#### STATE OF MAINE



# DEPARTMENT OF ENVIRONMENTAL PROTECTION

**STATE HOUSE STATION 17** 

**AUGUSTA, MAINE 04333** 

## DEPARTMENT\_ORDER

#### IN THE MATTER OF

STATLER INDUSTRIES INCORPORATED	)	300 FOOT DISPOSAL LAW
Augusta, Maine	)	
PAPER MILL SLUDGE DISPOSAL SITE	)	
#L-004892-17-F-R	)	VARIANCE REQUEST

Pursuant to the provision of Title 38, M.R.S.A., Section 421, the Department of Environmental Protection has considered the application of STATLER INDUSTRIES INCORPORATED with its supportive data, staff summary, agency review comments, and other related materials on file and finds the following facts:

## 1. PROJECT DESCRIPTION:

A. Statler Industries, Inc., has requested a variance renewal of Title 38, M.R.S.A., Chapter 3, Section 421, the 300-Foot Law, to continue to dispose of solid waste within 300 feet of classified water.

The sludge landfill is within 300 feet of tributaries to Riggs Brook. Riggs Brook is a tributary to the Kennebec River. Riggs Brook and its tributaries are classified bodies of water, pursuant to Title 38, M.R.S.A., Subsection 368, Kennebec River Basis-Minor tributaries below Wyman Dam in Moscow, (1).

- B. On June 27, 1979, the Board of Environmental Protection approved an application from Statler Industries, Inc. to construct an operate a sludge disposal landfill in East Augusta. On August 26, 1981, and on August 24, 1983, Statler Industries, Inc. was granted a renewal to the 300-Foot Law.
- 2. In 1985, Statler Industries Incorporated requested a 2-year renewal to Title 38 Section 421, the 300-Foot Law, to continue to dispose of solid waste within 300 feet of classified water. An on-site inspection and a review of the monitoring results of samples taken from the monitoring wells and nearby stream show no evidence of surface wate impact from the site. The 2 years variance order was not written.
- 3. In 1987, Statler Industries Incorporated requested a 2 year renewal to Title 38 Section 421, the 300-Foot Law, to continue to dispose of solid waste within 300 feet of classified water. An on-site inspection and a review of the monitoring results of samples taken from the monitoring wells and nearby stream show no evidence of surface water impact from the site.
- 4. The sludge disposal site is underlain by glacial marine silt clay sediment.
- 5. Leachate generated from the sludge is collected and transported by pipeline to the Augusta Sanitary District Wastewater Treatment Plant, where it is treated prior to discharge into the Kennebec River.

STATLER INDUSTRIES INCORPORATED Augusta, Maine	2 300 FOOT DISPOSAL LAW	
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BASED on the above findings of fact, the Departme	ent makes the following	
A. All leachate generated from the paper mill sl transported by pipeline to the Augusta Sanita Treatment Plant, where it is treated prior to River.	ITV District Wastewater	
B. An examination of climactic conditions, topog of solid waste and other factors noted, indic paper mill sludge at the Statler Industries, Augusta within 300 feet of a tributary to Rig direct or indirect discharge of pollutants in	ates that the disposal of Inc., sludge disposal site in gs Brook will not result in	
THEREFORE, the Department GRANTS a 2 year renewal M.R.S.A. Section 421 to Statler Industries Incorp sludge disposal site in Augusta from 1985 to 1987 paper mill sludge disposal site in Augusta, Maine following conditions:	orated to operate a paper mill	
1. The Standard Conditions of Approval, a copy a	ttached.	
2. The term of the variance is for 2 years, and review of surface and ground water monitoring	results.	
DONE AND DATED AT AUGUSTA, MAINE, THIS 15T DA	AY OF <u>Juy</u> , 1988.	
DEPARTMENT OF ENVIRONMENTAL PROTECTION	/ ====================================	
BY: Dean C. Marriott, Commissioner		
ANY PERSON WISHING TO APPEAL AN ORDER MUST DO SO WOF THE ORDER	VITHIN 30 DAYS OF THE RECEIPT	
PLEASE NOTE ATTACHED SHEET FOR APPEAL PROCEDURES A	AND CONDITION COMPLIANCE	
Date of initial receipt of application10/	27/87	
Date of application acceptance12/14/87		

DB/bsh/STATLER

# STANDARD CONDITIONS

STRICT CONFORMANCE WITH THE STANDARD AND SPECIAL CONDITIONS OF THIS APPROVAL IS NECESSARY FOR THE PROJECT TO MEET THE STATUTORY CRITERIA FOR APPROVAL.

- 1. This approval is dependent upon and limited to the proposals and plans contained in the application and supporting documents submitted and affirmed to by the applicant. Any variation from the plans, proposals and supporting documents is subject to the review and approval of the Board prior to implementation. Further subdivision of proposed lots by the applicant or future owners is specifically prohibited, without prior approval by the Board of Environmental Protection, and the applicant shall include deed restrictions to this effect.
- 2. The applicant shall secure and comply with all applicable Federal, State and local licenses, permits, authorizations, conditions, agreements, and orders, prior to or during construction and operation as appropriate.
- 3. The applicant shall submit all reports and information requested by the Board or Department demonstrating that the applicant has complied or will comply with all conditions of this approval. All preconstruction terms and conditions must be met before construction begins.
- 4. Advertising relating to matters included in this application shall refer to this approval only if it notes that the approval has been granted WITH CONDITIONS, and indicates where copies of those conditions may be obtained.
- 5. Unless otherwise provided in this approval, the applicant shall not sell, lease, assign or otherwise transfer the development or any portion thereof without prior written approval of the Board where the purpose or consequence of the transfer is to transfer any of the obligations of the developer as incorporated in this approval. Such approval shall be granted only if the applicant or transferee demonstrates to the Board that the transferee has the technical capacity and financial ability to comply with conditions of this approval and the proposals and plans contained in the application and supporting documents submitted by the applicant.
- 6. If the construction or operation of the activity is not begun within two years, this approval shall lapse and the applicant shall reapply to the Board for a new approval. The applicant may not begin construction or operation of the development until a new approval is granted. Reapplications for approval shall state the reasons why the development was not begun within two years from the granting of the initial approval and the reasons why the applicant will be able to begin the activity within two years from the granting of a new approval, if granted. Reapplications for approval may include information submitted in the initial application by reference.
- 7. If the approved development is not completed within five years from the date of the granting of approval, the Board may reexamine its approval and impose additional terms or conditions or prescribe other necessary corrective action to respond to significant changes in circumstances which may have occurred during the five-year period.
- 8. A copy of this approval must be included in or attached to all contract bid specifications for the development.
- 9. Work done by a contractor pursuant to this approval shall not begin before the contractor has been shown by the developer a copy of this approval.

(2/81)