



STATE OF MAINE  
BOARD OF ENVIRONMENTAL PROTECTION

Susan M. Lessard, Chair

JANET T. MILLS  
GOVERNOR

William F. Hinkel  
Executive Analyst

Ruth Ann Burke  
Board Clerk

**BOARD OF ENVIRONMENTAL PROTECTION  
Meeting Minutes**

**November 20, 2025**

---

A meeting of the Board of Environmental Protection was held on November 20, 2025, at the Augusta Civic Center. An audio and video stream of the meeting was provided via Zoom, and an audio recording of the meeting was made pursuant to 38 M.R.S. § 341-E(2). Board Chair Susan Lessard called the meeting to order at approximately 9:00 a.m. with the following individuals in attendance.

**Board:** Robert Duchesne, Betsy Fitzgerald, Susan Lessard, Steven Pelletier, Robert Sanford, and Barbara Vickery were present. Robert Marvinney was absent.

**Others:** Melanie Loyzim, Commissioner  
William Hinkel, Board Executive Analyst  
Ruth Ann Burke, Board Clerk  
Jeffrey Skakalski, Assistant Attorney General  
Jack Dafoe, Assistant Attorney General  
Department staff and others as noted below

**I. ADMINISTRATIVE MATTERS, COMMENTS, AND NOTES**

- 1. Commissioner's Comments:** Commissioner Loyzim noted that the Department recently submitted to the Joint Standing Committee on Environment and Natural Resources its State Government Evaluation Act report pursuant to 3 M.R.S. § 951, et seq. The Board Executive Analyst circulated the report to Board members following the meeting.
- 2. Chair's Comments:** No comments.
- 3. Executive Analyst's Comments:** No comments.
- 4. Board Calendar:** The next regular Board meeting is scheduled for December 4, 2025, and the Public Safety State Office Building in Augusta.
- 5. Departmental Orders / Applications Accepted for Processing:** No comment.

(Note: Votes are recorded in the following order: number voting in favor of a motion – number voting against a motion – number abstaining – number absent)

## II. APPROVAL OF BOARD MINUTES

### 1. BEP Meeting Minutes, November 6, 2025

The Board voted (6-0-0-1) on a motion by Barbara Vickery and seconded by Robert Sanford to approve the minutes of November 6, 2025, as presented and with correction of a typographical error (misspelling of Susann Lessard's name). The vote was taken pursuant to 38 M.R.S. § 341-D(8) and 5 M.R.S. § 12014(1)(A). Robert Marvinney was absent.

## III. CURRENT ITEMS FOR BOARD CONSIDERATION

### 1. MaineHealth d/b/a Stephens Hospital Proposed Administrative Consent Agreement

Staff: Cherrie Plummer and Jennifer D'Appollonio, Bureau of Remediation and Waste Management

Ms. Plummer and Ms. D'Appollonio briefed the Board on and answered questions regarding the proposed administrative consent agreement with MaineHealth d/b/a Stephens Hospital for violations of the *Hazardous Waste Management Rules*, Chapters 850 through 858 adopted pursuant to the Maine Hazardous Waste, Septage and Solid Waste Management Act, 38 M.R.S. §§ 1301 through 1319-Y.

Neither MaineHealth d/b/a Stephens Hospital nor any members of the public commented on the proposed administrative consent agreement at the Board meeting.

The Board voted (6-0-0-1) on a motion by Steven Pelletier and seconded by Robert Duchesne to approve the proposed administrative consent agreement, as presented. The vote was taken pursuant to 38 M.R.S. § 341-D(6)(G). Robert Marvinney was absent. Assistant Attorney General Jeffrey Skakalski advised the Board on this matter.

To comply with the Clean Water Act-related recusal requirements in 38 M.R.S. section 341-C(8), Susan Lessard and Betsy Fitzgerald recused themselves from the Board's next agenda item involving the Triennial Review of Maine's Water Quality Standards. Chair Lessard designated Bob Duchesne to serve as the Presiding Officer in that matter and to adjourn the meeting.

## **2. 2025 Triennial Review of Water Quality Standards – Deliberative Session**

Staff: Brian Kavanah, Meagan Sims, Wendy Garland, Bureau of Water Quality

The Board held a deliberative session with Department staff to discuss the draft 2025 recommendations for changes to Maine’s water quality classification system and related standards (draft 2025 Triennial Review). The deliberative session followed a public comment opportunity that ended on October 22, 2025, and a public hearing that was held on October 16, 2025. Presiding Officer Duchesne invited brief clarifying remarks from members of the public in attendance. Ed Friedman (representing Friends of Merrymeeting Bay), Scott Sells (representing Friends of Merrymeeting Bay), and Will Plumley (representing the Friends of the Presumpscot River) addressed the Board.

The Board generally indicated support for the draft recommendations as presented in the version posted for comment and hearing in August 2025.

Department staff will finalize the draft 2025 Triennial Review and return to the Board for a Board vote on the final recommendations that will be submitted to the Legislature. No binding votes of the Board were made on this matter at the November 20, 2025 meeting. Assistant Attorney General Jack Dafoe advised the Board on this matter. Susan Lessard and Betsy Fitzgerald did not participate in the discussion. Robert Marvinney was absent.

## **IV. ADJOURNMENT**

The Board voted (4-0-0-3) on a motion by Barbara Vickery and seconded by Robert Sanford to adjourn the meeting at approximately 11:51 a.m. Susan Lessard, Betsy Fitzgerald, and Robert Marvinney were absent.