

STATE OF MAINE
BOARD OF ENVIRONMENTAL PROTECTION



PAUL R. LEPAGE
GOVERNOR

Robert A. Foley, Chair

Cynthia S. Bertocci
Executive Analyst

Ruth Ann Burke
Board Clerk

**BOARD OF ENVIRONMENTAL PROTECTION
Meeting Minutes**

July 17, 2014

A meeting of the Board of Environmental Protection was held on Thursday, July 17, 2014 at the Department of Public Safety ~ Florian Hall, 45 Commerce Drive, Augusta, Maine. Robert Foley, Chair, called the meeting to order at 9:00 a.m. with the following individuals present:

Board: Alvin Ahlers, Thomas Dobbins, Thomas Eastler, Robert Foley, James Parker, and Susan Lessard. There is one vacancy.

Staff: Marc Cone, Director, Bureau of Air Quality
Jamiee Farrin, Director of Air Licensing and Compliance
Eric Kennedy, Bureau of Air Quality
Kathy Tarbuck, Bureau of Air Quality

Others: Heather Parent, Acting Deputy Commissioner
Mary Sauer, Assistant Attorney General
Cynthia Bertocci, BEP Executive Analyst
Ruth Ann Burke, BEP Clerk and Administrative Assistant

I. Departmental

A. Commissioner's Comments: Acting Deputy Commissioner Heather Parent commented on the following matters:

- Meeting of Northeastern Governors and Eastern Canadian Premiers: Commissioner Aho attended the meeting of the Northeastern Governors and Eastern Canadian Premiers in New Hampshire earlier this week. At the meeting, Commissioner Aho conveyed information on Maine's environmental stewardship efforts.
- Meeting with Bureau of Ocean Energy Management: Commissioner Aho joined other environmental commissioners and officials in a meeting with the Bureau of Ocean Energy Management in an effort to ensure that the Bureau's five year plan, which is being developed, appropriately takes into account issues important to the State of Maine.

B. Comments from the BEP Chair: None.

C. Executive Analyst Comments:

- Paris Utility District. Ms. Bertocci reported that the Board published notice of the availability of the draft MEPDES permit for public comment and opportunity to intervene in the licensing hearing. No petitions to intervene were received. Staff will proceed to schedule the hearing for September in conjunction with a regular Board meeting.
- Eel Weir Hydropower Project. Ms. Bertocci noted that the Board's decision on appeal granting water quality certification for S.D. Warren's hydropower project at the outlet of Sebago Lake was upheld by the Maine Supreme Judicial Court in a decision dated July 15, 2014. A copy of the Court's decision was distributed to Board members.

D. Board Calendar: Reviewed. No meetings in August.

E. Departmental Orders / Applications Accepted for Processing: Reviewed

F. Executive Session: None

II. Consent Agenda Items:

1. BEP Meeting Minutes: June 19, 2014 (approval)

The Board voted (6-0-0-0) on a motion to approve the minutes for June 19, 2014 as presented. The vote was taken pursuant to 38 M.R.S. § 341-D.

Board members Alvin Ahlers, Thomas Dobbins, Thomas Eastler, Robert Foley, Susan Lessard, and James Parker voted to support the motion. There is one vacancy.

III. Regular Agenda Items:

1. Dragon Products Company, LLC – Request for Alternative Mercury Emissions Limit (#A-326-77-3-A)

Staff: Marc Cone, Director, Bureau of Air Quality

Mr. Cone summarized the basis for the request by Dragon Product's for an alternative mercury air emission limit and the provisions of the draft license that would limit the facility to the federal limit of 55 pounds of mercury per million tons of clinker produced and an associated state limit of 42 pounds per year, including a requirement for continuous emissions monitoring.

The Board voted (6-0-0-0) on a motion to approve the license amendment granting an alternative mercury emission limit of 42 pounds per year and the applicable 40 CFR Part 63, Subpart LLL mercury emissions standard. The vote was taken pursuant to 38 M.R.S. § 341-D, § 344, § 585-B, and § 590.

Board members Alvin Ahlers, Thomas Dobbins, Thomas Eastler, Robert Foley, Susan Lessard, and James Parker voted to support the motion. There is one vacancy.

(The meeting adjourned at approximately 10:15 a.m.)

