



STATE OF MAINE  
DEPARTMENT OF ENVIRONMENTAL PROTECTION  
STATE HOUSE STATION 17 AUGUSTA, MAINE 04333

DEPARTMENT ORDER

IN THE MATTER OF

GREAT NORTHERN PAPER COMPANY ) SITE LOCATION ORDER  
East Millinocket, Maine )  
INDUSTRIAL EXPANSION ) FINDINGS OF FACT AND ORDER  
#L-16637-20-A-N (Corrected Order#2) )  
(APPROVAL)

Pursuant to the provision of Title 38 M.R.S.A, Section 481 et seq., the Department of Environmental Protection has considered the application of Great Northern Paper Company ("GNP") with its supportive data, staff summary, agency review comments, and other related materials on file and finds the following facts:

1. PROJECT DESCRIPTION:

A. SUMMARY:

The applicant is requesting approval for all improvement projects that have occurred at the East Millinocket Mill since January 1, 1970, for modernization of the wood handling and processing operations at the mill and for construction of a new warehouse building.

A list of the major post-1970 improvements and the ground area affected is as follows:

- 1) Millinocket Mill Modernization, 48,100 square feet
- 2) East Millinocket Mill Modernization, 48,000 square feet
- 3) No. 4 Barking Drum, 1,200 square feet
- 4) "J" Conveyor Hopper, 800 square feet
- 5) Treelength Slasher, 3,400 square feet
- 6) Truck Unloader Backstop, 200 square feet
- 7) Bark-Burning Boiler, 49,820 square feet
- 8) Entrance Facility, 200 square feet
- 9) Classifier Truck Hopper Enclosure, 1,000 square feet
- 10) Flexible Woodyard, 23,500 square feet
- 11) Maintenance Garage, 5,250 square feet
- 12) Fuel Oil Unloading, 1,200 square feet
- 13) Plant Engineering Office, 880 square feet
- 14) Power Substation, 900 square feet
- 15) Piggy Back Ramp, 530 square feet
- 16) Track 15 Platform Enclosure, 4,600 square feet
- 17) Dolby Pulpwood Unloading, 43,500 square feet
- 18) Bangor Tie Expansion, 5,000 square feet
- 19) Sulfite Unloading Ramp, 530 square feet
- 20) Turbine Project, 3,900 square feet

Details of the improvement projects are described in the Site Location Application and are shown on the plans entitled "East Millinocket Mill Plot Plan for Post-1970 Projects" dated 1/6/89.

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The updated woodyard will provide for receiving, storing, reclaiming, and processing of rail and truck delivered 4 foot length wood, and rail delivered tree length wood.

The major components of the new woodyard are the portal crane, slasher/tree length wood storage area, rail spur/unloading station, de-icing conveyor, wood room, sorter, peeled log storage area, rough wood storage area, live bottom bin, automatic grinder charging system, refuse and reject handling system, power supply components and drainage basin.

The proposed wood yard will be built in accordance with the plans entitled "Wood Handling and Processing Project Step 1 Layout and Grading Plan SH.1 and SH.2".

The new warehouse will be an approximately 50,000 square foot building abutting the east side of the Mill #2 train shed. The addition will serve as a combination paper storage warehouse and truck loading facility.

The proposal also includes the construction of a 40,300 square foot connecting roof between the warehouse and the train shed, and 10 loading docks on the south side of the warehouse.

The warehouse will be constructed as shown on the plans entitled "Great Northern Paper Co. East Millinocket Mill Paper Storage Warehouse Location Plan" submitted on 02/07/89.

#### B. History of Project:

The East Millinocket Mill has been in active industrial use since the early 1900's when the facility was constructed.

GNP has previously received Site Location of Development permits for the following East Millinocket Mill Site Developments:

- 1) Department Order #24-0796-19170 (dated 5/18/73) for a primary wastewater treatment plant.
- 2) Department Order #26-0796-19170 (dated 4/26/75) for a secondary wastewater treatment plant.

#### C. Current Use of Site:

The proposed woodyard improvements will be contained within the existing woodyard area. The existing woodyard has, at various times throughout the mill's history, been used for wood storage and handling over its entire area.

