

of Gardiner, the Maine Department of Transportation, or any other governmental body of competent jurisdiction, to access the Premises.

Grantee shall also have the perpetual right to enter upon the Premises and portions of the Oak Grove Cemetery with such men and equipment as reasonably shall be necessary to effectuate any or all of the foregoing.

This easement shall be for the full use and enjoyment of the Premises by the Grantee herein, its successors and assigns, to the same intent and purpose as if the Grantee herein obtained title to the Premises in fee simple absolute. Grantee shall be responsible for the maintenance of any improvements constructed on the Premises, and the improvements shall not become part of the real property known as Oak Grove Cemetery.

The easement rights set forth herein may be assigned freely by Grantee and Grantee's successors and assigns, in whole or in part, without the need for the consent of Grantor or Grantor's successors or assigns, which rights may then be exercised in common by Grantee and any such assignee or assignees of such rights.

*SIGNATURES APPEAR ON NEXT PAGE*

IN WITNESS WHEREOF, the Oak Grove Cemetery Association has caused the foregoing instrument to be signed in its corporate name and sealed by its undersigned officers, duly authorized, this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

Witness:

OAK GROVE CEMETERY ASSOCIATION, INC.

**Exhibit - Do Not Sign**

\_\_\_\_\_

George Heselton

**Exhibit - Do Not Sign**

\_\_\_\_\_

Thomas Staples

**Exhibit - Do Not Sign**

\_\_\_\_\_

Lorimar Trafton

**Exhibit - Do Not Sign**

\_\_\_\_\_

Mark Gosline

**Exhibit - Do Not Sign**

\_\_\_\_\_

Patricia Martin

**Exhibit - Do Not Sign**

\_\_\_\_\_

Carl Hubbard

**Exhibit - Do Not Sign**

\_\_\_\_\_

Ronald Chase

**Exhibit - Do Not Sign**

\_\_\_\_\_

Christopher Temple

STATE OF MAINE

Kennebec County

\_\_\_\_\_, 2009

Personally appeared the above named George Hazelton, Chair of the \_\_\_\_\_ and acknowledged before me the foregoing instrument to be her free act and deed in his said capacity and the free act and deed of said corporation.

\_\_\_\_\_  
Notary Public/ Attorney at Law

\_\_\_\_\_  
Print or type name as signed



STATE OF MAINE  
DEPARTMENT OF ENVIRONMENTAL PROTECTION

JOHN ELIAS BALDACCI  
GOVERNOR

DAVID P. LITTELL  
COMMISSIONER

October 6, 2009

Russ Greenleaf, President  
Oak Grove Crematory  
128 Cobbossee Ave.  
Gardiner, ME 04345

RE: Oak Grove Crematory Application for New Air Emission License

Dear Mr. Greenleaf:

Enclosed please find the final air emission license for which you applied (A-1022-71-A-N) as well as an information sheet on appealing a licensing decision and a customer service questionnaire.

If you have any questions, please write or call your project manager for your application, N. Lynn Cornfield. The telephone number is (207) 287-2437.

Sincerely,

A handwritten signature in cursive script that reads 'Marc Allen Robert Cone'.

Marc Allen Robert Cone, P.E.  
Bureau of Air Quality

cc: City of Gardiner

AUGUSTA  
17 STATE HOUSE STATION  
AUGUSTA, MAINE 04333-0017  
(207) 287-7688 FAX: (207) 287-7826  
RAY BLDG., HOSPITAL ST.

BANGOR  
106 HOGAN ROAD, SUITE 6  
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 04679-2094  
(207) 764-0477 FAX: (207) 760-3143



# DEP INFORMATION SHEET

## Appealing a Commissioner's Licensing Decision

Dated: May 2004

Contact: (207) 287-2811

### SUMMARY

There are two methods available to an aggrieved person seeking to appeal a licensing decision made by the Department of Environmental Protection's (DEP) Commissioner: (1) in an administrative process before the Board of Environmental Protection (Board); or (2) in a judicial process before Maine's Superior Court. This INFORMATION SHEET, in conjunction with consulting statutory and regulatory provisions referred to herein, can help aggrieved persons with understanding their rights and obligations in filing an administrative or judicial appeal.

### I. ADMINISTRATIVE APPEALS TO THE BOARD

#### LEGAL REFERENCES

DEP's *General Laws*, 38 M.R.S.A. § 341-D(4), and its *Rules Concerning the Processing of Applications and Other Administrative Matters* (Chapter 2), 06-096 CMR 2.24 (April 1, 2003).

#### HOW LONG YOU HAVE TO SUBMIT AN APPEAL TO THE BOARD

The Board must receive a written notice of appeal within 30 calendar days of the date on which the Commissioner's decision was filed with the Board. Appeals filed after 30 calendar days will be rejected.

#### HOW TO SUBMIT AN APPEAL TO THE BOARD

Signed original appeal documents must be sent to: Chair, Board of Environmental Protection, c/o Department of Environmental Protection, 17 State House Station, Augusta, ME 04333-0017; faxes are acceptable for purposes of meeting the deadline when followed by receipt of mailed original documents within five (5) working days. Receipt on a particular day must be by 5:00 PM at DEP's offices in Augusta; materials received after 5:00 PM are not considered received until the following day. The person appealing a licensing decision must also send the DEP's Commissioner and the applicant a copy of the documents. All the information listed in the next section must be submitted at the time the appeal is filed. Only the extraordinary circumstances described at the end of that section will justify evidence not in the DEP's record at the time of decision being added to the record for consideration by the Board as part of an appeal.

