



STATE OF MAINE
DEPARTMENT OF ENVIRONMENTAL PROTECTION

009

JOHN ELIAS BALDACCI
GOVERNOR

DAVID P. LITTELL
COMMISSIONER

To: Board of Environmental Protection
From: Kevin P. Janssen, Hazardous Waste Enforcement Unit, Bureau of Remediation and Waste Management (BRWM)
Date: September 2, 2010
RE: Administrative Consent Agreement - Northeast Packaging Company, Presque Isle, Maine

Statutory and Regulatory Reference: The Hazardous Waste Management Rules, Chapters 850 through 857 adopted pursuant to the Maine Hazardous Waste, Septage and Solid Waste Management Act, 38 M.R.S.A. Section 1301 et seq., specifies certain requirements for the management, storage, treatment and disposal of hazardous waste.

Location: Northeast Packaging Company, Presque Isle, Maine

Description: Northeast Packaging Company (NEPCO) has entered into the attached Consent Agreement as proposed by Department staff in order to resolve violations of Maine's Hazardous Waste Management Rules and NEPCO's License # O-000253-HL-A-N to operate a hazardous waste solvent recovery system. The hazardous waste violations were identified during an inspection conducted at NEPCO on July 15, 2010. The violations identified include the following:

- 1) Discharge of hazardous waste inks and solvents onto the floors in production areas of the facility;
- 2) Transportation of 148 drums of hazardous waste solvents from the site of generation to an off-site storage warehouse, without a license to do so;
- 3) Failure to keep all hazardous waste on the site of generation, in violation of the terms of Section 3(A) of NEPCO's License # O-000253-HL-A-N, which requires that a license applicant demonstrate that the waste subject to the license does not leave the site of generation;
- 4) Failure to label or mark 163 containers of hazardous waste with the words "Hazardous Waste" and the date upon which waste accumulation began;
- 5) Failure to keep 3 containers of hazardous waste closed except when adding or removing waste;

AUGUSTA 17 STATE HOUSE STATION AUGUSTA, MAINE 04333-0017 (207) 287-7688 FAX: (207) 287-7826 RAY BLDG., HOSPITAL ST.	BANGOR 106 HOGAN ROAD BANGOR, MAINE 04401 (207) 941-4570 FAX: (207) 941-4584	PORTLAND 312 CANCO ROAD PORTLAND, MAINE 04103 (207) 822-6300 FAX: (207) 822-6303	PRESQUE ISLE 1235 CENTRAL DRIVE, SKYWAY PARK PRESQUE ISLE, MAINE 04769-2094 (207) 764-0477 FAX: (207) 760-3143
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- 6) Failure to maintain a containment and collection system with a storage capacity of 20% of the total capacity of containers and tanks used to store waste, or 110% of the capacity of the largest container or tank, whichever is greater;
- 7) Failure to conduct and document daily inspections for containers of hazardous waste, in violation of the Rules, and in violation of Item 4 of the attached conditions of License #O-000253-HL-A-N, which require NEPCO to maintain daily inspection logs for the hazardous waste storage area;
- 8) Failure to store containers in a manner that allows the unobstructed movement of personnel, fire equipment, spill control equipment and decontamination equipment;
- 9) Failure to provide and document a personnel-training program for hazardous waste management;
- 10) Failure to develop and maintain a hazardous waste contingency plan designed to minimize hazards to human health or the environment from fires, explosions, or any unplanned sudden release of hazardous waste constituents to air, soil, or surface water and failure to submit a copy of the contingency plan to local police, fire departments, hospitals and emergency management teams;
- 11) Failure to make annual arrangements in writing for services provided by local police, fire departments, hospitals and emergency response teams;
- 12) Failure to retain notices of land disposal restriction for manifested hazardous waste for at least five (5) years;
- 13) Failure to conduct and maintain documentation of universal waste training of employees who handle or have responsibility for the managing, proper handling and emergency procedures in regards to universal waste.

