, 20% of Maine residents' will report that they participate routinely in environmental programs or activities, up from a baseline of 12% in 1996⁷.



The 1997 survey of Maine residents is currently being conducted.

D-3: Pollution Prevention -- By the year 2000, the State will achieve a 30% reduction in the use of Extremely Hazardous Substances, a 30% reduction in Hazardous Waste generation and a 50% reduction in TRI releases.⁸

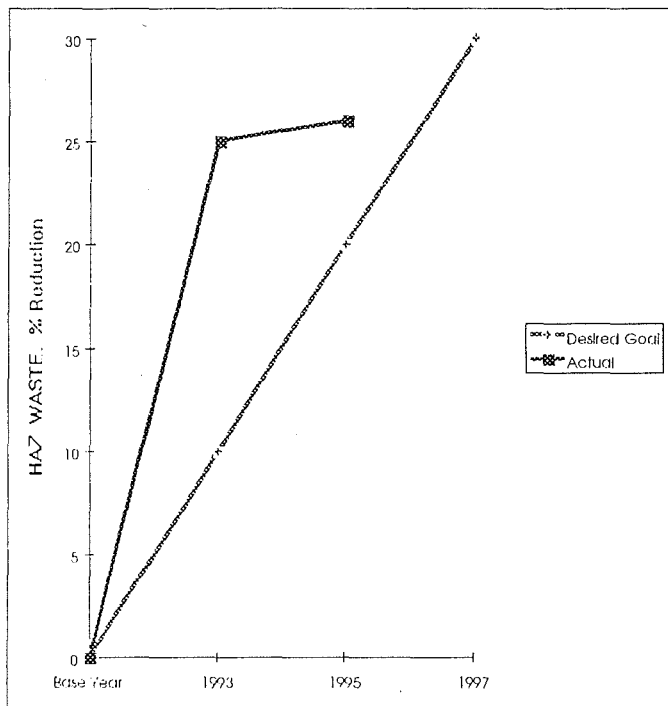
⁷A total of 12% of respondents to the Maine Development Foundation's 1996 survey of Maine residents responded affirmatively to a question posed by DEP, to gauge this level of "stewardship".



In 1993, the 124 manufacturing facilities that report the USE of Extremely Hazardous Substances used 8% less than they did in the Base Year of 1990.

In 1995, they used 9% less.

We are working with companies who are not meeting the voluntary reduction goals (10%: 1993, 20% 1995, 30% 1997).

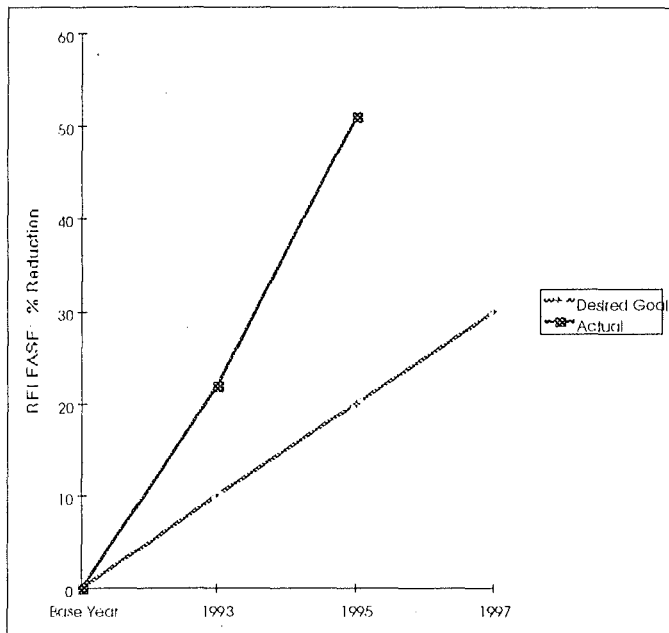


In 1993, 114 manufacturing facilities that ship HAZARDOUS WASTE (at the rate of over 220 lbs a month for any 3 months of the year for all three years 1993, 1994, and 1995) shipped 25% less than they did in the Base Years of 1987 and 1989.

In 1995, they shipped 26% less.

We are hopeful these companies will continue to exceed the mandatory reduction goals (10%: 1993, 20% 1995, 30%: 1997).

⁸Based on the 1990 use of Extremely Hazardous Substances, the average of 1987/1989 hazardous waste generation and the average of 1990/1991 toxic releases in Maine.



In 1993, the 109 manufacturing facilities that report the RELEASE of Toxic Chemicals released 22% less than they did in the Base Years of 1990 and 1991.

In 1995, they released 51% less.

Maine manufacturers, taken as a whole, have far exceeded the mandatory goal of a 30% reduction for the year 1997.

Programmatic Assessment and Areas for Improvement

The Maine Environmental Priorities Council continues to play an important role as a general stakeholder group for the department, and in 1997 will provide critical guidance to DEP in fulfillment of the legislative mercury resolve. (See **Persistent Toxics Initiative**, Pg. 39) Other critical issues for the Office of the Commissioner are described as **Emerging Issues**, beginning on page 37.

Of particular focus in the 1998 legislative session is Programmatic Assessment reauthorization of the Toxics and Hazardous Waste Reduction Law, with a special focus on toxics use. Toxics spills are in the headlines every day, and there is growing public concern about the impacts of toxics use on the public health and the Maine environment. The State's water and air toxics monitoring programs, established since the original Reduction law, are identifying environmental and health impacts that were previously suspected but lacked scientific substantiation. Although the regulated community achieved the mandatory State reduction goals for toxics release and hazardous waste, they failed to attain the voluntary use reduction goals. The proposed new legislation would target priority toxics, provide greater incentives to reduce toxics use, and would broaden the regulated community in order to include more of those who are significant toxics users.

Organizational Structure

The Bureau of Air Quality administers state air pollution laws and the Federal Clean Air Act. The Bureau consists of three divisions: Field Services, Technical Services, and Licensing and Compliance Assistance.

The Bureau of Land and Water Quality administers land and water quality protection programs. The bureau is divided into five divisions: Land Resources Regulation; Water Resource Regulation; Environmental Assessment; Watershed Management; and Engineering and Technical Assistance.

The Bureau of Remediation and Waste Management regulates the handling of solid waste, biomedical waste, hazardous matter and oil. The Bureau is organized into six divisions: Remediation; Technical Services; Oil and Hazardous Waste Facilities Regulation; Solid Waste Facilities Regulation; Response Services; and Program Services. A separate Pollution Prevention Unit coordinates bureau regulatory activities with the education and outreach efforts of the Department's Office of Innovation and Assistance.

The commissioner is the chief executive officer for the Department. The commissioner also serves as liaison between the Board of Environmental Protection and the department staff. The deputy commissioner is the chief operating officer for the Department and is responsible for coordination of the day-to-day operations of the Department's program bureaus and the regional offices. The commissioner and deputy commissioner are the Department's key contacts with the Governor's office, the Maine State Legislature, special and public interest groups and the media.

The Board of Environmental Protection consists of 10 citizen members appointed by the governor for staggered terms of four years. Appointments to the Board are subject to review by the Joint Standing Committee of the Maine State Legislature having jurisdiction over natural resources. Members of the Board are chosen to represent the broadest possible interests and experience. The purpose of the Board is to provide informed, independent and timely decisions on the interpretation, administration and enforcement of the laws relating to environmental protection. The Board also provides a forum for public participation in Department decisions through public hearings and regular board meetings. The Board accomplishes its purpose through rulemaking, decisions on selected permit applications, review of the Commissioner's licensing and enforcement actions and by recommending changes in the law to the Legislature.

Office of the Commissioner

The Office of the Commissioner provides support to the commissioner and deputy commissioner in carrying out their day-to-day responsibilities and provides assistance to the program bureaus on topics that cross bureau boundaries. The Office has four functional units: Policy and Program Implementation; Education and Outreach; Innovation and Assistance; and Management Services.

The Office of Policy and Program Implementation is involved in inter-bureau policy analysis, licensing and enforcement tracking, regulation drafting and review, serving as liaison to the Office of Attorney General and performing general administrative functions. This office also coordinates the Department's enforcement actions to ensure effective multimedia planning and efficiency.

The Office of Education and Outreach coordinates the legislative activities of the Department and acts as liaison between DEP and the Governor's Office and the Legislature. This Office also acts in a public information capacity by preparing materials for print and electronic media, assuring departmental consistency in reports and brochures, and responding to requests for speakers and special programs. The Office as a whole is responsible for coordinating inter-and intra-departmental public information initiatives and assuming special assignments as needed by the commissioner and the deputy commissioner.

The Office of Innovation and Assistance focuses on pollution prevention, toxic use reduction and small business technical assistance. The Office advocates for pollution prevention and innovation within department programs and regulations and in private sector and market driven activities. The Office liaisons with state and regional economic development agencies, private sector organizations, and regional and national pollution prevention and business assistance organizations.

The Office of Management Services provides support services to DEP through its four administrative units. The Financial, Safety and Training, and Computer Services units provide financial management and reporting, safety oversight and organizational development functions, and centralized computer support, respectively. The Clerical Support Unit within this office provides facility repair coordination, reception services, telecommunications coordination, and mail distribution for DEP; as well as word processing, purchasing and reception support for the Office of the Commissioner/Office of Management Services.

Position Count

The Department of Environmental Protection currently has authorization for 68.5 general fund positions, 125.0 federal fund positions, and 221.5 dedicated fund positions, for a total of 415 authorized positions.

Organizational Chart

A set of organizational charts showing organizational units and lines of responsibility is attached as **Appendix A**.

Compliance with Health and Safety Laws

Equal Employment Opportunity / Affirmative Action

DEP adheres to a policy of equal employment opportunity and affirmative action. A formal EEO/AA plan was completed in September 1996 and programs are in place to monitor these activities. Every effort to meet the goals and intent of the programs is being practiced. Procedures are in place for expanded recruitment for underutilized classifications for the agency.

Americans with Disability Act

To meet specific requirements of the Americans with Disabilities Act, goals and objectives are being reviewed in the employment process. DEP is building a more comprehensive program with training of its supervisors during the interview and selection process and is using the new performance management system to also focus on these areas. DEP will continue to monitor its practices and enhance these programs.

Workers' Compensation

As identified in the summary concerning safety below, DEP has one of the lowest workers compensation costs amongst the state agencies. This is attributed to each employee's effort and management's commitment to provide a safe and healthy workplace. The department will continue to monitor and improve its involvement in this area.

Federal Occupational Safety and Health Act

DEP is a leader in state government in its effort to develop a comprehensive safety and health program for its employees. The newly reorganized DEP Safety Team, working with the Department Safety Coordinator, is using the Bureau of Remediation and Waste Management's Emergency Response and Site Mitigation safety program as a foundation to build a full program to cover all work activities within the department. With limited staff time and resources committed, its efforts to date have resulted in a worker injury rate that is one of the lowest in state government. Full compliance in the future depends on the continued commitment of management and resources being made available when and where needed.

Financial Summary

Expenditure and Allocation Summary for Fiscal Years 1990 to 1998

Pages 1 through 7 show actual expenditures from fiscal year 1990 to fiscal year 1997, with budgeted allocation for fiscal year 1998. Information is arranged by program by funding source. For consistency, data was retrieved from the State Budget System, which only holds information from fiscal year 1990 forward. The statements to which these notes apply are attached as **Appendix B**.

Explanatory notes follow:

- (1) Bureaus of Land and Water Quality were combined in fiscal year 1997 resulting in a merging of General Fund accounts.
- (2) Bureaus of Land and Water Quality were combined in fiscal year 1997 resulting in a merging of General Fund accounts. The Federal Expenditures increase represented the temporary placement of the EPA Performance Partnership Grant(PPG) in this account. The PPG is now in a separate account. See item 20.
- (3) Provides staff support for the management of Municipal Sewerage Construction Grants Program. Bond issues provide for the Construction Grants.
- (4) Provides support for training of Sewerage Treatment Plant Operators through agreement with the Joint Environmental Training Coordinating Committee.
- (5) Provided staff support for the Radioactive Waste Advisory Committee's study of low level radioactive waste. Program discontinued in DEP by legislative action. Some responsibilities transferred to Department of Human Services.
- (6) Provided funding for the Radioactive Waste Advisory Committee. As # 5 above.
- (7) Provided limited support for the water level hearings related to certain dams within the state. Program discontinued by legislative action. Budget legislation provided for portion of the fund balance to be used for training of Treatment Plant Operators. (See # 4) Remaining balance to be used in water level hearings.
- (8) Provided support for acid rain studies. Discontinued by legislative action.
- (9) Provided support for the investigation and restoration of lake quality. General Fund support has not continued.
- (10) Provided limited General Fund support for the investigation and restoration of lake quality. This is a unique non-lapsing General Fund account which was part of the overall Lakes Program. Funding has not continued.

- (11) Provides support for solid waste management. General Fund support was replaced by Dedicated Funding in fiscal year 1966 as a greater proportion of the Maine Waste Management Funds were directed to DEP with the repeal of the Maine Waste Management Agency. Revenue sources for the fund were also reduced.
- (12) Provided limited support for the study of waste sludges and potential uses. Funding has not been continued.
- (13) Department clearing account for the application of state wide appropriation adjustments, i.e., health insurance and retirement changes.
- (14) Provides support for the elimination of pollution at the source through Pollution Prevention Grants from EPA.
- (15) Department clearing account for the application of state wide appropriation adjustments providing funding for Total Quality Management. Funding has not been continued.
- (16) Provided funding for the study of high-level radioactive waste. Program discontinued by the legislature with some functions transferred to the Department of Human Services.
- (17) Provided initial funding for ambient toxics monitoring, with dedicated funds transferred from the Surface Oil Clean-up Fund. The program has continued with a portion of the General Fund appropriation in program 0248.
- (18) Provided initial funding for the clean-up of tire dumps with one time dedicated funds available with the repeal of the Maine Waste Management Agency. Continued clean-up is contracted for with bond proceeds.
- (19) Reflects the funds paid by the Departments of Agriculture, Conservation and Environmental" Protection for Human Resource and Accounting services provided by the A.C.E. Service Center. The account was placed under DEP for convenience by the Budget Office and the legislature. A.C.E. is administered under the direction of three Commissioners.
- (20) A new federal grant that rolls together several EPA program grants crossing each bureau into one Performance Partnership Grant.
- (21) This program supports a position working in alternative fuel vehicle demonstration and review as part of the air quality program. In the past session the legislature converted ongoing staffing from the Petroleum Violators Escrow Fund in several agencies to General Fund positions and allocations in the PVE Fund to one time projects, primarily in the state Bureau of General Services.

Regulatory Agenda / Summary of Rules

Attached as **Appendix C** are the Department's 1997-1998 Regulatory Agenda and a summary of all regulations presently administered by the Department.

Inter-Agency Coordination

Governor King's administration has made a priority of the coordination of related programs across state government, to avoid duplication of effort, share resources, and promote better outcomes. The Department of Environmental Protection participates in a variety of such inter-agency coordination efforts. The Commissioner and Deputy Commissioner coordinate with their counterparts in other agencies through various formal and informal channels. Some of the formal coordination channels include the Natural Resources Subcabinet, the Land and Water Resources Council, and the Natural Resources Strategic Planning Team.

The **Natural Resources Subcabinet** includes the commissioners of the departments of Environmental Protection, Conservation, Inland Fisheries and Wildlife, Marine Resources, and Agriculture, as well as the Departments of Transportation, Economic and Community Development, and the State Planning Office. The Subcabinet meets regularly to coordinate the implementation of Governor King's environmental agenda and to coordinate on issues which cross agency lines of jurisdiction. Ned Sullivan, Commissioner of the DEP coordinates the Subcabinet.

Under the auspices of the Natural Resources Subcabinet, the deputy commissioners /strategic planning coordinators of the natural resources agencies meet as the **Natural Resources Strategic Planning Team** to address cross-cutting issues in strategic planning, and work on implementation of performance budgeting by policy areas. The team is coordinated by Erika Morgan, Deputy Commissioner of the DEP with assistance from the State Planning Office. This team has been charged with ensuring that the objectives and commitments made by the Governor in his 1996 "Environmental Agenda" address have been integrated into agency strategic plans, and are being implemented as planned. Implementation of these "Environmental Agenda" commitments is occurring through multi-department teams, each of which is charged to focus the collective efforts of that team and related agency resources, on achievement of the assigned objective. These teams include the following:

- The Bureau of Land and Water Quality coordinates with the *State Planning Office, and the Department's of Conservation, Marine Resources, and Inland Fish and Wildlife* to promote watershed management approaches to environmental protection.
- The Bureau of Land and Water Quality coordinates with the *State Planning Office, the Atlantic Salmon Authority, and the Departments of Agriculture, Marine Resources, and Inland Fish and Wildlife* on the implementation of the Atlantic Salmon Conservation Plan.
- DEP Geographical Information Systems experts participate on a number of projects with staff from other departments, including the *Departments of Marine Resources, Inland Fish and Wildlife, and Maine Geological Survey and the Office of Geographic Information Systems.*
- DEP continues to be an active participant in the *Casco Bay Estuary Project*, participating with other state agencies, private organizations and citizens. Paul Van Cott, the Department's lead contact with the Project recently received the Friends of Casco Bay's annual award for his contribution to Casco Bay.
- The Bureau of Land and Water Quality participates with the *State Planning Office and the Department of Conservation* on Gulf of Maine initiatives.
- The DEP coordinates with the *Department of Economic and Community Development, as well as the State Planning Office and MDOT*, on eco-tourism initiatives.
- The Bureau of Remediation and Waste Management coordinates with the *State Planning Office* on solid waste reduction initiatives.

In 1998, the focus of this cross-agency coordination will be on continued implementation of the Environmental Agenda initiatives, and on cross-agency coordination of strategic planning and

Performance Budgeting for the natural resource policy area.

The natural resources commissioners also meet regularly as the **Land and Water Resources Council** to address issues specifically directed to that body, such as the Mercury Resolve and the Council on Environmental Management and Assessment. Mark Desmeules of the State Planning Office coordinates the activities of the Council.

DEP staff also coordinate with their peers in other agencies through many formal and informal channels. Virtually all of the 20 formal stakeholder groups listed in Appendix D of this report include representation from the DEP; the majority also include representation from other interested state agencies, to ensure that the effort/ focus of that stakeholder involvement is coordinated directly and appropriately with all affected state agencies.

It should also be noted that the **A.C.E. Administrative Services Center** serves DEP, along with the Departments of Agriculture and Conservation, in the processing of accounting and human resource actions. Overall guidance to this collaboration is provided by the commissioners of the three agencies, while on-going programmatic guidance is provided by a committee of administrative representatives from the three agencies. Within DEP, however, the management of day-to-day services from A.C.E. is the responsibility of DEP's Office of Management Services.

DEP also serves on the state-wide *Information Systems Policy Board*, a statutory body lead by the Office of the Governor and the Bureau of Information Services, to set rates and policies governing the provision of information services state-wide. A subcommittee of this group, the Information Services Managers Group (ISMG), also exists to facilitate coordinated discussion and debate on information technology policies and technical implementation.

In addition to the above, DEP staff are actively involved with other agencies in a wide array of both formal and informal settings, in an attempt to ensure that services by all agencies are delivered as effectively as possible. As an example of the breadth of this on-going coordination, as of September 1997, the following direct coordination is underway:

- With the *Department of Agriculture*, DEP is collaborating on discussions regarding non-point source pollution, appropriate oversight of large agricultural operations, and irrigation policy.
- With the *Department of Marine Resources*, DEP continues to cooperate in the effort to reopen closed shell fisheries, through the Overboard Discharge elimination program.
- With increasing interest in the areas of toxic contamination, DEP's collaboration with *Department of Human Services, Bureau of Health, Environmental Toxicology* program has of necessity grown considerably tighter, as many demands have been made on an extremely constrained toxicological resource.
- The *Department of Transportation* and DEP continue to cooperate closely with regard to ensuring the conformity of planned transportation measures to state air quality objectives, as well as on issues relating to petroleum contaminated sites, underground storage tanks, and waste tire clean-up.
- DEP continues to coordinate very closely with *Department of Economic and Community Development* in such areas as small business outreach and assistance, and support to the environmental business industry.

Constituencies Served

Overview

The Department of Environmental Protection serves a broad constituency which includes every citizen of the state who breaths the air, drinks the water, or otherwise enjoys the many benefits of a healthy environment. The scope of citizens who have direct contact with the Department is almost as broad, extending from the homeowner who's oil tank is knocked over by falling ice causing an oil spill, to the large business which holds permits for air and water emissions. The Department maintains contact with many of its constituents through various stakeholder groups focused on specific issues. The Maine Environmental Priorities Council also serves as a stakeholder group with an agency-wide perspective; for such things as the Department's Performance Partnership Agreement with the U.S. Environmental Protection Agency.

See **Appendix D** for a master list of stakeholder groups consulted by the DEP, and lists of the 1997 membership of all 20 current stakeholder groups.

Alternative Delivery Systems

Innovation, Technical and Business Assistance

In a field that is changing as rapidly as environmental protection, new solutions often are found to be more effective in solving today's and tomorrow's problems. The Department strives to create a culture where innovation, creativity and new ideas are fostered and encouraged. In this context, partnerships with industry associations and trade groups have enabled the department to offer technical assistance programs and thereby extend its reach to smaller businesses.

In 1996, DEP expanded the scope of the Office of Pollution Prevention and renamed it the Office of Innovation and Assistance (OIA). As the focal point for these efforts, the OIA is assisted by both a central staff and "team leaders" in each of the bureaus. This effort relies heavily on the efforts of individual staff throughout the department to recognize opportunities for pollution prevention and technical assistance. Industry-specific efforts are underway to target pollution prevention and technical assistance programs to the needs of specific sectors, for example the metals industry and, in 1996-97, petroleum retailers. These efforts are all aimed at bringing participating companies beyond the requirements of full compliance to "Environmental Excellence".

The Office of Innovation and Assistance also administers three major programs to assist companies with environmental improvements: the Toxic Use Reduction program, the Environmental Excellence program, and the Small Business Assistance program.

The Toxic and Hazardous Waste Reduction Law requires reductions in the volume of toxics released and hazardous waste generated. It also encourages reductions in the use of toxics and establishes a state policy and program to encourage industry to prevent pollution. In July 1991, the law was amended to create the Office of Pollution Prevention, which is now called the Office of Innovation and Assistance and continues to be responsible for administering and implementing the reductions program.

The Office of Pollution Prevention provides free assistance that is custom-designed to meet companies' needs. Professionals from within state government or from other businesses are made available to help companies to improve environmental performance. Services include:

- On-site pollution prevention consultations

- Multimedia regulatory compliance assistance

- Planning and training assistance

- An information clearinghouse with pollution prevention technologies, case studies, vendor lists and more

- Financial assistance through financial assessments or referrals to funding and grant partnerships

- Presentations, workshops and conferences to address P2 opportunities

- Pollution Prevention Awards for businesses that have accomplished pollution prevention in an innovative way

- "Green Lights" assistance to help reduce lighting costs through energy conservation

The **Environmental Excellence Program** encourages the development and implementation of environmental management systems as a means to improve environmental performance of manufacturing facilities. The development and implementation of environmental management systems, represent an opportunity for private sector leadership and public-private partnerships. Environmental standards, regulations and laws are used as benchmarks for progress measurement. The management and employees of a business become more aware of whole-facility environmental management, and regulators gain a valuable tool to enhance environmental improvement, compliance with laws and increased use of pollution prevention.

The **Small Business Technical Assistance Program (SBTAP)** helps small businesses comply with the Clean Air Act and other environmental regulations. The SBTAP uses education, outreach, on site assistance, and pollution prevention techniques to assist business achieve compliance and reduce pollution and waste.

Alternative Approaches to Program Services

For the last several years, through the **Overboard Discharge (OBD) Removal and Small Community Grants Program**, DEP staff have assisted municipalities to identify options for removal or replacement of systems that are prohibiting the opening of redeemable shellfish areas, for which DEP can provide partial or full funding through bonds. However, this effort involves considerable staff time for which the DEP receives no resources, and has come at the expense of waste discharge inspections, an activity which itself is underfunded. In order to maintain core inspections of waste water treatment plants, DEP has been compelled to reduce assistance to municipalities in OBD removal and SCG grant support. After significant evaluation, DEP determined that the least impact on municipalities would occur by contracting with the Regional Planning Commissions (RPC) throughout the state to provide direct municipal assistance. To date, DEP has contracted with 5 RPCs to provide this service.

Private Pollution Liability Insurance -- Following guidance from the Groundwater Fund (GWF) stakeholder group, DEP has worked with the Bureau of Insurance to identify private insurance brokers capable of providing private pollution liability coverage for the range of commercial, residential and other facilities currently relying on the GWF. After discussion with one large insurance broker, it has become clear that such third party, private coverage is unlikely to be available for several years, probably into 2003. The reasons for this reflect Maine's relatively low claim volume compared to other states and the consequent low probability of either any private sector interest in providing these services, or any public sector savings as a result.

Volunteer Environmental Monitoring -- The Bureau of Land and Water Quality works closely with the Volunteer Lake Monitoring Program (VLMP) to provide technical assistance to volunteer lake monitors statewide. This collaboration provides the Department with high frequency information over a broad geographic region. VLMP volunteer monitors collect water clarity information on a biweekly schedule during the summer, for 289 lakes. This information is essential for monitoring the trophic status of Maine lakes, but the cost would be prohibitive if agency staff had to perform the work. The Department is also participating on the new Council on Environmental Monitoring and Assessment, the goals of which include expanding the use of volunteer collected data in environmental monitoring.

Alternative Approaches to Administrative and Information Services

Formed through the 1995 recommendations of the Productivity Realization Task Force, the **A.C.E. Administrative Services Center** combined the accounting and human resources functions of the departments of Agriculture and Rural Resources, Conservation, and Environmental Protection. In the eighteen months since its creation, A.C.E. has provided an array of services, generally meeting the operational objectives set forth at its creation. The A.C.E. Center continues to be supervised by the 3 commissioners, and to receive on-going support from an advisory committee consisting of administrative managers from the 3 agencies.

Formation of A.C.E. highlighted both the opportunities and challenges inherent in sharing services across multiple agencies. These lessons have been built into a cooperative effort by Environmental Protection, Agriculture and Conservation to better coordinate the information services provided by the departments.

In support of direction from the Information Services Policy Board, DEP is also participating in the development of 2 "clustered" technology service centers. In the first example, (the Office of Geographic Information Services (OGIS), DEP has signed a service level agreement through which OGIS will continue to provide an array of GIS services to DEP. Looking ahead, DEP will be participating on an advisory committee to the Department of Professional and Financial Regulation, to assist in the development of a professional licensing system that will accommodate the needs of DEP and other state agencies engaged in professional licensing.

Emerging Issues

New Federal Ozone Standards -- The U. S. Environmental Protection Agency (U.S. EPA) has proposed new health-based standards for ozone (O₃) and fine particulate (PM_{2.5}). These standards are being revised in response to scientific data indicating that the existing standards do not adequately protect public health.

Maine must determine its attainment status with the new federal ozone standard by early 1999. This will be done by using 1996-98 ambient air quality data, with the fourth highest 8-hour average value for each county averaged over that three year period. If we apply the attainment determination criteria for the new ozone standard to the most recent ambient air quality data available (1994-96), it indicates that York, Cumberland, Sagadahoc, Lincoln, and Knox counties would be considered nonattainment. Additional monitoring for ozone precursors such as reactive nitrogen oxides and volatile organic compounds may be necessary to better understand what additional control efforts are needed to meet the new standard that make the most sense and are cost-effective. This monitoring comes at ever-increasing costs and has to be absorbed into an existing budget. For example, the Cadillac Mountain PAMS site which was recently established at a cost in excess of \$200,000, has future operating costs expected to exceed \$150,000/year. No additional funds were provided in the federal grants to operate and maintain this site. Constant review of Maine's ambient air monitoring is required to ensure that funding will be available for critical monitoring sites and programs.

New Federal Standards for Fine Particulates and New Monitoring Network -- Attainment determinations for the new federal PM_{2.5} standards won't be made until 2002. This is because PM_{2.5} is a new pollutant indicator for which very little air quality data now exist. Maine will need to acquire the resources for and implement a statewide PM_{2.5} monitoring network over the next several years to collect the data upon which to base the attainment determinations. Ambient air quality data collected during the three year period of 1999-2001 will be used. At present there are no areas in Maine that violate the existing PM₁₀ standards and it is not likely that there will be any under the revised standards. While fine particulate (PM_{2.5}) monitoring has not yet been performed in Maine, estimates based on existing PM₁₀ ambient monitoring data suggest that an area within Madawaska may potentially violate the new fine particulate standard. EPA has recently indicated that it will provide additional money, over and above the existing grant levels, to acquire equipment needed to establish a fine particulate (PM_{2.5}) monitoring program.