## 2. FINANCIAL CAPACITY

The project cost for the proposed woodyard improvements is estimated to be 59.4 million dollars. The applicant has submitted as evidence of financial capacity to undertake the proposed project a copy of the 1987 annual report and form 10-K information for the Great Northern Nekooska Corporation.

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The information indicates that Great Northern Nekoosa Corporation has sufficient resources to finance Great Northern Paper's proposed expansion. Final commitment of funds from Great Northern Nekoosa Corporation has not been submitted for the proposed modernization project.

The after-the-fact development for which GNP is requesting approval are in place and do not require additional financing for completion.

### 3. TECHNICAL ABILITY

GNP owns two paper mills, and the only sulfite pulp mill in Maine. The company has 88 years of experience operating mills and has successfully completed many projects of similar complexity and cost to the proposed woodyard modernization.

Nystrom, Lee, Kobayashi Inc. (NLK) of Vancouver, Montreal, Seattle, and Tokyo is providing engineering services to GNP for the woodyard modernization project. These services include analyzing design options, preparing cost estimates, and preparing a turnkey bid document.

E.C. Jordon Co. of Portland, Maine serves as an environmental and civil engineering consultant to GNP and NLK.

### 4. SOLID WASTE

GNP generates approximately 491 cubic yards of waste per day. This waste consists of primary sludge, secondary sludge, woodyard wastes, rubbish, and ash. Most of this material is disposed of at the GNP owned and operated Dolby III Landfill which operates in substantial compliance with its Site Location of Development permit (DEP #L-000796-07-A-N).

The mill's biomass boiler consumes wood room bark waste and a portion of woodyard woodwastes, primary treatment sludge, and some other combustible wastes.

Special and hazardous waste disposal is arranged on a case-by-case basis with reputable haulers for transport to licensed disposal facilities.

Waste generated by modernized woodyard operations will consist of approximately 1,150 cubic yards per day of bark reject wood, and sawdust and will be disposed of in the biomass burner. Ash will be disposed of at the Dolby III Landfill.

### 5. WATER SUPPLY

Two sources of water supply are used by the GNP mill's existing facilities. Process water for mill operations, with the exception of boiler feed water, is derived by GNP directly from the Penobscot River West Branch and is screened and filtered before use. Sanitary water is provided by the East Millinocket municipal water supply. Approximately 338,000 gallons per day of municipally supplied water and 40 million gallons per day of river water is used by the mill.

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The proposed woodyard modernization project will use approximately 372,000 gallons per day of additional water - 3,500 gallons per day of municipally supplied water and 368,500 gallons per day of Penobscot River water.

The applicant has submitted a letter from the East Millinocket Water Works indicating that the town has and will continue to supply Great Northern Paper Company - Mill #2 with their water needs.

#### 6. TRAFFIC MOVEMENT/ROADWAYS

Five access points serve the mill site, all leading onto GNP property from the Southside of State Route 11/157. Route 11/157 at the Wood Delivery Entrance, Main Street at the Contractor Entrance, Route 11/157 at the Construction Receiving Entrance, and Route 11/157 at the Wastewater Treatment Entrance consist of paved, 2 lane roads with 22 to 24 foot wide travel ways and 8 to 12 foot wide shoulders. Main Street at the Main Entrance/Maple Street intersection consists of a paved road with 3 lanes to the east and 2 lanes to the west. The travel surface to the east is 64 feet wide with no shoulders. The travel surface to the west is 31.5 feet wide with 8 foot and 15.5 foot wide shoulders.

The system of drives, parking lots, and loading/service areas on the mill property is quite extensive. These roads have historically consisted of a diverse mix of paved and gravel surfaces of varying widths. Four primary parking lots are located on-site; one construction parking lot providing 300 parking spaces, and three employee parking lots providing a total 435 parking spaces.

The woodyard improvements will add some new internal roadway to the woodyard. The existing gravel drive adjacent to "J" conveyor will be paved and extended to circumscribe and be contiguous with the portal crane/tree length storage area, and to meet the existing perimeter road. The pavement width will be 24 feet.

