



NOTICE OF SPCC INSPECTION WITH DEFICIENCIES
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION I

Date of Inspection: 12/05/2023	Lead Inspector (Print Name & Sign): Joseph Canzano, Oil Spill Prevention Enforcement Officer, and Inspector	Canzano, Joseph	Digitally signed by Canzano, Joseph Date: 2023.12.11 15:48:44 -05'00'
Date of Notice: 12/11/2023			

Facility Name: Pepperell LLC	Facility Address: 550 Lisbon Street Lewiston, ME 04240 Parcel ID RE0009096	Facility Type: Vintage Mill Industrial Building
Facility Contact & Phone: Scott Ferland, Owner (207) 782-4000	Facility Email: scott@almightywaste.com info@almightywaste.com	Facility Fax: (207) 753-0700

The purpose of the inspection process is to determine compliance with Section 311 of the Clean Water Act (the "Act"), 33 U.S.C. § 1321, and the Oil Pollution Prevention regulations found at 40 C.F.R. Part 112 (the "Regulations"). The scope of the inspection and plan review process may include but is not limited to; reviewing and obtaining copies of documents and records; interviewing facility personnel; a physical inspection of the facility (including process areas); taking photographs or video; collecting samples; and other activities necessary to determine compliance with the Act and the Regulations.

Please review this Notice of SPCC Inspection with Deficiencies form ("Notice") carefully. Please be advised that this Notice, any attached document(s) and discussions during the closing conference may not set forth all deficiencies, and that an in-depth review of this Notice and any other relevant information may identify deficiencies not yet identified herein. Also note that the deficiencies noted are preliminary observations only, and this Notice is not a final determination of compliance or noncompliance.

Please also be advised that any noncompliance with the Act and/or the Regulations may constitute a violation under the Act for which penalties or other relief may be sought. Penalties may be assessed upon subsequent findings by a court of law or the Administrator of the United States Environmental Protection Agency ("EPA") that the facility has violated the Act and/or the Regulations. The EPA reserves the right to initiate an enforcement action under the Act and any other applicable law, and to seek penalties and other appropriate relief, for any violation of the Act, the Regulations, or other applicable laws. This Notice and other relevant information will be reviewed by appropriate EPA personnel to determine if any deficiencies identified in such review constitute violations of the Act and/or the Regulations, and whether an enforcement action is appropriate. It is EPA's intent to provide written correspondence describing any deficiencies identified during the subsequent inspection review process.

To the extent this Notice identifies deficiencies with the Act and/or Regulations, you are urged to correct such deficiencies as soon as possible, as responsibility for compliance with the Act and/or regulations rests with you. These deficiencies are potential violations observed by EPA staff. Correcting these deficiencies may help you with compliance with the Act and/or Regulations. EPA requests you submit all information, as soon as possible, showing your correction of the noted deficiencies to:

Joseph Canzano, Oil Spill Prevention Inspector
Canzano.joseph@epa.gov

If it is not feasible to correct the deficiencies within 30 days of the date of the inspection, immediately submit a detailed explanation and schedule indicating by when the noted deficiencies will be corrected. If you believe that your facility is not required to have an SPCC Plan, or is in compliance with the SPCC regulatory requirements, you may submit an explanation, supported by documentation, as to why the facility is not subject to the SPCC provision of the Oil Pollution Prevention regulations at 40 C.F.R. Part 112 or meets its requirements within 30 days of the date of the Notice. Correction of a deficiency does not relieve the owner or operator from potential liability for any violations of applicable laws and regulations.

Confidential Business Information

You may be entitled to claim information submitted to EPA as part of this process as Confidential Business Information (CBI) pursuant to the regulations set forth in 40 C.F.R. Part 2. If EPA determines the information, you have designated meets the criteria in 40 C.F.R. § 2.208, the information will be disclosed only to the extent and by means of the procedures specified in 40 C.F.R. Part 2 Subpart B. Unless CBI is claimed, EPA may make the information available to the public without further notice to you. **Please sign and date Notice and return to EPA inspector.**

Acknowledgement of Inspection

Signature of Facility Representative: _____ Date Signed: _____

Printed Name of Facility Representative: _____ Title: _____

**Attachment
to
Notice of SPCC Inspection with Clean Water Act Deficiencies
For
December 5, 2023, Inspection**

At the closing conference, the inspector informed Facility representatives of the following deficiencies under the federal Discharge of Oil and Oil Pollution Prevention regulations at 40 C.F.R. Parts 110 and 112.

- Rule/Requirement: Under 40 C.F.R. §110.3, for purposes of section 311(b)(4) of the Act, discharges of oil in such quantities that the Administrator has determined may be harmful to the public health or welfare or the environment of the United States include discharges of oil that: (a) Violate applicable water quality standards; or (b) Cause a film or sheen upon or discoloration of the surface of the water or adjoining shorelines or cause a sludge or emulsion to be deposited beneath the surface of the water or upon adjoining shorelines.

Deficiency: On November 1, 2023, 1,000-gallons of heating oil spilled from an aboveground storage tank and a certain amount reached surface waters or adjoining shorelines, including the Androscoggin River.

- Rule/Requirement: Under 40 C.F.R. §112.3(a)(1), a facility is required to prepare and implement a Spill Prevention Control and Countermeasure Plan in accordance with the requirements of 40 C.F.R. §112.7.

Deficiency: Facility representatives informed the EPA inspector that the facility does not have an oil Spill Prevention, Control and Countermeasure Plan. The inspector observed a 20,000-gallon aboveground, single-wall, heating oil storage tank that is used for heating the mill complex. Secondary containment system for the tank has not been altered/changed since the November 1, 2023, spill.