Continued Improvement in Modeling for Mobile and Area Sources -- Improved methods are being devised for calculating emissions from mobile and point sources. Data from the Maine Department of Transportation will be used in conjunction with the latest version of the "Mobile 6" model to better calculate emissions from mobile sources. A separate model will be used to provide an improved methodology for calculating non-road emissions. Calculation of area source emissions will also be addressed through development and distribution of questionnaires; these results will also need to be entered, tabulated, and summarized.

New methodologies are also being developed to better calculate point source emissions. The Air Bureau is participating in the Emissions Inventory Improvement Program (EIIP) in which new methodologies and emission factors are being developed for calculating point source emissions. Furthermore, new methods for data upload to EPA and for easier data access to Bureau staff are being evaluated.

In addition to the challenge of expanding the monitoring network, Maine's air program is faced with the continuing challenge of implementing its mandated mobile-source related programs. With mobile sources contributing over 50% of the locally-generated anthropogenic emissions in the State, the reduction of mobile source emissions will be critical to the attainment of the federal air quality standards. Control measures include the sale of new, cleaner motor vehicles, better maintenance of our existing motor vehicles, the use of cleaner fuels, and the reduction of the total number of miles driven. The Bureau of Air Quality has already initiated a campaign to educate the Maine public about the need for reducing mobile-source pollution; this effort will continue in the future, in the hopes that the public's love affair with the automobile can be tempered with common sense about the need for mobile-source controls and changes in driving behavior.

Air Toxics and Backyard Burning -- Another emerging area of concern that will demand more of the Bureau's attention and resources in the near future is the nature and extent of hazardous air pollutants and mercury deposition. Both areas will require extensive use of Bureau laboratory facilities and staff, and possibly contracting with outside laboratories with the appropriate analytical capabilities. Recent fish advisories have indicated the importance of atmospheric deposition and its impact on Maine's environment. Particularly, much work has been initiated to characterize mercury, dioxin, and PCB emissions and deposition (e.g., Northeast Mercury Study, Casco Bay Study.)

Now that Maine is beginning to implement the Title V permitting program, air toxics requirements makes it necessary to adopt MACT standards. The development of regulations pertaining to the air toxics "framework" rules (e.g. General Provisions, and 112 (g)) will increase substantially over previous years' activities.

The DEP is working to implement recent legislation concerning out-of-door burning. The legislation included a study and education outreach component and anticipated that the legislature would examine the back yard burning issue more thoroughly in the 1998 session. With the help of municipal officials, DOC Forestry Bureau, and the State Planning Office, DEP, has coordinated a study of the trash burning practices in Maine. In addition, a series of public meetings, education materials and other efforts are being used to address questions and concerns about back yard burning.

Continuing Control of Non-point Sources -- The control of nonpoint source pollution is crucial to protecting Maine lakes, ground water, wetlands, coastal bays and restricted estuaries, smaller riverine waterbodies and selected larger rivers. Lake restoration efforts are addressing the results of nonpoint source pollution, while educational efforts are addressing the causes. Guidance has been published to help people implement Best Management Practices to control nonpoint source pollution throughout Maine. The newly enacted storm water and erosion and sediment control laws, and the storm water regulations, go a long way to help us address runoff from new development. There are also efforts underway to identify existing ways to reduce runoff from existing development.

Continuing Wetland Loss -- According to the US Fish & Wildlife Service, Maine is estimated to have lost about 20% of its wetlands since colonial times. New regulations have been adopted to better protect wetlands. A system to track wetlands losses has been developed and is in the beginning stages of implementation. A recent grant proposal, if funded, would allow the data to be incorporated into Maine's Geographic Information System.

Implementation of Watershed Approaches -- The DEP needs to continue to link pollution prevention activities with the watershed approach to water quality management. The pilot program developed for the Androscoggin River basin has been very successful, involving local officials and citizen groups to establish programs to reduce pollution. DEP staff are working with the towns to establish local teams and to provide them with the knowledge and focus to identify problem areas and develop solutions.

As was recognized by the Maine Environmental Priorities Project in its January 1996 Report, scattered patterns of development are continuing to have an impact on fresh water and marine ecosystems, particularly through nonpoint source pollution. The impacts tend to be diffuse and cumulative, and existing programs, designed for single point source, are often inadequate. DEP's water quality and land use programs need to be integrated with state-wide efforts to address these risks.

Water Toxics and Persistent Toxics Initiative -- Persistent, bioaccumulative toxics remain a serious concern for surface and ground water resources. The DEP needs to work to improve its inventory of sources and to develop effective strategies to reduce the risks from these toxic pollutants. In addition, DEP needs to enhance its implementation of the toxics testing program. Information from point source dischargers about the toxicity of their effluent, and timely and effective permit action to reduce toxics loadings where there are exceedences, is a critical link in Maine's overall effort to reduce toxic contamination.

A lack of technical resources for dedicated effort compiled with significant gaps in research and data (e.g., dioxin concentrations in wood ash and/or emissions from wood combustion;) has resulted in a deliberate if not expeditious development of the scientific underpinning for policy and action planning. Seriously limited toxicological resources impinges upon the development of DHS/DEP coordinated risk assessments and ranking protocols. Legislative recommendations are likely to address gaps in both monitoring and regulatory authority. In addition, the TURA requires reauthorization in 1998, providing the opportunity to focus directly on the use of chemicals of particular concern.

Groundwater -- A recently initiated effort to prioritize ground water will provide a means to rank the relative vulnerability of ground water and thereby direct protection efforts. Coordinated groundwater database management is vital to the success of this effort. The control of contamination is crucial to protecting our ground water supply. Therefore, DEP will continue to work aggressively to:

- oversee removal of/bring into compliance remaining underground storage tanks;
- address the threat posed by above ground storage tanks;
- continue to secure public funds for clean up of contaminated sites, landfill closures, and tire stockpiles;
- clean-up and reuse idle industrial/commercial sites known as "brownfields";
- continue prudent use of dwindling public funds to clean up contaminated sites, many of which now are "orphaned" sites where responsible parties are unknown;
- protect gains through continued and appropriate regulatory oversight and technical/pollution prevention assistance; and

- maintain strong compliance inspection and enforcement programs as deterrents to backsliding on environmental gains.

Home Heating Oil Above Ground Storage Tank (AST) Leaks -- In the last several years, the Department has been flooded with reports of heating oil leaks associated with above ground oil storage tanks and piping typically used by single family residences and small businesses. Often these incidents are discovered in the course of investigating the source of a oil polluted drinking water well or a complaint of indoor petroleum vapors. We have seen a large increase in the cost of these incidents to the Maine Ground Water Oil Clean-up Fund, which pays for these clean-ups and any resulting 3rd Party Damage Claims (e.g. property damages, loss of income, etc.). From January, 1994 to July, 1997 the Department has responded to over 908 spills/leaks resulting from home heating oil AST system failures, approximately 1/day. The results of these incidents include:

- loss of more than 69,000 gallons of heating oil;
- 38 drinking water supply wells contaminated;
- 205 cases of indoor petroleum vapor problems;
- more than \$2.5 million of State funds spent from the GWF on clean-ups; and,
- the number of State insurance fund claims have increased dramatically, doubling from 60 in 1994 to 120 in 1996.

Given that there are an estimated 250,000 such heating oil tanks in Maine, the potential for ground water contamination, human exposure to heating oil, and financial liability to the Ground Water Fund is enormous. The cumulative impact over time of these leaks on Maine's island and coastal peninsula communities and other areas located on sensitive geological settings (e.g. shallow bedrock) is particularly significant. Department hydrogeological investigations have found communities like Long Island, Harpswell and Tenants Harbor extensively impacted.

Unlike underground oil storage tanks, where we are both the regulator and the clean-up agency, in the case of home heating oil ASTs, we are only the clean-up agency, and have no ability to directly prevent spills & leaks from occurring. Consequently we have been working closely with the oil distribution industry to make home owners aware of the threats and to prevent leaks and spills. However, financial assistance will be needed for many Maine families to afford the cost of upgrading their heating oil supply tanks and piping to prevent leaks. In the most sensitive areas of the State, where replacement drinking water supplies may not be available, it may be most cost effective for the Department to pursue a pro-active above ground heating oil storage system upgrade program, paid with State moneys, to prevent leaks before they occur to avoid the inevitable clean-up costs. The cost of such upgrades is minor (\$1500 per house or less) when compared to the clean-up & property damage costs avoided. The average clean-up cost is \$11,000 for a home heating oil tank leak.

MTBE in Drinking Water Supplies -- MTBE, methyl tertiary butyl ether, the octane enhancer added to gasoline in the early 1980s to replace lead, has been found in gasoline contaminated wells since the mid-1980s by the Department. MTBE has been and will continue to be at the center of the debate over human exposure and the health effects of that exposure to reformulated gasoline (RFG). RFG contains a higher percentage of MTBE than previous mixtures of unleaded gasoline.

One aspect of the ongoing RFG debate is the impact of MTBE in drinking water supplies. Two legislative committees held public hearings on this issue relating to RFG and MTBE during the 1997 legislative session. The Department has recently provided extensive information on the impact of MTBE contamination of private drinking water wells due to leaks at underground and above ground gasoline storage facilities to the select legislative committee studying RFG.

Related is the toxicology of MTBE and what levels of MTBE are safe to consume via drinking water. The last session of the Maine legislature mandated the Maine Bureau of Health to update its 10 year old drinking water standard of 50 parts per billion for MTBE. This drinking water regulation is to be presented to the Legislature for review by February 1, 1998. The debate over MTBE in ground water and drinking water will at that time be renewed and will be contentious.

Land Use, Patterns of Development and Sprawl -- As new areas are urbanized and the stormwater impacts are increased, a balancing act will be required between the need to concentrate and focus development in growth communities, and the tendency or wish to control that development. Capacity building will be needed to ensure that municipalities fully understand the new stormwater management rules and their ability to continue to manage growth appropriately within those and other guidelines while recent focus has been on reinvigorating Maine's urban "service communities" as focal points for municipal investment, attention must also be focused on maintaining and protecting existing rural areas. For example, Maine's tree growth tax credit, historically funded at roughly 20% of the annual credits generated, was fully funded in FY98-99. This and other supports for the preservation of rural areas and open space are critical but as yet under-developed components of Maine's policy framework to combat sprawling development.

Climate Disruption / Climate Change -- The 1995 report of the Intergovernmental Panel on Climate Change concluded that "the balance of evidence suggests that there is a discernible human influence on global climate". With most of the world's experts in agreement that global warming/global climate change is a likely phenomenon, the Maine State Planning Office (with the help of the Department of Environmental Protection) has received a grant to expand an educational campaign on the causes and consequences of global warming/global climate change, particularly as it relates to Maine. Air Bureau staff have already begun to distribute educational materials to teachers and environmental educators on global warming, and will be working in cooperation with the State Planning Office on number of projects aimed at educating students and the general public about global warming and related energy issues.

With Federal attentions turning to this issue and significant coastal resources in Maine, this will be an area of emerging interest to DEP and the State. Funding, a strategy, and coordinated intergovernmental efforts will be needed.

CLEAN STATE Initiative -- The purpose of this initiative is to bring state government facilities into compliance with state environmental laws. The objective of this effort is two-fold. First, it is important that our own state facilities be in compliance with environmental laws from a strict environmental standpoint. Second, state facility compliance is important in order for the Department to maintain credible and effective programs which regulate the actions of the private sector in Maine. Efforts are underway to identify the areas with compliance issues, including the effect on the environment and the projected cost to remedy the matter. Once gathered, this information will be forwarded to the Governor with recommendations regarding priority.

Changes to DEP's Funding Mix -- DEP's overall funding mix and staff support among the General Fund, federal funds and dedicated funds has changed, reflecting both the growth of some dedicated fund programs progressive decrease in General Fund support and, to a lesser degree, a decrease in federal funds. The vast majority of the dedicated fund expenditure increase is due to one program, the Groundwater Oil Clean-up program. Most of the expenditures in that program are for contracted clean-up and remediations services. The table below shows how the change in fund mix and in staffing support by fund type has transpired.

General Fund positions have dropped from a high of 144.5 in FY90 to 68.5 in 1998. The decrease in General Fund positions, even when the overall position authority has increased, means a decrease in DEP's and the Legislature's ability to direct staff resources to priority functions. Federal and Dedicated Fund positions are generally able to work only in the area of the program mandates linked to the funding source. Federal and dedicated fund support is also subject to uncertain continuity. Fees also need to be periodically restructured and increased to reflect current activities and today's cost of operations.

DEP Expenditures and Staffing by Fund Type

	FY90		FY97	
<u>General Fund</u>	\$6.9M	35.3%	\$4.0M	11.4%
<u>Positions</u>	144.5	27.5%	68.5	16.4%*
<u>Federal Funds</u>	\$5.2M	26.6%	\$7.5M	21.3%
<u>Positions</u>	183	34.8%	125.0	30%*
<u>Dedicated Funds</u>	\$7.4M	38.1%	\$23.6M	67.2%
<u>Positions</u>	197	37.5%	221.5	53.6%* **

* = Current Year FY98 Position Authority

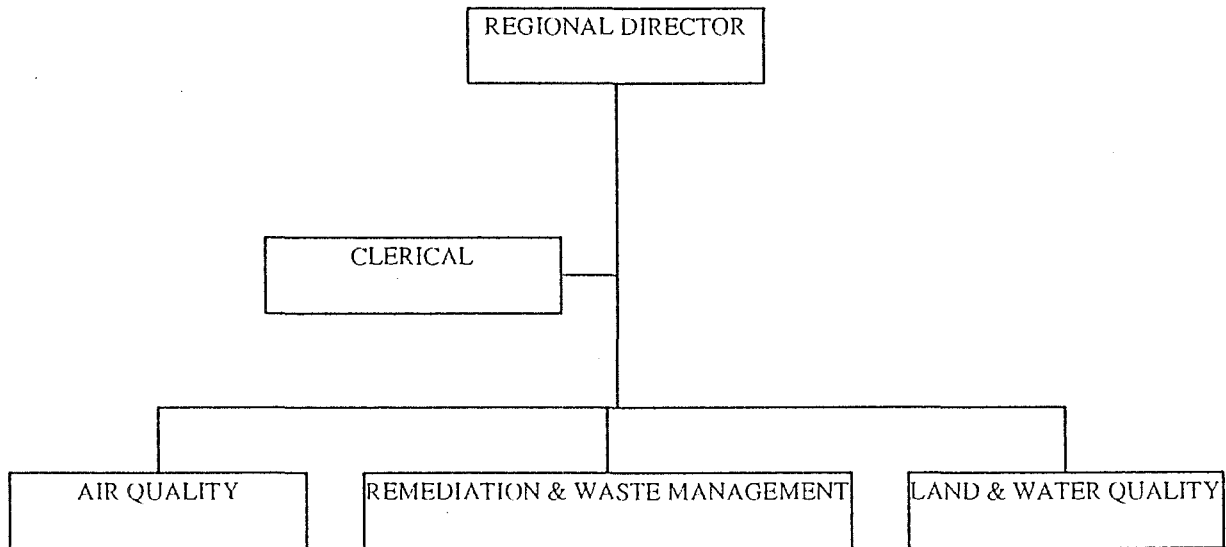
** = Not including 24 positions in ACE Service Center serving Agriculture, Conservation and Environmental Protection in human resource and accounting processing.

The implications of this gradual shift away from the General Fund and onto dedicated and federal funds are several. Core services without fee revenues are losing financial support and are therefore further constrained in their ability to provide essential customer services. In addition, the newer, non-regulatory services of technical and business assistance, pollution prevention, outreach and public education have no intermediate or long-term funding base, and are therefore similarly constrained in their ability to serve all appropriate populations. Lastly, with the increasing reliance on fee revenues from the regulated community, point sources continue to carry a disproportionate burden to support DEP efforts aimed at mobile and non-point sources.

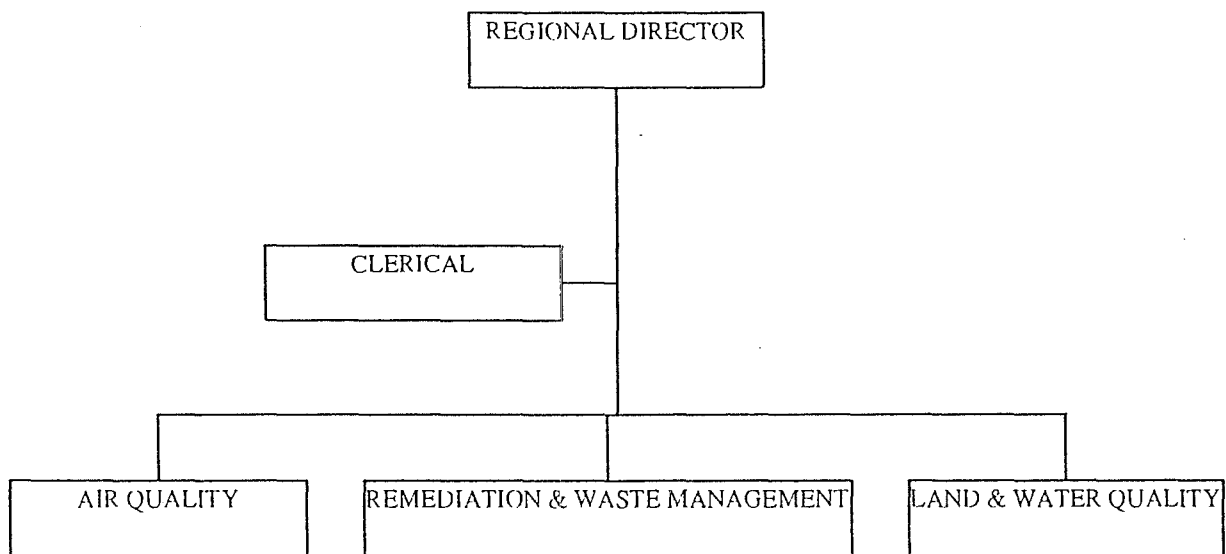
Department of Environmental Protection
November 1997, Legislative Report