A paved truck access for unloading 4-foot logs will extend approximately 180 feet from the existing perimeter road to the rail unloading station at a typical width of 24 feet.

During operation of the mill, traffic volumes at the five entrances - expressed in average daily trips (ADT) - are estimated to be 178 ADT for wood delivery entrance, 0 for contractor entrance, 1,507 ADT for the Main Entrance, 61 ADT for the construction receiving entrance, and 57 ADT for the treatment plant entrance.

The proposed woodyard modernization project will not increase traffic levels on public streets.

The Maine Department of Transportation has reviewed the application for its ability to comply with the "Traffic Movement Standards" of the Site Location of Development Act, and concluded that sight distances at all affected intersections are adequate and no adverse traffic operational impacts are anticipated.

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7. MAINTENANCE OF ROADS

All facilities and improvements on-site, both existing and proposed, are and will be owned, operated, and maintained by GNP.

8. AIR QUALITY

All point-source air emissions from existing mill operations are identified in and regulated by the current DEP air emission license for the mill granted to GNP (license #A-405-71-A-R, effective 1/13/88). GNP has operated mill #2 in substantial compliance with this permit. Non-point source emissions are limited to vehicular traffic and minor fugitive particulate emissions that are derived from slasher operation, bark and debris handling in open areas, and rough wood handling.

Fugitive particulate emissions have been significantly reduced by many of the post-1970 improvements such as water spraying, paving, and conveying wood debris to the biomass boiler.

The woodyard modernization will result in no new point-source air emissions. The proposed design includes provisions for further improving non-point source particulate emissions by additional paving, conveying sawdust to a bunker, and covering the cross conveyor with a shroud enclosure.

9. NATURAL DRAINAGE WAYS

The topography of the mill's property generally slopes down to the West Branch of the Penobscot River which flows easterly along the southern boundary of the site.

Natural drainage across the mill property has been altered by the construction of roads and buildings.

The applicant is proposing to further alter natural drainage by the reconstruction of the woodyard. Drainage off the site will be directed to a sedimentation pond. Water in the sedimentation pond will be discharged through a pipe to the Penobscot River. A Natural Resource Protection Permit is needed for the discharge pipe. The applicant has indicated that they will comply with the permit by rule requirements set forth in Department Regulations, Chapter 305.

Because the runoff flows directly to the river, no affects on abutting property owners have been identified.

10. STORMWATER RUNOFF

The applicant's consulting engineers have reviewed the stormwater runoff flows for Great Northern Paper Company's East Millinocket Mill using the Soil Conservation Service TR 20 Methodology. The review has shown that the total runoff from the property for a 25-year, 24-hour rainfall event equals 452 cfs. Based on the calculations and field observations, the consulting engineers have concluded that the present drainage facilities are adequate to handle the stormwater runoff.

Pre and post-development stormwater runoff flows were evaluated for the woodyard modernization project. According to the calculations performed, runoff will be increased by 8 cfs after construction. The applicant is proposing to collect and discharge the runoff to a sedimentation basin within the woodyard. The basin is designed for a 10 hour detention time and should reduce the peak outflow to 1.6 cfs.

No significant adverse impacts from the proposed 1.6 cfs increase in peak runoff flows have been identified.

#### 11. EROSION AND SEDIMENTATION CONTROL

Existing practices used to control erosion and sedimentation in the mill area generally consist of bituminous paving of roadways and parking lots, channeling of runoff through swales, ditches, and underground piping and installation of riprap along the banks of the West Branch of the Penobscot River.

Riprap was placed along the banks of the river, adjacent to the mill, to control erosion of the bank.

At a couple of locations the riprap has eroded away, and the applicant is proposing to place additional riprap in these areas. The placement of riprap now requires a permit under the Natural Resources Protection Act. The standards of this law have not been addressed by the applicant.