To resolve these violations, NEPCO has taken corrective actions to address the above violations and come into compliance with the Rules and the conditions of its license to operate a hazardous waste solvent recovery system. In addition, NEPCO has agreed to pay to the Maine Hazardous Waste Fund a penalty of thirty-one thousand and three hundred dollars (\$31,300.00) as specified in the Agreement.

The Maine Hazardous Waste Fund is established by statute to provide the Department with the capability for prompt and effective response to spills and unlicensed discharges of hazardous waste, and for the inspection or supervision of hazardous waste handlers and related hazardous waste activities. Pursuant to statute, all fees, penalties, interest, and other charges relative to those activities must be credited to the Maine Hazardous Waste Fund.

NEPCO has agreed to pay the above penalty which was based upon the type of violations involved, the amount of waste involved, the relative extent of deviation from the requirements, and any economic benefit realized. In this specific case, the penalty includes a Supplemental Environmental Project, with a project cost of ten thousand dollars (\$10,000.00), for a pharmaceutical waste collection program for households in Aroostook County, as further described in Appendix A of the Administrative Consent Agreement. Aggravating factors considered in the penalty included the accumulation and unlicensed transport of 148 drums of hazardous waste from the site of generation as well as the discharge of hazardous waste inks in production areas of the facility. Mitigating factors considered in the penalty included NEPCO's cooperation since the inspection and during the enforcement process.

Department Recommendation:

The Department recommends that the Board accept the Consent Agreement as part of its Consent Agenda to resolve the issues addressed.

Staff Contact persons:

Kevin P. Jenssen, Hazardous Waste Enforcement Unit, BRWM

Estimated time of presentation: No presentation; Consent agenda item



STATE OF MAINE
DEPARTMENT OF ENVIRONMENTAL PROTECTION

JOHN ELIAS BALDACCI
GOVERNOR

DAVID P. LITTELL
COMMISSIONER

IN THE MATTER OF:

NORTHEAST PACKAGING CO.) ADMINISTRATIVE CONSENT
875 SKYWAY STREET, PRESQUE ISLE) AGREEMENT
ARROOSTOOK COUNTY, MAINE) (38 M.R.S.A. § 347-A)
HAZARDOUS WASTE ACTIVITIES)

This Agreement, by and among Northeast Packaging Co. ("NEPCO"), the Maine Department of Environmental Protection ("Department"), and the Maine Office of the Attorney General, is entered into pursuant to the laws concerning the Department's Organization and Powers, 38 M.R.S.A. § 347-A(1).

THE PARTIES AGREE AS FOLLOWS:

- 1. NEPCO is a Maine corporation that operates a printing business of multi-walled paper and polyethylene bags for ice and vegetable producers with its principal location at 875 Skyway Street in Presque Isle, Maine and also owns a warehouse located at 44 Rice Street, Presque Isle, Maine. Robert D. Umphrey is the president of NEPCO.
2. The violations described herein occurred at 875 Skyway Street and 44 Rice Street in Presque Isle, Maine.
3. NEPCO is a generator of hazardous waste including, but not limited to, waste solvent and still bottoms from its printing operations and from the operation of a solvent distillation system. On June 25, 2008, NEPCO notified the U.S. Environmental Protection Agency ("US EPA") of its regulated waste activity and was assigned the US EPA hazardous waste generator identification number MER000506741. On March 30, 2009, the Department issued NEPCO an Abbreviated License For Beneficial Use And Reuse On Site ("License # O-000253-HL-A-N" or "Abbreviated License") to treat waste solvent in its distillation unit. As a result, NEPCO is subject to Maine's Hazardous Waste, Septage and Solid Waste Management Act ("Act") 38 M.R.S.A. §§ 1301 through 1319-Y and the Department's Hazardous Waste Management Rules 06-096 CMR ("Rules"), Chapters 850 through 857, and the terms and conditions of its Abbreviated License.
4. On July 15, 2009, Department staff conducted an inspection of NEPCO at the 875 Skyway Street location described in Paragraph 2 of this Agreement to assess compliance with the hazardous waste management standards of the Act and Rules. The inspection revealed the following violations:
A. Discharge of a hazardous matter and hazardous waste, upon the land within the State's territorial boundaries, in violation of the Act, 38 M.R.S.A. § 1317-A

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and § 1306(3), respectively, and failure to immediately report the discharge in violation of the Act, 38 M.R.S.A. § 1318-B;

Specifically, NEPCO failed to prevent the discharge of hazardous waste inks and solvent onto the floor around the solvent distillation system in the Recycling Area and onto the floor at the inking and printing end of the solvent press machine #2. The spills noted here had occurred sometime prior to the inspection and had not been immediately reported to the Department of Public Safety or to the Department of Environmental Protection and NEPCO had not immediately undertaken the removal and clean up of the discharges.

