

## MacNeil, Jami

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**From:** Allen J. Philbrick <philbrick@cmlaw.com>  
**Sent:** Thursday, January 28, 2021 3:15 PM  
**To:** Hinkel, Bill; Burke, Ruth A; Bensinger, Peggy; MacNeil, Jami; Hallowell, Dawn; 'Carol Ervin'; 'Bailey Bolen'; plyons@eatonpeabody.com; 'William A. Weary'; 'Kristin Collins (kcollins@preti.com)'; 'Jeffry Spinney'; 'Cathy Johnson (cjohnson@tidewater.net)'; 'Doreen Conboy'; 'Mark P. Desmeules'; 'A. McKinne Stires'; 'Nicholas Barth'; 'Jon Luoma'  
**Subject:** RE: Spinney appeal Department Order #L-28397-4E-A-N

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Thank you.

*Allen J. Philbrick*  
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**From:** Hinkel, Bill <Bill.Hinkel@maine.gov>  
**Sent:** Thursday, January 28, 2021 3:09 PM  
**To:** Allen J. Philbrick <philbrick@cmlaw.com>; Burke, Ruth A <Ruth.A.Burke@maine.gov>; Bensinger, Peggy <Peggy.Bensinger@maine.gov>; MacNeil, Jami <Jami.MacNeil@maine.gov>; Hallowell, Dawn <Dawn.Hallowell@maine.gov>; 'Carol Ervin' <cervin@ycrlaw.com>; 'Bailey Bolen' <baileybolen@gmail.com>; plyons@eatonpeabody.com; 'William A. Weary' <w.weary@gmail.com>; 'Kristin Collins (kcollins@preti.com)' <kcollins@preti.com>; 'Jeffry Spinney' <jeff.spinney@gmail.com>; 'Cathy Johnson (cjohnson@tidewater.net)' <cjohnson@tidewater.net>; 'Doreen Conboy' <thebend@tidewater.net>; 'Mark P. Desmeules' <salmon@tidewater.net>; 'A. McKinne Stires' <stires@nei.net>; 'Nicholas Barth' <barthnicholas242@gmail.com>; 'Jon Luoma' <jluoma@tidewater.net>  
**Subject:** RE: Spinney appeal Department Order #L-28397-4E-A-N

Mr. Philbrick, et al:

At this time, I anticipate that the Board will consider the appeal of Department Order #L-28397-4E-A-N at its meeting on February 18, 2021. An agenda, once available, will be provided to all persons on the service list and interested persons list.

Sincerely,

William F. Hinkel  
Executive Analyst, Board of Environmental Protection  
17 State House Station

Augusta, Maine 04333-0017

(207) 314-1458

[bill.hinkel@maine.gov](mailto:bill.hinkel@maine.gov)

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**From:** Allen J. Philbrick <[philbrick@cmplaw.com](mailto:philbrick@cmplaw.com)>

**Sent:** Thursday, January 28, 2021 1:24 PM

**To:** Hinkel, Bill <[Bill.Hinkel@maine.gov](mailto:Bill.Hinkel@maine.gov)>; Burke, Ruth A <[Ruth.A.Burke@maine.gov](mailto:Ruth.A.Burke@maine.gov)>; Bensinger, Peggy <[Peggy.Bensinger@maine.gov](mailto:Peggy.Bensinger@maine.gov)>; MacNeil, Jami <[Jami.MacNeil@maine.gov](mailto:Jami.MacNeil@maine.gov)>; Hallowell, Dawn <[Dawn.Hallowell@maine.gov](mailto:Dawn.Hallowell@maine.gov)>; 'Carol Ervin' <[cervin@ycrlaw.com](mailto:cervin@ycrlaw.com)>; 'Bailey Bolen' <[baileybolen@gmail.com](mailto:baileybolen@gmail.com)>; [plyons@eatonpeabody.com](mailto:plyons@eatonpeabody.com); 'William A. Weary' <[w.weary@gmail.com](mailto:w.weary@gmail.com)>; 'Kristin Collins ([kcollins@preti.com](mailto:kcollins@preti.com))' <[kcollins@preti.com](mailto:kcollins@preti.com)>; 'Jeffrey Spinney' <[jeff.spinney@gmail.com](mailto:jeff.spinney@gmail.com)>; 'Cathy Johnson ([cjohnson@tidewater.net](mailto:cjohnson@tidewater.net))' <[cjohnson@tidewater.net](mailto:cjohnson@tidewater.net)>; 'Doreen Conboy' <[thebend@tidewater.net](mailto:thebend@tidewater.net)>; 'Mark P. Desmeules' <[salmon@tidewater.net](mailto:salmon@tidewater.net)>; 'A. McKinne Stires' <[stires@nnei.net](mailto:stires@nnei.net)>; 'Nicholas Barth' <[barthnicholas242@gmail.com](mailto:barthnicholas242@gmail.com)>; 'Jon Luoma' <[jlouma@tidewater.net](mailto:jlouma@tidewater.net)>