All other post-1970 construction areas have been stabilized. To control erosion from the woodyard area, the applicant has proposed the following:

- a) To minimize the amount of runoff passing through the woodyard, the existing perimeter road will be used as a barrier. Existing culverts under the road will be removed or plugged to isolate all the woodyard runoff. Runoff coming from town center will be intercepted at the northern edge of the woodyard in a new ditch system and routed around the westerly side of the woodyard.
- b) A sediment basin has been designed using Soil Conservation Service methodology and based on a 25-year 24-hour storm event. A two-pond system has been proposed. The first pond will remove the floating debris by outletting water through a mess screen. The second pond is designed for a 10-hour detention time to let the sediment settle out to the bottom of the pond.
- c) Prior to starting construction of the woodyard, silt fencing will be installed. This fencing will be maintained in functional condition until completion of major woodyard modernization construction activities.

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- d) Following construction of the sediment pond ditching and proposed woodyard improvements, all disturbed areas will be loamed, fertilized, seeded and mulched using the specifications outlined in Exhibit #20 of the Site Location Application.

Details of the erosion control plan are described in Exhibit #20 of the Site Location Application and in a letter from Ron Howes (GNP) dated 2-15-89.

Erosion control measures will be installed as shown on the plans entitled "Wood Handling and Processing Project Stormwater Management and Erosion Control Plan" dated 1-6-89, "Wood Handling and Processing Project Proposed Erosion Control Measures" dated 1-6-89, and "Wood Handling and Processing Project Stormwater Management and Erosion Control Details" dated 1-6-89.

The applicant proposed in the 2-15-89 letter from Ron Howes, a construction sequence which will be implemented for the erosion control measures. This sequence allows for water to flow across and through areas before they are stabilized. This plan also allows for disturbed areas to remain unstabilized for 60 days following final grading.

Department Regulation, Chapter 375 requires that disturbed areas be stabilized within 15 days of final grading.

The erosion control plan was reviewed by a Department engineer. The engineer recommended the following changes to the erosion control plan:

- a) The bottom of the silt fence be embedded 4 inches instead of 2 inches to prevent water from undermining the fence.
- b) Stone check dams instead of haybales be used to control erosion in areas of concentrated flow.

## 12. SURFACE WATER QUALITY

GNP has an existing wastewater discharge license from the Department, #W-002228-44-A-R. The licensed discharges from the mill consist of effluent from the wastewater treatment plant, uncontaminated cooling water, and back wash and trash screen wastewater. GNP is currently in compliance with their wastewater discharge license.

The woodyard modernization project will increase discharges of wastewater to the treatment plant by 457,400 gallons per day. Sufficient capacity exists in the wastewater treatment system and discharge permit limits to handle these additional flows.

## 13. GROUNDWATER QUALITY/QUANTITY

The mill property does not overlie nor is it in close proximity to a mapped sand and gravel aquifer.

No wastewater from mill operations is discharged utilizing subsurface wastewater disposal systems. Sanitary water obtained from the town of East Millinocket is from a mapped sand and gravel aquifer approximately 1.5 miles from the project site.

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GNP maintains a current Spill Prevention, Control and Countermeasure Plan (SPCC) to ensure proper handling of and groundwater protection from the various petroleum products, chemicals, and pulp slurries stored and used at the mill.

Solid waste generated at the mill is currently trucked to GNP's Dolby III Landfill, other licensed disposal facilities, or is hogged and fed to the biomass boiler.

GNP has had a series of PCB spills on the property. They have prepared a remediation plan to address cleanup of the site. Currently, GNP is working with the Environmental Protection Agency and the Department's Bureau of Oil and Hazardous Materials Control to finalize the clean up plan.

Although no solid waste is currently disposed of on-site, debarking woodwaste resulting from the mill's woodroom operation was disposed of in a large wood waste storage area on-site prior to installation of the bark-burning biomass boiler in 1980.

GNP has not submitted any information addressing the existing or potential impacts on the ground water quality from the longterm disposal of wood waste onsite.

The Bureau of Solid Waste Management submitted the following comments in regard to this development:

- a) The Dolby III Landfill is in substantial compliance with the operating requirements of the Maine Solid Waste Management Rules.
- b) A study to determine the degree of surface and/or groundwater contamination that has occurred from the disposal of woodwastes on-site should be conducted.
- c) Based on the performance of unlined wood storage areas from other projects [BSWM has documented groundwater contamination from storage areas], they recommend that GNP be required to line its unpaved tree-length storage area, peeled storage area, and rough wood storage area.