#### WHAT YOUR APPEAL PAPERWORK MUST CONTAIN

The materials constituting an appeal must contain the following information at the time submitted:

1. *Aggrieved Status.* Standing to maintain an appeal requires the appellant to show they are particularly injured by the Commissioner's decision.
2. *The findings, conclusions or conditions objected to or believed to be in error.* Specific references and facts regarding the appellant's issues with the decision must be provided in the notice of appeal.
3. *The basis of the objections or challenge.* If possible, specific regulations, statutes or other facts should be referenced. This may include citing omissions of relevant requirements, and errors believed to have been made in interpretations, conclusions, and relevant requirements.
4. *The remedy sought.* This can range from reversal of the Commissioner's decision on the license or permit to changes in specific permit conditions.

5. *All the matters to be contested.* The Board will limit its consideration to those arguments specifically raised in the written notice of appeal.
6. *Request for hearing.* The Board will hear presentations on appeals at its regularly scheduled meetings, unless a public hearing is requested and granted. A request for public hearing on an appeal must be filed as part of the notice of appeal.
7. *New or additional evidence to be offered.* The Board may allow new or additional evidence as part of an appeal only when the person seeking to add information to the record can show due diligence in bringing the evidence to the DEP's attention at the earliest possible time in the licensing process or show that the evidence itself is newly discovered and could not have been presented earlier in the process. Specific requirements for additional evidence are found in Chapter 2, Section 24(B)(5).

#### OTHER CONSIDERATIONS IN APPEALING A DECISION TO THE BOARD

1. *Be familiar with all relevant material in the DEP record.* A license file is public information made easily accessible by DEP. Upon request, the DEP will make the material available during normal working hours, provide space to review the file, and provide opportunity for photocopying materials. There is a charge for copies or copying services.
2. *Be familiar with the regulations and laws under which the application was processed, and the procedural rules governing your appeal.* DEP staff will provide this information on request and answer questions regarding applicable requirements.
3. *The filing of an appeal does not operate as a stay to any decision.* An applicant proceeding with a project pending the outcome of an appeal runs the risk of the decision being reversed or modified as a result of the appeal.

#### WHAT TO EXPECT ONCE YOU FILE A TIMELY APPEAL WITH THE BOARD

The Board will formally acknowledge initiation of the appeals procedure, including the name of the DEP project manager assigned to the specific appeal, within 15 days of receiving a timely filing. The notice of appeal, all materials accepted by the Board Chair as additional evidence, and any materials submitted in response to the appeal will be sent to Board members along with a briefing and recommendation from DEP staff. Parties filing appeals and interested persons are notified in advance of the final date set for Board consideration of an appeal or request for public hearing. With or without holding a public hearing, the Board may affirm, amend, or reverse a Commissioner decision. The Board will notify parties to an appeal and interested persons of its decision.

#### II. APPEALS TO MAINE SUPERIOR COURT

Maine law allows aggrieved persons to appeal final Commissioner licensing decisions to Maine's Superior Court, see 38 M.R.S.A. § 346(1); 06-096 CMR 2.26; 5 M.R.S.A. § 11001; & MRCivP 80C. Parties to the licensing decision must file a petition for review within 30 days after receipt of notice of the Commissioner's written decision. A petition for review by any other person aggrieved must be filed within 40-days from the date the written decision is rendered. The laws cited in this paragraph and other legal procedures govern the contents and processing of a Superior Court appeal.

#### ADDITIONAL INFORMATION

If you have questions or need additional information on the appeal process, contact the DEP's Director of Procedures and Enforcement at (207) 287-2811.

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**Note:** The DEP provides this INFORMATION SHEET for general guidance only; it is not intended for use as a legal reference. Maine law governs an appellant's rights.

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STATE OF MAINE  
DEPARTMENT OF ENVIRONMENTAL PROTECTION

JOHN ELIAS BALDACCI  
GOVERNOR

DAVID P. LITTELL  
COMMISSIONER

Oak Grove Crematory  
Kennebec County  
Gardiner, Maine  
A-1022-71-A-N

Departmental  
Findings of Fact and Order  
Air Emission License

After review of the air emission license application, staff investigation reports, and other documents in the applicant's file in the Bureau of Air Quality, pursuant to 38 M.R.S.A., Section 344 and Section 590, the Department finds the following facts:

I. REGISTRATION

A. Introduction

1. Oak Grove Crematory (Oak Grove) has applied for an Air Emission License, permitting the operation of a Class IV-A crematory.
2. The equipment addressed in this license is located at 45 Danforth Street, Gardiner Maine.