Appendix A

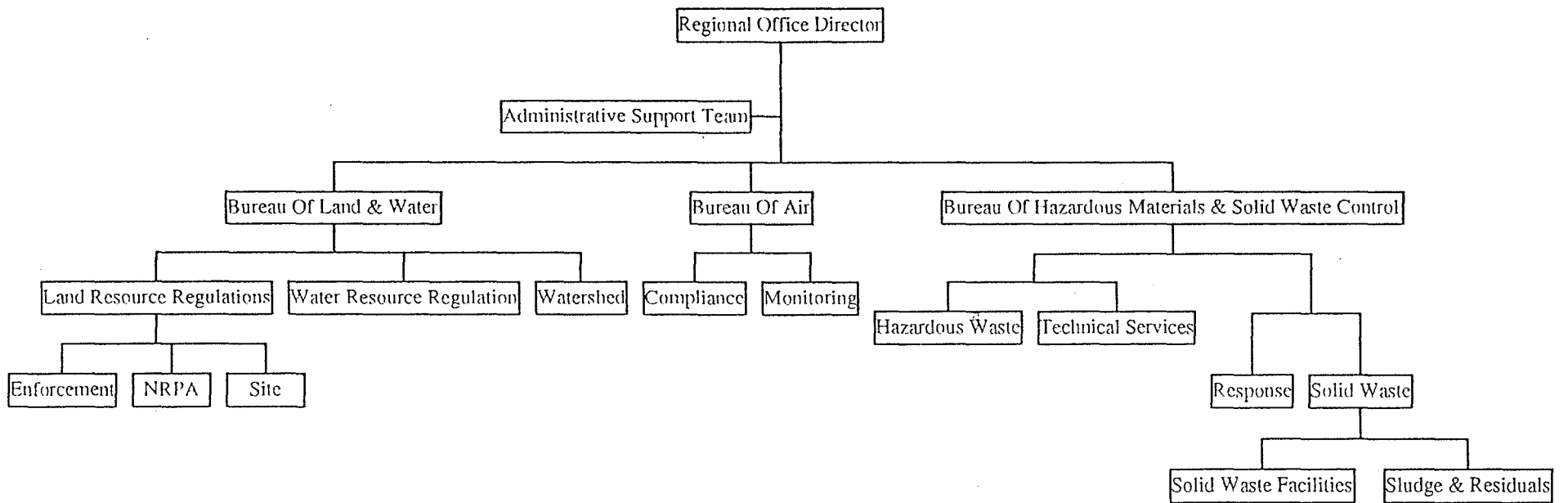
Eastern Maine Regional Office



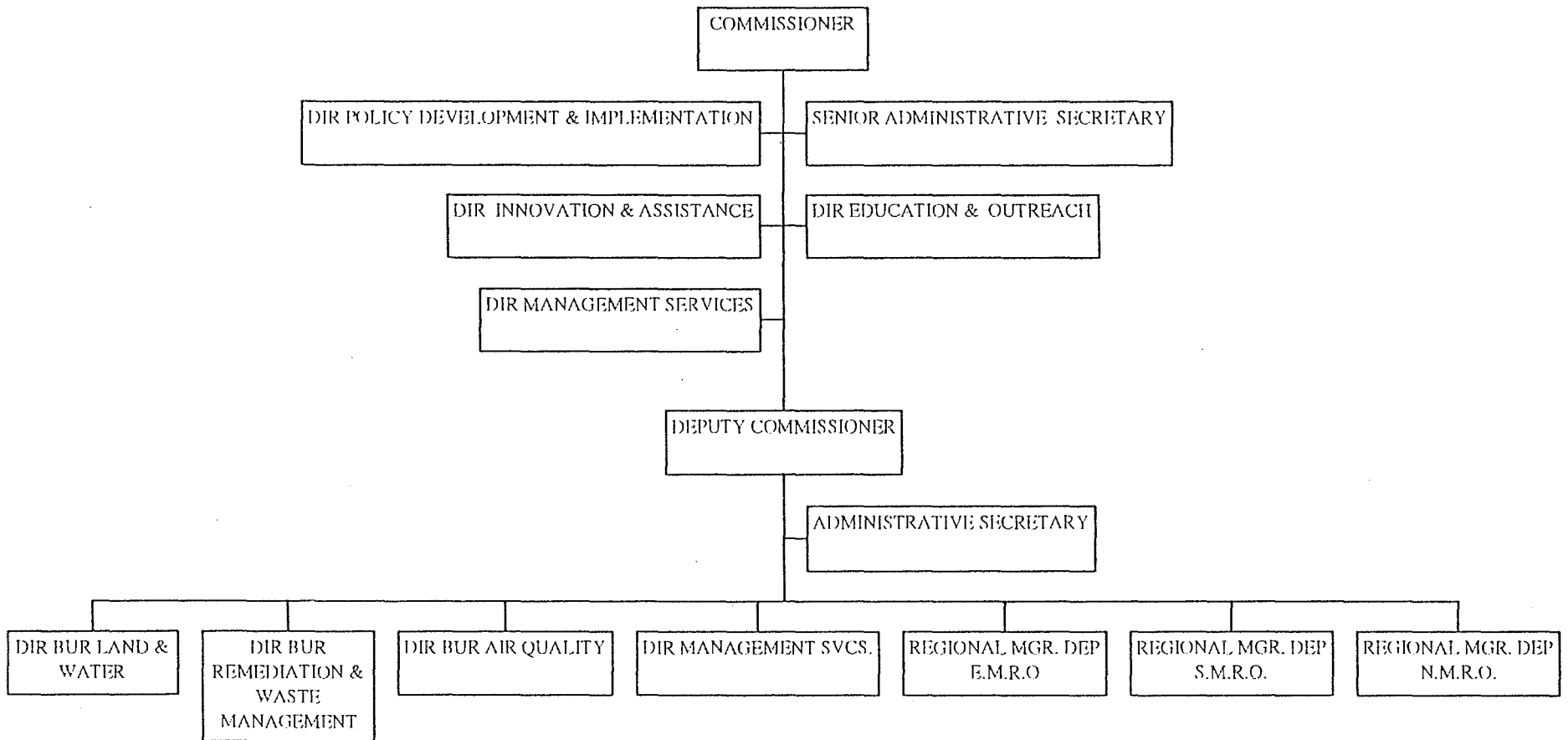
Northern Maine Regional Office



Southern Maine Regional Office

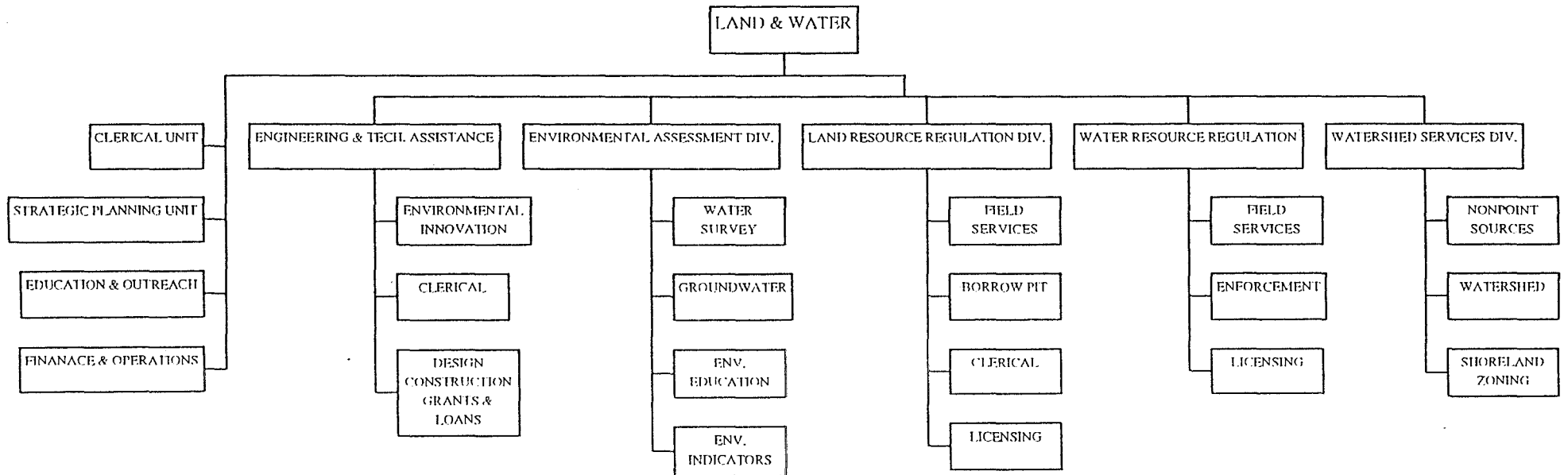


Department of Environmental Protection Commissioner's Office



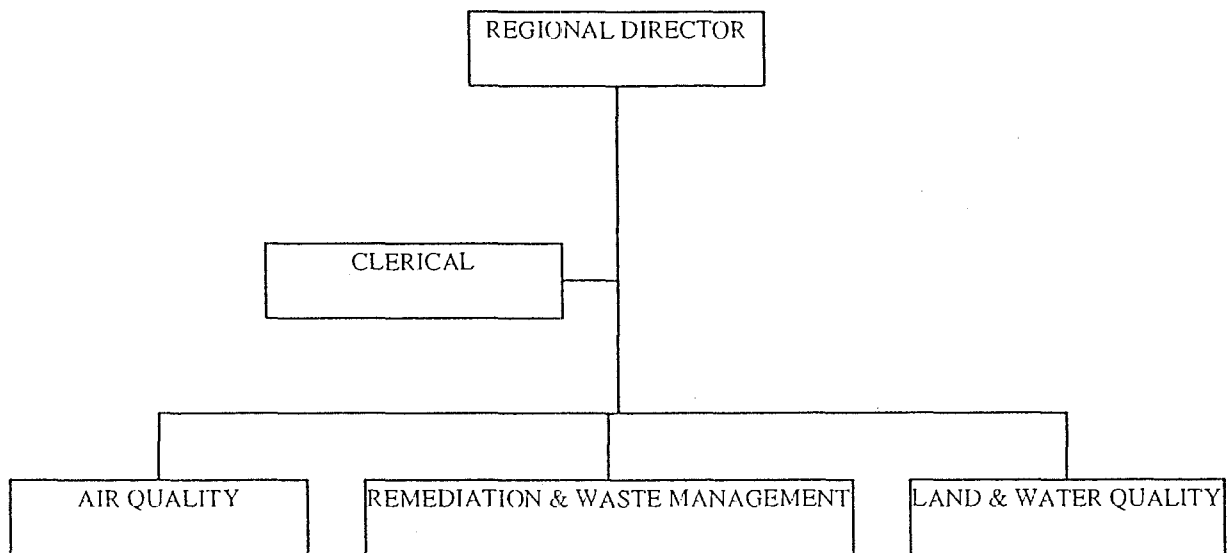
OVERVIEW

Bureau of Land and Water Quality

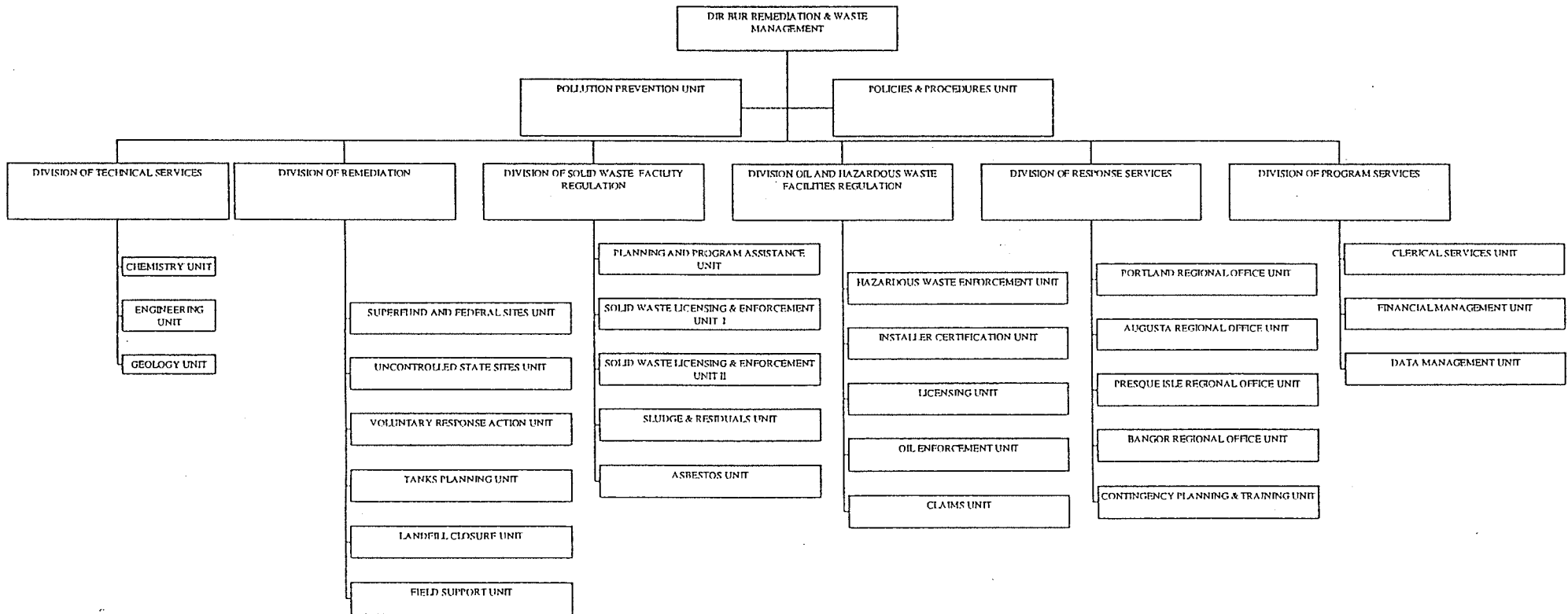


OVERVIEW

Southern Maine Regional Office



Bureau of Remediation & Waste Management



OVERVIEW

Department of Environmental Protection
November 1997, Legislative Report

Appendix B

DEPARTMENT OF ENVIRONMENTAL PROTECTION
 SUMMARY OF ACTUAL EXPENDITURES F/Y 90 TO 97
 BUDGETED ALLOCATION F/Y 98

		ACTUAL							BUDGET	
		1990	1991	1992	1993	1994	1995	1996	1997	1998
0025	Board of Environmental Protection									
	General Funds		31,268	1						
	Federal Funds									
	Dedicated Funds		39,844	55,062	77,831	55,986	55,138	124,821	145,535	210,534
	Bond Funds									
	Total	0	71,112	55,063	77,831	55,986	55,138	124,821	145,535	210,534
0247	Remediation and Waste Management									
	General Funds	655,585	580,154	625,080	561,352	415,520	473,510	381,770	280,829	275,512
	Federal Funds	1,310,562	1,488,189	1,633,460	2,136,404	1,824,745	2,073,652	2,163,266	1,403,849	2,618,761
	Dedicated Funds	4,319,412	6,112,923	7,678,840	12,555,906	14,553,002	19,726,023	13,607,802	13,548,152	24,861,847
	Bond Funds	2,362,137	2,470,019	1,604,925	1,707,765	1,357,895	1,125,281	1,231,810	1,043,844	2,452,000
	Total	8,647,696	10,651,285	11,542,305	16,961,427	18,151,162	23,398,466	17,384,648	16,276,674	30,208,120
0248	Land and Water Quality									
	General Funds	1,379,021	1,475,910	1,458,841	1,409,109	1,209,575	1,511,304	1,540,515	2,935,893	3,315,417
	Federal Funds	238,744	323,034	536,717	611,553	588,253	708,099	631,559	540,350	656,344
	Dedicated Funds	0	8,757	8,387	13,247	1,355	30,443	56,509	45,212	162,145
	Bond Funds									
	Total	1,617,765	1,807,701	2,003,945	2,033,909	1,799,183	2,249,846	2,228,583	3,521,455	4,133,906
0249	Water Quality									
	General Funds	1,467,305	1,186,490	1,076,637	913,092	858,734	1,055,957	1,236,263	22,309	
	Federal Funds	1,435,527	1,218,828	1,430,690	1,534,079	1,571,039	1,728,381	2,031,778	3,865,335	973,203
	Dedicated Funds					1,555			8,042	966,074
	Bond Funds									
	Total	2,902,832	2,405,318	2,507,327	2,447,171	2,431,328	2,784,338	3,268,041	3,895,686	1,939,277

DEPARTMENT OF ENVIRONMENTAL PROTECTION
SUMMARY OF ACTUAL EXPENDITURES F/Y 90 TO 97
BUDGETED ALLOCATION F/Y 98

	ACTUAL								BUDGET
	1990	1991	1992	1993	1994	1995	1996	1997	1998
0250 Air Quality									
General Funds	799,551	816,311	651,215	597,876	401,178	446,962	354,867	359,021	804,732
Federal Funds	791,802	913,451	1,307,392	1,442,004	1,626,816	1,435,665	1,226,714	404,541	
Dedicated Funds	82,031	57,379	27,965	14,723	20,770	190,798	10,247		
Bond Funds									
Total	1,673,384	1,787,141	1,986,572	2,054,603	2,048,764	2,073,425	1,591,828	763,562	804,732
0251 Administration-Environ. Protection									
General Funds	1,151,724	1,182,199	790,553	678,668	512,546	533,595	348,921	389,735	341,261
Federal Funds	513,839	535,058	732,988	740,095	668,582	752,719	627,480	712,946	802,783
Dedicated Funds	1,161,309	1,248,042	1,449,790	1,167,851	1,482,274	1,573,279	2,380,414	2,701,365	2,562,799
Bond Funds									
Total	2,826,872	2,965,299	2,973,331	2,586,614	2,663,402	2,859,593	3,356,815	3,804,046	3,706,843
0252 Municipal Sewerage Construction	(3)								
General Funds									
Federal Funds	614,374	399,125	317,464	298,322	354,905	382,033	414,240	265,755	
Dedicated Funds	118,335	179,695	265,693	222,448	221,426	240,401	305,732	361,619	523,327
Bond Funds	8,447,586	13,442,587	8,620,564	20,180,121	5,648,077	8,416,072	10,285,915	9,364,108	13,388,700
Total	9,180,295	14,021,407	9,203,721	20,700,891	6,224,408	9,038,506	11,005,887	9,991,482	13,912,027
0259 Water Pollution Control-Training	(4)								
General Funds	85,000	91,000	31,894	11,466	16,071	21,379	18,213	19,178	19,773
Federal Funds									
Dedicated Funds									
Bond Funds									
Total	85,000	91,000	31,894	11,466	16,071	21,379	18,213	19,178	19,773

DEPARTMENT OF ENVIRONMENTAL PROTECTION
 SUMMARY OF ACTUAL EXPENDITURES F/Y 90 TO 97
 BUDGETED ALLOCATION F/Y 98

	ACTUAL								BUDGET
	1990	1991	1992	1993	1994	1995	1996	1997	1998
0262 Technical Studies DEP (5)									
General Funds									
Federal Funds									
Dedicated Funds	98,597	100,236	117,235	107,010	96,989				
Bond Funds									
Total	98,597	100,236	117,235	107,010	96,989	0	0	0	0
0421 Maine Environmental Protection Fund									
General Funds									
Federal Funds									
Dedicated Funds	1,168,032	1,355,140	1,479,206	1,936,068	2,227,381	3,230,511	3,670,005	3,898,321	4,260,254
Bond Funds									
Total	1,168,032	1,355,140	1,479,206	1,936,068	2,227,381	3,230,511	3,670,005	3,898,321	4,260,254
0426 Radioactive Waste Evaluation Fund (6)									
General Funds									
Federal Funds									
Dedicated Funds	20,723	23,670	19,136	20,761	23,355				
Bond Funds									
Total	20,723	23,670	19,136	20,761	23,355	0	0	0	0
0439 Dams Registration (7)									
General Funds									
Federal Funds									
Dedicated Funds	19,388	23,680	21,961	41,502	15,159				17,554
Bond Funds									
Total	19,388	23,680	21,961	41,502	15,159	0	0	0	17,554

DEPARTMENT OF ENVIRONMENTAL PROTECTION
 SUMMARY OF ACTUAL EXPENDITURES F/Y 90 TO 97
 BUDGETED ALLOCATION F/Y 98

		ACTUAL							BUDGET	
		1990	1991	1992	1993	1994	1995	1996	1997	1998
0450 Environmental Impact Studies	(8)									
General Funds		43,686	40,011	30,644						
Federal Funds										
Dedicated Funds										
Bond Funds										
Total		43,686	40,011	30,644	0	0	0	0	0	0
0555 Lake Restoration and Protection	(9)									
General Funds		270,675	261,881	219,814	207,391	22,854	6,448	13,588		
Federal Funds		215,417	68,111	152,489	221,488	236,145	344,142	142,048	121,615	
Dedicated Funds										
Bond Funds										
Total		486,092	329,992	372,303	428,879	258,999	350,590	155,636	121,615	0
0564 Lake Environmental Protection Fund	(10)									
General Funds			2,853		1,058					
Federal Funds										
Dedicated Funds										
Bond Funds										
Total		0	2,853	0	1,058	0	0	0	0	0
0603 Solid Waste Management	(11)									
General Funds		1,028,627	843,829	561,252	547,691	429,289	448,375			
Federal Funds		15,635	98,389	119,905	107,364	124,229	126,158	85,206	53,872	
Dedicated Funds		440,667	761,008	712,702	723,507	838,337	873,499	1,155,315	1,188,808	1,377,410
Bond Funds		186,847	6,713,593	3,436,266	4,336,035	5,345,700	18,986,117	13,630,112	8,564,698	6,579,686
Total		1,671,776	8,416,819	4,830,125	5,714,597	6,737,555	20,434,149	14,870,633	9,807,378	7,957,096

DEPARTMENT OF ENVIRONMENTAL PROTECTION
 SUMMARY OF ACTUAL EXPENDITURES F/Y 90 TO 97
 BUDGETED ALLOCATION F/Y 98

		ACTUAL							BUDGET	
		1990	1991	1992	1993	1994	1995	1996	1997	1998
0796	Advisory Commission -Radioactive Waste(16)									
	General Funds									
	Federal Funds									
	Dedicated Funds						107,069	6,473		
	Bond Funds									
	Total	0	0	0	0	0	107,069	6,473	0	0
0797	Water Quality Protection (17)									
	General Funds									
	Federal Funds									
	Dedicated Funds						35,078	17,060	127,578	
	Bond Funds									
	Total	0	0	0	0	0	35,078	17,060	127,578	0
0813	Tire Stockpile Clean-up Program (18)									
	General Funds									
	Federal Funds									
	Dedicated Funds							20,473	450,000	
	Bond Funds								198,183	2,200,000
	Total	0	0	0	0	0	0	20,473	648,183	2,200,000
0835	Administrative Service Center (ACE) (19)									
	General Funds							42,233	9,767	
	Federal Funds									
	Dedicated Funds							412,032	1,138,102	1,158,139
	Bond Funds									
	Total	0	0	0	0	0	0	454,265	1,147,869	1,158,139

DEPARTMENT OF ENVIRONMENTAL PROTECTION
 SUMMARY OF ACTUAL EXPENDITURES F/Y 90 TO 97
 BUDGETED ALLOCATION F/Y 98

		ACTUAL								BUDGET
		1990	1991	1992	1993	1994	1995	1996	1997	1998
0612	Maine Sludge & Residuals Utilization (12)									
	General Funds	0	40,000							
	Federal Funds									
	Dedicated Funds									
	Bond Funds									
	Total	0	40,000	0	0	0	0	0	0	0
0680	Department Wide adjustment (13)									
	General Funds		90,000							
	Federal Funds									
	Dedicated Funds									
	Bond Funds									
	Total	0	90,000	0	0	0	0	0	0	0
0721	Pollution Prevention (14)									
	General Funds									
	Federal Funds				25,722	90,908	174,501	91,428	129,881	231,059
	Dedicated Funds									
	Bond Funds									
	Total	0	0	0	25,722	90,908	174,501	91,428	129,881	231,059
0759	Department Wide TQM (15)									
	General Funds					4,287	7,947			
	Federal Funds									
	Dedicated Funds									
	Bond Funds									
	Total	0	0	0	0	4,287	7,947	0	0	0

DEPARTMENT OF ENVIRONMENTAL PROTECTION
 SUMMARY OF ACTUAL EXPENDITURES F/Y 90 TO 97
 BUDGETED ALLOCATION F/Y 98

		ACTUAL								BUDGET
		1990	1991	1992	1993	1994	1995	1996	1997	1998
0851 Performance Partnership Grant	(20)									
General Funds										
Federal Funds										4,580,648
Dedicated Funds										
Bond Funds										
Total		0	0	0	0	0	0	0	0	4,580,648
0866 Alternative Fuel Vehicle Program	(21)									
General Funds										43,695
Federal Funds										
Dedicated Funds										
Bond Funds										
Total		0	0	0	0	0	0	0	0	43,695
Grand Total										
General Funds		6,881,174	6,641,906	5,445,931	4,927,703	3,870,054	4,505,477	3,936,370	4,016,732	4,800,390
Federal Funds		5,135,900	5,044,185	6,231,105	7,117,031	7,085,622	7,725,350	7,413,719	7,498,144	9,862,798
Dedicated Funds		7,428,494	9,910,374	11,835,977	16,880,854	19,537,589	26,062,239	21,766,883	23,612,734	36,100,083
Bond Funds		10,996,570	22,626,199	13,661,755	26,223,921	12,351,672	28,527,470	25,147,837	19,170,833	24,620,386
Total		30,442,138	44,222,664	37,174,768	55,149,509	42,844,937	66,820,536	58,264,809	54,298,443	75,383,657

Department of Environmental Protection
November 1997, Legislative Report

Appendix C

Maine Administrative Procedures Act
1997 Regulatory Agenda

EMERGENCY RULES ADOPTED DEPARTMENT-WIDE SINCE THE LAST
REGULATORY AGENDA: None

06-096
Department of Environmental Protection
Office of the Commissioner
Brooke Barnes, Rule Contact
17 State House Station
Augusta, ME 04333-0017

CHAPTER 2: Rules Concerning the Processing of Applications

STATUTORY AUTHORITY: 38 M.R.S.A. § 341-D, 343-B

PURPOSE: The amendments will update prescribed application filing procedures to better implement a fair and efficient process for regulated parties.

ANTICIPATED SCHEDULE: Winter 1997-1998.

AFFECTED PARTIES: Any person submitting an application.

IS THE PROPOSED REGULATION OR A PROVISION OF THE PROPOSED
REGULATION ANTICIPATED TO BE MORE STRINGENT THAN APPLICABLE
FEDERAL STANDARDS? Corresponding federal standards do not exist.

06-096
Department of Environmental Protection
Office of the Commissioner
Jim Dusch, Rule Contact
17 State House Station
Augusta, ME 04333-0017

CHAPTER - : Tax Exemption Certification Rules for Pollution Control Facilities

STATUTORY AUTHORITY: 38 M.R.S.A. § 341-D

PURPOSE: This rule will establish a permit-by-rule procedure for certain types of pollution control facilities and an application procedures for facilities not covered under permit-by-rule.

ANTICIPATED SCHEDULE: Winter 1997-1998.

Maine Administrative Procedures Act
1997 Regulatory Agenda

AFFECTED PARTIES: Any person seeking Sales and Use Tax or Property Tax exemptions for pollution control facilities.

IS THE PROPOSED REGULATION OR A PROVISION OF THE PROPOSED REGULATION ANTICIPATED TO BE MORE STRINGENT THAN APPLICABLE FEDERAL STANDARDS? Corresponding federal standards do not exist.

Maine Administrative Procedures Act
1997 Regulatory Agenda

06-096

Department of Environmental Protection
Bureau of Air Quality
Jeffrey Crawford, Rules Contact
17 State House Station
Augusta, ME 04333-0017

CHAPTER 100: Definitions Regulation

STATUTORY AUTHORITY: 38 M.R.S.A. § 585-A

PURPOSE: This regulation needs to be amended to reflect recent legislative changes affecting definitions, e.g., modification, waste, refuse-derived fuel, etc., and other new regulations or amendments processed through rulemaking, which require additions or changes to definitions in Chapter 100.

ANTICIPATED SCHEDULE: Ongoing.

AFFECTED PARTIES: These administrative changes resulting from new regulations or amendments will not have a direct impact on the regulated community or the environment.

IS THE PROPOSED REGULATION OR PROVISION OF THE PROPOSED REGULATION ANTICIPATED TO BE MORE STRINGENT THAN APPLICABLE FEDERAL STANDARDS? No.

CHAPTER 103: Fuel Burning Equipment Particulate Emission Standard

STATUTORY AUTHORITY: 38 M.R.S.A. § 585, 585-A.

PURPOSE: This regulation needs to be amended to incorporate federal maximum available control technology (MACT) standards on emissions of hazardous air pollutants.

ANTICIPATED SCHEDULE: January, 1998.

AFFECTED PARTIES: These amendments will primarily affect owners and operators of incinerators, while benefiting the general public.

IS THE PROPOSED REGULATION OR PROVISION OF THE PROPOSED REGULATION ANTICIPATED TO BE MORE STRINGENT THAN APPLICABLE FEDERAL STANDARDS? No.

CHAPTER 117: Source Surveillance

Maine Administrative Procedures Act
1997 Regulatory Agenda

STATUTORY AUTHORITY: 38 M.R.S.A. § 585-A, 590

PURPOSE: The proposed amendment to Chapter 117 will provide for the use of alternative predictive emission monitoring systems (PEMS) in lieu of continuous emission monitoring systems (CEMS).

ANTICIPATED SCHEDULE: June, 1998.

AFFECTED PARTIES: This amendment will affect major industrial and commercial sources of air emissions.

IS THE PROPOSED REGULATION OR PROVISION OF THE PROPOSED REGULATION ANTICIPATED TO BE MORE STRINGENT THAN APPLICABLE FEDERAL STANDARDS? No.

CHAPTER 129: Surface Coating Facilities

STATUTORY AUTHORITY: 38 M.R.S.A. § 585-A

PURPOSE: This regulation is being amended to simplify compliance for many of the smaller surface coating facilities without reducing real environmental benefits, with proposed changes including: (1) the inclusion of a diminimis threshold that would exempt smaller sources from regulation; (2) reduced recordkeeping requirements; (3) exempting facilities and providing other incentives for the use of powder coatings or other non-VOC coating technology; and (4) a number of provisions designed to increase compliance flexibility

ANTICIPATED SCHEDULE: September, 1997.

AFFECTED PARTIES: These amendments will affect any facility that applies a surface coating to cans, fabric, vinyl, metal furniture, flatwood paneling or miscellaneous metal parts and products.

IS THE PROPOSED REGULATION OR PROVISION OF THE PROPOSED REGULATION ANTICIPATED TO BE MORE STRINGENT THAN APPLICABLE FEDERAL STANDARDS? No.

CHAPTER 135: Hexavalent Chromium Particulate Emission Standard

STATUTORY AUTHORITY: 38 M.R.S.A. § 585, 585-A

PURPOSE: This regulation will be amended to incorporate federal maximum available control technology (MACT) requirements.

Maine Administrative Procedures Act
1997 Regulatory Agenda

ANTICIPATED SCHEDULE: March 1998.

AFFECTED PARTIES: These amendments will affect any source of hexavalent chromium emissions, including fuel burning equipment, incinerator or group processes.

IS THE PROPOSED REGULATION OR PROVISION OF THE PROPOSED REGULATION ANTICIPATED TO BE MORE STRINGENT THAN APPLICABLE FEDERAL STANDARDS? The proposed amendment slightly extends the EPA rule which regulated metal degreasing machines to include regulation of other substrates (e.g. plastic, electronic components) if they are cleaned in a solvent cleaning machine. At the same time, the federal MACT rule regulates emissions of hazardous solvents from all substrates. Since uncontrolled emissions from a solvent cleaning machine will pollute the air whether the substrate is metal (currently regulated) or other substrate (currently unregulated), the Department is proposing to extend the coverage of this rule to include all substrates.

06-096
Department of Environmental Protection
Bureau of Air Quality
Carolyn Wheeler, Rules Contact
17 State House Station
Augusta, ME 04333-0017

CHAPTER 101: Visible Emissions Regulation

STATUTORY AUTHORITY: 38 M.R.S.A. § 585-A

PURPOSE: This regulation needs to be amended to include the latest federal testing methodology.

ANTICIPATED SCHEDULE: October, 1997.

AFFECTED PARTIES: These amendments will primarily affect industrial and commercial sources of visible air emissions while benefiting the general public.

IS THE PROPOSED REGULATION OR PROVISION OF THE PROPOSED REGULATION ANTICIPATED TO BE MORE STRINGENT THAN APPLICABLE FEDERAL STANDARDS? No.

CHAPTER 102: Open Burning

STATUTORY AUTHORITY: 38 M.R.S.A. §585-A.

Maine Administrative Procedures Act
1997 Regulatory Agenda

PURPOSE: This regulation needs to be amended to incorporate legislative changes enacted by the 118th Legislature. These include prohibitions against the outdoor burning of plastics, rubber, styrofoam, metals food wastes and chemicals; definition changes and enforcement provisions.

ANTICIPATED SCHEDULE: January, 1998.

AFFECTED PARTIES: These amendments will primarily affect the general public.

IS THE PROPOSED REGULATION OR PROVISION OF THE PROPOSED REGULATION ANTICIPATED TO BE MORE STRINGENT THAN APPLICABLE FEDERAL STANDARDS? No.

CHAPTER 111: Petroleum Liquid Storage Vapor Control

STATUTORY AUTHORITY: 38 M.R.S.A. § 585, 585-A

PURPOSE: This regulation needs to be amended to incorporate federal maximum available control technology (MACT) standards on emissions of hazardous air pollutants.

ANTICIPATED SCHEDULE: December, 1997.

AFFECTED PARTIES: These amendments will primarily affect owners and operators of fixed roof petroleum storage tanks, while benefiting the general public.

IS THE PROPOSED REGULATION OR PROVISION OF THE PROPOSED REGULATION ANTICIPATED TO BE MORE STRINGENT THAN APPLICABLE FEDERAL STANDARDS? No.

CHAPTER 112: Bulk Terminal Petroleum Liquid Transfer Requirements

STATUTORY AUTHORITY: 38 M.R.S.A. § 585, 585-A

PURPOSE: This regulation needs to be amended to incorporate federal maximum available control technology (MACT) standards on emissions of hazardous air pollutants. The MACT standard limits mass emissions from gasoline transfer to 10 milligrams of emissions per liter of gasoline transferred.

ANTICIPATED SCHEDULE: December, 1998.

AFFECTED PARTIES: These amendments will primarily affect owners and operators of bulk gasoline terminals, while benefiting the general public.

Maine Administrative Procedures Act
1997 Regulatory Agenda

IS THE PROPOSED REGULATION OR PROVISION OF THE PROPOSED REGULATION ANTICIPATED TO BE MORE STRINGENT THAN APPLICABLE FEDERAL STANDARDS? No.

CHAPTER 114: Classification of Air Quality Control Regions

STATUTORY AUTHORITY: 38 M.R.S.A. § 585-B, 585-A

PURPOSE: This regulation will be amended to reflect the current attainment status of Androscoggin, Kennebec, Waldo and Hancock counties once federal approval of redesignation requests is received.

ANTICIPATED SCHEDULE: November, 1997.

AFFECTED PARTIES: These amendments will affect the owners or operators of sources located in or impacting these ozone attainment areas.

IS THE PROPOSED REGULATION OR PROVISION OF THE PROPOSED REGULATION ANTICIPATED TO BE MORE STRINGENT THAN APPLICABLE FEDERAL STANDARDS? No.

CHAPTER 123: Paper Coating Regulation

STATUTORY AUTHORITY: 38 M.R.S.A. § 343-A, 585-A

PURPOSE: The proposed amendment to Chapter 123 will add a diminimis exemption level for paper coating.

ANTICIPATED SCHEDULE: April, 1998.

AFFECTED PARTIES: These amendments will affect owners and operators of paper coating machines.

IS THE PROPOSED REGULATION OR PROVISION OF THE PROPOSED REGULATION ANTICIPATED TO BE MORE STRINGENT THAN APPLICABLE FEDERAL STANDARDS? No.

CHAPTER 124: Total Reduced Sulfur Control From Kraft Mills

STATUTORY AUTHORITY: 38 M.R.S.A. § 585-B

PURPOSE: The amendment to this rule will increase the time that venting of total reduced sulfur (TRS) is allowed. The existing rule allows up to 40 minutes to change

Maine Administrative Procedures Act
1997 Regulatory Agenda

over to a back-up control system upon failure or shutdown of the primary system, during which time TRS emissions can be vented to the atmosphere. It restricts other TRS emissions that are uncontrolled or directly vented to the atmosphere to no more than 15 minutes. The proposed amendment would align both venting times, and allow any venting of TRS emissions to the atmosphere for up to 40 minutes.

ANTICIPATED SCHEDULE: October, 1997.

AFFECTED PARTIES: These amendments will affect the owners or operators of kraft mills.

IS THE PROPOSED REGULATION OR PROVISION OF THE PROPOSED REGULATION ANTICIPATED TO BE MORE STRINGENT THAN APPLICABLE FEDERAL STANDARDS? No.

06-096
Department of Environmental Protection
Bureau of Air Quality
Deborah Avalone-King, Rules Contact
17 State House Station
Augusta, ME 04333-0017

CHAPTER 104: Incinerator Particulate Emission Standard

STATUTORY AUTHORITY: 38 M.R.S.A. § 585, 585-A

PURPOSE: This regulation needs to be amended to incorporate federal maximum available control technology (MACT) standards on emissions of hazardous air pollutants.

ANTICIPATED SCHEDULE: September, 1997.

AFFECTED PARTIES: These amendments will primarily affect owners and operators of incinerators, while benefiting the general public.

IS THE PROPOSED REGULATION OR PROVISION OF THE PROPOSED REGULATION ANTICIPATED TO BE MORE STRINGENT THAN APPLICABLE FEDERAL STANDARDS? No.

CHAPTER 121: Emission Testing of Resource Recovery Facilities

STATUTORY AUTHORITY: 38 M.R.S.A. § 585, 585-A, 590, 590-B

Maine Administrative Procedures Act
1997 Regulatory Agenda

PURPOSE: This regulation will be amended to include comprehensive air emission standards for both new and existing municipal waste incinerators. The proposed standards include the incorporation of federal standards and emissions guidelines as established pursuant to Sections 111 and 129 of the 1990 Clean Air Act Amendments. The amendments will establish limits for toxic metals, toxic organic gases and acid gases, and operating standards to ensure optimum combustion in order to reduce pollutants.

ANTICIPATED SCHEDULE: October, 1997.

AFFECTED PARTIES: These amendments will affect the owners or operators of large municipal waste combustors.

IS THE PROPOSED REGULATION OR PROVISION OF THE PROPOSED REGULATION ANTICIPATED TO BE MORE STRINGENT THAN APPLICABLE FEDERAL STANDARDS? No.

CHAPTER - : Standards for Existing and New Sources of Hazardous Air Pollutants

STATUTORY AUTHORITY: 38 M.R.S.A. § 585, 585-A

PURPOSE: This regulation will incorporate by reference the federal maximum available control technology (MACT) standards for hazardous air pollutants.