- B. Transportation of hazardous waste without a license to do so, in violation of the Rules, 06-096 CMR 851(7)(A);

Specifically, NEPCO transported without a license to do so one hundred and forty-eight (148) drums of recovered hazardous waste solvent from the site of generation at 875 Skyway Street to its warehouse located at 44 Rice Street in Presque Isle, Maine.

- C. Failure to keep all hazardous waste on the site of generation, in violation of the terms of Section 3(A) of License # O-000253-HL-A-N, which requires that a license applicant demonstrate that the waste subject to the license does not leave the site of generation;

NEPCO failed to keep the recovered waste solvent on the site of generation in violation of its Abbreviated License. NEPCO transported 148 drums of recovered hazardous waste solvent from its site of generation at 875 Skyway Drive to its warehouse located at 44 Rice Street in Presque Isle, as referenced in paragraph B above.

- D. Failure to label or mark containers of hazardous waste with the words "Hazardous Waste" and the date upon which waste accumulation began, in violation of the Rules, 06-096 CMR 851(8)(B)(3);

NEPCO failed to properly label or mark the following containers of hazardous waste with accumulation start dates and the words "hazardous waste":

- (1) One (1) 55-gallon drum of waste solvent and inks connected to the intake of the solvent distillation system;
- (2) One (1) 55-gallon drum of waste still bottoms from the solvent distillation system;

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- (3) One (1) 55-gallon drum of distilled waste solvent from the solvent distillation system;
- (4) Two (2) 55-gallon drums of solvent contaminated rags, one located near press #2 and the other located between presses #1 and #3;
- (5) One (1) 55-gallon drum of waste solvent located between presses #1 and #3;
- (6) Nine (9) 55-gallon drums of recovered hazardous waste solvent stored on site;
- (7) One Hundred and Forty Eight (148) 55-gallon drums of recovered hazardous waste solvent located at 44 Rice Street in Presque Isle.

E. Failure to keep containers of hazardous waste closed except when adding or removing waste, in violation of the Rules, 06-096 CMR 851(8)(B)(2) which incorporates by reference 40 CFR 265.173 (1988);

NEPCO failed to keep the following containers of hazardous waste closed except when adding or removing waste:

- (1) Two (2) 55-gallon drums of solvent contaminated rags located near press #2 and between presses #1 and #3;
- (2) One (1) 55-gallon drum of waste solvent, located between presses #1 and #3, that had an open-topped funnel in the bung.

F. Failure to maintain a containment and collection system with 20% of the total capacity of containers and tanks used to store waste, or 110% of the capacity of the largest container or tank, whichever is greater, in violation of the Rules, 06-096 CMR 851(13)(B)(2);

NEPCO failed to provide secondary containment for nine (9) drums of waste solvent located in the warehouse area of its 875 Skyway Drive facility, four (4) drums of hazardous waste stored in the hazardous waste storage area, and for the three (3) drums of waste and recycled waste associated with the solvent distillation system, including the drum of waste solvent on the intake side of the solvent distillation system, the drum of distilled waste solvent, and the drum of waste still bottoms from the solvent distillation system.

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G. Failure to conduct and document daily inspections for containers of hazardous waste, in violation of the Rules, 06-096 CMR 851(13)(D) and in violation of Item 4 of the attached conditions of License #O-000253-HL-A-N, which require NEPCO to maintain daily inspection logs for the hazardous waste storage area.

NEPCO failed to conduct and maintain a log of daily inspections of hazardous waste containers for the hazardous waste storage area and the three satellite accumulation areas.