B. Emission Equipment

The crematory incinerator is a B & L Cremation Systems, Inc., Model N-20AA with the following specifications:

Class Incinerator	IV-A
No. of Chambers	2
Type of Waste	Type 4
Max. Design Combustion Rate (lb/hr)	150
Auxiliary Fuel Input:	Propane
Primary Chamber (MMBtu/hr)	0.5
Secondary Chamber (MMBtu/hr)	1.0
Emission Control	Afterburner

The incinerator combustion gases vent to an 18 foot AGL (Above Ground Level) stack.

AUGUSTA  
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PORTLAND  
312 CANCO ROAD  
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PRESQUE ISLE  
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PRESQUE ISLE, MAINE 04679-2094  
(207) 764-0477 FAX: (207) 760-3143

### C. Application Classification

The new source is considered a major source based on whether or not expected emissions exceed the "Significant Emission Levels" as defined in 06-096 CMR 100. The emissions for the new source are determined by the maximum future license allowed emissions, as follows:

<u>Pollutant</u>	<u>Max. Future License (TPY)</u>	<u>Sig. Level</u>
PM	3.17	100
PM <sub>10</sub>	3.17	100
SO <sub>2</sub>	0.71	100
NO <sub>x</sub>	2.08	100
CO	1.49	100
VOC	0.17	50

This source is determined to be a minor new source and has been processed as such.

## II. BEST PRACTICAL TREATMENT

### A. Introduction

In order to receive a license, the applicant must control emissions from each unit to a level considered by the Department to represent Best Practical Treatment (BPT), as defined in 06-096 CMR 100. Separate control requirement categories exist for new and existing equipment as well as for those sources located in designated areas.

BPT for new sources requires a demonstration that emissions are receiving Best Available Control Technology (BACT), as defined in *Definitions Regulation*, 06-096 CMR 100 (last amended December 24, 2005). BACT is a top-down approach to selection air emission controls considering economic, environmental and energy impacts.

B. Crematory Incinerator #1

BPT for the Incinerator is the following:

• Emission Limits

Emissions information is based on a licensed allowed particulate matter emission limit of 0.12 gr/dscf corrected to 12% CO<sub>2</sub>, the burning of propane as an auxiliary fuel, and the use of AP-42 factors: Table 2.3-1 and 2 for medical waste incinerators (dated 7/93) and Table 1.5-1 for the propane burning (dated 7/08):

PM - 0.12 gr/dscf corrected to 12% CO<sub>2</sub>, based on BACT/BPT, and .72 lb/hr

SO<sub>2</sub> - 0.16 lb/hr based on the AP-42 factors of 2.17 lb/ton

NO<sub>x</sub> - 0.27 lb/hr based on the AP-42 factors of 3.56 lb/ton and 13 lb/10<sup>3</sup> gal

CO - 0.22 lb/hr based on the AP-42 factors of 2.95 lb/ton and 7.5 lb/10<sup>3</sup> gal

VOC - 0.30 lb/hr based on the AP-42 factors of 0.299 lb/ton and 1.0 lb/10<sup>3</sup> gal

Opacity - Visible emissions from the incinerator stack shall not exceed 10% opacity based on a six (6) minute block average basis.

• Operating parameters:

- Operating temperature in the secondary chamber shall be maintained at or above 1600°F for the duration of the burn cycle, with a stack gas retention time at or above 1600°F, of at least 1.0 second.
- To ensure an efficient burn, and to prevent odors and visible emissions, the secondary chamber will be preheated, as specified by the manufacturer, until the pyrometer temperature measures at least 1600°F.
- Once the burn cycle has commenced by introduction of primary chamber combustion, the incinerator shall be operated in an efficient manner, and as specified by the manufacturer, for the period of time between preheat and reaching the set operational temperature to be a minimum of 1600°F in the secondary chamber.
- A pyrometer and 1/4 inch test port shall be installed and maintained at that location of the incinerator or refractory lined stack which provides sufficient volume to insure a flue gas retention time of not less than 1.0 second at a minimum of 1600°F.

- A log will be maintained recording the weight of the charge, preheat time, charging time and the temperature of the secondary chamber every 60 minutes after start-up until, and including, final shutdown time. For facilities operating a chart recorder, the start time, date, and weight charged shall be logged on the chart.
- The incinerator operator(s) shall receive adequate training to operate the crematory incinerator in accordance with the manufacturer's specifications and shall be familiar with the terms of the Air Emission License.

### III. AIR QUALITY ANALYSIS

According to 06-096 CMR 115 of the Department's regulations, the level of air quality analysis and monitoring are determined on a case-by-case basis. Based on analysis for similar sources, the size of the source, the allowable emissions, the location, and the stack height, ambient air quality standards, including increments, are not expected to be violated. Therefore, an ambient air impact analysis will not be required for this source at this time.

### ORDER

Based on the above Findings and subject to the Conditions listed below, the Department concludes that the emissions from this above source:

- will receive Best Practical Treatment,
- will not violate applicable emission standards, and
- will not violate applicable ambient air quality standards in conjunction with emissions from other sources.

The Department hereby grants Air Emission License A-1022-71-A-N, subject to the following Conditions.

Severability. The invalidity or unenforceability of any provision, or part thereof, of this License shall not affect the remainder of the provision or any other provisions. This License shall be construed and enforced in all respects as if such invalid or unenforceable provision or part thereof had been omitted.