ANTICIPATED SCHEDULE: December, 1997 (and ongoing).

AFFECTED PARTIES: These amendments will affect owners and operators of sources emitting hazardous air pollutants.

IS THE PROPOSED REGULATION OR PROVISION OF THE PROPOSED REGULATION ANTICIPATED TO BE MORE STRINGENT THAN APPLICABLE FEDERAL STANDARDS? No.

CHAPTER - : Standards for Hazardous Air Pollutants for Stationary Sources

STATUTORY AUTHORITY: 38 M.R.S.A. § 585, 585-A

PURPOSE: This regulation will incorporate by reference selected federal new source performance standards for hazardous air pollutants for stationary sources (NESHAPS) that have been delegated to Maine by the federal government. This regulation will authorize the Department to implement delegation of federal air emission standards for toxic air pollutants into air emission licenses..

ANTICIPATED SCHEDULE: September, 1997 (and ongoing).

Maine Administrative Procedures Act
1997 Regulatory Agenda

AFFECTED PARTIES: These amendments will affect owners and operators of stationary sources emitting hazardous air pollutants.

IS THE PROPOSED REGULATION OR PROVISION OF THE PROPOSED REGULATION ANTICIPATED TO BE MORE STRINGENT THAN APPLICABLE FEDERAL STANDARDS? No.

CHAPTER - : Standards of Performance for New Sources of Emissions of Air Pollutants

STATUTORY AUTHORITY: 38 M.R.S.A. § 585, 585-A

PURPOSE: This regulation will incorporate by reference applicable federal new source performance standards (NSPS) for the control of air pollutant emissions. This regulation will authorize the Department to implement delegated federal air emission standards that are incorporated into air emission licenses. The standards reflect the degree of emission limitation achievable through the application of the best system of emission reduction, while accounting for the cost of such reductions and other non-air quality health, environmental and energy impacts.

ANTICIPATED SCHEDULE: September, 1997 (and ongoing).

AFFECTED PARTIES: These amendments will affect owners and operators of stationary sources of air pollutants.

IS THE PROPOSED REGULATION OR PROVISION OF THE PROPOSED REGULATION ANTICIPATED TO BE MORE STRINGENT THAN APPLICABLE FEDERAL STANDARDS? No.

06-096
Department of Environmental Protection
Bureau of Air Quality
Judy Landers, Rules Contact
17 State House Station
Augusta, ME 04333-0017

CHAPTER 113: Growth Offset Regulation

STATUTORY AUTHORITY: 38 M.R.S.A. § 585-A

PURPOSE: This regulation will be amended to allow emissions trading of certain air pollutants such as nitrogen oxides and volatile organic compounds without the need for receiving case-by-case federal approval of each trade.

Maine Administrative Procedures Act
1997 Regulatory Agenda

ANTICIPATED SCHEDULE: November, 1997.

AFFECTED PARTIES: These amendments will affect the owners or operators of any source in the State which chooses to generate emission reduction credits for use by other facilities as offsets.

IS THE PROPOSED REGULATION OR PROVISION OF THE PROPOSED REGULATION ANTICIPATED TO BE MORE STRINGENT THAN APPLICABLE FEDERAL STANDARDS? No.

CHAPTER - : Ozone Transport Commission NOx Memorandum of Understanding

STATUTORY AUTHORITY: 38 M.R.S.A. § 585-A

PURPOSE: The Ozone Transport Commission (OTC) NOx Memorandum of Understanding (MOU) is a multi-state program to address emissions of nitrogen oxides (or NOx) from major industrial sources through a market based approach. As part of the northern zone, Maine must reduce emissions from its largest sources by 55% from 1990 baseline levels, or meet a 0.2 lbs/mmBtu emission rate by May 1, 2003. Sources will receive an emissions allocation as part of the program, which can be either used by the source, or sold to other facilities.

ANTICIPATED SCHEDULE: May, 1998.

AFFECTED PARTIES: These amendments will affect owners and operators of facilities with boilers and other indirect heat exchangers with a maximum gross heat input of at least 250 million Btu per hour. There are currently 4 sources (all in southern Maine) that would be affected by this regulation.

IS THE PROPOSED REGULATION OR A PROVISION OF THE PROPOSED REGULATION ANTICIPATED TO BE MORE STRINGENT THAN APPLICABLE FEDERAL STANDARDS? Corresponding federal standards do not exist.

06-096
Department of Environmental Protection
Bureau of Air Quality
Ron Severance, Rules Contact
17 State House Station
Augusta, ME 04333-0017

CHAPTER 127: New Motor Vehicle Emission Standards

STATUTORY AUTHORITY: 38 M.R.S.A. § 585, 585-A, 585-D

Maine Administrative Procedures Act
1997 Regulatory Agenda

PURPOSE: This regulation is being amended to incorporate statutory changes enacted by the 118th Legislature.

ANTICIPATED SCHEDULE: December, 1997.

AFFECTED PARTIES: These amendments will affect manufacturers of motor vehicles.

IS THE PROPOSED REGULATION OR PROVISION OF THE PROPOSED REGULATION ANTICIPATED TO BE MORE STRINGENT THAN APPLICABLE FEDERAL STANDARDS? No.

CHAPTER 136: Transportation Conformity

STATUTORY AUTHORITY: 38 M.R.S.A. § 585-A

PURPOSE: The Clean Air Act Amendments of 1990 require all transportation plans and programs to demonstrate conformity with the State Implementation Plan (SIP). Conformity to the SIP means that activities will not cause or contribute to any new violations of a national ambient air quality standard (NAAQS), increase the frequency or severity of existing violations, or delay the timely attainment of any standard. This regulation will establish guidelines and standards for making conformity determinations.

ANTICIPATED SCHEDULE: April, 1998.

AFFECTED PARTIES: These amendments will affect the Maine Department of Transportation, metropolitan planning organizations and municipalities.

IS THE PROPOSED REGULATION OR PROVISION OF THE PROPOSED REGULATION ANTICIPATED TO BE MORE STRINGENT THAN APPLICABLE FEDERAL STANDARDS? No.

06-096
Department of Environmental Protection
Bureau of Air Quality
Don Anderson, Rules Contact
17 State House Station
Augusta, ME 04333-0017

CHAPTER 130: Solvent Degreasers

STATUTORY AUTHORITY: 38 M.R.S.A. § 585-A.

Maine Administrative Procedures Act
1997 Regulatory Agenda

PURPOSE: This regulation is being amended to clarify regulatory requirements and incorporate federal maximum available control technology (MACT) requirements for controlling halogenated Hazardous Air Pollutant emissions from six named VOC containing solvents found on the Clean Air Act list of approximately 189 hazardous air pollutants. The amendments will also add an exemption for diminimis sources of emissions (e.g., users of 2 gallons or less of solvent) and uniformly extend control requirements to all users of degreasers.

ANTICIPATED SCHEDULE: September, 1997.

AFFECTED PARTIES: These amendments will affect owners and operators of solvent degreasers.

IS THE PROPOSED REGULATION OR PROVISION OF THE PROPOSED REGULATION ANTICIPATED TO BE MORE STRINGENT THAN APPLICABLE FEDERAL STANDARDS? The proposed amendment slightly extends the EPA rule which regulated metal degreasing machines to include regulation of other substrates (e.g. plastic, electronic components) if they are cleaned in a solvent cleaning machine. At the same time, the federal MACT rule regulates emissions of hazardous solvents from all substrates. Since uncontrolled emissions from a solvent cleaning machine will pollute the air whether the substrate is metal (currently regulated) or other substrate (currently unregulated), the Department is proposing to extend the coverage of this rule to include all substrates.

CHAPTER 137: Emission Statements

STATUTORY AUTHORITY: 38 M.R.S.A. § 585-A

PURPOSE: The proposed amendments to Chapter 137 will incorporate statutory changes on reporting frequency.

ANTICIPATED SCHEDULE: July, 1997.

AFFECTED PARTIES: These amendments will affect owners and operators of stationary sources of air pollution.

IS THE PROPOSED REGULATION OR PROVISION OF THE PROPOSED REGULATION ANTICIPATED TO BE MORE STRINGENT THAN APPLICABLE FEDERAL STANDARDS? While the existing regulation currently includes some compounds not federally required, the proposed amendments are not anticipated to be more stringent than applicable federal requirements.

CHAPTER 142: Municipal Solid Waste Landfill Emission Control

Maine Administrative Procedures Act
1997 Regulatory Agenda

STATUTORY AUTHORITY: 38 M.R.S.A. § 585-A

PURPOSE: The U.S. Environmental Protection Agency has published emission guidelines for existing landfills that have accepted municipal solid waste since November 8, 1987, with these guidelines establishing new source performance standards for municipal solid waste (MSW) landfills to control landfill air emissions. The proposed regulation will establish reporting, recordkeeping and control requirements for new and existing landfills.

ANTICIPATED SCHEDULE: December, 1997.

AFFECTED PARTIES: These amendments will affect owners and operators of solid waste landfills who have accepted MSW after November 8, 1987, and particularly those with a design capacity greater than 2.5 million m³ and nonmethane organic compound emissions of more than 55 tons per year.

IS THE PROPOSED REGULATION OR PROVISION OF THE PROPOSED REGULATION ANTICIPATED TO BE MORE STRINGENT THAN APPLICABLE FEDERAL STANDARDS? No.

CHAPTER 129: Industrial Wastewater- Privately Owned Treatment Works

STATUTORY AUTHORITY: 38 M.R.S.A. § 585-A

PURPOSE: This regulation is being adopted to establish emission standards for industrial wastewater treatment facilities.

ANTICIPATED SCHEDULE: May, 1998.

AFFECTED PARTIES: This regulation will affect owners and operators of industrial wastewater treatment facilities.

IS THE PROPOSED REGULATION OR PROVISION OF THE PROPOSED REGULATION ANTICIPATED TO BE MORE STRINGENT THAN APPLICABLE FEDERAL STANDARDS? No.

Maine Administrative Procedures Act
1997 Regulatory Agenda

006-096

Department of Environmental Protection
Bureau of Remediation and Waste Management
John James, Rules Contact
17 State House Station
Augusta, ME 04333-0017

CHAPTERS 400 - 409: Solid Waste Management

STATUTORY AUTHORITY: 38 M.R.S.A. § 1304(1)

PURPOSE: These chapters will be amended to be consistent with corresponding federal law and to incorporate changes in Maine law. The amendments are needed to support the state's request for authority to administer federal landfill law and thereby eliminate the need for two sets of standards.

ANTICIPATED SCHEDULE FOR ADOPTION: Winter 97/98

AFFECTED PARTIES: General public; owners and operators of solid waste facilities.

IS THE PROPOSED REGULATION OR PROVISION OF THE PROPOSED REGULATION ANTICIPATED TO BE MORE STRINGENT THAN APPLICABLE FEDERAL STANDARDS? The proposed rule includes some provisions exceeding federal minimum requirements, including landfill liner requirements. Requirements exceeding federal minimum standards will be included only where necessary to carry out the purpose of state law, as determined through the rulemaking proceedings under the MAPA.

CHAPTER 419: Agronomic Utilization of Residuals

STATUTORY AUTHORITY: 38 M.R.S.A. § 1304(1)

PURPOSE: Amend existing chapter 567 governing land spreading of sludge to streamline application procedures and incorporate changes in state and federal law; change chapter number to 419 so that the rule is in sequence with other solid waste management rules.

ANTICIPATED SCHEDULE FOR ADOPTION: Fall 1997.

AFFECTED PARTIES: general public; generators of sludge and other residuals.

IS THE PROPOSED REGULATION OR PROVISION OF THE PROPOSED REGULATION ANTICIPATED TO BE MORE STRINGENT THAN APPLICABLE FEDERAL STANDARDS? The rule will provide detail in areas where federal standards are general and vague.

Maine Administrative Procedures Act
1997 Regulatory Agenda

CHAPTER 420: Septage Management Rules

STATUTORY AUTHORITY: 38 M.R.S.A. § 1304(1)

PURPOSE: The proposed amendments will incorporate new soils information and changes in federal law.

ANTICIPATED SCHEDULE FOR ADOPTION: Summer 1997.

AFFECTED PARTIES: general public; septic tank owners and pumpers; septage site owners and operators.

IS THE PROPOSED REGULATION OR PROVISION OF THE PROPOSED REGULATION ANTICIPATED TO BE MORE STRINGENT THAN APPLICABLE FEDERAL STANDARDS? The rule provides detail in areas where federal standards are general and vague.

CHAPTER 600: Oil Spill Prevention and Pollution Control

STATUTORY AUTHORITY: 38 M.R.S.A. § 546(4)

PURPOSE: Amend existing regulations to incorporate changes in law and technology since the rule was last amended in 1979.

ANTICIPATED SCHEDULE FOR ADOPTION: Summer 1997.

AFFECTED PARTIES: general public; owners and operators of oil terminal facilities and vessels.

IS THE PROPOSED REGULATION OR PROVISION OF THE PROPOSED REGULATION ANTICIPATED TO BE MORE STRINGENT THAN APPLICABLE FEDERAL STANDARDS? The revisions are being finalized. The final draft may contain provisions more stringent than federal law, but only as necessary to implement state law.

CHAPTER 650: Oil Spill Damage Claims

STATUTORY AUTHORITY: 38 MRSA § 341-D(1).

PURPOSE: Amend existing rule to reflect changes in state law.

ANTICIPATED SCHEDULE FOR ADOPTION: Spring 1998.

Maine Administrative Procedures Act
1997 Regulatory Agenda

AFFECTED PARTIES: Consumers of gasoline and other petroleum products subject to fees under 38 M.R.S.A. §§ 551(4) and 569-A(5); persons filing claims under 38 M.R.S.A. §§ 551(2) and 569-A for coverage of damages from an oil discharge.

IS THE PROPOSED REGULATION OR A PROVISION OF THE PROPOSED REGULATION ANTICIPATED TO BE MORE STRINGENT THAN APPLICABLE FEDERAL STANDARDS? Corresponding federal standards do not exist.

CHAPTER 695: Rules for Underground Hazardous Substance Storage Facilities

STATUTORY AUTHORITY: 38 M.R.S.A. § 1364(2).

PURPOSE: Amend existing rule consistent with a recent statutory change that eliminates the need for certified underground hazardous substance storage tank installers. See PL 1997, c. 363.

ANTICIPATED SCHEDULE FOR ADOPTION: Fall 1997.

AFFECTED PARTIES: Owners and operators of underground hazardous substance storage tanks.

IS THE PROPOSED REGULATION OR PROVISION OF THE PROPOSED REGULATION ANTICIPATED TO BE MORE STRINGENT THAN APPLICABLE FEDERAL STANDARDS? No.

CHAPTER 800: Identification of hazardous matter.

STATUTORY AUTHORITY: 38 M.R.S.A. §§ 1319(1).

PURPOSE: Amend existing rule to update references to federal regulations.

ANTICIPATED SCHEDULE FOR ADOPTION: Fall 1997

AFFECTED PARTIES: persons at risk from a discharge of hazardous matter; persons having care, custody, possession or control of hazardous matter.

IS THE PROPOSED REGULATION OR PROVISION OF THE PROPOSED REGULATION ANTICIPATED TO BE MORE STRINGENT THAN APPLICABLE FEDERAL STANDARDS? No.

CHAPTER 801: Removal and Reporting Procedures for Discharges of Hazardous Waste.

Maine Administrative Procedures Act
1997 Regulatory Agenda

STATUTORY AUTHORITY: 38 M.R.S.A. §§ 1319(2).

PURPOSE: Amend existing rule to incorporate statutory changes and changes in federal regulations.

ANTICIPATED SCHEDULE FOR ADOPTION: Fall 1997.

AFFECTED PARTIES: persons at risk from a discharge of hazardous matter; persons having care, custody, possession or control of hazardous matter.

IS THE PROPOSED REGULATION OR PROVISION OF THE PROPOSED REGULATION ANTICIPATED TO BE MORE STRINGENT THAN APPLICABLE FEDERAL STANDARDS? No.

CHAPTERS 850-857: Hazardous Waste Management

STATUTORY AUTHORITY: 38 M.R.S.A. §§ 1319-O(1).

PURPOSE: Update existing rules to incorporate changes in state and federal law.

ANTICIPATED SCHEDULE FOR ADOPTION: Summer 1998

AFFECTED PARTIES: General public; generators and handlers of hazardous waste.

IS THE PROPOSED REGULATION OR PROVISION OF THE PROPOSED REGULATION ANTICIPATED TO BE MORE STRINGENT THAN APPLICABLE FEDERAL STANDARDS? Some provisions, not proposed for amendment, are more stringent than corresponding federal minimum requirements. The purpose of the proposed revisions is to incorporate changes in federal law since the rule was last revised. The revisions are consistent with but not more stringent than federal law.

CHAPTER 900: Biomedical Waste Management

STATUTORY AUTHORITY: 38 M.R.S.A. §§ 1319-O(3).

PURPOSE: Amend existing rule to establish a mail-in sharps program.

ANTICIPATED SCHEDULE FOR ADOPTION: Spring 1998.

AFFECTED PARTIES: taxpayers; persons who generate fewer than 50 pounds of sharps (needles, etc.) per month.

Maine Administrative Procedures Act
1997 Regulatory Agenda

IS THE PROPOSED REGULATION OR A PROVISION OF THE PROPOSED
REGULATION ANTICIPATED TO BE MORE STRINGENT THAN APPLICABLE
FEDERAL STANDARDS? Corresponding federal standards do not exist.

Maine Administrative Procedures Act
1997 Regulatory Agenda

06-481
Board of Underground Oil Tanks Installers
James Hynson, Rules Contact
Department of Environmental Protection
17 State House Station
Augusta, ME 04333-0017

CHAPTER 1: Administrative Rules

STATUTORY AUTHORITY: 32 M.R.S.A. § 10004(2)

PURPOSE: Chapter 1 is being amended to correct a typographical error in a list of criteria used to determine if an advisory ruling should be issued. Specifically, the board proposes to change the word "sufficient" to "insufficient" in the 3rd sentence of chapter 1, section 6, subsection A. In addition, the board proposes to eliminate the provisions pertaining to certification of underground hazardous substance tank installers, consistent with the repeal of the underlying statutory requirement (see PL 1997, chapter 364).

ANTICIPATED ADOPTION DATE: January, 1998.

AFFECTED PARTIES: Persons requesting board advisory rulings; owners and prospective owners of underground hazardous substance tank facilities; certified underground storage tank installers and removers.

IS THE PROPOSED REGULATION OR A PROVISION OF THE PROPOSED REGULATION ANTICIPATED TO BE MORE STRINGENT THAN APPLICABLE FEDERAL STANDARDS? Corresponding federal standards do not exist.

CHAPTER 3: Certification of Underground Oil Tank Installers

STATUTORY AUTHORITY: 32 M.R.S.A. § 10004(2)

PURPOSE: Chapter 3 will be amended as necessary to incorporate statutory changes enacted during the 118th Maine Legislature, First Regular Session (see PL 1997, chapter 364).

ANTICIPATED ADOPTION DATE: January, 1998.

AFFECTED PARTIES: Owners of underground oil storage facilities; certified underground oil tank installers and applicants for certification.

IS THE PROPOSED REGULATION OR A PROVISION OF THE PROPOSED REGULATION ANTICIPATED TO BE MORE STRINGENT THAN APPLICABLE FEDERAL STANDARDS? Corresponding federal standards do not exist.

Maine Administrative Procedures Act
1997 Regulatory Agenda

CHAPTER 4: Certification of Underground Hazardous Substance Tank Installers

STATUTORY AUTHORITY: 32 M.R.S.A. § 10004(2)

PURPOSE: The board proposes to eliminate the rule provisions pertaining to certification of underground hazardous substance tank installers, consistent with repeal of the underlying statutory requirement (see PL 1997, chapter 364).

ANTICIPATED ADOPTION DATE: January, 1998.

AFFECTED PARTIES: Owners and prospective owners of underground hazardous substance tank facilities; certified underground storage tank installers and removers

IS THE PROPOSED REGULATION OR A PROVISION OF THE PROPOSED REGULATION ANTICIPATED TO BE MORE STRINGENT THAN APPLICABLE FEDERAL STANDARDS? Corresponding federal standards do not exist.

CHAPTER 5: Certification of Underground Gasoline Storage Tank Removers

STATUTORY AUTHORITY: 32 M.R.S.A. § 10004(2).

PURPOSE: Chapter 5 will be amended to incorporate a change in the underlying statute. Specifically, 38 M.R.S.A. § 10010(5)(B) was amended to expand the types of facilities that may be used to conduct the on-site examination required of those applying for certification as underground gasoline tank removers. See PL 1997, c. 364.

ANTICIPATED ADOPTION DATE: January, 1998.

AFFECTED PARTIES: Owners of underground gasoline storage facilities who wish to abandon them; applicants for certification as underground gasoline tank removers.

IS THE PROPOSED REGULATION OR A PROVISION OF THE PROPOSED REGULATION ANTICIPATED TO BE MORE STRINGENT THAN APPLICABLE FEDERAL STANDARDS? Corresponding federal standards do not exist.

Maine Administrative Procedures Act
1997 Regulatory Agenda

06-096

Department of Environmental Protection
Bureau of Land and Water Quality
Mike Mullen, Rules Contact
17 State House Station
Augusta, ME 04333-0017

CHAPTER 305: Permit by Rule

STATUTORY AUTHORITY: 38 M.R.S.A. § 341-D

PURPOSE: Amendments to update the permit by rule standards adopted pursuant to the Natural Resources Protection Act.

ANTICIPATED SCHEDULE: Fall, 1997.

AFFECTED PARTIES: Persons conducting regulated activities in, on over or adjacent to protected natural resources.

Is the proposed regulation or a provision of the proposed regulation anticipated to be more stringent than applicable federal standards? Corresponding federal standards do not exist.

CHAPTER - : Significant wildlife habitat

STATUTORY AUTHORITY: 38 M.R.S.A. § 341-D

PURPOSE: Adopt maps, standards and submission requirements for activities in, on, over or adjacent to significant wildlife habitat regulated under the Natural Resources Protection Act.

ANTICIPATED SCHEDULE: Fall, 1997.

AFFECTED PARTIES: Property owners.

IS THE PROPOSED REGULATION OR A PROVISION OF THE PROPOSED REGULATION ANTICIPATED TO BE MORE STRINGENT THAN APPLICABLE FEDERAL STANDARDS? Corresponding federal standards do not exist.

06-096

Department of Environmental Protection
Bureau of Land and Water Quality
Doug Burdick, Rule Contact
17 State House Station
Augusta, ME 04333-0017

Maine Administrative Procedures Act
1997 Regulatory Agenda

CHAPTER 355: Coastal Sand Dune Rules

STATUTORY AUTHORITY: 38 M.R.S.A. § 341-D

PURPOSE: Update and clarify the Coastal Sand Dune Rules, as needed.

ANTICIPATED SCHEDULE: Not yet scheduled.

AFFECTED PARTIES: Landowners.

IS THE PROPOSED REGULATION OR A PROVISION OF THE PROPOSED REGULATION ANTICIPATED TO BE MORE STRINGENT THAN APPLICABLE FEDERAL STANDARDS? Corresponding federal standards do not exist.

06-096

Department of Environmental Protection

Bureau of Land and Water Quality

Nancy Beardsley, John Hopeck and Hetty Richardson, Rules Contacts

17 State House Station

Augusta, ME 04333-0017

Amendments to the Rules adopted pursuant to the Site Location of Development Law, including:

CHAPTER 371: Definitions of Terms Used in the Site Location of Development Law
[repeal]

CHAPTER 372: Administrative Provisions
[repeal and replace chapter currently titled "policies and procedures under the site location law"]

CHAPTER 373: Financial and Technical Ability Standards of the Site Location of Development Law (Site Law)
[amend chapter currently titled "financial capacity standard of the site location law"]

CHAPTER 375: No Adverse Environmental Effect Standard of the Site Location of Development Law
[Amendment]

CHAPTER 376: Soil Types Standard of the Site Location of Development law
[repeal and replace chapter currently titled "soil types standard of the site location law"]

Maine Administrative Procedures Act
1997 Regulatory Agenda

CHAPTER 377: Infrastructure Standard of the Site Location of Development Law (Site Law)
[repeal and replace chapter currently titled "review of roads under the site location of development law"]

CHAPTER 379: Rules Regarding Blasting Operations
[new]

STATUTORY AUTHORITY: 38 M.R.S.A. § 341-D

PURPOSE: To update and clarify requirements pertaining to the Site Location of Development Law (several chapters).

ANTICIPATED SCHEDULE: Not yet scheduled.

AFFECTED PARTIES: Landowners, development community.

IS THE PROPOSED REGULATION OR A PROVISION OF THE PROPOSED REGULATION ANTICIPATED TO BE MORE STRINGENT THAN APPLICABLE FEDERAL STANDARDS? Corresponding federal standards do not exist.

06-096
Department of Environmental Protection
Bureau of Land and Water Quality
Don Witherill, Rule Contact
17 State House Station
Augusta, ME 04333-0017

CHAPTER 500: Stormwater Management [amendment];

CHAPTER 502: Direct Watersheds of Waterbodies Most at Risk from New Development [amendment].

STATUTORY AUTHORITY: 38 M.R.S.A. §§ 341-D and 420-D

PURPOSE: To update the lists of "watersheds of waterbodies most at risk" and "sensitive or threatened regions or watersheds", including rivers, streams and brooks. Also, to update other stormwater provisions as necessary.

ANTICIPATED SCHEDULE: Ch. 502 requires that amendments updating Chapter 502 be presented to the BEP for posting to public hearing by July 1, 1998. It is anticipated that any changes needed to Chapter 500 would also follow this schedule.

AFFECTED PARTIES: Developers and businesses.

Maine Administrative Procedures Act
1997 Regulatory Agenda

WHERE IS THE PROPOSED REGULATION OR A PROVISION OF THE PROPOSED REGULATION ANTICIPATED TO BE MORE STRINGENT THAN APPLICABLE FEDERAL STANDARDS? Amendments that may affect standards in existing rules will be difficult to compare with the standards in EPA's rules, because EPA's standards use non-mandatory language in part, and suggest but do not specify what may need to be done to comply with the law in certain circumstances.

06-096
Department of Environmental Protection
Bureau of Land and Water Quality
Dennis Merrill, Rule Contact
17 State House Station
Augusta, ME 04333-0017

CHAPTER 530.5: Environmental Evaluation: Surface Waters Toxics Control Program
[Amendment]

STATUTORY AUTHORITY: 38 M.R.S.A. § 341-D

PURPOSE: The rule implements testing and controls to identify and reduce discharges of toxic pollutants.

ANTICIPATED SCHEDULE: Fall, 1997.

AFFECTED PARTIES: Owner/operators of wastewater treatment facilities.

WHERE IS THE PROPOSED REGULATION OR A PROVISION OF THE PROPOSED REGULATION ANTICIPATED TO BE MORE STRINGENT THAN APPLICABLE FEDERAL STANDARDS? The current rule is, in some respects, more stringent than similar requirements commonly applied by EPA. Some of these areas will be reviewed in considering amendments to the present rule. It is anticipated that any changes will be closer to EPA's requirements, not more stringent.

06-096
Department of Environmental Protection
Bureau of Land and Water Quality
Stephen McLaughlin, Rule Contact
17 State House Station
Augusta, ME 04333-0017

CHAPTER 570: Combined Sewer Overflow Abatement [Repeal and replace chapter currently titled "Stormwater and Combined Sewer Overflows"]

STATUTORY AUTHORITY: 38 M.R.S.A. § 341-D

Maine Administrative Procedures Act
1997 Regulatory Agenda

PURPOSE: To establish rules regarding required CSO studies, the definition of best practical treatment, requirements for additions of new wastewaters, and the creation of CSO water quality subcategories.

ANTICIPATED SCHEDULE: Adoption by BEP in August, 1997.

AFFECTED PARTIES: Forty communities with Combined Sewer Overflows.

IS THE PROPOSED REGULATION OR A PROVISION OF THE PROPOSED REGULATION ANTICIPATED TO BE MORE STRINGENT THAN APPLICABLE FEDERAL STANDARDS? Corresponding federal standards do not exist.

06-096

Department of Environmental Protection
Bureau of Land and Water Quality
David Courtemanch and Donald Hague, Rules Contacts
17 State House Station
Augusta, ME 04333-0017

CHAPTER 579: Classification Attainment Evaluation Using Biological Criteria for Rivers and Streams [New]

STATUTORY AUTHORITY: 38 M.R.S.A. §§ 341-D and 465.

PURPOSE: To implement narrative standards described in 38 MRSA § 465.

ANTICIPATED SCHEDULE: Summer and Fall 1997.

AFFECTED PARTIES: Licensed dischargers to waters of the State.