H. Failure to store containers in a manner that allows the unobstructed movement of personnel, fire equipment, spill control equipment and decontamination equipment, including providing aisle space no less than 36 inches wide and including rows not exceeding a single container in width and two (2) high stacked adjacent to walls or other components of the storage facility, in violation of the Rules, 06-096 CMR 851(13)(C)(7)(b);

NEPCO stored nine (9) drums of recovered waste solvent on three (3) pallets stacked against a wall in a manner which did not allow for the access and inspection of all containers pursuant to the Rules.

I. Failure to provide and document a personnel-training program for hazardous waste management, in violation of the Rules, 06-096 CMR 851(8)(B)(5) which incorporates by reference 40 CFR 264.16 (1988);

NEPCO failed to provide and document a personnel-training program in hazardous waste management and in contingency plan implementation that teaches employees to perform duties in a way to ensure the facility's compliance with the Rules and to develop job descriptions for each position responsible for hazardous waste.

J. Failure to develop and maintain a hazardous waste contingency plan designed to minimize hazards to human health or the environment from fires, explosions, or any unplanned sudden release of hazardous waste constituents to air, soil, or surface water and failed to submit a copy of the contingency plan to local police, fire departments, hospitals and emergency management teams, in violation of the Rules, 06-096 CMR 851(8)(B)(5) which incorporates by reference 40 CFR 264.51 – 264.56 (1988);

At the time of the inspection NEPCO had a draft hand-written contingency plan on file, but NEPCO had not implemented the plan, had not trained its employees on any such plan, and had not submitted any such plan to local authorities and emergency response teams.

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- K. Failure to make annual arrangements in writing for services provided by local police, fire departments, hospitals and emergency response teams, in violation of the Rules, 06-096 CMR 851(13)(C)(7)(c)(ii) which incorporates by reference 40 CFR 264.37 (1988);

NEPCO had not established a written aid agreement with the local police, fire departments, hospitals and emergency response teams for services in the event of an emergency related to hazardous waste.

- L. Failure to retain notices of land disposal restriction for manifested hazardous waste for at least five (5) years, in violation of the Rules, 06-096 CMR 852(10) which incorporates by reference 40 CFR 268.7(a)(6) (1989);

NEPCO failed to retain the notice of land disposal restriction for manifest 000451459GBF.

- M. Failure to conduct and maintain documentation of universal waste training of employees who handle or have responsibility for the managing, proper handling and emergency procedures in regards to universal waste, in violation of the Rules, 06-096 CMR 850(3)(A)(13)(e)(ix);

NEPCO failed to properly train employees that handle or have responsibility for managing, proper handling and emergency procedures regarding universal waste.

- 5. On August 20, 2009, NEPCO submitted a hazardous waste contingency plan for Department review and approval. NEPCO also indicated that drums of solvent contaminated rags are covered when not adding or removing waste and that closable funnels have been installed on the drum of waste solvent referenced in paragraph 4E(2) above.
- 6. On October 5, 2009, the Department issued a Notice of Violation (NOV) to NEPCO for the activities described in Paragraph 4 of this Agreement, in accordance with 38 M.R.S.A. § 347-A(1)(B). In the NOV, the Department requested that NEPCO perform corrective actions and respond to the Department in writing within thirty (30) days describing the corrective actions undertaken to address each of the violations cited.
- 7. On October 29, 2009, NEPCO submitted to the Department a written response to the NOV, indicating the corrective actions undertaken to address the violations. NEPCO indicated its corrective actions included the following: installed secondary containment around the solvent distillation system and solvent press machines; trained personnel in best management practices to prevent spillage from occurring, and to report and clean up

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spills as they occur; ceased the transportation of hazardous waste off the site of generation; labeled containers of hazardous waste as hazardous waste; developed a hazardous waste contingency plan and trained employees on its implementation; established annual aid agreements with local police, fire departments, hospital and emergency management agency; and completed employee training on universal waste management. On November 5, 2009, the Department received from NEPCO copies of the mutual aid agreements that were made with local police, fire department and hospital, as well as job descriptions that are required as part of NEPCO's personnel training records for three key positions.