### STANDARD CONDITIONS

- (1) Employees and authorized representatives of the Department shall be allowed access to the licensee's premises during business hours, or any time which any emission units are in operation, and at such other times as the Department deems necessary for the purpose of performing tests, collecting samples, conducting inspections, or examining and copying records relating to emissions. [06-096 CMR 115]
- (2) The licensee shall acquire a new or amended air emission license prior to commencing construction of a modification, unless specifically provided for in Chapter 115. [06-096 CMR 115]
- (3) Approval to construct shall become invalid if the source has not commenced construction within eighteen (18) months after receipt of such approval or if construction is discontinued for a period of eighteen (18) months or more. The Department may extend this time period upon a satisfactory showing that an extension is justified, but may condition such extension upon a review of either the control technology analysis or the ambient air quality standards analysis, or both. [06-096 CMR 115]
- (4) The licensee shall establish and maintain a continuing program of best management practices for suppression of fugitive particulate matter during any period of construction, reconstruction, or operation which may result in fugitive dust, and shall submit a description of the program to the Department upon request. [06-096 CMR 115]
- (5) The licensee shall pay the annual air emission license fee to the Department, calculated pursuant to Title 38 MRS § 353. [06-096 CMR 115]
- (6) The license does not convey any property rights of any sort, or any exclusive privilege. [06-096 CMR 115]
- (7) The licensee shall maintain and operate all emission units and air pollution control systems required by the air emission license in a manner consistent with good air pollution control practices for minimizing emissions. [06-096 CMR 115]
- (8) The licensee shall maintain sufficient records, to accurately document compliance with emission standards and license conditions and shall maintain such records for a minimum of six (6) years. The records shall be submitted to the Department upon written request. [06-096 CMR 115]

- (9) The licensee shall comply with all terms and conditions of the air emission license. The filing of an appeal by the licensee, the notification of planned changes or anticipated noncompliance by the licensee, or the filing of an application by the licensee for the renewal of a license or amendment shall not stay any condition of the license. [06-096 CMR 115]
- (10) The licensee may not use as a defense in an enforcement action that the disruption, cessation, or reduction of licensed operations would have been necessary to maintain compliance with the conditions of the air emission license. [06-096 CMR 115]
- (11) In accordance with the Department's air emission compliance test protocol and 40 CFR Part 60 or other method approved or required by the Department, the licensee shall:
- A. perform stack testing to demonstrate compliance with the applicable emission standards under circumstances representative of the facility's normal process and operating conditions:
    - 1. within sixty (60) calendar days of receipt of a notification to test from the Department or EPA, if visible emissions, equipment operating parameters, staff inspection, air monitoring or other cause indicate to the Department that equipment may be operating out of compliance with emission standards or license conditions; or
    - 2. pursuant to any other requirement of this license to perform stack testing.
  - B. install or make provisions to install test ports that meet the criteria of 40 CFR part 60, Appendix A, and test platforms, if necessary, and other accommodations necessary to allow emission testing; and
  - C. submit a written report to the Department within thirty (30) days from the date of test completion.
- [06-096 CMR 115]
- (12) If the results of a stack test performed under circumstances representative of the facility's normal process and operating conditions indicate emissions in excess and operating conditions indicate emissions in excess of the applicable standards, then:
- A. within thirty (30) days following receipt of such test results, the licensee shall re-test the non-complying emission source under circumstances representative of the facility's normal process and operating conditions and in accordance with the Department's air emission compliance test protocol and 40 CFR Part 60 or other method approved or required by the Department; and

- B. The days of violation shall be presumed to include the date of stack test and each and every day of operation thereafter until compliance is demonstrated under normal and representative process and operating conditions, except to the extent that the facility can prove to the satisfaction that there were intervening days during which no violation occurred or that the violation was not continuing in nature; and
- C. The licensee may, upon the approval of the Department following the successful demonstration of compliance at alternative load conditions, operate under such alternative load conditions on an interim basis prior to a demonstration of compliance under normal and representative process and operating conditions.  
[06-096 CMR 115]
- (13) Notwithstanding any other provision in the State Implementation Plan approved by the EPA or Section 114(a) of the CAA, any credible evidence may be used for the purpose of establishing whether a person has violated or is in violation of any statute, regulation, or Part 70 license requirement. [06-096 CMR 115]
- (14) The licensee shall maintain records of malfunctions, failures, downtime, and any other similar change in operation of air pollution control systems or the emissions unit itself that would affect emissions and that is not consistent with the terms and conditions of the air emission license. The licensee shall notify the Department within two (2) days or the next state working day, whichever is later, of such occasions when such changes result in an increase of emissions. The licensee shall report all excess emissions in the units of the applicable emission limitations. [06-096 CMR 115]
- (15) Upon the written request of the Department, the licensee shall establish and maintain such records, make such reports, install, use, and maintain such monitoring equipment, sample such emissions (in accordance with such methods, at such locations, at such intervals, and in such a manner as the Department shall prescribe), and provide other information as the Department may reasonably require to determine the licensee's compliance data. [06-096 CMR 115]