Is the proposed regulation or a provision of the proposed regulation anticipated to be more stringent than applicable federal standards? Corresponding federal standards do not exist.

CHAPTER 580: Methods of Water Analysis [repeal and replace chapter currently titled "regulations relating to sampling procedures and analytical procedures"]

STATUTORY AUTHORITY: 38 M.R.S.A. § 341-D

PURPOSE: Rule includes new section on sampling of aquatic organisms necessary to implement Chapter 579 of these rules.

ANTICIPATED SCHEDULE: Summer and Fall 1997.

Maine Administrative Procedures Act
1997 Regulatory Agenda

AFFECTED PARTIES: Licensed dischargers to waters of the State.

IS THE PROPOSED REGULATION OR A PROVISION OF THE PROPOSED REGULATION ANTICIPATED TO BE MORE STRINGENT THAN APPLICABLE FEDERAL STANDARDS? Corresponding federal standards do not exist.

CHAPTER 581: Water Quality Evaluations [repeal and replace chapter currently titled "regulations relating to water quality evaluations"].

STATUTORY AUTHORITY: 38 M.R.S.A. § 341-D

PURPOSE: To add more specific description of assimilative capacity and to bring this rule into keeping with existing Chapter 530.3.

ANTICIPATED SCHEDULE: Summer and Fall 1997.

AFFECTED PARTIES: Licensed dischargers to waters of the State.

WHERE IS THE PROPOSED REGULATION OR A PROVISION OF THE PROPOSED REGULATION ANTICIPATED TO BE MORE STRINGENT THAN APPLICABLE FEDERAL STANDARDS? All sections of this rule are equal to or less than the stringencies of federal law, except paragraph E for which there are no federal standards.

CHAPTER 585: Dissolved Oxygen Requirements for Surface Waters [repeal and replace chapter currently titled "identification of fish spawning areas and designation of salmonid spawning areas"]

STATUTORY AUTHORITY: 38 M.R.S.A. §§ 341-D and 465.

PURPOSE: To apply statutory language to specific habitat conditions.

ANTICIPATED SCHEDULE: Summer - Fall 1997.

AFFECTED PARTIES: Licensed dischargers to waters of the State.

WHERE IS THE PROPOSED REGULATION OR A PROVISION OF THE PROPOSED REGULATION ANTICIPATED TO BE MORE STRINGENT THAN APPLICABLE FEDERAL STANDARDS? The standards for dissolved oxygen levels have not changed in this restatement of an old rule.

06-096

Department of Environmental Protection
Bureau of Land and Water Quality

Maine Administrative Procedures Act
1997 Regulatory Agenda

Richard Green, Rule Contact
17 State House Station
Augusta, ME 04333-0017

CHAPTER 592: Small Community Waste Water Program

STATUTORY AUTHORITY: 38 M.R.S.A. § 341-D

PURPOSE: To make minor corrections and clarifications, including some changes necessary for consistency with statute.

ANTICIPATED SCHEDULE: Summer, 1997.

AFFECTED PARTIES: Municipalities and owners of untreated discharges.

IS THE PROPOSED REGULATION OR A PROVISION OF THE PROPOSED REGULATION ANTICIPATED TO BE MORE STRINGENT THAN APPLICABLE FEDERAL STANDARDS? Corresponding federal standards do not exist.

06-096
Department of Environmental Protection
Bureau of Land and Water Quality
David Achorn, Rule Contact
17 State House Station
Augusta, ME 04333-0017

CHAPTER 594: State Contribution to Overboard Discharge Replacement Projects
[Amendment]

STATUTORY AUTHORITY: 38 M.R.S.A. § 341-D

PURPOSE: To make minor corrections and clarifications, including some changes necessary for consistency with statute.

ANTICIPATED SCHEDULE: Summer, 1997.

AFFECTED PARTIES: Municipalities, owners of licensed discharges

IS THE PROPOSED REGULATION OR A PROVISION OF THE PROPOSED REGULATION ANTICIPATED TO BE MORE STRINGENT THAN APPLICABLE FEDERAL STANDARDS? Corresponding federal standards do not exist.

06-096
Department of Environmental Protection
Bureau of Land and Water Quality

Maine Administrative Procedures Act
1997 Regulatory Agenda

Dennis Purington, Rule Contact
17 State House Station
Augusta, ME 04333-0017

CHAPTER 595: State Revolving Loan Fund [Amendment]

STATUTORY AUTHORITY: 38 M.R.S.A. § 341-D

PURPOSE: Make "house keeping" changes to clean up rules.

ANTICIPATED SCHEDULE: Start process in July. Go to public hearing in September or October.

AFFECTED PARTIES: Municipalities, quasi-municipal corporations, Maine Municipal Bond Bank and the DEP.

IS THE PROPOSED REGULATION OR A PROVISION OF THE PROPOSED REGULATION ANTICIPATED TO BE MORE STRINGENT THAN APPLICABLE FEDERAL STANDARDS? Corresponding federal standards do not exist.

06-096
Department of Environmental Protection
Bureau of Land and Water Quality
Richard Baker, Rules Contact
17 State House Station
Augusta, ME 04333-0017

CHAPTER - : State-imposed Shoreland Zoning Ordinance for Specified Towns

STATUTORY AUTHORITY: Title 38 M.R.S.A. § 438-A requires municipalities to adopt shoreland zoning ordinances at least as restrictive as the Board of Environmental Protection's minimum guidelines. Section 438-A also states that when a municipality fails to adopt an ordinance as required, the Board of Environmental Protection shall adopt a suitable ordinance of the Town.

Note: This rule-making may not be undertaken in the coming year. The item is retained in the agenda in case it is needed.

PURPOSE: To provide shoreland zoning ordinances for those municipalities that fail to adopt suitable ordinances as required by 38 M.R.S.A. § 438-A(2).

ANTICIPATED SCHEDULE: As needed basis. None scheduled at this time.

AFFECTED PARTIES: shoreland property owners and municipal officials.

Maine Administrative Procedures Act
1997 Regulatory Agenda

IS THE PROPOSED REGULATION OR A PROVISION OF THE PROPOSED REGULATION ANTICIPATED TO BE MORE STRINGENT THAN APPLICABLE FEDERAL STANDARDS? Corresponding federal standards do not exist.

CHAPTER 1000: State of Maine Guidelines for Municipal Shoreland Zoning Ordinances (amendment)

STATUTORY AUTHORITY: Title 38 MRSA § 438(A)(1) requires the Board of Environmental Protection to establish minimum guidelines for Municipal Shoreland Zoning Ordinances. The guidelines may require changes due to legislative amendments, or through any problems which may be encountered as the Department administers the shoreland zoning law.

PURPOSE: To provide up-to-date shoreland zoning standards for municipalities.

Note: This rule-making may not be undertaken in the coming year. The item is retained in the agenda in case it is needed.

ANTICIPATED SCHEDULE: As needed basis. None scheduled at this time.

AFFECTED PARTIES: Shoreland property owners, municipal officials.

IS THE PROPOSED REGULATION OR A PROVISION OF THE PROPOSED REGULATION ANTICIPATED TO BE MORE STRINGENT THAN APPLICABLE FEDERAL STANDARDS? Corresponding federal standards do not exist.

CHAPTER - : Repeal of State-imposed Shoreland Zoning Ordinance for Specified Towns

STATUTORY AUTHORITY: Title 38 M.R.S.A. § 438-A(4) authorizes the Board of Environmental Protection to adopt a suitable ordinance for any town that fails to do so. When a town later adopts an adequate ordinance, the Board must formally repeal the State-imposed ordinance.

PURPOSE: To repeal state-imposed shoreland zoning ordinance that are no longer necessary.

Note: This rule-making may not be undertaken in the coming year. The item is retained in the agenda in case it is needed.

ANTICIPATED SCHEDULE: As necessary. None scheduled at this time.

AFFECTED PARTIES: Shoreland property owners, municipal officials.

Maine Administrative Procedures Act
1997 Regulatory Agenda

IS THE PROPOSED REGULATION OR A PROVISION OF THE PROPOSED
REGULATION ANTICIPATED TO BE MORE STRINGENT THAN APPLICABLE
FEDERAL STANDARDS? Corresponding federal standards do not exist.



DEPARTMENT OF ENVIRONMENTAL PROTECTION

Serving Maine People & Protecting Their Environment

OFFICE OF THE COMMISSIONER

- **06-096 CMR Chapter 2: Rules Concerning the Processing of Applications**

Chapter Summary: Chapter 2 pertains to the processing of designated applications made to the Department of Environmental Protection. Included within these rules are sections which apply to advisory opinions, application requirements, application fees, public notice, public access to information, processing times, transfer of ownership, and appeals. These rules replace the Department of Environmental Protection's previous procedures for the processing of applications, formerly Chapter 1, and the regulatory fee schedule, formerly Chapter 50. The chapter was originally adopted in 1994 and has not been revised.

- **06-096 CMR Chapter 20: Regulations for hearings on applications**

Chapter Summary: Chapter 20 governs the conduct of routine hearings, on applications, conducted by the Board and/or the Department of Environmental Protection. They are intended to secure the just, speedy and inexpensive determination on such matters. Provisions are made for notice, location, procedures, conduct, continuance, evidence, public participation, testimony, appearance, record as well as other matters essential to orderly proceedings. These Rules do not apply to Hearing on applications of significant public interest. This chapter was originally adopted in 1975 and last amended in 1981.

- **06-096 CMR Chapter 30:**

Special regulations for hearings on applications of significant public interest

Chapter Summary: Chapter 30 governs the conduct of hearing for applications where the Board of Environmental Protection has determined that the subject matter of the application is of significant public interest. They are intended to secure the just, speedy and inexpensive determination in such matters. Provisions are made for notice, location, consolidation, public participation, intervention, pre-hearing review, conferences, evidence, testimony, record, questioning, subpoenas, continuances as well as other matters essential to orderly proceedings. These rules do not apply to hearings on applications where the Board of Environmental Protection has not determined that the subject matter of the application is of significant public interest. The chapter was originally adopted in 1975 and last amended in 1981.

- **06-096 CMR Chapter 40:**

Regulations for the conduct of enforcement hearings

Chapter Summary: Chapter 40 governs Board of Environmental Protection enforcement hearings. The rule provides for a presiding officer and established his or her powers, general conduct of the hearing, notice, commencement of proceedings, response to notice, evidence, offer of proof, record, Board actions, consent agreements and other necessary functions for equitable enforcement

RULES IN EFFECT: OCTOBER 1, 1997



DEPARTMENT OF ENVIRONMENTAL PROTECTION

Serving Maine People & Protecting Their Environment

OFFICE OF THE COMMISSIONER

proceedings. The rule clearly states the rights, obligation, and responsibilities of both the alleged violator and the Department. The rule intends to secure the just, speedy and inexpensive determination in enforcement matters. The chapter was originally adopted in 1973 and last amended in 1981.

RULES IN EFFECT: OCTOBER 1, 1997



DEPARTMENT OF ENVIRONMENTAL PROTECTION

Serving Maine People & Protecting Their Environment

BUREAU OF AIR QUALITY

- **06-096 CMR Chapter 100: Definitions Regulation**

Chapter Summary: Chapter 100 serves as a central repository for definitions that are in common usage throughout the Department's air quality regulations. This chapter is constantly revised to accommodate changes resulting from other Bureau rule-making activities. The chapter was originally adopted in 1972 and last amended in 1996.

- **06-096 CMR Chapter 101: Visible Emissions Regulation**

Chapter Summary: This regulation establishes opacity limitations for emissions from several categories of air contaminant sources. The chapter was originally adopted in 1972 and last amended in 1990.

- **06-096 CMR Chapter 102: Open Burning Regulation**

Chapter Summary: Chapter 102 prohibits open burning of specified materials and certain open burning activities in all ambient air quality regions of the State. The chapter was originally adopted in 1972 and last amended in 1990.

- **06-096 CMR Chapter 103: Fuel Burning Equipment Particulate Emission Standard**

Chapter Summary: Chapter 103 limits the amount of particulate matter that may be emitted from fuel burning equipment, depending on fuel consumed and type of burner. The chapter was originally adopted in 1972 and last amended in 1990.

- **06-096 CMR Chapter 104: Incinerator Particulate Emission Standard**

Chapter Summary: Chapter 104 contains provisions limiting the opacity and amount of particulate matter that may be emitted from certain categories and sizes of incinerators. The chapter was originally adopted in 1972 and last amended in 1990.

- **06-096 CMR Chapter 105: General Process Source Particulate Emission Standard**

Chapter Summary: Chapter 105 limits the amount of particulate emissions from any general process source based on size and the rate at which the process operates. The chapter limits Kraft pulping process emissions based on tons of pulp produced. The chapter was originally adopted in 1972 and last amended in 1990.

RULES IN EFFECT: OCTOBER 1, 1997



DEPARTMENT OF ENVIRONMENTAL PROTECTION

Serving Maine People & Protecting Their Environment

BUREAU OF AIR QUALITY

- **06-096 CMR Chapter 106: Low Sulfur Fuel**

Chapter Summary: Chapter 106 establishes maximum sulfur content levels for fossil fuels burned in the State's various ambient air quality control regions. (Different provisions apply to sources equipped with sulfur dioxide controls or sources subject to more stringent limitations.) The chapter was originally adopted in 1972 and last amended in 1991.

- **06-096 CMR Chapter 107: Sulfur Dioxide Emissions Standards for Sulfite Pulp Mills**

Chapter Summary: Chapter 107 establishes a limitation on the amount of sulfur dioxide (SO₂) that may be emitted from process sources for sulfite pulp mills based on the sulfite pulp production of the mill. The chapter was originally adopted in 1972 and last amended in 1979.

- **06-096 CMR Chapter 109: Emergency Episode Regulation**

Chapter Summary: Chapter 109 operates to restrict air emissions during periods of air pollution emergencies in order to prevent eminent and substantial harm to the health of Maine citizens. The chapter was originally adopted in 1972 and last amended in 1991.

- **06-096 CMR Chapter 110: Ambient Air Quality Standards**

Chapter Summary: Chapter 110 establishes ambient air quality standards which limit the amount of certain pollutants that may be emitted into the ambient air. Depending on the classification of particular region of the State, increases in emissions and the existing amount of emissions may be limited accordingly. The chapter was originally adopted in 1971 and last amended in 1996.

- **06-096 CMR Chapter 111: Petroleum Liquid Storage Vapor Control**

Chapter Summary: Chapter 111 requires all owners of fixed roof petroleum liquid storage tanks with vapor pressure greater than 1.52 psia to install floating roofs to reduce hydrocarbon vapor loss. The chapter was originally adopted in 1972 and last amended in 1990.

- **06-096 CMR Chapter 112: Petroleum Liquids Transfer Vapor Recovery**

Chapter Summary: Chapter 112 requires bulk gasoline terminals loading greater than 20,000 gallons per day into tank trucks or trailers to install a vapor control system that limits lost vapors to

RULES IN EFFECT: OCTOBER 1, 1997



DEPARTMENT OF ENVIRONMENTAL PROTECTION

Serving Maine People & Protecting Their Environment

BUREAU OF AIR QUALITY

35 milligrams per liter of gasoline transferred. The chapter was originally adopted in 1979 with an 80 milligrams per liter emission limit and last amended in 1995.

- **06-096 CMR Chapter 113: Growth Offset Regulation**

Chapter Summary: Chapter 113 defines how ambient air quality standards will be maintained and how additional sources of emissions will be licensed in areas of non-attainment. Under this chapter, new sources of emissions in non-attainment areas must obtain offsets in the area in order to accommodate the additional emissions that will result from the facility. The chapter was originally adopted in 1979 and last amended in 1994.

- **06-096 CMR Chapter 114: Classification of Air Quality Control Regions**

Chapter Summary: Chapter 114 defines geographic areas of the State found to exceed ambient air quality standards and the class increment applying to each. The chapter was originally adopted in 1979 and last amended in 1994.

- **06-096 CMR Chapter 115: Air Emission License Regulations**

Chapter Summary: Chapter 115 specifies individuals that must obtain an air emissions license, the information that must be submitted to obtain a license, and the criteria that must be complied with. The chapter was originally adopted in 1988 and last amended in 1996.

- **06-096 CMR Chapter 116: Prohibited Dispersion Techniques Regulation**

Chapter Summary: Chapter 116 specifies stack height and dispersion technique requirements for licensing air emission sources. The chapter was originally adopted in 1988 and last amended in 1989.

- **06-096 CMR Chapter 117: Source Surveillance**

Chapter Summary: Chapter 117 specifies sources that must operate continuous emission monitoring systems (CEMs). The chapter details performance specifications, quality assurance requirements, procedures for operating CEM systems, and record keeping and reporting requirements. The chapter was originally adopted in 1994 and has not been revised.

- **06-096 CMR Chapter 118: Gasoline Dispensing Facilities Vapor Control**

RULES IN EFFECT: OCTOBER 1, 1997



DEPARTMENT OF ENVIRONMENTAL PROTECTION

Serving Maine People & Protecting Their Environment

BUREAU OF AIR QUALITY

Chapter Summary: Chapter 118 requires gasoline vapor emissions to be controlled during the transfer of gasoline from tank trucks to stationary gasoline storage tanks at gasoline dispensing facilities. The chapter was originally adopted in 1994 and last amended in 1995.

- **06-096 CMR Chapter 119: Motor Vehicle Fuel Volatility Limit Regulation**

Chapter Summary: Chapter 119 establishes a Reid Vapor Pressure standard for all gasoline distributed or marketed by bulk terminals, or imported directly by to gas service stations and bulk gasoline plants. The chapter was originally adopted in 1989 and last amended in 1990.

- **06-096 CMR Chapter 120: Gasoline Tank Truck Tightness Self-Certification**

Chapter Summary: Chapter 120 requires all tank trucks transporting gasoline from bulk gasoline terminals to be annually certified leak-tight. The chapter was originally adopted in 1989 and last amended in 1994.

- **06-096 CMR Chapter 121: Emissions Testing and Resource Recovery Facilities**

Chapter Summary: Chapter 121 establishes stack emissions testing and reporting requirements for resource recovery facilities. The chapter was originally adopted in 1989 and has not been revised.

- **06-096 CMR Chapter 122: Chlorine and Chlorine Dioxide Emission Standard**

Chapter Summary: Chapter 122 establishes a chlorine and chlorine dioxide emissions limit for pulp and paper mill bleach plants. The chapter was originally adopted in 1990 and last amended in 1992.

- **06-096 CMR Chapter 123: Paper Coating Regulation**

Chapter Summary: Chapter 123 establishes consistent requirements for testing, evaluating, and limiting volatile organic compound (VOC) emissions from paper coating facilities. The chapter was originally adopted in 1989 and has not been revised.

- **06-096 CMR Chapter 124: Total Reduced Sulfur Control From Kraft Pulp Mills**

Chapter Summary: Chapter 124 establishes emissions standards for total reduced sulfur from existing Kraft pulp mills. The chapter was originally adopted in 1990 and last amended in 1995.

RULES IN EFFECT: OCTOBER 1, 1997



DEPARTMENT OF ENVIRONMENTAL PROTECTION

Serving Maine People & Protecting Their Environment

BUREAU OF AIR QUALITY

- **06-096 CMR Chapter 125: Perchloroethylene Dry Cleaner Regulation**

Chapter Summary: Chapter 125 requires that certain volatile organic compound control technology be used by dry cleaners. The chapter was originally adopted in 1991 and has not been revised.

- **06-096 CMR Chapter 126: Capture Efficiency Test Procedures**

Chapter Summary: Chapter 126 specifies the test procedure required to measure the quantity of volatile organic compound (VOC) emissions that a source is actually capturing and delivering to a device that destroys the VOC. The chapter was originally adopted in 1991 and has not been revised.

- **06-096 CMR Chapter 127: New Motor Vehicle Emission Standards**

Chapter Summary: Chapter 127 establishes motor vehicle emission standards for new passenger cars and light duty trucks. The chapter was originally adopted in 1993 and last amended in 1995.

- **06-096 CMR Chapter 129: Surface Coating Facilities**

Chapter Summary: Chapter 129 establishes consistent requirements for testing, evaluating, and limiting the emission of volatile organic compounds from certain surface coating operations. The chapter was originally adopted in 1993 and has not been revised.

- **06-096 CMR Chapter 130: Solvent Degreasers**

Chapter Summary: Chapter 130 establishes consistent requirements for testing, evaluating, and limiting volatile organic compound (VOC) emissions from solvent degreasers. To accomplish these VOC reductions, the chapter sets minimum equipment and operation standards. The chapter was originally adopted in 1993 and has not been revised.

- **06-096 CMR Chapter 131: Cutback and Emulsified Asphalt**

Chapter Summary: Chapter 131 defines prohibitions on mixing, storage, use, and application of cutback and emulsified asphalt. The chapter was originally adopted in 1993 and has not been revised.

RULES IN EFFECT: OCTOBER 1, 1997



DEPARTMENT OF ENVIRONMENTAL PROTECTION

Serving Maine People & Protecting Their Environment

BUREAU OF AIR QUALITY

- **06-096 CMR Chapter 132: Graphic Arts-Rotogravure and Flexography**

Chapter Summary: Chapter 132 restricts volatile organic compound emissions from graphic arts operations. The chapter was originally adopted in 1993 and has not been revised.

- **06-096 CMR Chapter 133: Petroleum Liquids Transfer Vapor Recovery at Bulk Gasoline Plants**

Chapter Summary: Chapter 133 requires certain bulk gasoline plants that load tank trucks and trailers to install a vapor balance system or submerged fill. The chapter was originally adopted in 1993 and has not been revised.

- **06-096 CMR Chapter 134: Reasonably Available Control Technology For Facilities That Emit Volatile Organic Compounds (VOC-RACT)**

Chapter Summary: Chapter 134 establishes Reasonably Available Control Technology (RACT) requirements for facilities that emit volatile organic compounds. The chapter was originally adopted in 1993 and last amended in 1995.

- **06-096 CMR Chapter 135: Hexavalent Chromium Particulate Emission Standard**

Chapter Summary: Chapter 135 limits the amount of hexavalent chromium that sources can emit. The chapter was originally adopted in 1990 and has not been revised.

- **06-096 CMR Chapter 137: Emission Statements**

Chapter Summary: Chapter 137 establishes annual reporting requirements for stationary sources of air pollution. The chapter was originally adopted in 1993 and has not been revised.

- **06-096 CMR Chapter 138: Reasonably Available Control Technology for Facilities that Emit Nitrogen Oxides (NO_x-RACT)**

Chapter Summary: Chapter 138 establishes Reasonably Available Control Technology (RACT) standards for stationary sources of nitrogen oxides (NO_x) that have the potential to emit quantities equal to or greater than 100 tons per year. The chapter was originally adopted in 1994 and has not been revised.

RULES IN EFFECT: OCTOBER 1, 1997



DEPARTMENT OF ENVIRONMENTAL PROTECTION

Serving Maine People & Protecting Their Environment

BUREAU OF AIR QUALITY

- **06-096 CMR Chapter 140: Part 70 Air Emission License Regulations**

Chapter Summary: Chapter 140 identifies the sources of air emissions that require a Part 70 air emission license and incorporates the requirements of Title I, Title IV and Title V of the Clean Air Act, as amended, 42 U.S.C. § 7401, et seq.; and 38 MRSA, Section 344 and Section 590. The chapter was originally adopted in 1995 and last amended in 1997.

- **06-096 CMR Chapter 141: Conformity of General Federal Actions**

Chapter Summary: Chapter 141 requires federal actions to conform to the applicable Federal or State Implementation Plan (SIP). Conformity determinations for federal actions ensure that the purpose and intent of the State Implementation Plan are met. The chapter was originally adopted in 1996 and has not been revised.



DEPARTMENT OF ENVIRONMENTAL PROTECTION

Serving Maine People & Protecting Their Environment

BUREAU OF LAND AND WATER QUALITY

- **06-096 CMR Chapter 200 (and 04-061 CMR 13): Metallic Mineral Exploration, Advanced Exploration and Mining**

Chapter Summary: Chapter 200 establishes requirements for pre-application, baseline monitoring, application, environmental review, siting, design, operation, reclamation, closure, and post-closure of mining operations. The chapter was originally adopted in 1991 and has not been revised.

- **06-096 CMR Chapter 305: Natural Resources Protection Act - Permit By Rule Standards**

Chapter Summary: Chapter 305 defines activities which do not significantly affect the environment and thus are subject to self-certification after application. The chapter was originally adopted in 1995 and has not been revised.

- **06-096 CMR Chapter 310: Wetlands Protection**

Chapter Summary: Chapter 310 regulates activities that affect or disturb coastal and freshwater wetlands. The chapter was originally adopted in 1990 and last amended in 1996.

- **06-096 CMR Chapter 355: Coastal Sand Dune Rules**

Chapter Summary: Chapter 355 sets forth standards and procedures for projects taking place in sand dune areas. The chapter was originally adopted in 1983 and last amended in 1993.

- **06-096 CMR Chapter 371: Definitions of Terms Used in the Site Location of Development**

Chapter Summary: Chapter 371 defines and clarifies the terms used in the Site Location of Development Law. The chapter was originally adopted in 1979 and last amended in 1982.

- **06-096 CMR Chapter 372: Policies and Procedures under the Site Location Law**

Chapter Summary: Chapter 372 describes the general policies and procedures of the Site Location of Development Law, including: scope of review; nature of terms and conditions; Board jurisdiction; completeness of application; requirement of additional information; advisory rulings; access to the site; approval not contingent upon other approvals; title, right and interest; phased development; association responsible for common facilities; standard conditions of approval; and, severability. The chapter was originally adopted in 1979 and has not been revised.

RULES IN EFFECT: OCTOBER 1, 1997



DEPARTMENT OF ENVIRONMENTAL PROTECTION

Serving Maine People & Protecting Their Environment

BUREAU OF LAND AND WATER QUALITY

- **06-096 CMR Chapter 373: Financial Capacity Standard of the Site Location Law**

Chapter Summary: Chapter 373 describes: the scope of the Board's review in determining a developer's compliance with the financial capacity standard of the site law; the information that must be submitted with an application; and, the terms and conditions that can be imposed upon approval of an application. The chapter was originally adopted in 1979 and has not been revised.

- **06-096 CMR Chapter 374:
Rules Regarding the Traffic Movement Standard of the Site Location Law**

Chapter Summary: Chapter 374 describes: the scope of the Board's review in determining a developer's compliance with the "traffic movement" standard of the site law; the information that must be submitted with an application; the elements of a traffic study; standards for street and parking lot design; and, the terms and conditions that may be imposed upon approval of an application. The chapter was originally adopted in 1979 and last amended in 1997.

- **06-096 CMR Chapter 375:
No Adverse Environmental Effect Standard of the Site Location Law**

Chapter Summary: Chapter 375 describes: the scope of the Board's review in determining a developer's compliance with the "no adverse effect on the natural environment" standard of the site location law; the information that must be submitted with an application; and, the terms and conditions that may be imposed upon approval of an application. The chapter was originally adopted in 1979 and last amended in 1991.

- **06-096 CMR Chapter 376: Soil Types Standard of the Site Location Law**

Chapter Summary: Chapter 376 describes: the scope of the Board's review in determining a developer's compliance with the "soil types" standard of the site law; the information that must be submitted with an application; and, the terms and conditions that may be imposed upon approval of an application. The chapter was originally adopted in 1979 and has not been revised.

- **06-096 CMR Chapter 377:
Review of Roads under the Site Location of Development Law**

Chapter Summary: Chapter 377 describes: the scope of the Board's review in determining a developer's compliance with the "roads" standard of the site law; defines certain terms used in the

RULES IN EFFECT: OCTOBER 1, 1997



DEPARTMENT OF ENVIRONMENTAL PROTECTION

Serving Maine People & Protecting Their Environment

BUREAU OF LAND AND WATER QUALITY

site law; the procedure used in reviewing proposed rules; establishes standards that must be met to qualify for exemption from the law; and, the terms and conditions that may be imposed upon approval of an application. The chapter was originally adopted in 1980 and has not been revised.

- **06-096 CMR Chapter 378:**

Performance Standard Review of Borrow Pits and Topsoil Mining Operations

Chapter Summary: Chapter 378 establishes an optional, expedited review process for gravel pits and top soil mining operations that consists of performance standards that must be met to have such operations approved. The chapter was originally adopted in 1991 and last amended in 1997.

RULES IN EFFECT: OCTOBER 1, 1997



DEPARTMENT OF ENVIRONMENTAL PROTECTION

Serving Maine People & Protecting Their Environment

BUREAU OF REMEDIATION AND WASTE MANAGEMENT

- **06-096 CMR Chapter 400: Solid Waste Management Rules General Provisions**

Chapter Summary: Chapter 400 clarifies and implements various solid waste laws. Among other things, the rule defines solid waste terms, specifies when a facility license is required, establishes an application procedure for facility licensing, lists the criteria for license approval, and describes the procedure for requesting a variance from licensing requirements. The rule includes sections on the public benefit determination required of solid waste disposal facilities and on eligibility for grants to underwrite the costs of host community participation in state solid waste licensing proceedings. The chapter was originally adopted in 1989 and has not been revised.

