

STATE OF MAINE
BOARD OF ENVIRONMENTAL PROTECTION
Public Hearing and Meeting Notice
Updated 10/21/2025

What: Meeting of the Board of Environmental Protection

When: November 6, 2025, at 9:00 a.m.

Where: Deering State Office Building, Room 101, 90 Blossom Lane, Augusta, Maine
View or download map with driving [directions](#)

Meeting method: In-person (live stream available for viewing purposes only)

How to participate: Members of the public may attend, and, when there is an opportunity for public input on a matter before the Board, participate in the November 6, 2025, Board meeting and hearing in-person at the location identified above. Persons who have a disability and who seek reasonable accommodation to attend the meeting should contact Board Clerk Ruth Ann Burke clerk.bep@maine.gov or 207-287-2811 prior to the meeting.

Persons may observe but not participate in the meeting and hearing via a live stream of the Board's meeting. Link to watch via Zoom: <https://mainestate.zoom.us/j/89569445153>

To listen by phone:

1-305-224-1968

Webinar ID: 895 6944 5153

I. PUBLIC HEARING

1. Chapter 305, *Natural Resource Protection Act-Permit by Rule* Standards and Chapter 335, *Significant Wildlife Habitat* (joint hearing on both proposed rules)

Staff: Naomi Kirk Lawlor, Office of the Commissioner and Rob Wood, Bureau of Land Resources

[Staff Memo from October 2, 2025](#)

[Chapter 305 Proposed Rule Draft](#) updated 10/21/2025

[Chapter 335 Proposed Rule Draft](#) updated 10/21/2025

[P.L. 2023, ch. 156](#)

[P.L. 2025, ch. 338](#)

Note: Persons who wish to testify on either or both proposed rules must attend the hearing in person. The Board Chair may limit the time each person has to provide oral testimony. Any person who wishes to submit written materials in support of their testimony on the day of the hearing should bring 10 copies of each handout to the hearing. Written statements and arguments concerning the proposed rules may be submitted to the Board until 11:59 p.m. on November 17, 2025.

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II. ADMINISTRATIVE MATTERS, COMMENTS, AND NOTES

1. Commissioner's Comments
2. Chair's Comments
3. Executive Analyst's Comments
4. [Calendar](#)
5. [Department Orders](#) / [Applications Accepted](#) for Processing

III. APPROVAL OF BOARD MINUTES

1. [Draft Meeting Minutes for October 16, 2025](#) (*Consideration for approval*)

IV. CURRENT ITEMS FOR BOARD CONSIDERATION

1. **Tower Solar Partners, LLC, Proposed Administrative Consent Agreement**
(*Consideration for approval*)

Staff: Mark Stebbins, Bureau of Land Resources

[Staff memo](#)

[Tower Solar Partners, LLC, Proposed Administrative Consent Agreement](#)

Note: When, in the Board Chair's judgment, comments from members of the public are likely to assist the Board in understanding the facts surrounding the administrative consent agreement, the Chair may allow members of the public to address the Board.

2. **Chapter 145, NO_x Control Program** (*Consideration to post for public comment*)

Staff: Jeff Crawford and Michelle Radley, Bureau of Air Quality

[Staff Memo](#)

[Chapter 145 Proposed Rule mark-up](#)

[Chapter 145 Proposed Rule clean](#)

Note: The Department seeks to initiate rulemaking regarding Chapter 145. If the Board votes to post proposed rule for public comment, notice of that opportunity will be made in accordance with applicable laws and rules and on the Department's rulemaking webpage <https://www.maine.gov/dep/rules/index.html>. The Board will not receive public comment on this agenda item at the November 6, 2025, Board meeting.

3. **Chapter 149, General Permit Regulation for Nonmetallic Mineral Processing Plants** (*Consideration for adoption*)

Staff: Jeff Crawford and Lynn Muzzey, Bureau of Air Quality

[Staff Memo](#)

[Chapter 149 Proposed Rule mark-up](#)

[Chapter 149 Proposed Rule clean](#)

[Chapter 149 Basis Statement](#)

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Note: The formal rulemaking comment period for this proposed rule closed on September 29, 2025. The Board will accept and consider additional public comment on this proposed rule orally at its meeting on November 6, 2025, only if the additional public comment is directly related to

comments received during the formal rulemaking comment period or is in response to changes to the proposed rule. (38 M.R.S. § 341-H(3-A)).

4. **Chapter 164, General Permit for Concrete Batch Plants (Consideration for adoption)**

Staff: Jeff Crawford and Lynn Muzzey, Bureau of Air Quality

[Staff Memo](#)

[Chapter 164 Proposed Rule mark-up](#)

[Chapter 164 Proposed Rule clean](#)

[Chapter 164 Basis Statement](#)

Note: The formal rulemaking comment period for this proposed rule closed on September 29, 2025. The Board will accept and consider additional public comment on this proposed rule orally at its meeting on November 6, 2025, only if the additional public comment is directly related to comments received during the formal rulemaking comment period or is in response to changes to the proposed rule. (38 M.R.S. § 341-H(3-A)).

5. **Chapter 165, General Permit for Class IV-A Incinerators (Consideration for adoption)**

Staff: Jeff Crawford and Lynn Muzzey, Bureau of Air Quality

[Staff memo](#)

[Chapter 165 Proposed Rule mark-up](#)

[Chapter 165 Proposed Rule clean](#)

[Chapter 165 Basis Statement](#)

Note: The formal rulemaking comment period for this proposed rule closed on September 29, 2025. The Board will accept and consider additional public comment on this proposed rule orally at its meeting on November 6, 2025, only if the additional public comment is directly related to comments received during the formal rulemaking comment period or is in response to changes to the proposed rule. (38 M.R.S. § 341-H(3-A)).

V. ADJOURN