**Subject:** RE: Spinney appeal Department Order #L-28397-4E-A-N

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Bill,

I earlier responded that I cannot make the February 4 date, but can make Feb. 18. Is Feb. 18 now confirmed?

Thanks,

Allen

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**From:** Hinkel, Bill <[Bill.Hinkel@maine.gov](mailto:Bill.Hinkel@maine.gov)>

**Sent:** Monday, January 25, 2021 8:37 AM

**To:** Burke, Ruth A <[Ruth.A.Burke@maine.gov](mailto:Ruth.A.Burke@maine.gov)>; Hinkel, Bill <[Bill.Hinkel@maine.gov](mailto:Bill.Hinkel@maine.gov)>; Bensinger, Peggy <[Peggy.Bensinger@maine.gov](mailto:Peggy.Bensinger@maine.gov)>; MacNeil, Jami <[Jami.MacNeil@maine.gov](mailto:Jami.MacNeil@maine.gov)>; Hallowell, Dawn <[Dawn.Hallowell@maine.gov](mailto:Dawn.Hallowell@maine.gov)>; 'Carol Ervin' <[cervin@ycrlaw.com](mailto:cervin@ycrlaw.com)>; 'Bailey Bolen' <[baileybolen@gmail.com](mailto:baileybolen@gmail.com)>; Allen J. Philbrick <[philbrick@cmplaw.com](mailto:philbrick@cmplaw.com)>; [plyons@eatonpeabody.com](mailto:plyons@eatonpeabody.com); 'William A. Weary' <[w.weary@gmail.com](mailto:w.weary@gmail.com)>; 'Kristin Collins ([kcollins@preti.com](mailto:kcollins@preti.com))' <[kcollins@preti.com](mailto:kcollins@preti.com)>; 'Jeffrey Spinney' <[jeff.spinney@gmail.com](mailto:jeff.spinney@gmail.com)>; 'Cathy Johnson ([cjohnson@tidewater.net](mailto:cjohnson@tidewater.net))' <[cjohnson@tidewater.net](mailto:cjohnson@tidewater.net)>; 'Doreen Conboy' <[thebend@tidewater.net](mailto:thebend@tidewater.net)>; 'Mark P. Desmeules' <[salmon@tidewater.net](mailto:salmon@tidewater.net)>; 'A. McKinne Stires' <[stires@nnei.net](mailto:stires@nnei.net)>; 'Nicholas Barth' <[barthnicholas242@gmail.com](mailto:barthnicholas242@gmail.com)>; 'Jon Luoma' <[jlouma@tidewater.net](mailto:jlouma@tidewater.net)>

**Subject:** Spinney appeal Department Order #L-28397-4E-A-N

Dear Participants:

Please find attached a ruling from Chair Draper in the above-captioned appeal.

At this time, the Board is ready to schedule the appeal to be considered. Meetings of the Board are currently being conducted remotely and online through Zoom. You may want to download and familiarize yourself with the free Zoom application in advance of the meeting (<https://zoom.us/>). You will receive an electronic copy of the Board packet materials, an agenda with the meeting start time (typically 9:00 a.m.), and a link to the Zoom meeting approximately one week prior to the Board meeting. Please find attached an excerpt from Department rule Chapter 2 that explains the Board procedure for hearing appeals.

**The Board is prepared to schedule this appeal for its meeting on February 4, 2021. Please respond as soon as possible to confirm your availability to meet on February 4, 2021, or that you cannot meet until the next meeting of the Board on February 18, 2021.**

Respectfully,

William F. Hinkel  
Executive Analyst, Board of Environmental Protection  
17 State House Station  
Augusta, Maine 04333-0017  
(207) 314-1458  
[bill.hinkel@maine.gov](mailto:bill.hinkel@maine.gov)