- **06-096 CMR Chapter 401: Landfill Disposal Facilities**

Chapter Summary: Chapter 401 sets forth application requirements and design standards for solid waste landfills. The rule includes specifications on location, monitoring, operation, closure and post-closure maintenance. The chapter was originally adopted in 1989 and has not been revised.

- **06-096 CMR Chapter 402: Solid Waste Transfer Stations and Storage Facilities**

Chapter Summary: Chapter 402 governs the location, design and operation of solid waste transfer stations. It includes a permit-by-rule procedure. The chapter was originally adopted in 1989 and has not been revised.

- **06-096 CMR Chapter 403: Incineration Facilities**

Chapter Summary: Chapter 403 sets forth application requirements and design standards for solid waste incineration facilities. The rule includes specifications on location, monitoring and operation. The chapter was originally adopted in 1989 and has not been revised.

- **06-096 CMR Chapter 404:**

 - **Construction/Demolition Debris, Inert Fill, Land Clearing Debris, and WoodWaste**

Chapter Summary: Chapter 404 sets forth requirements for storage and disposal of construction and demolition debris, land clearing debris and wood wastes. The rule specifies when a permit is required and includes siting, design and application requirements. The chapter was originally adopted in 1989 and has not been revised.

- **06-096 CMR Chapter 405: Management, Testing, and Disposal of Special Waste**

RULES IN EFFECT: OCTOBER 1, 1997



DEPARTMENT OF ENVIRONMENTAL PROTECTION

Serving Maine People & Protecting Their Environment

BUREAU OF REMEDIATION AND WASTE MANAGEMENT

Chapter Summary: Chapter 405 governs the handling of special waste at licensed solid waste facilities. Special waste is solid waste that requires special handling because of its nature or quantity. The rule includes provisions for sampling and analysis, hazardous waste exclusion and waste handling. Sections of the rule address specific types of special waste, including asbestos, dredge spoils, oily waste and ash. The chapter was originally adopted in 1989 and has not been revised.

- **06-096 CMR Chapter 406: Storage or Disposal of Used or Scrap Tires**

Chapter Summary: Chapter 406 sets forth policies and procedures for storage and disposal of used tires. The rule includes provisions governing the handling of tires at licensed solid waste facilities and separate provisions governing the licensing of facilities used exclusively for tire storage, processing and disposal. The chapter was originally adopted in 1989 and has not been revised.

- **06-096 CMR Chapter 408: Recycling and the Utilization of Solid Waste Residuals**

Chapter Summary: Chapter 408 governs solid waste recycling and land application of sludge and residuals. The rule specifies when a DEP permit is required and sets siting and operating standards. The chapter was originally adopted in 1989 and has not been revised.

- **06-096 CMR Chapter 409: Solid Waste Processing Facilities**

Chapter Summary: Chapter 409 governs the siting, design and licensing of solid waste processing facilities, such as automobile shredding operations and waste composting. The rule also governs the substitution of waste for virgin materials, such the use of ash in concrete block manufacture and oil contaminated soils in asphalt. The chapter was originally adopted in 1990 and has not been revised.

- **06-096 CMR Chapter 411: Non-Hazardous Waste Transporter Rules**

Chapter Summary: Chapter 411 establishes requirements and procedures for obtaining a license to transport solid waste, special waste, or septage. The chapter was originally adopted in 1991 and has not been revised.

- **06-096 CMR Chapter 420: Septage Management Rules**

Chapter Summary: Chapter 420 governs the storage, processing, treatment and disposal of septage, i.e. septic tank and cesspool effluent. The rule specifies when a permit is required and sets siting and operating standards. The chapter was originally adopted in 1986 and last amended in 1997.

RULES IN EFFECT: OCTOBER 1, 1997



DEPARTMENT OF ENVIRONMENTAL PROTECTION

Serving Maine People & Protecting Their Environment

BUREAU OF REMEDIATION AND WASTE MANAGEMENT

- **06-096 CMR Chapter 425: Asbestos Management Regulations**

Chapter Summary: Chapter 425 establishes licensing and certification requirements for businesses and individuals engaging in asbestos abatement activities. The chapter also provides work practice requirements for asbestos abatement activities and standards for storage. The chapter was originally adopted in 1994 and has not been revised.

RULES IN EFFECT: OCTOBER 1, 1997



DEPARTMENT OF ENVIRONMENTAL PROTECTION

Serving Maine People & Protecting Their Environment

BUREAU OF LAND AND WATER QUALITY

- **06-096 CMR Chapter 450: Administrative Regulations for Hydropower Projects**

Chapter Summary: Chapter 450 provides guidance on the administration of the state's one-stop hydropower project permitting law, the Maine Waterway Development and Conservation Act ("MWDCA"), including guidance on how the DEP and LURC will interpret the provisions of the MWDCA and the Maine Rivers Policy and will approach the judgments that must be made under the approval criteria set forth in the MWDCA. The rule was originally adopted by DEP and LURC in 1987 and has not been revised.

- **06-096 CMR Chapter 514: Regulations Concerning the Use of Aquatic Pesticides**

Chapter Summary: Chapter 514 defines the criteria for the issuance of a license for the use of aquatic pesticides in the surface waters of the state. The chapter was originally adopted in 1981 and last amended in 1989.

- **06-096 CMR Chapter 517: Certification of Persons Servicing and Repairing Sanitary Waste Treatment Facilities**

Chapter Summary: Chapter 517 provides for DEP certification of individuals engaged in the business of servicing and repairing mechanical sanitary waste treatment facilities for residential or commercial locations (overboard discharges) up to a capacity of 3000 gallons per day. Certification is issued based upon an individual's education and experience and on successfully passing an exam prepared by the DEP. The chapter was originally adopted in 1976 and last amended in 1978.

- **06-096 CMR Chapter 530.5: Surface Water Toxics Control Program**

Chapter Summary: Chapter 530, Section 5: sets limits for the discharge of toxic pollutants to the surface waters of the state; requires that identified industrial and municipal waste discharge facilities conduct testing to determine the toxicity of their treated effluent; establishes procedures for identifying and limiting the discharge of toxic pollutants where necessary to meet water quality standards; and sets forth procedures to be followed by qualified laboratories when conducting toxics testing. The chapter was originally adopted in 1976 and last amended in 1978.

- **06-096 CMR Chapter 531: Regulations for Waste Water Operator's Certification Program**

Chapter Summary: Chapter 531 establishes the criteria for certification of waste water treatment plant operators. Certification for each operator grade is based on an individual's education and

RULES IN EFFECT: OCTOBER 1, 1997



DEPARTMENT OF ENVIRONMENTAL PROTECTION

Serving Maine People & Protecting Their Environment

BUREAU OF LAND AND WATER QUALITY

experience and on successfully passing an exam. The chapter was originally adopted in 1975 and last amended in 1987.

- **06-096 CMR Chapter 543: Rules to Control the Subsurface Discharges of Pollutants by Well Injection**

Chapter Summary: Chapter 543 specifies the state's program to control the subsurface disposal of pollutants. Class I wells (deep well disposal), Class II wells (disposal of fluids associated with oil and gas production), and Class III wells (disposal of fluids associated with solution mining of minerals) are regulated in accordance with applicable federal regulations, and no such wells currently exist in the state. Class IV wells (disposal of hazardous or radioactive waste into or above an aquifer) are expressly prohibited. Class V wells (all other subsurface disposals) are regulated in accordance with existing state law and regulations. The chapter was originally adopted in 1983 and has not been revised.

- **06-096 CMR Chapter 550: Discontinuance of Wastewater Treatment Lagoons**

Chapter Summary: Chapter 550 sets forth procedures for the temporary or permanent closure of wastewater treatment lagoons. Included are criteria for the disposal of both the liquid and sludge contents of lagoons. The chapter was originally adopted in 1974 and last amended in 1978.

- **06-096 CMR Chapter 555: Standards for the Addition of Septage to Wastewater Treatment Facilities**

Chapter Summary: Chapter 555 provides that a waste water treatment facility must obtain DEP approval to receive and treat septage, and sets forth application requirements, criteria for approval, acceptable septage characteristics (including a limit on the daily volume received to 1% of the average design flow of the facility), and reporting requirements for septage disposal at treatment plants. Septage includes wastewater and sludge removed from septic tanks or cesspools where the wastes are concentrated or chemically treated. The chapter was originally adopted in 1978 and last amended in 1989.

- **06-096 CMR Chapter 567: Land Application of Sludge and Residuals**

Chapter Summary: Chapter 567 regulates the land application and composting of municipal and industrial sludges and residuals. The chapter supersedes former chapter 430, taking responsibility for these wastes out of the Bureau of Land and Water Quality and placing responsibility with the Bureau

RULES IN EFFECT: OCTOBER 1, 1997



DEPARTMENT OF ENVIRONMENTAL PROTECTION

Serving Maine People & Protecting Their Environment

BUREAU OF LAND AND WATER QUALITY

of Hazardous Materials and Solid Waste Control. The chapter was originally adopted in 1985 and last amended in 1993.

- **06-096 CMR Chapter 570: Stormwater and Combined Sewer Overflows**

Chapter Summary: Chapter 570 allows discharges from municipal combined sewer overflows ("CSO" - stormwater in combination with sanitary wastes) to be licensed provided that the municipality develops an acceptable CSO abatement plan. Such a plan must (1) identify existing CSO discharges, (2) determine the frequency, extent and cause of the CSO discharges, (3) determine the effect of the CSO discharges on water quality, and (4) identify actions to treat or abate the CSO discharges. The chapter was originally adopted in 1978 and last amended in 1979.

- **06-096 CMR Chapter 573: Snow Dumps: Exemption from Waste Discharge License**

Chapter Summary: The existing rule establishes the conditions under which snow dumps are exempt from waste discharge licensing. The rule also provides that dumps located below high tide or in a stream or wetland must be licensed, and that snow dumps will be licensed only where no practicable alternative upland location exists. The chapter was originally adopted in 1975 and last amended in 1988.

- **06-096 CMR Chapter 580: Regulations Relating to Sampling Procedures and Analytical Procedures**

Chapter Summary: Chapter 580 establishes sampling and analytic procedures by which the chemical, physical, and biological quality of the state's waters are measured. The chapter was originally adopted in 1973 and last amended in 1989.

- **06-096 CMR Chapter 581: Regulations Relating to Water Quality Evaluations**

Chapter Summary: Chapter 581 describes and defines various concepts used in the evaluation of existing water quality and the impacts of regulated activities on water quality. Concepts addressed include assimilative capacity of rivers and streams and great ponds, minimum flows on regulated rivers and streams, the trophic state of great ponds, and zone of passage for aquatic organisms. The chapter was originally adopted in 1973 and last amended in 1989.

- **06-096 CMR Chapter 582: Regulations Relating to Temperature**

RULES IN EFFECT: OCTOBER 1, 1997



DEPARTMENT OF ENVIRONMENTAL PROTECTION

Serving Maine People & Protecting Their Environment

BUREAU OF LAND AND WATER QUALITY

Chapter Summary: The existing rule establishes limits on the discharge of heat to the waters of the state. The chapter was originally adopted in 1973 and last amended in 1989.

- **06-096 CMR Chapter 585: Identification of Fish Spawning Areas and Designation of Salmonid Spawning Areas**

Chapter Summary: The existing rule sets forth procedures for identification of fish spawning areas in Class B waters and designation of salmonid spawning areas in a Class C waters. The chapter was originally adopted in 1989 and has not been revised.

- **06-096 CMR Chapter 586: Rules Pertaining to Discharges to Class A Waters**

Chapter Summary: Chapter 586 establishes criteria to define what constitutes the effluent quality necessary to meet standards for Class A waters. The chapter was originally adopted in 1989 and has not been revised.

- **06-096 CMR Chapter 592: Small Community Waste Water Program**

Chapter Summary: Chapter 592 sets forth the procedures to be used by DEP in administering the small community waste water program, which provides funds for the construction of small community waste water treatment systems. The rule establishes application requirements, a priority rating system for program grants, income and facility eligibility requirements. The chapter was originally adopted in 1990 and has not been revised.

- **06-096 CMR Chapter 594: State Contribution to Overboard Discharge Replacement Projects**

Chapter Summary: Chapter 594 sets forth the procedures to be used by the DEP in contributing funds for projects which will result in the elimination of existing overboard discharges ("OBD"). The chapter was originally adopted in 1990 and has not been revised.

- **06-096 CMR Chapter 595: State Revolving Loan Fund**

Chapter Summary: Chapter 595 sets forth application and eligibility requirements for communities seeking funds from a state revolving loan fund for the planning, design and construction of municipal waste water treatment facilities. The chapter was originally adopted in 1990 and has not been revised.

RULES IN EFFECT: OCTOBER 1, 1997



DEPARTMENT OF ENVIRONMENTAL PROTECTION

Serving Maine People & Protecting Their Environment

BUREAU OF LAND AND WATER QUALITY

- **06-096 CMR Chapter 596: Overboard Discharges: Licensing, Relicensing, Transfer, and Abandonment of Licenses**

Chapter Summary: The existing rule establishes criteria for the licensing, relicensing, transfer and abandonment of licenses and for the conditional permitting of overboard discharges. An overboard discharge is a discharge to the surface waters of the state of domestic pollutants not conveyed to and treated in municipal or quasi-municipal sewerage treatment facilities. The chapter was originally adopted in 1990 and has not been revised.

- **06-096 CMR Chapter 1000: Guidelines for Municipal Shoreland Zoning Ordinances**

Chapter Summary: State law requires municipalities to regulate certain activities in the shoreland zone. This rule provides model language which towns can use as a template for carrying out this obligation. The chapter was originally adopted in 1990 and last amended in 1994.

RULES IN EFFECT: OCTOBER 1, 1997



DEPARTMENT OF ENVIRONMENTAL PROTECTION

Serving Maine People & Protecting Their Environment

BUREAU OF REMEDIATION AND WASTE MANAGEMENT

- **06-096 CMR Chapter 600: Oil Discharge Prevention and Pollution Control Regulations**

Chapter Summary: Chapter 600 establishes procedures and equipment requirements for oil transfer (both ship to ship and ship to shore); specifies spill reporting procedures; requires oil terminals to develop and follow a discharge contingency plan; and requires terminal storage tanks to be surrounded by containment dikes. The chapter was originally adopted in 1971 and last amended in 1979.

- **06-096 CMR Chapter 650: Damage Claims--Oil Conveyance Fund**

Chapter Summary: Chapter 650 establishes procedures for filing damage claims against the Maine Coastal Protection Fund. The rule includes provisions for when a claim may be filed; time extensions for filing; information requirements; processing by the Department; arbitration; conduct of hearings; and decisions. The chapter was originally adopted in 1974 and last amended in 1983.

- **06-096 CMR Chapter 680: Tanker Anchorage Rules**

Chapter Summary: Chapter 680 establishes a permit procedure for the long-term lay-up of idled oil tankers. The chapter was originally adopted in 1976 and has not been revised.

- **06-096 CMR Chapter 691: Registration, Installation, Operation and Closure of Underground Oil Storage Facilities**

Chapter Summary: Chapter 691 implements Maine underground oil storage law. The chapter was originally adopted in 1986 and last amended in 1996.

- **06-096 CMR Chapter 695: Registration, Installation, Operation and Closure of Underground Hazardous Substance Storage Facilities**

Chapter Summary: Chapter 695 regulates underground storage of hazardous substances. It includes registration requirements; design and installation requirements; monitoring and operation procedures; discharge reporting; investigation and remediation requirements; a compliance schedule; and closure procedures. The chapter was originally adopted in 1990 and last amended in 1996.

- **06-096 CMR Chapter 800: Identification of Hazardous Matter**



DEPARTMENT OF ENVIRONMENTAL PROTECTION

Serving Maine People & Protecting Their Environment

BUREAU OF REMEDIATION AND WASTE MANAGEMENT

Chapter Summary: Chapter 800 identifies those substances regulated as hazardous matter under Maine law, and specifies when a discharge of hazardous matter must be phoned in to the state police. The chapter was originally adopted in 1981 and has not been revised.

- **06-096 CMR Chapter 801: Discharge of Hazardous Matter: Removal and Written Reporting Requirements**

Chapter Summary: Chapter 801 establishes procedures for cleaning up hazardous matter spills and specifies when a written spill report must be filed. The chapter was originally adopted in 1981 and has not been revised.

- **06-096 CMR Chapter 850: Identification of Hazardous Waste**

Chapter Summary: Chapter 850 identifies hazardous waste subject to regulation under Maine law. The chapter was originally adopted in 1980 and last amended in 1994.

- **06-096 CMR Chapter 851: Standards for Generators of Hazardous Waste**

Chapter Summary: Chapter 851 establishes performance standards and requirements for persons who generate hazardous waste. Among other things, the rule requires generators to have identification numbers; use licensed transporters; package and label waste before shipment; keep records; and file an annual report. The chapter was originally adopted in 1980 and last amended in 1994.

- **06-096 CMR Chapter 852: Land Disposal Requirements for Hazardous Waste**

Chapter Summary: Chapter 852 identifies hazardous waste restricted from land disposal and defines the limited circumstances under which hazardous wastes may be disposed on land. The chapter was originally adopted in 1980 and last amended in 1994.

- **06-096 CMR Chapter 853: Licensing of Transporters of Hazardous Waste**

Chapter Summary: Chapter 853 establishes the requirements and procedures for obtaining a license to transport hazardous waste. The chapter was originally adopted in 1980 and last amended in 1994.

RULES IN EFFECT: OCTOBER 1, 1997



DEPARTMENT OF ENVIRONMENTAL PROTECTION

Serving Maine People & Protecting Their Environment

BUREAU OF REMEDIATION AND WASTE MANAGEMENT

- **06-096 CMR Chapter 854: Standards for Hazardous Waste Facilities**

Chapter Summary: Chapter 854 specifies construction and operation standards applicable to hazardous waste facilities licensed under Chapter 856. The chapter was originally adopted in 1980 and last amended in 1994.

- **06-096 CMR Chapter 855: Interim License for Hazardous Waste Facilities**

Chapter Summary: Chapter 855 establishes the licensing requirements and procedures for hazardous waste facilities existing when the hazardous waste rules were adopted or become applicable. The requirements of Chapter 855 apply in the "interim", i.e. until such time as the facilities receive a final license under Chapter 856. There are 20 interim-licensed facilities in the State. The chapter was originally adopted in 1980 and last amended in 1994.

- **06-096 CMR Chapter 856: Licensing of Hazardous Waste Facilities**

Chapter Summary: Chapter 856 specifies requirements and procedures for licensing hazardous waste facilities. The construction and operation standards for these facilities appear in Chapter 854. The chapter was originally adopted in 1983 and last amended in 1994.

- **06-096 CMR Chapter 857: Hazardous Waste Manifest Requirements**

Chapter Summary: Chapter 857 establishes a manifest system to track the movement of hazardous waste from the point of generation to point of disposal, and sets forth related responsibilities and liabilities of generators, transporters and waste facility operators. The chapter was originally adopted in 1980 and last amended in 1994.

- **06-096 CMR Chapter 860: Waste Oil Management**

Chapter Summary: Chapter 860 regulates the transportation, storage and handling of waste oil by waste oil dealers, establishing licensing requirements that include sampling, reporting and record keeping. The chapter was originally adopted in 1985 and last amended in 1988.

- **06-096 CMR Chapter 900: Biomedical Waste Management**

Chapter Summary: Chapter 900 controls biomedical waste management as necessary to protect public health and the environment. The rule identifies biomedical waste subject to regulation; requires generator registration; sets registration fees; establishes packaging, labeling, handling,

RULES IN EFFECT: OCTOBER 1, 1997



DEPARTMENT OF ENVIRONMENTAL PROTECTION

Serving Maine People & Protecting Their Environment

BUREAU OF REMEDIATION AND WASTE MANAGEMENT

storage, treatment and disposal requirements; requires licensing of biomedical waste transporters, storage facilities and treatment facilities; and establishes a biomedical waste tracking (manifest) system. The chapter was originally adopted in 1991 and has not been revised.

RULES IN EFFECT: OCTOBER 1, 1997

Department of Environmental Protection
November 1997, Legislative Report

Appendix D

Maine Department of Environmental Protection
Master List of Stakeholder Groups

A. BUREAU OF AIR QUALITY

1. **Auto Inspection Technical Training Group**

Staff Contact: Scott Wilson (287-2437)

Membership: Attached List #1

Charter: To develop recommendations regarding the outreach, participation and training of mechanics in the new auto inspection program, by December, 1997.

2. **Regional Ozone Committee**

Staff Contact: Judy Landers (287-2437)

Membership: Attached List #2

Charter: The group, consisting of stakeholders from the regulated and environmental communities, was originally convened in 1996 to provide feedback on air-related policy issues, and now meets periodically to facilitate a two-way dialogue between Air Bureau staff and air quality stakeholders.

3. **Task Force on Clean Car Incentives & Education**

Staff Contact: Ron Severance (287-2437)

Membership: Attached List #3

Charter: Under 1997 legislative direction, develop recommendations concerning the labelling and possible purchase incentives for new vehicles, by February, 1998.

4. **Emissions Testing Advisory Group**

Staff Contact: Jim Brooks, Ron Severance (287-2437)

Membership: Attached List #4

Charter: Provide general stakeholder comment to the development of a new auto inspection program. Principle effort completed October 1996 - January 1997.

5. **Backyard Burning Study Group**

Staff Contact: Jim Brooks, Deb Avalone-King (287-2437)

Membership: Attached List #5

Charter: As enacted by LD 967 DEP has undertaken a study of backyard burning, including, the extent, why people are doing it, and impact on local air quality. The report will also examine solid waste infrastructure and develop recommendations for the Committee, by January 1998.

B. BUREAU OF LAND AND WATER QUALITY

6. Shoreland Zoning Working Group

Staff Contact: Richard Baker (287-3901)

Membership: Attached List #6

Charter: The Charter of the Shoreland Zoning Group is to report to the Natural Resources on: whether approval of an expansion of a non-conforming structure in the shoreland zone should be contingent upon a reduction in the total nonpoint source pollution from the lot; whether the 30% expansion rule for non-conforming structures should be amended to improve its equity of application.

7. Maine Watershed Management Committee

Staff Contact: Don Witherill

Membership: Attached List #7

Charter: This group reports to the Land & Water Resources Council to carry out the mandate of P.L. Chapter 519, An Act to Protect the State's Lakes, Rivers, and Coastal Wetlands through a comprehensive watershed protection program.

8. Rivers & Streams Priority Work Group

Staff Contact: Don Witherill

Membership: Attached List #8

Charter: This is a sub-group of the Watershed Management Committee and therefore, reports to the Land & Water Resources Council to carry out the mandate of P.L. Chapter 519, An Act to Protect the State's Lakes, Rivers, and Coastal Wetlands through a comprehensive watershed protection program.

9. Coastal Resources Stakeholders Group

Staff Contact: Paul Van Cott (822-6300)

Membership: See attached list #9

Charter: To improve/maintain beach systems and related coastal resources in southern Maine

10. Permit By Rule Stakeholder Workgroup

Staff Contact: Bill Ferdinand SPO (287-6077)

Membership: See attached list #10

Charter: This group is a sub-group of the Land and Water Resources Council charged to report recommended changes to the permit by rule program.

11. Delegation Advisory Team for NPDES

Staff Contact: Dennis Merrill (287-3901)

Membership: See attached list #11

Charter: Work in partnership with the department to facilitate delegation of NPDES program for the State of Maine.

C. BUREAU OF REMEDIATION AND WASTE MANAGEMENT

12. **Voluntary Remedial Action Plan / Brownfields Improvement Group**

Staff Contact: Nick Hodgkins (287-2561)

Membership: Attached list #12

Charter: The VRAP/Brownfields Improvement Group will identify areas in which the VRAP Program may improve its service and offer suggestions on how to achieve those improvements. The suggested improvements will be presented to the BRWM management early in 1998

13. **Solid Waste Program Stakeholders**

Staff Contact: Erika Morgan / Al Ball, Paula Clark (287-2651)

Membership: Attached List #13

Charter: Reviewing present solid waste programs and funding with the objective of recommending modifications as necessary by September, 1998, to provide a stable financial foundation for the years 1999-2010.

14. **Scrap Tire Stakeholder Group**

Staff Contact: Paula Clark (287-2651)

Membership: Attached List #14

Charter: To focus on the issue of tire stockpiles in Maine with a diverse group of stakeholders in order to: 1) understand the nature of the related issues from a variety of perspectives 2) reach consensus on the nature and significance of problems related to scrap tire management in Maine 3) identify potential approaches to the problems impeding effective scrap tire management and cleanup in Maine 4) build support for the implementation of solutions

15. **Ground Water Fund Stakeholders Group**

Staff Contact: Al Ball / David Maxwell (287-2651)

Membership: Attached List #15

Charter: This group is to examine ways to avoid a short-fall in the ground water fund.

16. **Oil Spill Advisory Committee**

Staff Contact: Linda Doran (287-2651)

Membership: Attached List #16

Charter: Established in Title 5, section 12004-1, subsection 24-B shall advise the department in carrying out the policies and purposes of tracking implementation of regulations related to the Federal Oil Pollution Act of 1990 and recommending to the Legislature any statutory changes or to the Board any regulatory changes that are appropriate.

D. OFFICE OF THE COMMISSIONER

17. **Land and Water Resources Council**

Staff Contact: Mark Desmeules & Bill Ferdinand (SPO) (287-3261)

Membership: Attached List #17

Charter: Established by statute to coordinate natural resources agencies' policy & programs. Among other priorities, will be providing oversight to Mercury Resolve work plan and final report, by January, 1998.

18. **TUR Reauthorization Stakeholder Group**

Staff Contact: Ron Dyer (287-2811)

Membership: Attached List #18

Charter: This group is to advise the Department on development of the new program and to see if we as a group can offer any refinements to the Committee.

19. **Pollution Prevention Advisory Committee**

Staff Contact: Ron Dyer (287-2811)

Membership: Attached List #19

Charter: Serve as principle stakeholder/workgroup for reauthorization of Toxic Use Reduction Law.

20. **Maine Environmental Priorities Council**

Staff Contact: Mark Margerum (287-2811)

Membership: Attached List #20

Charter: Established by Executive Order to continue the work of the Maine Environmental Priorities Project, the Council's purpose is to apply the principles of comparative risk to evaluate current and emerging issues and trends regarding environmental and natural resource conditions and management. The Council is working on a State of the Environment Report, for fall 1998, provide input on the DEP/EPA Performance Partnership Agreement and will be providing stakeholder input to the Mercury Resolve Study.

Auto Inspection
TECHNICIAN TRAINING GROUP

AFFILIATION	NAME	PHONE
AUTOMOTIVE SERVICE ASSOC.	TERRY MCKENNY	773-8560
CENTRAL MAINE TECHNICAL COLLEGE	CARL HINCLEY	784-2385
CENTRAL MAINE TECHNICAL COLLEGE	LESTER ORDWAY	784-2385
DEP - AIR BUREAU	JOHN CHANDLER	287-2437
DEP - AIR BUREAU	RON SEVERANCE	287-2437
DEP - AIR BUREAU TOM BROWN	SCOTT WILSON	287-2437
	MAINE AUTO DEALERS ASS	623-3882
ROWE FORD CO	DAVID BURBACH	854-2555
ROWE FORD	JOHN REUTER	854-2555

Approximate future dates are:

Just met September 11, 1997

Next meeting is October 9, 1997

Thereafter approximately every 3-4 weeks as long as it takes to get work done.

