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

DEPARTMENT ORDER

IN THE MATTER OF

GREAT NORTHERN NEKOOSA CORP.	) SITE LOCATION OF DEVELOPMENT
East Millinocket, Maine	) NATURAL RESOURCE PROTECTION AND
CONCRETE WALL	) WATER QUALITY CERTIFICATION
#L-16637-L6-F-N (Approval)	) FINDINGS OF FACT AND ORDER
*#L-16637-20-F-M (Approval)	)

Pursuant to the provisions of Title 38 M.R.S.A. Section 481 et seq., and Section 480-A et seq., and Section 401 of the Federal Water Pollution Control Act, the Department of Environmental Protection has considered the application of Great Northern Nekoosa Corporation with its supportive data, staff summary, agency review comments, and other related materials on file and finds the following facts:

1. PROJECT DESCRIPTION:

A. History Of Project: On December 20, 1990, Great Northern Paper Company received conditional approval in Department Order L-16637-A-N for all the improvement projects that had 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.

B. Summary: The applicant now proposes to construct a 200 foot cast-in-place concrete wall. The wall will be utilized as a secondary containment measure to prevent stock spills from reaching the East Branch of the Penobscot River from tanks located on the west end of the paper machine building. In the event of a stock spill, the material will either be directed to existing manholes and thereby to the applicant's wastewater treatment plant or contained behind the wall for subsequent clean up.

2. SITE DESCRIPTION:

The concrete wall will be constructed 40 to 120 feet from the East Branch of the Penobscot River. This project requires a Natural Resources Protection Act permit because the slope in the project area varies from four to ten percent.

3. EROSION AND SEDIMENTATION CONTROL:

The applicant has submitted an erosion and sedimentation control plan with this application. This plan has been reviewed and approved by the Soil and Water Conservation Commission.

4. FISH AND WILDLIFE HABITAT:

The Department of Inland Fisheries and Wildlife reviewed the project and recommends that proper erosion control measures be taken.

5. WASTEWATER DISPOSAL:

The applicant's wastewater treatment plant has a licensed flow capacity of 30 million gallons a day which is sufficient to handle any stock spill or stormwater runoff.

6. BUFFER STRIPS:

The applicant will maintain a variable undisturbed buffer of 40 to 120 feet between the normal high water mark of the river and the concrete wall.

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 meet air and water pollution control standards.

B. The applicant has made adequate provision for traffic movement of all types into, out of or within the development area.

C. The applicant has made adequate provision for fitting the development harmoniously into the existing natural environmental and the development will not adversely affect existing uses, scenic character or natural resources in East Millinocket and in neighboring municipalities.

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 appropriate temporary and permanent erosion control methods are implemented.

E. The proposed development will not pose an unreasonable risk that a discharge to a significant groundwater aquifer 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.

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.

BASED on the above findings of fact, the Department makes the following conclusions pursuant to 38 M.R.S.A., Section 480-A et seq. and Section 401 of the Federal Water Pollution Control Act:

A. The proposed activity will not unreasonably interfere with existing scenic, aesthetic, recreational uses.

B. The proposed activity will not cause unreasonable erosion of soil or sediment and will not inhibit the natural transfer of soil form the terrestrial to the freshwater environment provided that all erosion control measures are properly implemented.

C. The proposed activity will not unreasonably harm any significant wildlife habitat, freshwater wetland, plant habitat, aquatic life provided all erosion control measures are properly implemented and all buffer strips strictly maintained.

D. The proposed activity will not unreasonably interfere with the natural flow of any surface or subsurface waters.

E. The proposed activity will not violate any state water quality law, including those governing the classifications of the State's waters.

F. The proposed activity will not unreasonably cause or increase the flooding of the alteration area or adjacent properties.

G. The proposed activity is not located on or adjacent to a sand dune.

H. The proposed activity is not on an outstanding river segment as noted in Title 38 M.R.S.A. Section 480-P.

THEREFORE, the Department APPROVES WITH THE ATTACHED CONDITIONS the application of Great Northern Nekoosa Corporation to construct a cast-in-place concrete wall in East Millinocket, Maine in accordance with the following conditions:

1. The Standard Conditions of Approval, a copy of which is attached.

2. The applicant shall take all necessary actions to ensure that his activities or those of his agents do not result in noticeable erosion of soils on the site during the construction and operation of the project covered by this approval.

DONE AND DATED AT AUGUSTA, MAINE, THIS 27th DAY OF November 1991.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

BY: Dean C Marriott
DEAN C. MARRIOTT, COMMISSIONER

PLEASE NOTE ATTACHED SHEET FOR GUIDANCE ON APPEALS PROCEDURES...

Date Of Initial Receipt of Application 7/17/90
Date Of Application Acceptance 8/31/90

Date filed with Board of Environmental Protection _____
AC/concrete

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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.

C. The applicant has made adequate provision for fitting the development harmoniously into the existing natural environmental and the development will not adversely affect existing uses, scenic character or natural resources in East Millinocket and in neighboring municipalities.

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 appropriate temporary and permanent erosion control methods are implemented.

E. The proposed development will not pose an unreasonable risk that a discharge to a significant groundwater aquifer 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.

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.

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G. The proposed activity is not located on or adjacent to a sand dune.

H. The proposed activity is not on an outstanding river segment as noted in Title 38 M.R.S.A. Section 480-P.

THEREFORE, the Department APPROVES WITH THE ATTACHED CONDITIONS the application of Great Northern Nekoosa Corporation to construct a cast-in-place concrete wall in East Millinocket, Maine in accordance with the following conditions:

1. The Standard Conditions of Approval, a copy of which is attached.

2. The applicant shall take all necessary actions to ensure that his activities or those of his agents do not result in noticeable erosion of soils on the site during the construction and operation of the project covered by this approval.

DONE AND DATED AT AUGUSTA, MAINE, THIS 5th DAY OF October 1990

DEPARTMENT OF ENVIRONMENTAL PROTECTION

BY: Dean C Marriott
DEAN C. MARRIOTT, COMMISSIONER

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FILED
OCT 5 1990
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