

REVIEW MEMORANDUM

March 12, 2020

To: Jessica Damon, Project Manager, Bureau of Land Resources
From: John Hopeck, Ph.D., Division of Environmental Assessment
Re: Silver Maple Wind

- 1) As we have discussed in emails prior to this memo, the application does not include sufficient soil information to determine whether or not the site is suitable for the proposed use. Note that Section 11(2)(d) of the Site Location application instructions explicitly states that a Class B High-Intensity soil survey is required for energy facilities, including facilities “associated with transmission lines, power plants, wind-energy generation facilities, or comparable developments.” Any transmission lines, collector lines, or similar parts of this project may qualify for the limited soil survey associated with linear projects (See Section 11(B)(4), which likewise indicate that a Class B survey is required for access roads, turbine areas, substations, switchyards, operation and maintenance buildings, or any similar areas.) As we have discussed, pages 2 and 3 of the January 23, 2020 letter from Ms. Teresa Davis also refer to the lack of detailed soil information provided to support this project. Adequate soil information must be submitted for review and approval prior to construction. Note that, in addition to the basic soils information required by the application, the applicant will need to submit for review and approval prior to construction of the specific relevant facilities any geotechnical reports or similar documents describing work performed to support specific locations of turbine towers and other structures associated with this operation.
- 2) Section 15 of the application does not include plans for management of petroleum products and other potential contaminants, during construction and during operation of the facility. These plans could include information describing any fuel storage, refueling procedures and locations, equipment maintenance, right-of-way maintenance, vegetation management, generator locations, transformer size and containment, spill response procedures, and other relevant elements of a groundwater protection plan as described at Section 15(B) of the Site Location Permit Application. Note that, depending on the volume of petroleum product stored at the site, Spill Prevention, Control, and Countermeasures Plans consistent with 40CFR Part 112 may also be required, and, if so, should be included in the groundwater protection plan or plans required by Section 15(B). The plan relevant to construction activities should be submitted for review and approval prior to construction; an operational plan may be submitted for review and approval after construction but before operation, as the applicant might at the present time not know the characteristics of specific turbines, transformers, or other oil-containing features at the site.
- 3) The proposed blasting standards include undefined terms such as “fly rock conditions”, although the section of Maine law including the relevant standards is cited in the text of Section 20. For clarity, the specific relevant standards should be cited in an approval:
 - a. ground vibration at offsite structures may not exceed the limits shown in Figure B-1 of Appendix B, U.S. Bureau of Mines Report of Investigations 8507

(reference in the plan outline submitted simply to the dashed line in this figure is ambiguous);

- b. air overpressure offsite may not exceed the limits provided at Department Rules Chapter 375.10(C)(4)(c) and 38 MRSA §490-Z(14)(H);
 - c. flyrock must be controlled so as to remain on the site and may not enter a protected resource unless the Department has previously approved alteration of that resource in the impacted area;
 - d. records of blasts generally consistent with the requirements of 38 MRSA §490-Z(14)(L) must be kept and provided to the Department if requested (the list in the submitted plan outline is not entirely consistent with these requirements; note that the Department generally does not consider such records incomplete if the social security number of the blaster is not included).
- 4) The applicant states that the completed project will not require a water supply, and that “any water required for construction will be brought to the site by trucks.” Specific sites to be used to provide water for dust control are not identified. Any sources of water for dust control should be specifically identified to ensure that these sources will have adequate volume during the construction season; access to any surface water source must be at a stable location, such as a bridge, culvert crossing, boat ramp, or similar feature so that the water truck does not need to cross erodible soil areas to reach the water source.