

STATE OF MAINE
BOARD OF ENVIRONMENTAL PROTECTION
Public Hearing and Meeting Notice

NOTE: If a winter storm is forecasted to affect Maine on the Board meeting date, the Board will follow any delays or closures applicable to State Offices in Kennebec County. Information regarding delays or closures of State Offices is communicated through media outlets and the Maine.gov webpage: <https://www.maine.gov/portal/index.html>.

What: Public Hearing and Meeting of the Board of Environmental Protection

When: February 19, 2026, at 9:00 a.m.

Where: **Augusta Armory, 179 Western Avenue, Augusta (Second Floor, Room 209A)**

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 February 19, 2026, Board meeting or 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/88675376620>

To listen by phone:
1-309-205-3325
Webinar ID: 886 7537 6620

I. PUBLIC HEARING

- 1. Chapters 800-859, Hazardous Waste Rules**
Staff: Carla Hopkins and Cherrie Plummer, Bureau of Remediation and Waste Management

[Staff Memo](#)

[Staff posting memo, dated January 15, 2026](#)

[Link to Chapters 850-859](#)

Chapter 850, *Identification of Hazardous Waste*

Chapter 851, *Standards for Generators of Hazardous Waste*

Chapter 852, *Land Disposal Restrictions*

Chapter 853, *Licensing of Transporters of Hazardous Waste*

Chapter 854, *Standards for Hazardous Waste Facilities*

Chapter 855, *Interim Licenses for Hazardous Waste Facilities*

Chapter 856, *Licensing of Hazardous Waste Facilities*

Chapter 857, *Hazardous Waste Manifest Requirements*

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Chapter 858, *Universal Waste Rules*
Chapter 859, *Hazardous Waste Pharmaceuticals*

This is a joint hearing on proposed revisions to: Chapter 850, *Identification of Hazardous Waste*; Chapter 851, *Standards for Generators of Hazardous Waste*; Chapter 852, *Land Disposal Restrictions*; Chapter 853, *Licensing of Transporters of Hazardous Waste*; Chapter 854, *Standards for Hazardous Waste Facilities*; Chapter 855, *Interim Licenses for Hazardous Waste Facilities*; Chapter 856, *Licensing of Hazardous Waste Facilities*; Chapter 857, *Hazardous Waste Manifest Requirements*; Chapter 858, *Universal Waste Rules*; and a new proposed rule Chapter 859, *Hazardous Waste Pharmaceuticals*

Note: Persons who wish to testify on the proposed rules may attend the hearing and sign up to testify either for, against, or neither for nor against one or more proposed rules. Persons offering testimony should identify the rule to which their testimony applies. The Board Chair may limit the time each person has to provide oral testimony based on the number of people who sign up to testify. Any person who wishes to submit written materials in support of their testimony should bring 12 copies of each handout to the hearing. In addition, written statements and arguments concerning the proposed rules may be filed with the Board until March 2, 2026.

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 December 18, 2025](#) (*Consideration for approval*)
2. [Draft meeting minutes for January 15, 2026](#) (*Consideration for approval*)

IV. CURRENT ITEMS FOR BOARD CONSIDERATION

1. **Chapter 691, *Rules for Underground Oil Storage Facilities* (*Consideration for Adoption*)**
Staff: Butch Bowie, Bureau of Remediation and Waste Management

[Staff Memo](#)
[Chapter 691 Proposed Rule mark-up](#)
[Chapter 691 Proposed Rule clean](#)
[Chapter 691 Comments Received](#)
[Chapter 691 Draft Basis Statement and Response to Comments](#)

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Note: The formal rulemaking comment period for this proposed rule closed on November 14, 2025. Pursuant to 38 M.R.S. § 341-H(3-A), the Board will accept and consider additional public comment on this proposed rule orally at its meeting on February 19, 2026, 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.

2. Chapter 428, Stewardship Program for Packaging (Consideration for Adoption)
Staff: Brian Beneski, Jessica Nadeau and Kayla Michaud, Bureau of Remediation and Waste Management

[Staff Memo](#)

[Appendix to the memo, listing of changes made](#)

[Chapter 428 Proposed Rule mark-up](#)

[Chapter 428 Proposed Rule clean](#)

[Chapter 428 Written Comments Received](#)

[Chapter 428 Draft Basis Statement and Response to Comments](#)

[First background document](#)

[Second background document](#)

[Readily Recyclable Designation Scoring document](#)

[Colorado Comparison document](#)

Note: The formal rulemaking comment period for this proposed rule closed on October 27, 2025. Pursuant to 38 M.R.S. § 341-H(3-A), the Board will accept and consider additional public comment on this proposed rule orally at its meeting on February 19, 2026, 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.

V. ADJOURN