In response to the BSWM comments, GNP has agreed to conduct a limited ground and surface water, waste site characterization program to assess whether there has been or will be water quality impacts from the wood waste storage area. Also, the applicant has proposed the following cleaning schedule for the woodyard storage areas to minimize the length of time wood and wood debris remains on-site, and to minimize the potential for wood decomposition:

- a) Peeled wood storage area - cleaned yearly following reclaiming of the pile during the winter months.
- b) Rough wood storage area - cleaned monthly as wood inventory is rolled over to maintain fresh wood.

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- c) Tree length storage area - cleaned twice a year as wood inventory is rolled over to maintain fresh wood.

Wood waste will be burned in the biomass boiler.

#### 14. BUFFER STRIPS

This paper mill has been in existence since the early 1900's. No designated buffer strips exist for the mill. However, much of the 410 acre mill property will remain as undeveloped woodland and serves to buffer adjacent properties on the east and west boundaries.

#### 15. HISTORIC SITES AND UNUSUAL NATURAL AREAS

The Maine Historic Preservation Commission has reviewed the application for GNP's existing East Millinocket Mill and concluded that the project will have no effect on any structure or site of historic, architectural, or archaeological significance as defined by the National Historic Preservation Act of 1966.

This mill modernization will not impact any unusual natural areas. This is based on a review of the Maine Critical Areas Data Base.

#### 16. SCENIC CHARACTER

GNP's property extends west to Dolby Dam and this extensively wooded area serves to buffer the existing mill from the west. The West Branch of the Penobscot River to the south presents few view opportunities to the public because the southern bank is undeveloped forest, and this reach of the river provides few recreational or scenic qualities of unusual importance. To the east, existing mill facilities are largely screened by on and off site vegetation and terrain.

The key views of the site are from the Main Street travel corridor and the perpendicular local streets. Because of topography and vegetation, no significant views of the river are available from Main Street across GNP property.

All post-1970 construction activities were completed within the mill complex that has been visible from Main Street since the early 1900's. Heights of the post-1970 facilities are consistent with those of pre-1970 structures.

Components of the proposed woodyard improvements will not significantly change the scenic character of the mill site. The woodyard area has long been developed and utilized for wood handling and storage. Of the proposed improvements, only the portal crane will be higher than existing woodyard equipment. The portal crane will be placed such that its most narrow dimension is perpendicular to the Main Street Corridor, to minimize the intrusion and it will be painted a light neutral shade to minimize textural and color contrast.

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#### 17. WILDLIFE AND FISHERIES

The Department of Inland fisheries and Wildlife reviewed the project site and noted two significant wildlife areas in the area - an eagle nest on Spectacle Island in Dolby Pond, and a deer wintering area south of the West Branch of the Penobscot River. The eagle's nest is over 2 1/2 miles away from the woodyard and the deer wintering area is approximately 1 1/2 miles from the mill on the opposite side of the river. Both sites are well buffered from the mill. All proposed improvements will take place in long-disturbed areas of the mill complex.

The mill's discharges to the river have been in substantial compliance with both the state and federal discharge permits. Current river log storage and maintenance dredging by GNP was permitted by US EPA NPDES permit #ME0022471 (issued 1-30-85) and DEP Stream Alteration permit #L-011700-30-C-R (issued 8-25-88), DEP log storage permit #W-006206-50-A-R (issued 1-3-85).

GNP's log storage permit has expired. The applicant has applied for a renewal. At this time, the Department has not taken action on the application.

The applicant has proposed an erosion control plan to minimize sedimentation impacts to fisheries habitat in the river.

#### 18. SOILS

The silts on the developed portion of the mill property consist of Made Land, Monarda and Burnham Very Stony Silt Loam, Plaisted Very Stony Loam, Celton Gravelly Sandy Loam, Howland Very Stony Loam, Howland Gravelly Loam, Limerick Silt Loam, Hermon Very Stony Sandy Loam, Hermon Sandy Loam, and Allagash Fine Sandy Loam.

The long-established existing mill complex on the site demonstrates that soils are of adequate suitability for the development.

