



STATE OF MAINE
DEPARTMENT OF ENVIRONMENTAL PROTECTION



PAUL R. LEPAGE
GOVERNOR

PATRICIA W. AHO
COMMISSIONER

April 6, 2015

Sean Thies, PE
CES
P.O. Box 639
Brewer, ME 04412

RE: AIM Development USA Site Location of Development Law Application for Demolition of the Bucksport Mill, DEP #L-7713-20-AE-A.

Dear Mr. Thies:

Thank you for submitting an application on behalf of AIM Development USA for the demolition of the Bucksport Mill as described in File #L-7713-20-AE-A. While the application provides some preliminary details regarding potential environmental impacts resulting from the planned demolition, and illustrates an intent to comply with applicable environmental requirements, certain deficiencies must be corrected and questions answered in order for your application to be accepted for processing.

Moreover, because this project will require amendments to and/or new licenses in multiple Bureaus of the Department (including but not limited to: air; wastewater; storm water; and solid waste), and will also require a hazardous waste closure plan, the application will be coordinated and reviewed through the Office of the Commissioner, in accordance with Chapter 2 *Rule Concerning the Processing of Applications and Other Administrative Matters*. Therefore, all future correspondence should be through the Office of the Commissioner. This is intended to ensure the most efficient means possible for facilitating the application process by Department staff.

Pursuant to Department of Environmental Protection Rule Chapter 2, Section 10 (b)(6), projects requiring new or amended licenses from more than two bureaus must hold a pre-application meeting, a public informational meeting, and a pre-submission meeting. The purpose of the pre-application meeting is to identify issues, processing times, fees and the types of information and documentation necessary for the Department to properly assess the project. The public informational meeting is held following the pre-application meeting, prior to application, pursuant to Department of Environmental Protection Rule Chapter 2 Section 13. The purpose of the public meeting is for the applicant to inform the public of the project and its anticipated environmental impacts, and to educate the public about the opportunities for public comment to the Department during the application process. The pre-submission meeting occurs after the pre-application meeting and the public informational meeting, and takes place when the application is ready to be submitted to the Department and is an opportunity for the Department to ensure

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that the necessary information has been included prior to filing the application(s). We are returning this application, because it has a wide range of deficiencies. Please address the following deficiencies pertaining to the Site Location of Development Law Application, File #L-7713-20-AE-A. Provide supplementary or amended information as requested below:

- The name of the applicant on this application is AIM Development USA on behalf of Bucksport Mill LLC. In some places in the application the company is referred to as AIM Development USA LLC versus Aim Development USA. We are confused about the inconsistencies with the name of the company. In addition, in other correspondence with the Department and according to documents included in the application, Bucksport Mill, LLC, is the owner of the facility. All documents must be from the owner of the facility, and any relationships with parent companies and contractors should be clarified.
- All financial statements, information, and figures required for this application should be converted from Canadian to United States dollars.
- Section 1, Development Description: The Department believes that this is a significant demolition project that requires additional detail about how environmental impacts will be minimized. Please elaborate. For example, how much disturbed area will be open at any given time, what are the locations of the disturbed areas, and will demolition take place during winter months?
- Section 1, Site Demolition Plan (Drawing C101): This drawing notes that existing concrete will be crushed onsite and used on site as fill. Additional information needs to be submitted about potential hazardous materials that may be present in the concrete. Further, additional information about the on-site crushing process must be provided including a determination of whether the operation will be subject to 40 CFR Part 60 Supart 000, as well as any submittal of any necessary air emissions license applications that may be needed for the crushing operation.
- Section 2, Title, Right, or Interest: Please include copies of all the applicable deeds to the subject property. The Controlling Interest Transfer Tax Form is insufficient.
- Section 3, Financial Capacity: The audited financial statements provided were dated December 31, 2013, which are over one year old. Please provide more current information, or state that the audited reports and financial capacity are still valid.
- Section 5, Noise: The applicant has the burden of proof to demonstrate that the applicable noise standards are met. The current application materials on noise use phrases like “are anticipated to comply” and “are expected to be below” when describing how the project will meet the noise standards. Provide more site-specific, technical noise studies regarding the numbers and locations of types of equipment that will be used during demolition, and their impacts to protected locations. Also, please provide the entire Noise Impact Assessment that was referenced from the 1996 application by Woodard &

Curran, for the Department to determine if it is applicable to this application. Further, provide additional information about the municipal zoning in the vicinity of the project so as to determine the appropriate sound levels in Chapter 375 of the Department's rules.