8. From the time of the inspection on July 15, 2009 until November 5, 2009, NEPCO had approximately 44 drums of the 148 drums of waste solvent stored at the Rice Street warehouse shipped for licensed disposal by a licensed hazardous transporter or brought back to the Skyway Street facility for re-use in its printing operations. On November 13, 2009 NEPCO suffered a fire at the Rice Street warehouse. The 104 remaining drums of waste solvent were present during that fire. Four of these drums were damaged and compromised as a result of the fire. Subsequent to the fire, NEPCO shipped the 104 drums of hazardous waste solvent via a licensed hazardous transporter to a facility licensed to handle or dispose of hazardous waste.
9. Pursuant to 38 M.R.S.A. §§ 341-D(6)(C) and 347-A(1)(A)(1), administrative consent agreements must be approved by the Board of Environmental Protection ("Board"), which is part of the Department.
10. This Agreement shall become effective only if it is approved by the Board and the Office of the Attorney General.
11. To resolve the violations referenced in Paragraph 4 of this Agreement, NEPCO agrees to:
 - A. Within sixty (60) days of NEPCO's signature of this Agreement, submit to the Department for its review and approval a sampling plan and schedule that samples soils of the perimeter area of the former Rice Street warehouse to assess the presence and extent of any contamination or discharges of solvent, inks or other contaminants which may have resulted from the fire of November 13, 2009 referenced in paragraph 8 of this Agreement; and within thirty (30) days of the Department's approval, implement the sampling plan and schedule as modified and approved; and if the Department determines that further investigation or remediation is required based on the sampling results, cooperate with the Department in the submittal and implementation of investigation or remediation plans as may be necessary.
 - B. Pay a civil monetary penalty in the amount of thirty-one thousand three hundred dollars (\$31,300.00) as follows:

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IN THE MATTER OF:

NORTHEAST PACKAGING CO.
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AROOSTOOK COUNTY, MAINE
HAZARDOUS WASTE ACTIVITY

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ADMINISTRATIVE CONSENT
AGREEMENT
(38 M.R.S.A. § 347-A)

1. Immediately upon NEPCO's signature of this Agreement, pay to the *Treasurer, State of Maine c/o Hazardous Waste Fund*, the amount of twenty-one thousand three hundred dollars (\$21,300.00).
 2. In accordance with the terms and conditions of the Supplemental Environmental Project ("SEP") more fully described in Attachment A, pay ten thousand dollars (\$10,000.00) for the SEP-permissible activities identified in the attachment. If less than \$10,000.00 is applied toward completing the SEP, NEPCO shall within thirty (30) days after the completion or termination date of the SEP pay the balance of the SEP funds not applied toward completing the SEP to the *Treasurer, State of Maine c/o Hazardous Waste Fund*.
 3. Any public statement, oral or written, in print, film, or other media, made by NEPCO making reference to the SEP described above shall include the following language: "This project was undertaken in connection with the settlement of an enforcement action taken by the Maine Department of Environmental Protection for violations of Maine's Hazardous Waste, Septage and Solid Waste Management Act and the Maine Department of Environmental Protection's Hazardous Waste Management Rules.
 4. Any payments made by NEPCO pursuant to the SEP described above are not tax deductible and are ineligible for certification as tax exempt pollution control facilities pursuant to 36 M.R.S.A. §§ 105, 211.
12. The Department and Office of the Attorney General grant a release of their causes of action against NEPCO for the specific violations listed in Paragraph 4 of this Agreement on the express condition that all actions listed in Paragraph 11 of this Agreement are completed in accordance with the express terms and conditions of this Agreement, except that no release is granted for any contamination of surface waters, ground waters, soils, sediment or ambient air as a result of the violations set forth in this Agreement. This Agreement shall not prohibit the Department from requiring additional corrective measures or other remedial actions if the Department determines that such action is necessary to protect public health, safety, or the environment. This limited release shall not become effective until all requirements of this Agreement are satisfied.
 13. Non-compliance with this Agreement voids the release set forth in Paragraph 12 of this Agreement and may lead to an enforcement action pursuant to 38 M.R.S.A. §§ 347-A(1)(A), 347-A(5), or 348, as well as pursuit of other remedies.