**SPECIFIC CONDITIONS**

**(16) Crematory Incinerator**

- A. The crematory incinerator shall be used for the disposal of Type 4 waste and shall not be used for the disposal of plastics, cytotoxic (antineoplastic) drugs or any radioactive wastes and shall not be used to dispose of any medical waste classified as Type 7 waste, as defined in 06-096 CMR 100. [06-096 CMR 115, BPT/BACT]
- B. The crematory incinerator shall not exceed the unit's maximum design combustion rates. Auxiliary fuel inputs to the primary and secondary chambers shall be propane. Compliance shall be demonstrated through fuel receipts. [06-096 CMR 115, BPT/BACT]
- C. The crematory incinerator shall not exceed a particulate matter emission limit of 0.12 gr/dscf 12% CO<sub>2</sub>. Licensed allowed emissions for the incinerator shall not exceed the following:

**Incinerator Emission Limits**

	lb/hr
PM	0.72
PM <sub>10</sub>	0.72
SO <sub>2</sub>	0.16
NO <sub>x</sub>	0.27
CO	0.22
VOC	0.02

Compliance shall be demonstrated through stack testing by request of the Department, in accordance with the appropriate method found in 40 CFR Part 60, Appendix A. [06-096 CMR 115, BPT/BACT]

- D. Visible emissions from the stack of the crematory incinerator shall not exceed 10% on a six (6) minute block average basis. [06-096 CMR 115, BPT/BACT]

- E. Operating temperatures in the secondary chamber shall be maintained at or above 1600°F, with a stack gas retention time, at or above 1600°F, of at least one (1.0) second. [06-096 CMR 115, BPT/BACT]
- F. To insure an efficient burn, and to prevent odors and visible emissions, the secondary chamber will be preheated, as specified by the manufacturer, until the pyrometer temperature measures at least 1600°F. [06-096 CMR 115, BPT/BACT]
- G. Once the burn cycle has commenced by introduction of primary chamber combustion, the crematory incinerator shall be operated in an efficient manner, and as specified by the manufacturer, for the period of time between preheat and reaching the set operational temperature to be a minimum of 1600°F in the secondary chamber. The temperature in the secondary chamber shall be maintained at a minimum of 1600°F for the duration of the burn cycle. [06-096 CMR 115, BPT/BACT]
- H. A pyrometer and a ¼ inch test port shall be installed and maintained at that location of the crematory incinerator or refractory lined stack which provides sufficient volume to insure a flue gas retention time of not less than one (1.0) second at a minimum of 1600°F. [06-096 CMR 115, BPT/BACT]
- I. A log will be maintained recording the weight of the charge, preheat time, charging time and the temperature of the secondary chamber every sixty (60) minutes after start-up until and including final shutdown time. For facilities operating a chart recorder, the start time, date and weight charged shall be logged on the chart. [06-096 CMR 115, BPT/BACT]

Oak Grove Crematory  
Kennebec County  
Gardiner, Maine  
A-1022-71-A-N

10

Departmental  
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- J. The incinerator operator(s) shall receive adequate training to operate the crematory incinerator in accordance with the manufacturer's specifications and shall be familiar with the terms of the Air Emission License. [06-096 CMR 115, BPT/BACT]

DONE AND DATED IN AUGUSTA, MAINE THIS 5<sup>th</sup> DAY OF October, 2009.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

BY: *David P. Littell*  
for DAVID P. LITTELL, COMMISSIONER

The term of this license shall be five (5) years from the signature date above.

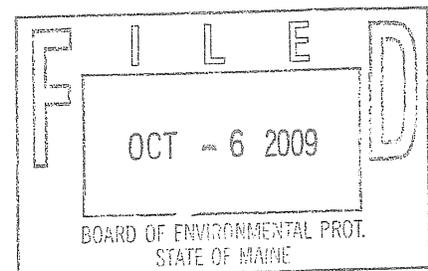
PLEASE NOTE ATTACHED SHEET FOR GUIDANCE ON APPEAL PROCEDURES

Date of initial receipt of application: 9/14/2009

Date of application acceptance: 9/14/2009

Date filed with the Board of Environmental Protection: \_\_\_\_\_

This Order prepared by N. Lynn Cornfield, Bureau of Air Quality.



