



Mark C. Draper, Chair

William F. Hinkel
Executive Analyst

Ruth Ann Burke
Board Clerk

JANET T. MILLS
GOVERNOR

**BOARD OF ENVIRONMENTAL PROTECTION
Meeting Minutes**

January 7, 2021

A meeting of the Board of Environmental Protection was held on Thursday, January 7, 2021, by Zoom video conference. Board Chair Mark Draper called the meeting to order at 9:00 a.m. with the following individuals attending:

Board: Mark Draper, Mark Dubois, Robert Duchesne, Robert Sanford, Susan Lessard, James Parker, and Steven Pelletier

Staff: Jeffrey Crawford, Director, Bureau of Air Quality
Paula Clark, Director, Division of Materials Management, Bureau of Remediation and Waste Management (BRWM)
Mark Margerum, Office of the Commissioner

Others: Melanie Loyzim, Acting Commissioner
Katherine Tierney, Assistant Attorney General
Laura Jensen, Assistant Attorney General
William Hinkel, Board Executive Analyst
Ruth Ann Burke, Board Clerk and Administrative Assistant

I. Departmental

- A. Commissioner's Comments:** Acting Commissioner Loyzim informed the Board that the Department's reports to the legislature are posted online, a link to which would be provided by Ms. Burke. Acting Commissioner Loyzim informed the Board that the Department was providing a presentation to the newly appointed Joint Standing Committee on Environment and Natural Resource in January and that Board members could watch the presentation online.
- B. Chair's Comments:** None
- C. Executive Analyst's Comments:** None
- D. Board Calendar:** No comments
- E. Departmental Orders / Applications Accepted for Processing:** No comments

II. Regular Agenda Items (Note: All votes taken by roll call. Votes are recorded in the following order: number voting in favor of a motion – number voting against a motion – number abstaining – number absent)

1. BEP Meeting Minutes. December 17, 2020

The Board voted (7-0-0-0) on a motion by Robert Duchesne and seconded by James Parker to approve the minutes of December 17, 2020, as presented.

The vote was taken pursuant to 38 M.R.S. § 341-D.

All Board members voted to support the motion.

2. Chapter 100, Definitions Regulation, (adoption)

Staff: Jeffrey Crawford, Bureau of Air Quality

Staff presented an overview of the proposed amendments to Chapter 100.

Following staff presentation, the public was given an opportunity to comment pursuant to 38 M.R.S. § 341-H(3-A). No persons commented on the proposed amendments to the Chapter 100 rule.

Following deliberations, the Board voted (7-0-0-0) on a motion by James Parker, seconded by Steve Pelletier, to adopt the proposed amendments to Chapter 100, as presented.

The vote was taken pursuant to 38 M.R.S. §§ 341-D, 585-A and Section 110 of the Clean Air Act.

All Board members voted to support the motion.

3. Chapter 400, Maine Solid Waste Management Rules: General Provisions, (adoption)

Staff: Paula Clark, BRWM

Staff presented an overview of the proposed amendments to Chapter 400.

Following staff presentation, the public was given an opportunity to comment pursuant to 38 M.R.S. § 341-H(3-A). Petitioner Ed Spencer provided comments to the Board and read to the Board comments of petitioner Hillary Lister, who was not in attendance. Additional public comments were offered by 1) Dan Thornton, Thornton Construction, Milford; 2) Kat Taylor, Argyle landowner; 3) Bill Lippincott, Hampden, Don't Waste Maine; 4) Greg Leahey, COO ReEnergy Lewiston; and 5) Brian Rayback, Esq.

Following deliberations, the Board voted (5-2-0-0) on a motion by Mark Dubois, seconded by Bob Duchesne, to adopt the proposed amendments to Chapter 400, as presented.

The vote was taken pursuant to 38 M.R.S. § 341-D.

Mark Draper and James Parker voted against the motion.

(The meeting adjourned at approximately 11:35 a.m.)

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