WENDY PORTER
 CHAMPION INTERNATIONAL
 RIVER ROAD
 PO BOX 1200
 BUCKSPORT, ME 04416

MICHAEL SHEA
 WEBBER ENERGY FUELS
 700 MAIN STREET
 BANGOR ME 04401

PETER CHASE
 BUILDINGS ET CETERA
 39 BANGOR STREET
 PO BOX 949
 HOULTON, ME 04730

CONRAD SCHNEIDER
 NAT RESOURCES COUNCIL OF ME
 271 STATE STREET
 AUGUSTA, ME 04330

ED MILLER
 MAINE LUNG ASSOCIATION
 128 SEWALL STREET
 AUGUSTA, ME 04330

JAMIE PY
 MAINE OIL DEALERS ASOC.
 PO BOX 249
 BRUNSWICK, ME 04011

CHARLES BRIDGES
 CHINET COMPANY
 242 COLLEGE AVE.
 PO BOX 1016
 WATERVILLE, ME 04901

DIXON PIKE
 PIERCE ATWOOD
 ONE MONUMENT SQUARE
 PORTLAND, ME 04101

BRIAN STETSON
 BOWATER-GRT NORTHERN
 ONE KATAHDIN AVE.
 MILLINOCKET, ME 04462-1398

MIKE CURTIS
 JAMES RIVER CORP.
 PO BOX 547
 OLD TOWN, ME 04468

WILLIAM NASON
 CENTRAL MAINE POWER CO.
 41 ANTHONY DRIVE
 AUGUSTA, ME 04330

ALAN AHLERS
 FAIRCHILD SEMI-CONDUCTOR
 333 WESTERN AVE.
 SOUTH PORTLAND, ME 04106

MAINE PULP & PAPER ASSOC.
 PO BOX 5670
 104 SEWALL STREET
 AUGUSTA, ME 04332-5670

MICHAEL LEBEL
 MAINE PULP & PAPER ASSOC
 PO BOX 5670
 104 SEWALL STREET
 AUGUSTA, ME 04332-5670

PATTY AHO
 MAINE PETROLEUM ASSOC.
 45 MEMORIAL CIRCLE
 AUGUSTA, ME 04330

CHRIS HALL
 MAINE CHAMBER OF COMMERCE
 7 COMMUNITY DRIVE
 AUGUSTA, ME 04330-9412

JENNIFER PARKER
 BATH IRON WORKS
 700 WASHINGTON AVE
 MAIL STOP 2240
 BATH ME 04530

KEVIN FLANAGAN
 BATH IRON WORKS
 700 WASHINGTON AVENUE
 MAIL STOP
 BATH ME 04530

PAM PERSON
 COALITION FOR SENSIBLE
 ENERGY
 479 BACK RIDGE ROAD
 ORLAND, ME 04472

ELIZABETH SWAIN
 BARTON, GINGOLD, EATON,
 52 CENTER STREET
 PORTLAND ME 04101

Regional Ozone Committee

**TASK FORCE ON CLEAN CAR INCENTIVES & EDUCATION
PROGRAM**

ORGANIZATION	NAME	PHONE NO.
AAA	MATT MCKENZIE	780-6831
*BUREAU OF TAXATION		
*CMP	<i>Bob Miller</i>	
DEP	RON SEVERANCE	287-2437
GP CLEAN CITIES	STEVE LINNELL	774-9891
GP CLEAN CITIES	JASON WENTWORTH	871-9228
ME AUTO DEALERS	TOM BROWN	623-3882
MAINE LUNG	NORM ANDERSON	622-6394
MAINE PETROLEUM	PATTY AHO	622-5881
NRCM	CONRAD SCHNEIDER	622-3101
NORTHERN UTILITIES	BILL HOWARD	797-8002

** These stakeholders have yet to be announced:

Approximate future dates are:

- Mid-October
- End of November
- Beginning of January

Emissions Testing Advisory Group

List #4

GREG NADEAU
OFFICE OF THE GOVERNOR
1 STATE HOUSE STATION
AUGUSTA, ME 04333-0001

LT. BRUCE DOW
DEPARTMENT OF PUBLIC SAFETY
42 STATE HOUSE STATION
AUGUSTA, ME 04333-0042

BILL DOWLING
BUREAU OF MOTOR VEHICLES
29 STATE HOUSE STATION
AUGUSTA, ME 04333-0029

SUSAN COOKSON
BUREAU OF MOTOR VEHICLES
29 STATE HOUSE STATION
AUGUSTA, ME 04333-0029

CARL HINCKLEY
CENTRAL MAINE TECHNICAL COLLEGE
1250 TURNER STREET
AUBURN, ME 04210

RICHARD P. RUHLIN
118TH MAINE LEGISLATURE
115 ELM STREET
BREWER, ME 04412

THOMAS E. POULIN
118TH MAINE LEGISLATURE
R 3, BOX 1060
OAKLAND, ME 04963

CHRIS HALL
MAINE CHAMBER OF COMMERCE
7 COMMUNITY DRIVE
AUGUSTA, ME 04330

GINGER DAVIS
MAINE OIL DEALERS ASSOC.
PRETL. FLAHERTY, BELIVEAU AND PACHOS
PO BOX 1058
AUGUSTA, ME 04332-1058

TOM BROWN
MAINE AUTO DEALERS ASSOC.
180 CIVIC CENTER DRIVE
AUGUSTA, ME 04330

CONRAD SCHNEIDER
NATURAL RESOURCES COUNCIL OF MAINE
271 STATE STREET
AUGUSTA, ME 04330

ED MILLER
AMERICAN LUNG ASSOC.
128 SEWALL STREET
AUGUSTA, ME 04330

NORM ANDERSON
AMERICAN LUNG ASSOCIATION
128 SEWALL STREET
AUGUSTA, ME 04330

BOB COOK
CITY OF PORTLAND
52 HANOVER STREET
PORTLAND, ME 044210

JOHN BUBIER
GR PORTLAND COUNCIL OF GOVT.
233 OXFORD STREET
PORTLAND, ME 04101

JOE KOTT
GREATER PORTLAND COUNCIL OF GOVT.
233 OXFORD STREET
PORTLAND, ME 04101

PAULA VALENTE
MAINE MUNICIPAL ASSOCIATION
60 COMMUNITY DRIVE
AUGUSTA, ME 04330

BOB DEVLIN
MAINE MUNICIPAL ASSOCIATION
60 COMMUNITY DRIVE
AUGUSTA, ME 04330

RICHARD VERVILLE
CITIZENS FOR SENSIBLE EMISSIONS
615 RIVERSIDE DROVE
AUGUSTA, ME 04330

MATT MCKENZIE
MAINE AAA
425 MARGINAL WAY
PO BOX 3547
PORTLAND, ME 04104

TERRY MCKENNEY
MAINE AUTOMOTIVE SERVICE ASSOC.
509 WESTBROOK STREET
SOUTH PORTLAND, ME E 04106

BOB JUDGE
US EPA REGION I
JFK FEDERAL BUILDING
BOSTON, MA 02203

ERIKA MORGAN
DEP
17 STATE HOUSE STATION
AUGUSTA, ME 04333-0017

JIM BROOKS
DEP BUREAU OF AIR QUALITY
17 STATE HOUSE STATION
AUGUSTA, ME 04333-0017

DEB GARRETT
DEP
17 STATE HOUSE STATION
AUGUSTA, ME 04333-0017

RON SEVERANCE
DEP BUREAU OF AIR QUALITY
17 STATE HOUSE STATION
AUGUSTA, ME 04333-0017

ANDREA LAPOINTE
DEP BUREAU OF AIR QUALITY
17 STATE HOUSE STATION
AUGUSTA, ME 04333-0017

JOHN CHANDLER
DEP BUREAU OF AIR QUALITY
17 STATE HOUSE STATION
AUGUSTA, ME 04333-0017

SCOTT WILSON
DEP BUREAU OF AIR QUALITY
17 STATE HOUSE STATION
AUGUSTA, ME 04333-0017

BOB DEMKOWICZ
DEP
17 STATE HOUSE STATION
AUGUSTA, ME 04333-0017

RICHARD J. CAREY
118TH LEGISLATURE
PO BOX 77
BELGRADE, ME 04917

BEVERLY DAGGETT
118TH LEGISLATURE
16 PINE STREET
AUGUSTA, ME 04330

RANDALL L. BERRY
118TH LEGISLATURE
RR2 BOX 695
LIVERMORE FALLS, ME 0

ESTHER CLENOTT
142 FEDERAL STREET
PORTLAND, ME 04104-4196

GEORGE FLAHERTY
22 HIGH STREET
WINDHAM, ME 04062

AMY HOLLAND
OFFICE OF POLICY & LEGAL ANALYSIS
13 STATE HOUSE STATION
AUGUSTA, ME 04333-0013

RICK DUBOIS
DEPT. OF TRANSPORTATION
16 STATE HOUSE STATION
AUGUSTA, ME 04333-0016

JAMIE PYE
MAINE OIL DEALERS ASSOC.
25 GREENWOOD ROAD, PO BOX 249
BRUNSWICK, ME 04011

MARINA SCHAUFFLER
22 RIVERSIDE DRIVE
FALMOUTH, ME 04105

BACKYARD BURNING STUDY GROUP

MAINE MUNICIPAL ASSOC. DEPT. OF CONSERVATION	JEFF HERMAN TOM PARENT	
BUREAU OF HEALTH	ANDY SMITH	
LEGISLATURE	REP. TOM BULL	
LEGISLATURE	REP. VOLENIK	
LEGISLATURE	REP JUNE MEARS	
LEGISLATURE	SEN. SHARON TREAT	
MAINE LUNG	NORM ANDERSON	
MAINE DEP AIR BUREAU	DEB A-KING	287-2437
MAINE DEP AIR BUREAU	JIM BROOKS	287-2437
MAINE DEP AIR -BUREAU	JEFF CRAWFORD	287-2437
MAINE DEP - AIR BUREAU STATE PLANNING	JUDY LANDERS KIRK GODDARD	287-2437

The Study group met on September 16, 1997

There will be a second meeting in the near future; date to be determined.

Post-It™ brand fax transmittal memo 7671 # of pages >

To	<i>Terry Hanson</i>	From	<i>Golf</i>
Co.		Co.	
Dept.		Phone #	
Fax #		Fax #	

Richard Roedner
City Planner
City of Saco
300 Main Street
Saco, Maine 04072
tel: 282-3487 / fax: 282-8209
e-mail: develop@sacomaine.org

Jennifer B. Cost
Maine Audubon Society
Gisland Farm
P.O. Box 6009
Falmouth, Maine 04105
tel: 781-6180 x-224 / fax: 781-0974
e-mail: jcost@maineaudubon.org

Robert Marvinney
State Geologist
Maine Geological Survey
22 State House Station
Augusta, Maine 04333-0022
tel: 287-2804 / fax: 287-2353
e-mail: robert.g.marvinney@state.me.us

Jonathan Reitman, Facilitator
47 Ocean Drive
Brunswick, Maine 04011
tel: 729-1900 / 729-0919
e-mail: jrmediator@maine.com

Ben Baldwin
SOS Wells
P.O. Box 3098
Wells, Maine 04090
tel: 646-4273

Alexander Bruce
MEREDA
1607 P.O. Box 15025
Portland, Maine 04112
tel: 772-2811

Mark Jacobson
CEO
Town of Kennebunk
1 Summer Street
Kennebunk, Maine 04043
tel: 985-2102

Michael Severance
Kennebunk-Kennebunkport Chamber
of Commerce
P.O. Box 740
Kennebunk, Maine 04043
tel: 967-0858

Jody Jones
Maine Audubon Society
Gisland Farm
P.O. Box 6009
Falmouth, Maine 04105
tel: 781-2330 / fax: 781-0974
e-mail: jjones@maineaudubon.org

Joe Kelley
Marine Geologist, MGS
Department of Geological Services
University of Maine
Orono, Maine 04469-5711
tel: 581-2162 / fax: 581-2202
e-mail: jkkelley@maine.maine.edu

Dr. Donald E. Holdsworth
Property Owner; Director S.O.S. Wells
325 Island Beach Road
Wells, Maine 04090
tel: 646-2647

Richard Belanger
Parks and Recreation Director
P.O. Box 586
Biddeford, Maine 04005
tel: 283-0841

Tad Rodway
Director of Planning
P.O. Box 0
Old Orchard Beach, Maine 04064
tel: 934-5714 / fax: 934-0755

Nels Bohn
Town Planner
Town of Kittery
P.O. Box 308
Kittery, Maine 03904-0808
tel: 439-6807

SHORELAND ZONING WORKING GROUP
30% EXPANSION LIMITATION

Clyde Walton (Representing COLA)
RR #2 Box 6620
Kents Hill, Maine 04349 (287-5735)

Alternates:

Paula Thomson
RR 2, Box 1339
Kents Hill, Maine 04344

Charles Kelly
P.O. Box 467
Belgrade Lakes, Maine 04918

Peter Didischeim
Natural Resources Council of Maine
271 Water Street
Augusta, Maine 04330 (622-3101)

Joe Wathan (Rebecca Seel- Alternate)
Maine Municipal Association
60 Community Drive
Augusta, Maine 04330 (623-8428)

Will Johnston
Land Use Regulation Commission
State House Station 22
Augusta, Maine 04333 (287-2631)

Steve Kasprazak
Kasprazak Incorporated
P.O. Box 26
Waterboro, Maine 04061 (247-5307)

Ron Faucher
Portland Water District
225 Douglas Street
Portland, Maine 04103 (774-5961)

Dan Prichard
Dept. of Environmental Protection
State House Station 17
Augusta, Maine 04333 (287-7731)

Richard Roedner
 City Planner
 City of Saco
 300 Main Street
 Saco, Maine 04072
 tel: 282-3487 / fax: 282-8209
 e-mail: develop@sacomaine.org

Jennifer B. Cost
 Maine Audubon Society
 Gisland Farm
 P.O. Box 6009
 Falmouth, Maine 04105
 tel: 781-5180 x-224 / fax: 781-0974
 e-mail: jcost@maineaudubon.org

Robert Marvinney
 State Geologist
 Maine Geological Survey
 22 State House Station
 Augusta, Maine 04333-0022
 tel: 287-2804 / fax: 287-2353
 e-mail: robert.g.marvinney@state.me.us

Jonathan Reitman, Facilitator
 47 Ocean Drive
 Brunswick, Maine 04011
 tel: 729-1900 / 729-0919
 e-mail: jrmediator@maine.com

Ben Baldwin
 SOS Wells
 P.O. Box 3098
 Wells, Maine 04090
 tel: 646-4273

Alexander Bruce
 MEREDA
 1607 P.O. Box 15025
 Portland, Maine 04112
 tel: 772-2811

Mark Jacobson
 CEO
 Town of Kennebunk
 1 Summer Street
 Kennebunk, Maine 04043
 tel: 985-2102

Michael Severance
 Kennebunk-Kennebunkport Chamber
 of Commerce
 P.O. Box 740
 Kennebunk, Maine 04043
 tel: 967-0858

Jody Jones
 Maine Audubon Society
 Gisland Farm
 P.O. Box 6009
 Falmouth, Maine 04105
 tel: 781-2330 / fax: 781-0974
 e-mail: jjones@maineaudubon.org

Joe Kelley
 Marine Geologist, MGS
 Department of Geological Services
 University of Maine
 Orono, Maine 04469-5711
 tel: 581-2162 / fax: 581-2202
 e-mail: jkkelley@maine.maine.edu

Dr. Donald E. Holdsworth
 Property Owner, Director S.O.S. Wells
 325 Island Beach Road
 Wells, Maine 04090
 tel: 646-2647

Richard Belanger
 Parks and Recreation Director
 P.O. Box 586
 Biddeford, Maine 04005
 tel: 283-0841

Tad Redway
 Director of Planning
 P.O. Box 0
 Old Orchard Beach, Maine 04064
 tel: 934-5714 / fax: 934-0755

Nels Bohn
 Town Planner
 Town of Kittery
 P.O. Box 808
 Kittery, Maine 03904-0808
 tel: 439-6807

Name: Maine Watershed Management Committee

Staff: Don Witherill

Membership: see below

Meeting dates: Have been meeting monthly; Oct 9 is only date currently scheduled

___ List #7

State Agencies

Agriculture

Conservation (L.U.R.C. and N.A.P.)

Environmental Protection

Human Services (Health-Engineering)

Inland Fisheries & Wildlife

Marine Resources

State Planning Office

Transportation

University of Maine Cooperative Extension

Federal Agencies

Environmental Protection Agency

Natural Resources Conservation Service

U.S. Fish & Wildlife Service

U.S. Geological Survey

Others

Maine Chamber & Bus. Alliance

Maine Congress of Lake Assoc.

Natural Res. Council of Maine

We also have a sub-group which is the Rivers & Streams Priority Work Group. I am also the contact for that; our only scheduled meeting at this date is Oct. 7th. Members of the sub-group include:

Environmental Protection

Inland Fisheries & Wildlife

State Planning Office

Transportation

Environmental Protection Agency

Natural Resources Conservation Service

U.S. Fish & Wildlife Service

U.S. Geological Survey

Maine Chamber & Bus. Alliance

Natural Res. Council of Maine

Richard Roedner
 City Planner
 City of Saco
 300 Main Street
 Saco, Maine 04072
 tel: 282-3487 / fax: 282-8209
 e-mail: develop@sacomaine.org

Jennifer B. Cost
 Maine Audubon Society
 Gisland Farm
 P.O. Box 6009
 Falmouth, Maine 04105
 tel: 781-6180 x-224 / fax: 781-0974
 e-mail: jcost@maineaudubon.org

Robert Marvinney
 State Geologist
 Maine Geological Survey
 22 State House Station
 Augusta, Maine 04333-0022
 tel: 287-2804 / fax: 287-2353
 e-mail: robert.g.marvinney@state.me.us

Jonathan Reitman, Facilitator
 47 Ocean Drive
 Brunswick, Maine 04011
 tel: 729-1900 / 729-0919
 e-mail: jrmediator@maine.com

Ben Baldwin
 SOS Wells
 P.O. Box 3098
 Wells, Maine 04090
 tel: 646-4273

Alexander Bruce
 MEREDA
 1607 P.O. Box 15025
 Portland, Maine 04112
 tel: 772-2811

Mark Jacobson
 CEO
 Town of Kennebunk
 1 Summer Street
 Kennebunk, Maine 04043
 tel: 985-2102

Michael Severance
 Kennebunk-Kennebunkport Chamber
 of Commerce
 P.O. Box 740
 Kennebunk, Maine 04043
 tel: 967-0858

Jody Jones
 Maine Audubon Society
 Gisland Farm
 P.O. Box 6009
 Falmouth, Maine 04105
 tel: 781-2330 / fax: 781-0974
 e-mail: jjones@maineaudubon.org

Joe Kelley
 Marine Geologist, MGS
 Department of Geological Services
 University of Maine
 Orono, Maine 04469-5711
 tel: 581-2162 / fax: 581-2202
 e-mail: jkkelley@maine.maine.edu

Dr. Donald E. Holdsworth
 Property Owner, Director S.O.S. Wells
 325 Island Beach Road
 Wells, Maine 04090
 tel: 646-2647

Richard Belanger
 Parks and Recreation Director
 P.O. Box 586
 Biddeford, Maine 04005
 tel: 283-0841

Tad Redway
 Director of Planning
 P.O. Box 0
 Old Orchard Beach, Maine 04064
 tel: 934-5714 / fax: 934-0755

Nels Bohn
 Town Planner
 Town of Kittery
 P.O. Box 808
 Kittery, Maine 03904-0808
 tel: 439-6807

Rivers and Streams Stakeholder Group

David Courtemanch, Jeff Dennis, Don Witherill
MDEP

Steve Timpano
DIFW

Chris Olson
MDOT

Bill Ferdinand
SPO

Nick Bennett
NRCM

Nancy Birch
Maine Chamber

Ray Voyer
NRCS

Gordon Russell
United States

Rick Fontaine
USGS

Jennie Bridge
EPA

Note: This stakeholder group is a sub-group of the Watershed Management Committee

Richard Roedner
City Planner
City of Saco
300 Main Street
Saco, Maine 04072
tel: 282-3487 / fax: 282-8209
e-mail: develop@sacomaine.org

Jennifer B. Cost
Maine Audubon Society
Gisland Farm
P.O. Box 6009
Fairmouth, Maine 04105
tel: 781-6180 x-224 / fax: 781-0974
e-mail: jcost@maineaudubon.org

Robert Marvinney
State Geologist
Maine Geological Survey
22 State House Station
Augusta, Maine 04333-0022
tel: 287-2804 / fax: 287-2353
e-mail: robert.g.marvinney@state.me.us

Jonathan Reitman, Facilitator
47 Ocean Drive
Brunswick, Maine 04011
tel: 729-1900 / 729-0919
e-mail: jrmediator@maine.com

Ben Baldwin
SOS Wells
P.O. Box 3098
Wells, Maine 04090
tel: 646-4273

Alexander Bruce
MEREDA
1607 P.O. Box 15025
Portland, Maine 04112
tel: 772-2811

Mark Jacobson
CEO
Town of Kennebunk
1 Summer Street
Kennebunk, Maine 04043
tel: 985-2102

Michael Severance
Kennebunk-Kennebunkport Chamber
of Commerce
P.O. Box 740
Kennebunk, Maine 04043
tel: 967-0858

Jody Jones
Maine Audubon Society
Gisland Farm
P.O. Box 6009
Fairmouth, Maine 04105
tel: 781-2330 / fax: 781-0974
e-mail: jjones@maineaudubon.org

Joe Kailey
Marine Geologist, MGS
Department of Geological Services
University of Maine
Orono, Maine 04469-5711
tel: 581-2162 / fax: 581-2202
e-mail: jkkailey@maine.maine.edu

Dr. Donald E. Holdsworth
Property Owner, Director S.O.S. Wells
325 Island Beach Road
Wells, Maine 04090
tel: 646-2647

Richard Belanger
Parks and Recreation Director
P.O. Box 586
Biddeford, Maine 04005
tel: 283-0841

Tad Rodway
Director of Planning
P.O. Box 0
Old Orchard Beach, Maine 04064
tel: 934-5714 / fax: 934-0755

Nels Bohn
Town Planner
Town of Kittery
P.O. Box 808
Kittery, Maine 03904-0808
tel: 439-6807

Coastal Resources Stakeholders Group

Doug Burdick, Environmental Specialist
 Southern Maine Regional Office
 Department of Environmental Protection
 312 Canco Road
 Portland, Maine 04103
 tel: 822-6300 / fax: 822-6303
 e-mail: doug.b.burdick@state.me.us

Nina Petrovich
 Interim Manager, Wells Reserve
 342 Laudholm Farm Road
 Wells, Maine 04090
 tel: 646-1555 x 53 / fax: 646-2930
 e-mail: wellsner2.npetrovich@cybertours.com

Elizabeth Scott-Graham
 Chair Wells Reserve, Pres. Laudholm Trust
 P.O. Box 1007
 Wells, Maine 04090
 tel: 646-4521
 e-mail: 103203.1462@comprserve.com

Mark A. Badger Sr.
 186 York Street
 York, Maine 03909
 tel: 363-1002 / fax: 363-1009

Paul Van Cott, Regional Director
 Southern Maine Regional Office
 Department of Environmental Protection
 312 Canco Road
 Portland, Maine 04103
 tel: 822-6300 / fax: 822-6303
 e-mail: paul.vancott@state.me.us

Phil Bozenhard
 358 Shaker Road
 Gray, Maine 04039
 tel: 657-3258 / fax: 657-2980

Barry S. Timson
 P.O. Box 150
 Hallowell, Maine 04347
 tel: 623-0053 / fax: 623-2599

Dan Prichard
 Department of Environmental Protection
 22 State House Station
 Augusta, Maine 04333
 tel: 287-2111

W. Parker Dwellley
 23 Sand Point Road
 Kennebunkport, Maine 04046
 tel: 967-4441

Scott Dombrowski
 6 Wildwood Ave.
 Kennebunkport, Maine 04046
 tel: 967-5174

Bill Ferdinand
 Maine State Planning Office
 38 State House Station
 Augusta, Maine 04333
 tel: 287-3261 / fax: 287-8059
 e-mail: bill.ferdinand@state.me.us

Bill Emerson
 HC 32 Box 464
 Small Point, Maine 04565
 tel: 389-1322

John Greene
 1 Ram Island Farm
 Cape Elizabeth, Maine 04107
 tel: 799-0011 / fax: 799-6748
 e-mail: johnwgisme@aol.com

Jeff Madore
 Department of Environmental Protection
 State House Station 17
 Augusta, Maine 04333
 tel: 287-7848

Bruce Smith
 CEO
 P.O. Box 875
 Ogunquit, Maine 03907
 tel: 646-9326 / fax: 646-5920

J. T. Lockman
 Director of Planning & Development
 Town of Wells
 P.O. Box 398
 Wells, Maine 04090
 tel: 646-5187 / fax: 646-2935

Richard Roedner
 City Planner
 City of Saco
 300 Main Street
 Saco, Maine 04072
 tel: 282-3487 / fax: 282-8209
 e-mail: develop@sacomaine.org

Jennifer B. Cost
 Maine Audubon Society
 Gisland Farm
 P.O. Box 6009
 Falmouth, Maine 04105
 tel: 781-6180 x-224 / fax: 781-0974
 e-mail: jcost@maineaudubon.org

Robert Marvinney
 State Geologist
 Maine Geological Survey
 22 State House Station
 Augusta, Maine 04333-0022
 tel: 287-2804 / fax: 287-2353
 e-mail: robert.g.marvinney@state.me.us

Jonathan Reitman, Facilitator
 47 Ocean Drive
 Brunswick, Maine 04011
 tel: 729-1900 / 729-0919
 e-mail: jrmediator@maine.com

Ben Baldwin
 SOS Wells
 P.O. Box 3098
 Wells, Maine 04090
 tel: 646-4273

Alexander Bruce
 MEREDA
 1607 P.O. Box 15025
 Portland, Maine 04112
 tel: 772-2811

Mark Jacobson
 CEO
 Town of Kennebunk
 1 Summer Street
 Kennebunk, Maine 04043
 tel: 985-2102

Michael Severance
 Kennebunk-Kennebunkport Chamber
 of Commerce
 P.O. Box 740
 Kennebunk, Maine 04043
 tel: 967-0858

Jody Jones
 Maine Audubon Society
 Gisland Farm
 P.O. Box 6009
 Falmouth, Maine 04105
 tel: 781-2330 / fax: 781-0974
 e-mail: jjones@maineaudubon.org

Joe Kelley
 Marine Geologist, MGS
 Department of Geological Services
 University of Maine
 Orono, Maine 04469-5711
 tel: 581-2162 / fax: 581-2202
 e-mail: jkkelley@maine.maine.edu

Dr. Donald E. Holdsworth
 Property Owner; Director S.O.S. Wells
 325 Island Beach Road
 Wells, Maine 04090
 tel: 646-2647

Richard Belanger
 Parks and Recreation Director
 P.O. Box 586
 Biddeford, Maine 04005
 tel: 283-0841

Tad Rodway
 Director of Planning
 P.O. Box 0
 Old Orchard Beach, Maine 04064
 tel: 934-5714 / fax: 934-0755

Nels Bohn
 Town Planner
 Town of Kittery
 P.O. Box 308
 Kittery, Maine 03904-0808
 tel: 439-6807

Steering Committee for the Review of the Permit-by-Rule Program

State Planning Office
38 State House Station
Augusta, ME 04333
Attn: Bill Ferdinand
Tel. 287-1009
fax 287-8059
email bill.ferdinand@state.me.us

Dept. of Agriculture, Food and Rural Resources
28 State House Station
Augusta, ME 04333
Attn: Jack Richards
Tel. 287-7576
fax 287-7548
email john.h.richards@state.me.us

Dept. of Environmental Protection
Bureau of Land and Water Quality
17 State House Station
Augusta, ME 04333
Attn: Mike Mullen
Tel. 287-3901
fax 287-7191
email mike.k.mullen@state.me.us

Dept. of Economic and Community Development
59 State House Station
Augusta, ME 04333
Attn: Linda Lockhart
Tel. 287-3157
fax 287-5701
email linda.s.lockhart@state.me.us

Dept. of Conservation
Maine Geological Survey
22 State House Station
Augusta, ME 04333
Attn: Tom Weddle or Joe Kelley
tel. 287-2801
fax 287-2353
email thomas.k.weddle@state.me.us

Rep. Scott Cowger
RR1 Box 1145
Hallowell, ME 04347
tel. 622-0655
fax
email maple@mint.net

Dept. of Marine Resources
21 State House Station
Augusta, ME 04333
Attn: Brian Swan
tel. 624-6550
fax 624-6024
email brian.swan@state.me.us

Dept. of Inland Fisheries and Wildlife
41 State House Station
Augusta, Me 04333
Attn: Steve Timpano
tel. 287-3286
fax 287-6395
email steve.timpano@state.me.us

Dept. of Transportation
Environmental Services
16 State House Station
Augusta, ME 04333
attn: Duane Scott
tel. 287-5736
fax 287-8757
email duane.scott@state.me.us

Assoc. Constructors of Maine
P.O. Box N
Augusta, ME 04332
attn: John Butts
tel. 287-1711

Rodney Smith
Town of Oxford
P.O. Box 153
Oxford, ME 04270
tel. 530-8576

Delegation Advisory Team for NPDES

Cliv Dore
Passamaquoddy Indian Nation
PO Box 343
Perry ME 04667

Dan Kusnierz
Penobscot Indian Nation
6 River Rd
Indian Island ME 04468

Mary Ellen Bowers
Great Salt Bay Sanitary District
PO Box 23
Damariscotta ME 04543