029/ 042/ / /	031/ 146/ / /	031/ 083/ / /
BALLOU MARCUS J & ALYSSA M	NOYES MATTHEW A	BEANE JOHN
5 BRUNSWICK TERR	NOYES CARLA LYNNE	22 FREMONT ST
GARDINER, ME 04345	32 DANFORTH ST	GARDINER, ME 04345-2510
	GARDINER, ME 04345	
031/ 156/ / /	031/ 147/ / /	031/ 084/ / /
FOSSETT SCOTT D	CLOKEDILE ROBERT	MCNALLY DONNA
FOSSETT LAURA	RICHARDSON JENNIFER	MCNALLY PATRICK
105 DRESDEN AV	34 DANFORTH ST	28 FREMONT ST
GARDINER, ME 04345	GARDINER, ME 04345	GARDINER, ME 04345
031/ 160/ / /	031/ 148/ / /	031/ 085/ / /
WHITE JONATHAN E	COOLEY REGINALD S	ALLEN BARRY B
WHITE BETHANY WHALEN	COOLEY ELIZABETH	ALLEN AURELIE
96 LINCOLN AV	38 DANFORTH ST	32 FREMONT ST
GARDINER, ME 04345	GARDINER, ME 04345	GARDINER, ME 04345
031/ 160/ A/ /	031/ 149/ / /	031/ 086/ / /
SMITH MICHAEL R	HANLEY STEPHEN & SHELIA	VALERA SAMUEL J
SMITH JODY L	67 LINCOLN AV	34 FREMONT ST
100 LINCOLN AV	GARDINER, ME 04345	GARDINER, ME 04345-2509
GARDINER, ME 04345		
031/ 143/ / /	031/ 150/ A/ /	031/ 087/ / /
MONTELL JAMES	ST JOSEPHS CEMETERY	TILLSON KEVIN E
127 DRESDEN AV	% ST MICHAELS PARISH	36 PLUMMER ST
GARDINER, ME 04345	41 WESTERN AV	GARDINER, ME 04345
	AUGUSTA, ME 04330	
031/ 144/ / /	031/ 151/ / /	024/ 004/ / /
WOODARD STEVEN M	LAPLANTE BEVERLY F	GARDINER CITY OF
WOODWARD STEPHANIE L	33 DANFORTH ST	6 CHURCH ST
97 LINCOLN AV	GARDINER, ME 04345-2524	GARDINER, ME 04345-2192
GARDINER, ME 04345-2526		
031/ 145/ / /	031/ 152/ / /	029/ 010/ / /
FOLCKEMER JAY E & ANITA	HANLEY STEPHEN P	MICHAUD MISTY L
19 FILLMORE PL	HANLEY SHEILA	WARE SCOTT L
GARDINER, ME 04345	67 LINCOLN AV	286 BRUNSWICK AV
	GARDINER, ME 04345	GARDINER, ME 04345

031/ 125/ / /	031/ 078/ / /	029/ 050/ / /
SKEHAN THOMAS F	DUDLEY ROBERT J JR	TARRIO TIMOTHY D & JENNIFER
SKEHAN TIMOTHY C	WHITNEY-DUDLEY JENNIFER	6 BRUNSWICK TERR
78 GREEN ST	90 UPPER OAK POINT RD	GARDINER, ME 04345
AUGUSTA, ME 04330	WINTERPORT, ME 04496	
031/ 143/ 001/ /	031/ 079/ / /	029/ 049/ / /
KEARNS WILLIAM JR	COLVIN MATTHEW	HANSCOM EDWARD W
PO BOX 276	COLVIN MARLENE W	HANGSOM VALARIE
NEW VERNON, NJ 07976	113 JEWETT RD	8 BRUNSWICK TERR
	PITTSTON, ME 04345	GARDINER, ME 04345
031/ 088/ / /	031/ 108/ / /	029/ 048/ / /
FISHER LAURIE L	SMITH YUMIKO	FINAMORE ALEXANDER
332 ELMHURST DR	28 HESELTON ST	SCHUCHMANN KERRI
CHESTER SPRINGS, PA 19425	GARDINER, ME 04345-2512	10 BRUNSWICK TERRACE
		GARDINER, ME 04345
031/ 089/ / /	031/ 109/ / /	029/ 047/ / /
HATHAWAY SCOTT I	OSTERTAG DAVID H	BENCE DANIEL
HATHAWAY TERESA I	42 HESELTON ST	BENCE PATRICIA
37 PLUMMER ST	GARDINER, ME 04345-2911	12 BRUNSWICK TERR
GARDINER, ME 04345		GARDINER, ME 04345
031/ 091/ / /	031/ 110/ / /	029/ 046/ / /
LEATHERS VALERIE J	COLE CHARLES	ATWATER FRANCENA L
31 PLUMMER ST	COLE BARBARA	14 BRUNSWICK TERR
GARDINER, ME 04345-2921	43 HESELTON ST	GARDINER, ME 04345
	GARDINER, ME 04345-2511	
031/ 092/ / /	031/ 112/ / /	029/ 045/ / /
PAGE KAREN M	INGHAM-BOURGUE PAULA A	PLOURDE JAMES J
29 PLUMMER ST	INGHAM-BOURQUE JAMES	WHITTEN REBECCA A
GARDINER, ME 04345	27 HESELTON ST	9 BRUNSWICK TERR
	GARDINER, ME 04345	GARDINER, ME 04345
031/ 077/ / /	029/ 009/ / /	029/ 043/ / /
RAYNES LIVING TRUST	FAITH CHRISTIAN CHURCH	DIXON PETER A
BRIAN N & SUSIE RAYNES	280 BRUNSWICK AV	7 BRUNSWICK TERR
26 PLUMMER ST	GARDINER, ME 04345	GARDINER, ME 04345
GARDINER, ME 04345-2529		