#### 19. WASTEWATER DISPOSAL

All wastewater deriving from mill operations is currently and will continue to be treated by GNP's on-site wastewater treatment plants. These facilities provide both primary and secondary treatment.

The treatment plants received Site Location approval under permits numbered 24-0796-19170 and 26-0796-19170. Discharges from the treatment plant are licensed under Water Discharge permit #W002228-44-A-R. Reference is made to finding #12.

#### 20. NOISE

Noise level measurements were taken at various points on and off site using a General Radio 1565-C sound level meter. All logarithmic decibel measurements are a weighted, instantaneous peak readings at the receptor, equivalent to the standard L max designation.

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Average noise levels from mill operations are  $\pm$  55 dBA at the Main Street receptor location during woodyard operation. The maximum level of 85 was obtained at the main Street receptor location when a tractor trailer was passing by.

No background data is available for the pre-1970 noise levels.

New woodyard improvements will generally generate noise levels equivalent to existing operations. Major sources of noise will be the slasher, portal crane operation, and conveyor. These noise levels will be comparable to or lower than current levels from similar equipment now operating that will be replaced.

#### 21. ODORS

As a ground wood paper mill, GNP's East Millinocket Mill does not tend to generate the sulfurous odors that are typically associated with pulp and paper kraft mills. A pine-pitch odor is detectable both on-site and along Main Street. Any odors that do emanate from current mill processes are in substantial compliance with the mill's air emissions license.

Proposed improvements to woodyard processes are not anticipated to generate new odors nor significantly increase existing odors.

#### 22. ALTERATION OF CLIMATE/WATER VAPOR

Steam is discharged from a number of point sources in the mill, most of which is associated with pre-1970 facilities or paper machine hood vent operation. These water vapor ventings have not exhibited a significant effect on local climatic or visibility conditions.

No new major sources of water vapor are anticipated as part of the woodyard modernization.

#### 23. ACCESS TO DIRECT SUNLIGHT

No significant shading effects were created offsite by post-1970 construction and none are anticipated by the proposed woodyard modernization project.

#### 24. FLOODING, OPEN SPACE, AND SANDDUNES

No significant project impacts in regard to these issues have been identified.

BASED on the above findings of fact, the Department makes the following conclusions pursuant to 38 M.R.S.A. Section 481 et seq.:

A. The applicant has provided adequate evidence of financial capacity and technical ability to develop the project in a manner consistent with state environmental standards provided that the applicant submits a letter from Great Northern Nekoosa Corporation indicating a final commitment of funds for the proposed project.

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B. The applicant has made adequate provision for traffic movement of all types into, out of or within the development area. Any traffic increase attributable to the proposed development will not result in unreasonable congestion or unsafe conditions on a road in the vicinity of the proposed development.

C. The applicant has made adequate provision for fitting the development harmoniously into the existing natural environment and the development will not adversely affect existing uses, scenic character, air quality, water quality or other natural resources in East Millinocket or in neighboring municipalities provided that erosion and sedimentation is controlled both during and following construction of the woodyard, and that the applicant complies with the requirements of the Natural Resources Protection Act and the Permit by Rule Regulations for the existing and proposed stream alteration activities.

D. The proposed development will be built on soil types which are suitable to the nature of the undertaking and will not cause unreasonable erosion of soil or sediment nor inhibit the natural transfer of soil provided that adequate erosion control measures are implemented and maintained.

E. The proposed development will not pose an unreasonable risk that a discharge to a significant groundwater aquifer will occur provided that the applicant follows the schedule for cleaning the wood storage areas as described in Finding #13, prepares and implements a groundwater monitoring plan to evaluate existing or potential impacts to the groundwater from woodwaste and log storage areas, and prepares and implements a remediation plan if contamination has or will occur.

F. The applicant has made adequate provision of utilities, including water supplies, sewerage facilities and solid waste disposal, roadways and open space required for the development and the development will not have an unreasonable adverse effect on the existing or proposed utilities, roadways and open space in East Millinocket or the area served by those services or open space.

G. The activity will not unreasonably cause or increase the flooding of the alteration area or adjacent properties nor create an unreasonable flood hazard to any structure.