- Section 12, Storm water Management: When discussing the reduction in the curve number after the demolition project, it is not solely sufficient to reference a Department finding on a separate substation application as demonstration that the Flooding Standard will be met for this project. Please amend the application to demonstrate that placing crushed concrete and gravel fill over existing concrete slabs will result in curve number values and permeability that meets the Department's Storm water Management standards.
- Section 14, Basic Standards Submissions: The erosion control plan specifies a single row of silt fence between the work area and the Penobscot River. Given that there will be large stockpiles of crushed concrete the potential exists for erosion of the concrete dust into the river. Additional erosion control measures will be required to prevent this dust from eroding beyond the project boundary. Are there additional plans in place that show locations of final post-demolition permanent stabilization measures, such as grassed areas, riprap, gravel parking, etc.? Please provide these.
- Section 14A, Erosion and Sedimentation Control: The Department is concerned about the impact of filling in existing trench drains with crushed concrete. Please describe the sizes, locations, and types of these trench drains, and how fine soil particles and sediments will be prevented from migrating offsite. Further, what other existing pipes, conduits, drains will remain on site that will provide a direct runoff connection to the Penobscot River, and why won't these pipes be removed, capped or otherwise improved to prevent offsite sedimentation?
- Section 15, Groundwater: This section contains very little information. The Site Location of Development Rules, 06-096 CMR Chapter 375(7)(D) outlines the required submissions to demonstrate that the project will not result in an unreasonable impact to ground water. These include:
 - A comprehensive list, including physical and chemical characteristics and projected quantities of wastes to be disposed of or stored within the proposed development which may potentially contaminate the ground water.
 - Methods for preventing ground water pollution as the result of the disposal and/or storage of wastes.
 - An evaluation of the geological, hydrologic, and soils conditions of the development site.
 - Data establishing background ground water quality.

- A proposed plan of action and alternatives to be followed in the event the proposed development results in ground water contamination.

Due to the unique nature of the proposed project, please provide additional information to fully address these standards.

- Section 17, Wastewater Disposal: The application states that the project is served by the Town of Bucksport wastewater disposal system. No other information was provided in this section. The facility has its own wastewater treatment plant and changes in the operation at the facility will require changes in operation of the treatment plant. Please describe what at the wastewater treatment plant will be required and demonstrate that the discharge has received, or is likely to receive, approval from the Division of Water Quality Management.
- Section 18, Solid Waste: The application states that the applicant proposes to dispose of 3,000 cubic yards of demolition debris at the existing landfill. There is no estimate of the total amount of demolition debris to be generated by the project. However, given the size of the demolition it is not unreasonable to believe that more than 3,000 cubic yards of demolition debris will be generated annually. Please provide an estimate of the total amount of demolition debris and if it is more than 3,000 cubic yards annually, then provide a letter from a licensed landfill stating that they will accept the material and that they have the capacity to accept it.
- Section 21, Air Emissions: The application states that the power plant will continue to be operated. Changes in the operation of the Bucksport Mill will require changes in the Air Emissions license. Please submit an application to the Bureau of Air Quality for an air emission license amendment demonstrating emissions from new activities such as demolition actions will be meeting Best Available Control Technology.

Let us be very clear that the above issues as they pertain to current and required licenses and deficiencies according to Maine's site law may not be a complete list. However, the above issues will need to be resolved before the project review can proceed to determine whether or not the project meets the standards set forth in the Site Location of Development Law.

In the meantime, we are returning your application and processing fee pending the resubmission of your application. As explained above, pursuant to Chapter 2 Section 10 (b) of the Department's rule for the processing of applications, a pre-application meeting is required before reapplying. In addition, concurrent Permit By Rule # 59420 for work adjacent to the Penobscot River is being returned. Please resubmit this when the site law application is resubmitted.

Susanne Miller from our Eastern Maine Regional Office has been designated the coordinator for the activities and applications associated with this site on behalf of the Office of the Commissioner. Susanne can be reached at (207) 941-4190 or by e-mail at Susanne.miller@maine.gov to arrange this meeting.

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I appreciate your continued cooperation and efforts as we engage in the coordinated review of your project.

Sincerely,



Patricia W. Aho
Commissioner

CC: Heather Parent, DEP
Justin French, DEP
Susanne Miller, DEP
Jim Beyer, DEP
Mary Sauer, AAG
Jeff McGlin, AIM Development USA, LLC