



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

DEPARTMENT ORDER

IN THE MATTER OF

GREAT NORTHERN PAPER INC.)	SOLID WASTE ORDER
MILLINOCKET, PENOBSCOT COUNTY, MAINE)	PROGRAM APPROVAL
SLUDGE UTILIZATION)	MINOR REVISION AND
#S-021545-SB-C-M (APPROVAL WITH CONDITIONS))	VARIANCE REQUEST

Pursuant to the provisions of 38 M.R.S.A. Section 1301 et seq. and 06-096 CMR Chapter 567, Rules for Land Application of Sludge and Residuals (effective December 23, 1989), the Department of Environmental Protection (DEP) has considered the application of GREAT NORTHERN PAPER INC. with its supportive data and other related materials on file and FINDS THE FOLLOWING FACTS:

1. APPLICATION SUMMARY

- A. Application: The applicant has applied for a minor revision to Department Order #S-021545-SB-A-N dated August 24, 1995 which approved the utilization of primary and recycled papermill sludge as a soil amendment.
- B. Summary of Revision: The Program Approval Order included restrictions from stockpiling and storing the sludge for periods of time longer than seven days. At the time of licensing, the applicant anticipated possible odor and/or health effects from sulfur compounds in the sludge. Department Order #S-21545-SB-B-M dated 21 April 1996, changed that restriction to allow stockpiling for periods up to 180 days as specified in Chapter 567.

The applicant now requests that stockpiling be allowed for periods up to 365 days based upon research it performed during the winter of 1995-96. Chapter 567 specifies that temporary stockpiling may occur for up to 180 days. The applicant requests a variance from this requirement to allow for stockpiling up to 365 days.

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2. STORAGE

The applicant requests that the period allowed for papermill sludge storage be 365 days, based upon research that was performed during the winter season of 1995-96. The applicant performed stockpiling trials and found that due to slow thawing of stockpiled sludge it was not possible to spread the stockpiled sludge until late in the spring which was often in exceedence of the 180 days specified. Increasing the allowable stockpiling period to 365 days would allow a practical period, during the growing season, for site operators to landspread the sludge. The applicant has provided information which suggests that the primary paper sludge does not wash or erode during storage and does not create an odor nuisance when stored for periods greater than 180 days. Analytical information on file at the Department indicates that the sludge possesses very low concentrations of nitrogenous nutrients and high carbon to nitrogen ratios, so discharges to groundwater are unlikely.

BASED on the above Findings of Fact, and subject to the Conditions listed below, the Department makes the following CONCLUSIONS:

1. As proposed the project will not pollute any water of the state, contaminate the ambient air, constitute a hazard for health or welfare, or create a nuisance.
2. While operating under a variance, the proposed project will not pollute any water of the state, contaminate the ambient air, constitute a hazard for health or welfare, or create a nuisance.

THEREFORE, the Department APPROVES the above noted application of GREAT NORTHERN PAPER, INC. and the related variance request SUBJECT TO THE ATTACHED CONDITIONS, and all applicable standards and regulations:

1. The Standard conditions of approval, a copy attached as Appendix A.

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2. All other Findings of Fact, Conclusions and Conditions remain as approved in Department Order #S-021545-SB-A-N and are incorporated herein.

DONE AND DATED AT AUGUSTA, MAINE, THIS Sixteenth DAY
OF December 1996.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

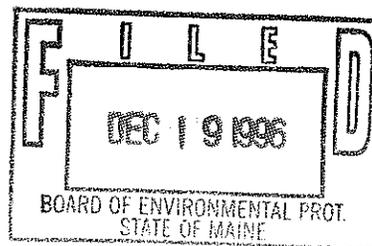
BY: 
 Edward O. Sullivan, Commissioner

PLEASE NOTE ATTACHED SHEET FOR GUIDANCE ON APPEAL PROCEDURES.

Date of initial receipt of application: 10/30/96

Date of application acceptance: 11/20/96

Date filed with Board of Environmental Protection:



This Order prepared by Bill Sheehan, Bureau of Remediation & Waste Management.

XBS28565/llg

SOLID WASTE LICENSE STANDARD CONDITIONS

STRICT CONFORMANCE WITH THE STANDARD AND SPECIAL CONDITIONS OF THIS APPROVAL IS NECESSARY FOR THE PROJECT TO MEET THE STATUTORY CRITERIA FOR APPROVAL. VIOLATIONS OF THE CONDITIONS UNDER WHICH A LICENSE IS ISSUED SHALL CONSTITUTE A VIOLATION OF THAT LICENSE, AGAINST WHICH ENFORCEMENT ACTION MAY BE TAKEN, INCLUDING REVOCATION.

1. This order 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 or the Commissioner prior to implementation.
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. No person shall transfer a license for a solid waste disposal facility without first obtaining Board approval for the transfer of the ownership of the solid waste disposal facility. For a solid waste disposal facility, the Board, at its discretion, may require that the proposed new owner of the facility apply for a new license or may approve the transfer of the existing license upon a satisfactory showing that the new owner can abide by its terms and conditions and comply with the provisions of 38 M.R.S.A. Section 1310-Q. Public notice shall be provided in accordance with Chapter 400.4.D of the Solid Waste Management Rules.
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.
10. All solid waste disposal facilities are required to accept only solid waste which is subject to recycling and source reduction programs at least as effective as those imposed by State law.
11. No solid waste facility licensee shall knowingly hire as an officer, director or key employee, or knowingly allow to acquire as equity interest or debt liability interest, any person having been found guilty of a felony or of a violation of environmental law or rules without first obtaining the approval of the Board.
12. Whenever any lot of land for solid waste disposal facilities is transferred by deed, the following shall be expressly stated in the deed:
 - a. The type of facility located on the lot and the dates of its establishment and closure.
 - b. A description of the location and the composition, extent, and depth of the waste deposited.

If asbestos-containing waste or asbestos-contaminated waste has been disposed on a site, the location coordinates must be identified (refer to Chapter 405).