H. The activity will not unreasonably interfere with the natural supply or movement of sand within or to the sand dune system.

THEREFORE, the Department APPROVES WITH THE ATTACHED CONDITIONS the application of Great Northern Paper Company to construct the post-1970 improvements and modernize the woodyard at their existing paper mill in East Millinocket Maine, in accordance with the following conditions:

1. The Standard Conditions of Approval, a copy of which is attached.
2. Prior to construction of the Woodyard Modernization project, the applicant shall submit to the Department for review and receive approval evidence of final commitment of all the necessary funds from Great Northern Nekoosa to complete the project.

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3. Prior to and during the construction of the sedimentation outfall pipe and riprap along the Penobscot River, the applicant shall comply with all requirements and standards set forth in Chapter 305 of the Department Regulation for Permit by Rule passed pursuant to the Natural Resources Protection Act. If the construction of the pipe and/or riprap cannot comply with all of the permit by rule standards applicable to the projects, the applicant shall apply for and receive a permit for the outfall pipe and/or riprap prior to initiating construction of these projects.

4. The applicant shall ensure that the new ditches and the sedimentation basin is stabilized before any water is diverted through them and before any water is allowed to discharge through the basin's outlet pipe.

5. The proposed silt fence shall be installed such that the bottom of the fence is embedded 4 inches below the ground level to prevent water from undermining the silt barrier.

6. The silt fence shall be maintained as described in Ron Howe's letter dated 2-15-89 until all disturbed areas have been stabilized.

7. Stone check dams, in place of haybales, shall be installed to control erosion in areas of concentrated flow. Stone check dams shall be installed in accordance with specifications set forth in the Environmental Quality Handbook of Maine published by the Maine Soil and Water Conservation Commission (June 1979) as revised.

8. Permanent soil erosion control measures for all slopes, channels, ditches, or any disturbed land area shall be completed within 15 calendar days after final grading has been completed. When it is not possible or practical to permanently stabilize disturbed land, temporary stabilization shall be implemented within 30 calendar days of the exposure of soil.

9. In addition to any specific erosion control measures described in Finding #11 of this order, the applicant shall take all necessary actions to ensure that their activities or those of their agents do not result in noticeable erosion of soils on the site during the construction and operation of the project covered by this approval.

10. The applicant shall ensure that the cleaning schedule for the woodyard storage areas as described in Finding #13 of this order is followed. Any changes to this schedule shall be submitted to the Department for review and approval prior to implementation of the changes.

11. Within 90 days of the date of this order, the applicant shall submit to the Department for review and receive approval of a groundwater monitoring plan to evaluate the existing groundwater quality and potential future impacts to groundwater quality as a result of past, current, and proposed mill operations including onsite wood waste storage, tree length log storage, peeled log storage, and rough wood storage.

This monitoring plan shall include but not be limited to a site plan showing the locations of monitoring wells, a list of the parameters to be studied, a proposed schedule for implementation of the monitoring program and for sampling the monitoring wells, and provisions for remediations if monitoring shows that the groundwater has or will be contaminated.

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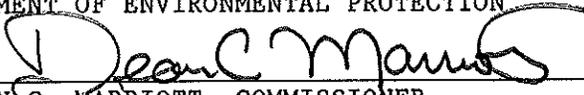
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12. Prior to replacing additional or repairing existing riprap on the banks of the Penobscot river, the applicant shall apply for and receive approval of this activity under the Natural Resources Protection Act.

DONE AND DATED AT AUGUSTA, MAINE, THIS 24<sup>th</sup> DAY OF April, 1990

DEPARTMENT OF ENVIRONMENTAL PROTECTION

BY:

  
DEAN C. MARRIOTT, COMMISSIONER

ANY PERSON WISHING TO APPEAL AN ORDER MUST DO SO WITHIN 30 DAYS OF THE APPLICANT'S RECEIPT OF THE ORDER

PLEASE NOTE ATTACHED SHEET FOR APPEALS PROCEDURES...

Date Of Initial Receipt of Application 1-9-89

Date Of Application Acceptance 2-28-89

SB/gnpco

## S T A N D A R D C O N D I T I O N S

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.