029/ 017/ / /  
GOUDREAU JOHN  
KINNELLY JENNIFER L  
6 GARY ST  
GARDINER, ME 04345

023/ 015/ 001/ /  
WHALEN MICHAEL PERSONAL REP  
24 DENNIS ST  
GARDINER, ME 04345

023/ 015/ / /  
KEARNS WILLIAM JR  
PO BOX 276  
NEW VERNON, NJ 07976

029/ 022/ A/ /  
MURPHY JAMES H  
MURPHY T ANNE  
40 PIERCE ST  
GARDINER, ME 04345-2821

029/ 009/ B/ /  
WOODLANDS ASSISTED LIVING LLC  
141 WEST RIVER RD  
WATERVILLE, ME 04901

029/ 054/ / /  
GERARD LYNN M  
GERARD HAROLD E JR  
11 GARY ST  
GARDINER, ME 04345

029/ 018/ / /  
ROGERS STEPHEN W  
9 GARY ST  
GARDINER, ME 04345

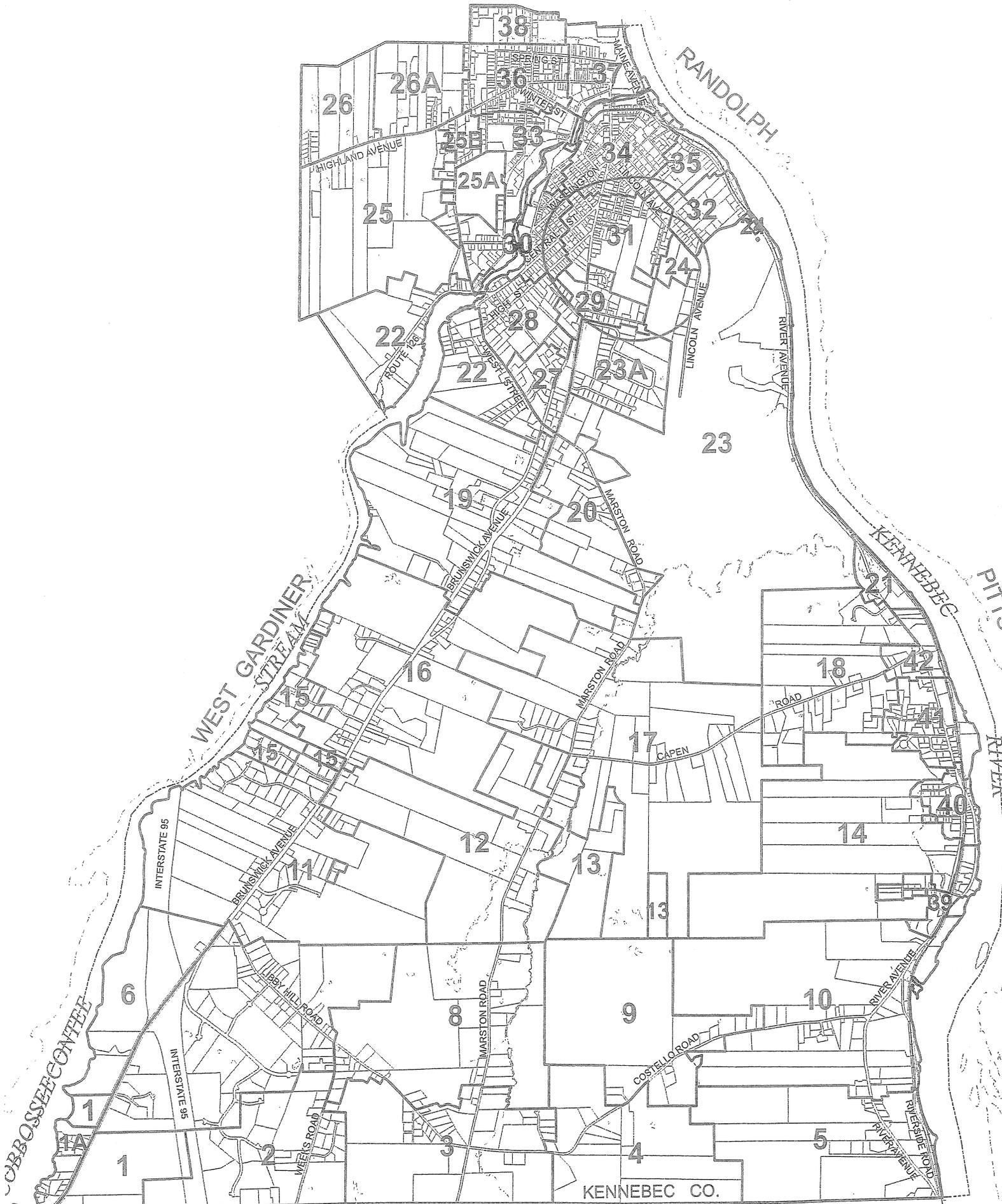
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SKEHAN JUDITH A  
56 PIERCE ST  
GARDINER, ME 04345-2821

