

SUMMARY SHEET

DEP#S-020231-S3-C-A		Project Manager: JAMES POLLOCK			ATS ID: 33177				
Applicant Name: DWIGHT R MILLS, INC.				Tel: 2076253965					
Mailing Address: , PO BOX 718, PARSONSFIELD, ME 04047-									
Agent Name: MILLS, DWIGHT R				Tel: 2076253965					
Mailing Address:									
Project Description/License Type: AMENDMENT FOR EXPANSION OF EXISTING SITE									
Project Address (street, county & town):KEZAR MOUNTAIN ROAD, PARSONSFIELD									
SOC:		After-The-Fact:		Appeal/Reconsideration:		Other:			
Processing Fee Paid:				Annual Fee Paid:					
Received Date: 8/31/99		Acceptance Deadline: 9/21/99			Accepted Date: 9/21/99				
Returned Date:		Withdrawn Date:		Board Jurisdiction: YES <u>NO</u>					
Decision Deadline:		Statutory/Goal (circle or bold one)		Extension Date:					
Review Agents:									
Sent for Review		Comments Received		Sent for Review		Comments Received			
Draft Order to App/Interested Parties Date:									
Date Order Submitted to Supervisor: 11/2/99 & 12/27/99									
Supervisor: David Wright		Returned for redraft:			OK date: 11/2/99 & 12/27/99				
Comments: None, other than type code has changed for non-utilization. I will have ATS corrected. 12/27/99 - Comments incorporated									
Division Director:		Returned for redraft:			OK date:				
Comments: David Wright Briefed Paula after 11/2/99 review, and she said to send on for signature.									
Project Manager:		Returned for redraft:			OK date:				
Comments:									
Clerical Finalizer:		Returned for redraft:			OK date:				
Head Clerical:		Returned for redraft:			OK date:				
Comments:									
Bureau Director:		Returned for redraft:			OK date:				
Comments:									
Head Clerical:		Returned for redraft:			OK date:				
BEP Secretary:		Returned for redraft:			OK date:				
Comments:									
ATS Coordinator: <i>Wesley Broyer</i>				OK date: <i>12-29-99</i>					
Overdue (circle or bold one) YES <u>NO</u>									
Copy of order to:		APPLICANT	TOWN	AGENT	PROJ. MGR.	R.O.	ORDER FILE	FILE	REG. OF DEEDS
Interested Party(ies) - please list name(s) & address(es) below									
Document Name: XJP33177						OK to Archive:			
Environmental Issues/Comment:									
Add Info Requested Date:			Add Info Due Date:			Add Info Received Date:			
Add Info Requested Date:			Add Info Due Date:			Add Info Received Date:			
Inspection/Site Visit Date:			Pub Info Meeting Date:			DEP Hear/Meet Date:			

DWIGHT R. MILLS	2	SEPTAGE ORDER
PARSONSFIELD, YORK COUNTY, MAINE)	
SEPTAGE NON-UTILIZATION SITE)	
S-20231-S2-C-A)	
(DENIAL))	AMENDMENT

spot-dumping areas measured approximately 180 feet by 40 feet, and 150 feet by 45 feet.

- C. Septage was spread on bare soil and on harrowed areas which were not allowed to re-vegetate. Spreading on bare soil does not allow for vegetative uptake of nitrogen and other nutrients.
- D. Septage had flowed to an adjacent, unvegetated area, which is unlicensed. This flow extended for approximately 200 feet beyond the boundary of the licensed site.
- E. Septage had flowed off-site, along the access road, and pooled in several areas in the roadway.
- F. Several areas of the site were severely eroded, with no indication that attempts had been made to control the erosion.

On October 22, 1999 Department staff called the office of Dwight Mills and discussed the violations with personnel at the Mills office. Staff instructed the Mills office to close the septage site and lock the entrance gate. Staff also indicated that steps must be taken to eliminate further runoff from the site.

On October 25, 1999, the Department issued a Notice of Violation to Dwight R. Mills for above-noted violations at the septage land application site. The Notice of Violation contained the following requirements for site remediation:

- A. Upon receipt of the notice, immediately close the septage site to all septage land application, and place a lock on the entrance gate;
- B. Immediately place haybales and silt fence along the site boundaries in any areas where septage flows off-site, and where erosion is occurring or has occurred; and
- C. As soon as conditions allow in the spring of 2000, harrow, re-seed, and mulch all areas where septage has been spot-dumped, and repair all eroded areas within the site and immediately off-site.

Dwight R. Mills received the Notice of Violation on October 26, 1999.

On October 28, 1999 Department staff inspected the site. Staff found that the entrance gate had been removed from its hinges, allowing unrestricted access. Staff also found that areas of the site

DWIGHT R. MILLS 3 SEPTAGE ORDER
 PARSONSFIELD, YORK COUNTY, MAINE)
 SEPTAGE NON-UTILIZATION SITE)
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 (DENIAL)) AMENDMENT

had been harrowed, but no haybales or silt fencing had been installed along the site boundaries to control runoff.

On November 5, 1999, Department staff re-inspected the site. Staff found that the gate had been re-installed. A small, unvegetated soil berm had been constructed at the base of one slope. No other efforts, such as installation of haybales and silt fencing, had been made to control runoff from the site or to reduce erosion.

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

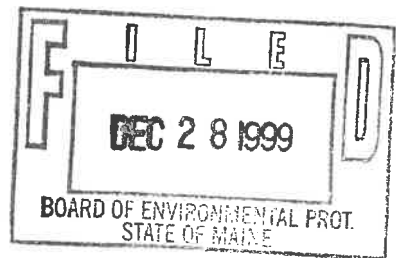
1. The facility may contaminate waters of the state, and constitute a hazard to health or welfare in that: septage has been improperly applied; septage has been applied to unvegetated areas; septage has been allowed to flow beyond the site boundaries; and septage has been applied in excess of licensed limits.
2. The applicant does not have the technical ability to develop the project in a manner consistent with state environmental standards, in that the existing site is currently in violation of Department order S-20231-S3-B-R.

THEREFORE, the Department DENIES the above-noted application of DWIGHT R. MILLS

DONE AND DATED AT AUGUSTA, MAINE, THIS 28th DAY
 OF December, 1999.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

BY: *Martha G. Kirkpatrick*
 Martha G. Kirkpatrick, Commissioner



PLEASE NOTE ATTACHED SHEET FOR GUIDANCE APPEAL PROCEDURES.

Date of initial receipt of application 8/31/99

Date of application acceptance 9/21/99

Date filed with Board of Environmental Protection

This Order prepared by James Pollock, Bureau of Remediation & Waste Management.

XJP33177/me1