Darold Wooley
Lincoln Sanitary District
PO Box 56
Lincoln ME 04457

William Taylor
Pierce Atwood et al
One Monument Square
Portland ME 04101

John LaRouche
Attorney at Law
45 Memorial Circle
Augusta ME 04330

Anne Hagstrom
Natural Resources Council of Maine
271 State St
Augusta Me 04330

Bob Deabay
Bowater/Great Northern Paper
One Katandin Ave
Millinocket ME 04462-1398

Michael Grove
Augusta Sanitary District
RFD 2, Box 7
Augusta ME 04330

Ray Pepin
SO Warren Co
PO Box 5000, 89 Cumberland St
Westbrook ME 04098-1597

Michael Noble
Robinson Mfg
Maine St
Oxford ME 04270

Chris Hall
Maine Chamber of Commerce
Community Drive
Augusta ME 04330

Mic Laeol
Maine Pulp and Paper Association
104 Sewall St
Augusta ME 04330

Sandy Perry
Acheron Engineering
40 Main St
Newport Me 04935

Tim Peters
Houton Water Company
PO Box 726
Houton, Maine 04730

Steve Silva, Manager
State of Maine Office (CME)
U.S. EPA.
J.F.K. Federal Building
Boston, MA 02203-0001

Elizabeth Butler
Governor's Office
State House Station #1
Augusta, ME 04333

VRAP/BROWNFIELDS Improvement Group

Ms. Elizabeth Armstrong
41 Elm Street
Topsham, Maine 04086

Mr. Paul Ureneck
The Boulos Company
One Canal Plaza
Portland, Maine 04101

Ms. Jeanne T. Cohn-Connor
Preti, Flaherty, Beliveau & Pachios
443 Congress Street
P.O. Box 11410
Portland, Maine 04104-7410

Mr. David Dunning
S.W. Cole Engineering, Inc.
Six Liberty Drive
Bangor, Maine 04401

Mr. P. Andrew Hamilton
Eaton, Peabody, Bradford & Veague, P.A.
Fleet Center-Exchange Street
P.O. Box 1210
Bangor, Maine 04402-1210

Mr. Kenneth Gray
Pierce Atwood
One Monument Square
Portland, Maine 04101-1110

Mr. Donald McIlhenny
Sebago Technics Inc.
12 Westbrook Common
P.O. Box 1339
Westbrook, Maine 04098-1339

Mr. Steven Kelley
Haley & Aldrich, Inc.
500 Southborough Drive
South Portland, Maine 04106-6903

Mr. Mike Crawford
Environmental Engineering & Remediation, Inc.
222 St. John Street
Suite 314
Portland, Maine 04102

Mr. James Katsiaticas
Jensen Baird Gardner & Henry
Ten Free Street
P.O. Box 4510
Portland, Maine 04112

Mr. Thomas E. Schwarm
Acadia Environmental Technology
4 Milk Street
Portland, Maine 04101

Mr. James T. Kilbreth
Verrill & Dana
One Portland Square
P.O. Box 586
Portland, Maine 04112-0586

Mr. John Tewhey
Tewhey Associates
500 SouthBorough Drive
South Portland, Maine 04106

John James
Maine DEP-BRWM

Hank Aho-Facilitator
Maine DEP-BRWM

SOLID WASTE PROGRAM STAKEHOLDERS
INVITED PARTICIPANTS

Patricia Dickey, Town Manager Town of Skowhegan 90 Water Street Skowhegan, Maine 04976	Ferg Lea AVCOG 125 Manley Road Auburn, Maine 04210	Ken Hensler Tri-Community Recycling & Sanitary Landfill PO Box 605 Caribou, Maine 04473
Gerry Kempen, Town Manager Town of Orono PO Box 130 Orono, Maine 04473	Nat Tupper, Town Manager Town of Yarmouth PO Box 907 Yarmouth, Maine 04096	Geoff Herman Maine Municipal Association 60 Community Drive Augusta, Maine 04330
Mike Curtis James River/Old Town Mill PO Box 547 Old Town, Maine 04468	Brian Stetson Great Northern Paper, Inc. One Katahdin Avenue Millinocket, Maine 04462-1398	Tom Griffin S.D. Warren R-3 Box 1600 Skowhegan, Maine 04976
Tom Doyle Pierce Atwood One Monument Square Portland, Maine 04101-1110	Chris Hall Maine Chamber & Business Alliance 7 Community Drive Augusta, Maine 04330	David Bois Dragon Cement PO Box 191 Thomaston, Maine 04861
David W. Turner Mearl Corp. PO Drawer G Eastport, Maine 04631	Doug Gleason Commercial Recycling System 2 Gibson Road Scarborough, Maine 04074	Steve Page Wheelabrator 2000 Forest Ave. Portland, Maine 04103
Mac Richardson LAWPCA 535 Lincoln Street Lewiston, Maine 04240	Jamie Ecker BFI 14 Maine Street, Suite 205 Brunswick, Maine 04011	Larry Frost Soil Preparation, Inc. PO Box 158 Plymouth, Maine 04969
Randy Parenteau KTI/Env. Group, Inc. 110 Main Street, Suite 1308 Saco, Maine 04072	Marty Drew Sawyer Environmental 358 Emerson Mill Road Hampden, Maine 04444	Susan Hawkes Hawkes & Mayhew 66 Winthrop Street Augusta, Maine 04330
Jeff McGowan WMDSM P.O. Box 629 Norridgewock, Maine 04957	Joseph Kazar MMWAC PO Box 1750 Auburn, Maine 04211	David Holt, Town Manager Town of Norway 26 Danforth Street Norway, Maine 04268-1333
Greg Lounder Eastern Maine Development Corp. 1 Cumberland Place, Suite 300 Bangor, Maine 04401	Mike Fenton William Goodman & Sons PO Box 1660 Portland, Maine 04104	Steve Dyer, Town Manager Town of Monmouth PO Box 270 Monmouth, Maine 04259

SOLID WASTE PROGRAM STAKEHOLDERS
INVITED PARTICIPANTS

Jonathan Reitman
Gosline, Reitman and Ainsworth
47 Ocean Drive
Brunswick, Maine 04011

Ned Sullivan, Commission
DEP

Erika Morgan
Deputy Commissioner
DEP

Cyndi Darling
DEP
Bangor Regional Office

Kirk Goddard
SPO

John Delvecchio
SPO

Paula Clark, Director
Division of Solid Waste Facilities
Regulation
DEP

Carole Cifrino
BRWM
DEP

Hon. Sharon A. Treat
28 Kingsbury Street
PO Box 12
Gardiner, Maine 04345

Allan Ball, Director
Bureau of Remediation and Waste
Management
DEP

Mic Label
MPPA
PO Box 5670
Augusta, ME 04332

H:\BOHMC\SWFR\CCSWLIST/sjm

Scrap Tire Stakeholders

List #14

Tom Flaherty/Gary Smith
C.H Sprague & Son Co
One Parade Mall
Portsmouth, NH 03801
Phone: (603) 431-1000
Fax: 603-431-6371

Dana Humphrey
Dept. of Civil Engineering
5711 Boardman Hall, UMaine
Orono, Maine 04469
Phone: 581-2176
Fax: 581-2202

Tom Brown
Maine Auto Dealers Assoc
180 Civic Center Drive
P.O. Box 2667
Augusta, Maine 04330
Phone: 623-3882
Fax: 623-2318

Don Meagher
Sawyer Environ. Recycling
358 Emerson Mill Road
Hampden, Maine 04444
Phone: 862-4200
Fax: 862-4207

Paul Chase
TIRES
Route 236, 66 Dow Highway
Eliot, Maine 03903
Phone: 439-5974
Fax: 439-5909

Virgil Bourgoine
P.O. Box 217
Corinna, Maine 04928
Phone: 278-3833
Car: 944-1947

Jim McCurdy
Maine Commercial Tire
Bangor, Maine 04401
Phone: 848-5540
Fax: 848-5717

Bob Jewell
Jewell Tire
South Paris, Maine
Phone: 743-8117
Fax: 743-5207

Michele Fossett
Champion
81 Beech Street
Augusta, Maine 04330
Phone: 621-1870
Fax: 469-1703

Gary Austin
Boise Cascade Corp
Maine Reg Operations
Rumford, Maine 04276
Phone: 364-4521
Fax: 369-2849

John Slagle/Dave Boise
Dragon Products
P.O. Box 1521
Portland, Maine 04104
Phone: 774-6355
Fax: 594-8339 (Thomaston
Office)

Leslie Cosgrove
Maine Auto Recyclers Assoc
Box 5285
Augusta, Maine 04330
Phone: 622-5767
Fax: 622-5767

David Argyros
Sprague Energy
1 Parade Mall
Portsmouth, NH 03801
Phone: 603-431-7264
Fax: 603-431-6371

Tom Sawyer
115 Franklin Street
Bangor, Maine 04401
Phone:
Fax: 947-8822

Dick Fritz
RR 1 Box 1521
Kennebunkport, Maine
Phone: 985-7712
Fax: 985-8921

(Call before faxing so the
machine can be turned on)

Rob Stalford
Boise Cascade Corp
Rumford Mill
Rumford, Maine 04276
Phone: 364-4521
Fax: 369-2350

Wendy Porter
Champion
P.O. Box 1200
Bucksport, Maine 04416
Phone: 469-1700
Fax: 469-1703

Steve Piper
MADA
180 Civic Center Drive
P.O. Box 2667
Augusta, Maine 04330
Phone: 623-3882
Fax: 623-2318

Arthur Pilsbury
Maine DOT
State House Station #16
Augusta, Maine 04333
Phone: 287-5666
Fax: 287-2896

David Blocher
State Planning Office
State House Station #38
Augusta, Maine 04333
Phone: 287-3261
Fax: 287-5756

Michael Sweeney
VIP Auto Parts
12 Lexington Street
Lewiston, Maine 04240
Phone: 784-5423
Fax: 784-9178

Rep. Robert Spear
14 Evgley Hill Road
Nobleboro, Maine 04555
Phone: 832-4488
Fax: 563-8212

Updated 10/23/96

GROUND WATER FUND STAKEHOLDERS

Henry E. Boucher
Board of Oil and Solid Fuel
3 Barrows Street
Brunswick, ME 04011

Chris Hall
Maine Chamber of Commerce & Industry
7 Community Drive
Augusta, ME 04330-9412

Representative Michael Michaud
111 Main Steet
East Millinocket, ME 04430

Representative Thomas E. Poulin
RR3 Box 1060
Oakland, ME 04963

Jim Atwell
Environmental Business Council of Maine
Sevee & Mahar Engineers
P.O. Box 85A
Cumberland Center, ME 04021

Ladd Alcott
Acting State Fire Marshal
52 State House Station
Augusta, ME 04333-0052

Steve Dodge
State Fire Marshal's Office
52 State House Station
Augusta, ME 04333-0052

Joe Sczurko
Consulting Engineers of Maine
ABB Environmental Services, Inc.
P.O. Box 7050
110 Free Street
Portland, ME 04112-7050

Rich Fortin
Tewhey & Associates
500 Southborough Drive
South Portland, ME 04106

Patricia W. Aho
Executive Director
Maine Petroleum Association
45 Memorial Circle
Augusta, ME 04330

Brian Stetson
Great Northern Paper, Inc.
One Katahdin Avenue
Millinocket, ME 04462-1398

Cari Akeley
Great Northern Paper, Inc.
One Katahdin Ave.
Millinocket, ME 04462-1398

Tom Schwarm
Acadia Environmental Technology
4 Milk Street
Portland, ME 04101

Elizabeth Armstrong
41 Elm Street
Topsham, ME 04086

Warren Swetz
Bureau of General Services
77 State House Station
Augusta, ME 04333-0077

Paul Whitney, Superintendent
MSAD#23
P.O. Box 208
Carmel, ME 04419-0208

Mike Corson
MSAD #23
PO Box 208
Carmel, ME 04419-0208

Joseph J. Pietroski
Maine Bankers Association
PO Box 745
Augusta, ME 04332

Mark Walker
Maine Bankers Association
PO Box 745
Augusta, ME 04332

Representative Paul Jacques
41 Oakland Street
Waterville, ME 04901

Pam Quint
Bureau of Insurance
34 State House Station
Augusta, ME 04333-0034

Lawrence Emerson
5 Westwood Hills
Ellsworth, ME 04605

Senator Sharon Treat
PO Box 12
Gardiner, ME 04345

Eugene Guilford, Jr.
President
Maine Oil Dealers Association
25 Greenwood Road
P.O. Box 249
Brunswick, ME 04011-0249

Jamie Py
Maine Oil Dealers Association
25 Greenwood Rd.
PO Box 249
Brunswick, ME 04011-0249

Wayne J. Gifford
Chairman
Board of Underground Tank Installers
Wadleigh's
21 Water Street
Hallowell, ME 04347

Mick LeBel
Maine Pulp and Paper Association
P.O. Box 5670
Augusta, ME 04332-5670

Representative Steven G. Rowe
118 Ludlow Street
Portland, ME 04103

David Markovchick
FAME
P.O. Box 949
83 Western Ave.
Augusta, ME 04332

DEP Staff

Allan Ball
Glenn Angell
David Maxwell
Mark Hyland
David McCaskill
George Seel
Scott Whittier
John James
David Sait
Nick Hodgkins

David Lakari
Maine State Housing Authority
353 Water Street
Augusta, ME 04330-4633

William Galbraith
LURC
22 State House Station
Augusta, ME 04333-0022

Geoff Herman
Director
State and Federal Relations
Maine Municipal Association
60 Community Drive
Augusta, ME 04330



OIL SPILL ADVISORY COMMITTEE

Michael Hastings, Chair
Patricia Aho
Harold Alexander
Vaughn Anthony
Bradford Burns

William Duffy
John Ferland
Tim Hendrix
Jeff Kaelin
David Look

Judy Markowsky
Granville Smith
Tracy Smith
John Stuart

Staff: Mary James
Station #17, Augusta, ME 04333
207/287-2551

Fourteen members to be appointed:

Governor's Appointments

Petroleum Industry (2)	Tim Hendrix Patricia Aho
Oil Spill Technology (1)	David Look
Naval Architect (1)	Harold Alexander
Coastal Geology (1)	Bill Duffy
Fisheries Biology (1)	Vaughn Anthony
Coastal Wildlife Habitat (1)	Judy Markowsky
Licensed State Pilot (1)	Granville Smith

President of the Senate Appointments

Marine Fisheries (2)	Jeff Kaelin John Stuart
General Public (1)	Bradford Burns

Speaker of the House Appointments

Marine Fisheries (1)	Michael Hastings (Chair)
General Public (2)	John Ferland Tracy Smith

OIL SPILL ADVISORY COMMITTEE

Staff: Mary James, Department of Environmental Protection,
State House Station #17, Augusta, ME 04333-0017
207/287-2651 (Mary.R.James@state.me.us)

<u>Member</u>	<u>Address</u>	<u>Telephone</u>	<u>Term Expires</u>
Patricia W. Aho	Maine Petroleum Association 45 Memorial Circle Augusta, ME 04330	work: 622-5881 fax: 622-3938	June 30, 1998
Harold C. Alexander	Maine Maritime Academy Castine, ME 04420	work: 326-4311 fax: 326-2218	June 30, 1997
Vaughn C. Anthony	P.O. Box 459 Boothbay, ME 04537	home: 633-2568 fax: 633-9756	Oct. 6, 1999
Bradford Burns	18 Merrill Road Falmouth, ME 04105	home: 781-3884	July 6, 1998
Bill Duffy	RR #1, Box 7800 Mt. Vernon, ME 04352	work: 287-3228 fax: 287-7641	June 30, 1997
John Ferland	Clean Casco Bay, Inc. P.O. Box 387 Portland, ME 04112	work: 828-4511 fax: 828-4516	July 28, 1997
Michael Hastings	Maine Aquaculture Innov. Cntr. 141 N. Main Street, Suite 203 Brewer, ME 04412	work: 989-5310 fax: 989-5795	Sept. 15, 1998
Tim Hendrix	Portland Pipe Line Corp. P.O. Box 2590 S. Portland, ME 04116	work: 767-0422 fax: 767-0442	June 30, 1998
Jeffrey H. Kaelin	P.O. Box 292 Winterport, ME 04496	work: 989-2180 fax: 989-2154	July 6, 1997
David T. Look	754 Mere Point Road Brunswick, ME 04011	home: 729-3614	June 30, 1997
Judy Markowsky	1 Edgewood Drive Crono, ME 04473	work: 581-2900 fax: 866-4003	June 30, 1999
Granville I. Smith	Portland Pilots, Inc. P.O. Box 546 Portland, ME 04112	work: 774-5623 home: 781-3067 fax: 774-5683	Aug. 8, 1998
Tracy Smith	RR 1, Box 64A Dennysville, ME 04628	home/fax: 726-4456	July 16, 1999
John L. Stuart	P.O. Box 444 DTS Portland, ME 04112	work: 767-5761	July 6, 1999

Land & Water Resources Council
1997

Evan D. Richert
State Planning Office
183 State St., Station # 38
Augusta ME 04333

Ned O. Sullivan, Commissioner
DEP
Station # 17
Augusta ME 04333

Bucky Owen, Commissioner
DIF&W
Station # 41
Augusta ME 0433

Thomas McBrierty, Commissioner
DECD
Station # 59
Augusta ME 04333

Ron Lovaglio, Commissioner
DOC
Station # 22
Augusta ME 04333

Robin Alden, Commissioner
DMR
Station # 21
Augusta ME 04333

Ken Concannon, Commissioner
DHS
Station # 11
Augusta ME 04333

Ed McLaughlin, Commissioner
Dept Agriculture
Station # 28
Augusta ME 04333

John Melrose, Commissioner
Dept Transportation
Station # 16
Augusta ME 04333

OTHERS

Mark DesMeules
State Planning Office
Station # 38
Augusta ME 04333

Bill Ferdinand
State Planning Office
Station # 38
Augusta ME 04333

Hal Winters
DMR
Station # 21
Augusta ME 04333

Clough Toppin, Director
DHS - Div. Health Engineering
Station # 10
Augusta ME 04333

Martha Kirkpatrick
DEP
Station # 17
Augusta ME 04333

Warren Foster
DOT - Bureau of Planning
Station # 16
Augusta, ME 04333

William H. Nichols, Jr.
12 Spruce Lane
Cumberland Foreside ME 04110

Henry Nichols
State Planning Office
State House Station # 38
Augusta ME 04333

Fran Rudoff
State Planning Office
State House Station # 38
Augusta ME 04333

John DelVecchio
State Planning Office
State House Station # 38
Augusta ME 04333

Kathleen Leyden
State Planning Office
State House Station # 38
Augusta ME 04333

Paula Valente
Maine Municipal Association
Community Drive
Augusta, Maine 04330

Chris Hall
ME Chamber & Business Alliance
7 Community Drive
Augusta ME 04330

TUR Reauthorization Stakeholder Group

Schedule

9/19 Draft Legislative Proposal & Stakeholder Kick-off at P2 Advisory Committee

10/9 Workgroup Meeting OC 2 9:00-11:00 a.m.

10/23 "" ""

11/18 "" ""

12/4 "" ""

12/15 "" ""

Workgroup Charge: Develop consensus based recommendations for legislature based on DEP generated legislative proposal and principles.

Membership

P2 Advisory Committee (Dixon Pike, Chair)

NRCM (Hagstrom)

MCBA (Daigle, Hall)

MPA (Diffenbacher-Krall, Taylor)

AFLCIO (Ned Gorham)

MPPA (Lebel)

DEP - OI& A and Bureaus (Team Leaders, Doerring, Merrill, Barden, Pistell, Dyer)

Facilitator: David Van Wie

a:tur98i

P2 ADVISORY COMMITTEE LIST

Dixon Pike, Esq.
Pierce, Arwood, Scribner.
Allen, Smith & Lancaster
One Monument Square
Portland, ME 04101-1110
work: 773-6411
home: 797-5635
fax: 773-3419
email: DPike@PierceArwood.com

Richard Aronson
Century Tire Co.
17 Birkdale Road
Falmouth, Maine 04105
work: 775-3777
home: 856-3532
fax: 772-2430

Gregor Davens
Harborside Graphics
4 Airport Road
P.O. Box 346
Belfast, Maine 04915
work: 338-4509
fax: 338-5322

Mike Skoczinski, CFO
East Coast Machine, Inc.
P.O. Box 549
Oakland, ME 04901
phone: 877-8311
fax: 877-8312

Blaine Richardson
282 Keating Road
Warren, ME 04864
home: 236-0989
fax: 230-0112

Stan Eller, Esq.
5 Appletree Lane
Manchester, ME 04351
office: 623-0359
home: 626-0151
fax: 623-0359
email: seller@mstf.org

Kimberly Floyd
46 St. Lawrence Street
Portland, Maine 04101
home: 774-2473
work: 773-8198
fax: 775-0591

Rayna Lieberwitz
Maine Emergency Management Agency
State House Station 72
Augusta, ME 04333
work: 287-4080
fax: 287-4079

Jonathan Lepoff
Bureau of Labor Standards
State House Station 45
Augusta, ME 04333
work: 624-6460
fax: 624-6449

Ron Dyer
Director, Office of Innovation
& Assistance
Dept. of Environmental Protection
State House Station 17
Augusta, ME 04333
office: 287-4152
fax: 287-2814

Bryce Sproul
Director, Division of Licensing
Bureau of Air Quality
Dept. of Environmental Protection
State House Station #17
Augusta, ME 04333
work: 287-2437
fax: 287-7641

Meeting Notification

David Garriepy
Pratt & Whitney
Wells Road
North Berwick, ME 03906
phone: 676-4100

John Duffenbacker-Krall
MPA
128 Main Street
Bangor, ME 04401
phone: 990-0672
fax: 990-0772

Dan Fortin
Fraser Paper
Bridge Street
Madawaska, ME 04756
phone: 728-3321
fax: 728-8700

DEP Staff

Ann Pistell
Mike King
Peter Moulton
- Brian Kavanah
Don Albert
Dave McCaskill

Revised 5/16/97
A:\dcapl\list.doc

**Maine Environmental Priorities Council
Proposed Council Membership**

Patricia Aho, Executive Director
Maine Petroleum Association
45 Memorial Circle
Augusta, Maine 04330-6400
622-5881, FAX 622-3938
e-mail: mepetrol@ime.net

Albert Curran, CEO
Woodard & Curran
41 Hutchins Drive
Portland, Maine 04102
774-2112, FAX 774-6635
e-mail: ACURRAN@woodardcurran.com

Carol Blasi
Conservation Law Foundation
120 Tillson Avenue
Rockland, Maine 04841
594-8107, FAX 596-7706
e-mail: cblasi@clf.org

John Dieffenbacher-Krall
Maine People's Alliance
27 State Street, Suite 44
Bangor, Maine 04401
990-0672, FAX 990-0772

David Bois
Dragon Products Co.
P.O. Box 191
Thomaston, Maine 04861
594-5555, FAX 594-8339

Kevin Gildart, Assistant to the President
Bath Iron Works
700 Washington Street
Bath, Maine 04530
443-3311, FAX 442-1719
e-mail: KGildart@biw.com

Daniel Boxer
Pierce Atwood
One Monument Square
Portland, Maine 04101-1110
773-6411, FAX 791-1350
e-mail: dboxer@pierceatwood.com

Pete Didisheim
Natural Resources Council of Maine
271 State Street
Augusta, Maine 04330
622-3101, FAX 622-4343
e-mail: pdidisheim@nrcm.org

Shippen Bright, Deputy Commissioner
Department of Conservation
22 State House Station
Augusta, Maine 04333-0022
287-2211, FAX 287-2400
e-mail: ship.bright@state.me.us

Thomas L. Fusco
66 Board Road
Brunswick, Maine 04011
(H) 729-8104 (W) 443-8666
e-mail: tfusco@clinic.net

Blaine Buck
MBNA America
P.O. Box 1367
Camden, Maine 04843
236-1338, FAX 236-1302

R. Alec Giffen
Land & Water Associates
9 Union Street
Hallowell, Maine 04347
623-2136, FAX 626-0033
e-mail: landwater@aol.com

Charles S. Colgan
Edmund Muskie Institute of Public Affairs
University of Southern Maine
P.O. Box 9300
Portland, Maine 04104-9300
780-4008, FAX 780-4417
e-mail: csc@usm.maine.edu

Phil Haines
Department of Human Services
151 Capitol Street
11 State House Station
Augusta, Maine 04333-0011
287-3290, FAX 287-4631
e-mail: philip.w.haines@state.me.us

Maine Environmental Priorities Council
Proposed Council Membership

Christopher Hall, Vice President
Maine Chamber and Business Alliance
7 Community Drive
Augusta, Maine 04330
623-4568, FAX 622-7723
e-mail: nancyb@mainechamber.org

P. Andrew Hamilton
Eaton, Peabody
P.O. Box 1210
Bangor, Maine 04402-1210
947-0111, FAX 942-3040
e-mail: AndyH@eatonpeabody.com

Senator Philip Harriman
P.O. Box 790
Yarmouth, Maine 04096
773-5390, FAX 773-3814
e-mail: senpeh@aol.com

Marquita Hill, Cooperating Professor
Department of Chemical Engineering
University of Maine
5737 Jenness Hall
Orono, Maine 04469-5737
581-2301, FAX 581-2323
e-mail: mhill@umecheme.maine.edu

Marilyn Hotch
HC 32, Box 41C
Owls Head, Maine 04854
596-7847, FAX same
e-mail: mlhotch@midcoast.com

Sherry Huber
430 Blackstrap Road
Falmouth, Maine 04105
797-4454, FAX same
e-mail: SFHuber@worldnet.att.net

Fred Hurley, Director
Bureau of Resource Management
Department of Inland Fisheries & Wildlife
41 State House Station
Augusta, Maine 04333-0041
287-5252, FAX 287-6395
e-mail: fred.hurley@state.me.us

Jeffrey H. Kaelin, Executive Director
Maine Sardine Council
470 North Main Street
P.O. Box 337
Brewer, Maine 04412-0337
989-2180, FAX 989-2154

Bruce Kidman
The Nature Conservancy/Maine Chapter
14 Maine Street, Suite 401
Brunswick, Maine 04011-2026
729-5181, FAX 729-4118

Theodore Koffman, ECO/ECO Coordinator
College of the Atlantic
105 Eden Street
Bar Harbor, Maine 04609-1198
288-5015, FAX 288-4126
e-mail: koffman@ecology.coa.edu

Representative Carol Kontos
P.O. Box 1785
Windham, Maine 04062
892-3474, FAX 287-8338

Mic Label
Manager of Environmental Affairs
Maine Pulp & Paper Association
P.O. Box 5670
Augusta, Maine 04332-5670
622-3166, FAX 623-9128

Peter Mosher, Director
Office of Agricultural, Natural
and Rural Resources
Dept. of Agriculture
28 State House Station
Augusta, Maine 04333-0028
287-7608, FAX 287-7548
e-mail: peter.mosher@state.me.us

Representative David Ott
52 Long Sands Road
York, Maine 03909
363-5208, FAX 363-5322

Maine Environmental Priorities Council
Proposed Council Membership

Pamela Person, Vice Chair
Coalition for Sensible Energy
479 Back Ridge Road
Orland, Maine 04472
469-6770, FAX same
e-mail: phppwp@juno.com

Evan Richert, Director
State Planning Office
38 State House Station
Augusta, Maine 04333-0038
287-3261, FAX 287-6489
e-mail: evan.richert@state.me.us

Senator Richard Ruhlín
115 Elm Street
Brewer, Maine 04412
989-7333, FAX 989-4228

Brian Stetson
Great Northern Paper
One Katahdin Avenue
Millinocket, Maine 04462
723-2664, FAX 723-2660

Edward Sullivan, Commissioner
Department of Environmental Protection
17 State House Station
Augusta, Maine 04333-0017
287-2812, FAX 287-7826
e-mail: ned.o.sullivan@state.me.us

Sharon S. Tisher
51 Bennoch Road
Orono, Maine 04473
(H) 866-0023 (W) 581-3158

Thomas Urquhart, Executive Director
Maine Audubon Society
118 US Route One
Falmouth, Maine 04105
781-2330, FAX 781-0974
e-mail: turquhart@maineaudubon.org

William J. Vail, Executive Director
Maine Forest Products Council
146 State Street
Augusta, Maine 04330
622-9288, FAX 626-3002

Robert Voight
Maine Conservation Rights Institute
RR 2, Box 1970
Lubec, Maine 04652
733-2017, FAX 733-2014

Council Administrator

Mark Margerum
Department of Environmental Protection
17 State House Station
Augusta, Maine 04333-0017
287-7842, FAX 287-7826
e-mail: mark.t.margerum@state.me.us