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(38 M.R.S.A. § 347-A)

- 14. Actions taken pursuant to this Agreement shall be completed in accordance with the requirements of all applicable local, state, and federal laws, rules, and orders including but not limited to licensing requirements.
- 15. The provisions of this Agreement shall apply to, and be binding on, the parties and their officers, agents, successors, and assigns.

IN WITNESS WHEREOF the parties hereto have executed this Agreement consisting of eight (8) pages:

NORTHEAST PACKAGING CO.

BY: Robert D. Umphrey
Robert D. Umphrey, President

DATE: 8/6/2010

MAINE BOARD OF ENVIRONMENTAL PROTECTION

BY: _____
Susan M. Lessard, Chair

DATE: _____

MAINE OFFICE OF THE ATTORNEY GENERAL

BY: _____
Peter LaFond, Assistant Attorney General

DATE: _____

Appendix A: Supplemental Environmental Project

Northeast Packaging Co. (NEPCO)

Name of Project:

Aroostook County Regional Unused Pharmaceutical Collection Program for Households

Project implementer:

Aroostook County Action Program (ACAP)
Carol Bell, Project Director
Healthy Aroostook
P.O. Box 11
Presque Isle, ME 04769

Phone: 207-768-3056
Email: cbell@acap-me.org
Fax: 207-768-3027

Geographic area to benefit the project:

Geographical area to benefit from the Unused Pharmaceutical Collection Program for Households is all of Aroostook County.

Enforcement action:

NEPCO is cited for the improper handling and storage of hazardous waste.

Type of project:

This will be a pollution prevention and public health project under 38 M.R.S.A. § 349(2-A)(A)(1) & (7) with a focus on removing waste pharmaceuticals from household waste streams in an environmentally beneficial manner.

Project description:

In the fall of 2007 a diverse group of people came together to start planning for the first large scale household medication collection in Aroostook County. Members had different interests in working on the collection project including the protection and enhancement of public health and safety, the prevention of crime, and protection of the environment.

In November of 2007, HEALTHY Maine Partnerships and Healthy Aroostook (hosted by ACAP), and Power of Prevention came together and began exploring the organization of the first Aroostook County unwanted medication collection event. Many groups came together to make a collection event happen. Those are:

Mid Coast Hospital, Maine Department of Environmental Protection (DEP), The Aroostook Medical center, Houlton Regional Hospital, Cary Medical Center, Northern

Maine Medical Center, Aroostook Substance Abuse Prevention Coalition, Aroostook County Chiefs of Police Association, Aroostook County District Attorney, Tri Community Landfill, Pine Tree Waste, Presque Isle Solid Waste Department, Northern Maine Development Commission, County of Aroostook, Maine Department of Agriculture.

In 2008 and 2009, 850 pounds were collected supported by a grant. The grant has run out and the combined efforts show a great need to continue with a collection program. The group has laid out a five-year plan until legislation is passed requiring the collection and proper disposal of unused pharmaceuticals.

Police departments across Aroostook County will collect and store pharmaceuticals from households with a central collection taking place at the Presque Isle Police Department every quarter during the five-year plan. Each quarter ACAP will arrange and pay for a DEP-licensed Hazardous Waste Transporter to pick-up the collected household pharmaceuticals at the Presque Isle Police Department and transport the pharmaceuticals to a licensed hazardous waste treatment or disposal facility licensed to handle the waste.

Funds from the SEP will be used solely for the purposes of transportation and disposal of the collected household pharmaceuticals to the extent that such transportation and disposal is permitted by applicable local, state, and federal legal requirements. SEP funds will only be used for transportation and disposal of wastes conducted in accordance with all applicable local, state, and federal legal requirements.

Existing Regulatory Requirements:

SEP's may not be done for activities that are already required by law, 38 M.R.S.A. § 349(2-A)(B)(2). This is a voluntary project and is not a requirement by any local, state or federal entity.

