



DEPARTMENT OF ENVIRONMENTAL PROTECTION
Monthly Enforcement Report
for actions during December 2018

DISTRIBUTED: January 4, 2019

This report has been prepared to satisfy a statutory obligation under 38 M.R.S. § 349(7) that the Maine Department of Environmental Protection has to inform the public of certain enforcement resolutions. Please contact Ronald Mongeon at (207) 287-7740 or ronald.mongeon@maine.gov for additional information regarding the activities listed in this report.

The following cases were resolved to: achieve compliance with the law; remediate environmental damage; restore natural resources to appropriate conditions; and/or impose penalties to deter similar actions in the future.

Consent Agreements Approved by the Commissioner and Office of the Attorney General (party followed by location):

Oil:

Drilling & Blasting Rock Specialists, Inc., Gardiner, Maine. Drilling & Blasting Rock Specialists, Inc. (D&BRS) is a Maine company that operates a blasting and rock removal business in Maine. In response to an anonymous complaint, the Department investigated allegations of numerous discharges of oil from an above ground oil storage tank (AST) and leaking equipment. During the Department's inspection, staff observed multiple areas of oil staining indicating a prohibited discharge of oil and an improperly installed and/or operated floor drain inside a maintenance garage. The Department determined that D&BRS violated the *Oil Discharge Prevention and Pollution Control law* (38 M.R.S. §§ 543, 548), the *Oil Storage Facilities and Ground Water Protection law* (38 M.R.S. § 568(1)), and the Department's *Rules to Control the Subsurface Discharge of Pollutants* (06-096 C.M.R. ch. 543, § 3(E)(1)(a)). D&BRS met with the Department and completed cleanup of impacted soils and discharged oil. D&BRS also submitted a draft Spill Prevention, Control and Countermeasures Plan that included planned upgrades to the floor drain inside the maintenance garage. To resolve these violations, D&BRS agreed to a civil monetary penalty of seven thousand five hundred dollars (\$7,500.00), with four thousand five hundred dollars (\$4,500.00) being paid to the *Treasurer, State of Maine c/o the Maine Ground Waters and Response Fund* and the remaining three thousand dollars (\$3,000.00) being suspended pursuant to D&BRS upgrading a 5,000 gallon AST to current Maine Office of the State Fire Marshal's requirements.