



DEPARTMENT OF ENVIRONMENTAL PROTECTION
Monthly Enforcement Report
for actions during October 2011
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This report has been prepared to satisfy a statutory obligation the Maine Department of Environmental Protection has to inform the public of certain enforcement resolutions. Please contact Peter Carney at (207) 287-4305 or peter.j.carney@maine.gov for additional information regarding the activities listed in this report. The full text of most Administrative Consent Agreements is available on the Board of Environmental Protection's website at <http://www.maine.gov/dep/bep/agenda.htm>.

The following cases were resolved to achieve compliance with the law; remediate environmental damage; restore natural resources to appropriate conditions; and impose penalties to deter similar actions in the future.

Administrative Consent Agreements Approved by the Commissioner and Office of the Attorney General (party followed by location):

Asbestos:

County Abatement, Inc., Brewer, Maine. County Abatement, Inc., ("County Abatement") violated the Department's *Asbestos Management Regulations* by failing to use respiratory protection for personnel inside a regulated area while conducting an asbestos abatement activity involving the removal of 5,000 square feet of asbestos-containing floor tile. To resolve the violation, County Abatement paid \$750 as a civil monetary penalty.

Solid Waste:

Dana C. Rogers, Naples, Maine. Dana C. Rogers ("Rogers") violated provisions of the Maine *Hazardous Waste, Septage and Solid Waste Management Act* and the Department's *Septage Management Rules* by disposing of at least 1,000 gallons of septage at a location neither exempt from licensing, nor licensed, for septage land application. In addition, Rogers violated the Department's rules for *Non-Hazardous Waste Transporter Licenses* by transporting the septage without a non-hazardous waste transporter license. An inspection conducted by Department staff confirmed that Rogers performed requested corrective actions and satisfactorily remediated the disposal site. To resolve the violations, Rogers will pay \$1,524 as a civil monetary penalty pursuant to the terms of a payment plan.

District Court Enforcement Resolutions (party followed by location):

Land:

State of Maine, Department of Environmental Protection v. Bruce R. Obert, Skowhegan, Maine. Bruce R. Obert ("Obert") violated Maine's *Storm Water Management* law by constructing or causing to be constructed a project that includes one acre or more of disturbed area without first obtaining a permit from the Department. Specifically, Department inspections found that approximately 2.5 acres of area had been disturbed on a property owned by Obert during the construction of subdivision access roads. To resolve the violation, pursuant to a consent decree and order entered into by the parties, Obert agreed to submit an after-the-fact application for a Storm Water Management permit to the Department and comply with the terms of the permit, or, in the alternative, submit a restoration plan to the Department to reduce the amount of disturbed area and bring the site into compliance with the *Storm Water Management* law. In addition, Obert will pay \$3,600 as a civil monetary penalty pursuant to the terms of a payment plan.