Total project budget:

The total project budget for this SEP is up to \$10,000 at up to \$2,000/year paid by NEPCO to cover actual transportation and disposal costs incurred by ACAP. Payments by NEPCO must be payable to "Aroostook County Action Program" and submitted to ACAP for the costs of transportation and disposal as permitted by applicable local, state, and federal legal requirements of household pharmaceuticals as hazardous waste via a DEP-licensed hazardous waste transporter to a licensed hazardous waste treatment or disposal facility licensed to handle the waste. Such payments must be made by NEPCO within thirty (30) days of presentation by ACAP of the billing records or receipts for such transportation and disposal. At the time of each payment, a copy of the payment must be submitted by NEPCO to the Director, Division of Oil and Hazardous Waste Facilities Regulation, DEP, 17 State House Station, Augusta, Maine 04333-0017. If, at anytime, applicable legal requirements prohibit the purposes of the SEP, the SEP shall be terminated and the balance of remaining SEP funds shall be paid to the *Treasurer, State*

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**Appendix A: Supplemental Environmental Project
Aroostook County Regional Unused Pharmaceutical Collection Program for Households
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of Maine c/o Hazardous Waste Fund, in accordance with Paragraph 11(B)(2) of the Administrative Consent Agreement.

Item	Amount
Transportation and disposal as permitted by applicable local, state, and federal legal requirements of household pharmaceuticals as hazardous waste via a DEP-licensed hazardous waste transporter to a licensed hazardous waste treatment or disposal facility licensed to handle the waste	Up to \$2,000.00 per year for five years starting October 1, 2010 and ending September 30, 2015

Project schedule:

Task	Responsible	Due Date
Payment of transportation and disposal as permitted by applicable local, state, and federal legal requirements of household pharmaceuticals as hazardous waste via a DEP-licensed hazardous waste transporter to a licensed hazardous waste treatment or disposal facility licensed to handle the waste	NEPCO	Up to \$2,000.00 per year for five years starting October 1, 2010 and ending September 30, 2015
Annual Progress Reports detailing transportation and disposal costs paid under the SEP for the prior year (October 1 – September 30)	NEPCO	October 30, 2011; October 30, 2012; October 30, 2013; October 30, 2014; October 30, 2015
Final summary report detailing transportation and disposal costs paid under the SEP for the 5 year period	NEPCO	December 30, 2015

Expected project benefits:

Unused, unwanted and expired medications sit in medicine cabinets in almost every home, presenting a health and safety threat to people, pets and the environment. Since unused pharmaceuticals are left in homes, it increases the possibility of accidental poisonings, drug overdoses and criminal drug diversion. Improper disposal through

Appendix A: Supplemental Environmental Project
Aroostook County Regional Unused Pharmaceutical Collection Program for Households
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flushing or throwing in the household trashcan, resulting in the release of toxic chemicals into the environment. The Aroostook County collection plan will significantly reduce the amount contributed by Aroostook County citizens.

Reporting:

NEPCO will provide annual progress reports to Nick Archer, Regional Director, DEP - Northern Maine Regional Office, 1235 Central Drive, Skyway Park, Presque Isle, ME 04769 with a copy also sent to the DEP, Director, Division of Oil and Hazardous Waste Facilities Regulation, 17 State House Station, Augusta, ME 04333 by October 30th each year detailing transportation and disposal costs paid under the SEP for the prior year (October 1 – September 30), with a final summary report for the 5-year period due by December 30, 2015.

Completion Date:

The completion date for expenditures under the SEP shall be September 30, 2015. The balance of the \$10,000.00 not incurred for transportation and disposal costs under this SEP shall be paid to the *Treasurer, State of Maine c/o Hazardous Waste Fund*, in accordance with Paragraph 11(B)(2) of the Administrative Consent Agreement.

Certification:

NEPCO certifies that this proposed SEP project is not the result of substantive planning that occurred prior to this enforcement action.

NORTHEAST PACKAGING CO.

BY: Robert D. Umphrey, DATE: 8/6/10
Robert D. Umphrey, President

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