029/ 026/ / /  
VINING DONALD A  
VINING JOAN F  
62 PIERCE ST  
GARDINER, ME 04345-2821

029/ 009/ A/ /  
GLYNN JOEL  
64 PIERCE ST  
GARDINER, ME 04345

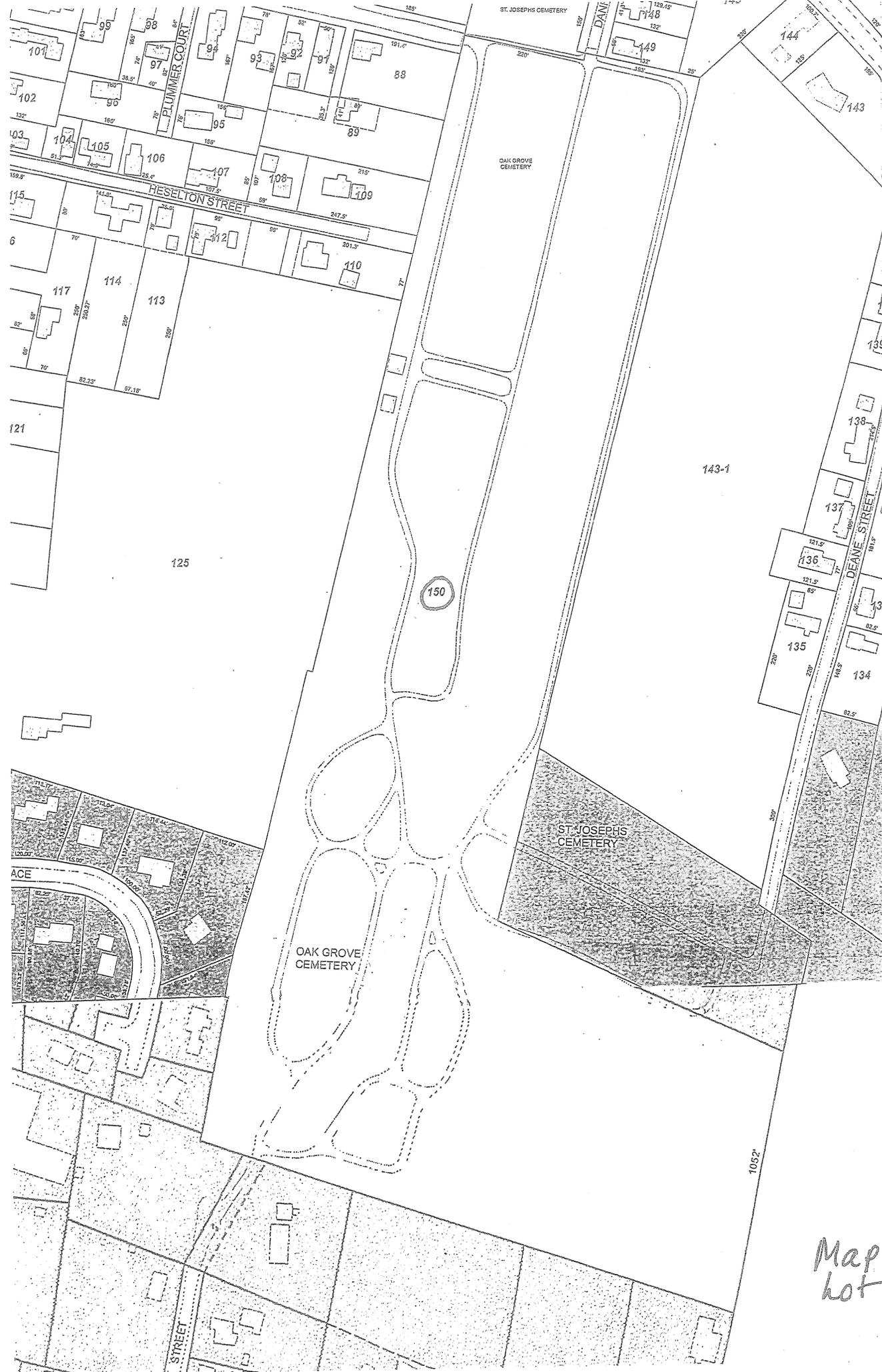
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ST JOSEPHS CEMETERY  
% ST MICHAELS PARISH  
41 WESTERN AV  
AUGUSTA, ME 04330

FARMINGDALE

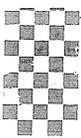


RICHMOND

KENNEBEC CO.  
SAGADAHOC CO.



Map 31  
lot 150



80 Exchange Street  
P.O. Box 1210  
Bangor, Maine 04402-1210



Telephone 207-947-0111  
Fax 207-942-3040  
www.eatonpeabody.com

# Facsimile Transmittal Cover Sheet

DATE: August 14, 2009

TRANSMIT TO: Rusty

OF:

FAX NUMBER: 582-9035

FROM: John Candors

OPERATOR: JANET

DOCUMENTS	NUMBER OF PAGES
Deed recorded at Bk 145, Pg 446 Kennebec County Registry of Deeds	2
Total number of pages including this cover sheet	3

ORIGINAL DOCUMENT WILL:  be held on file  follow by mail  follow by overnight mail

COMMENTS:

NOTE: The information contained in this FAX message is intended only for the personal and confidential use of the designated recipient named above. This message constitutes an attorney-client communication and as such, is privileged and confidential. If the reader of this message is not the intended recipient or an agent responsible for delivering it to the intended recipient, you are hereby notified that you have received this document in error, and that any review, dissemination, distribution or copying of this message is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone and return the original message to us by return mail. Thank you.

145/446

145/446

by estimation fifty acres be the same more or less and for a more particular description of the premises aforesaid reference is had to a deed given by Abram Nymon to John Nymon bearing date January 2nd 1853 and recorded for Crawford County Records Book 1st Page 595

to have and to hold the above granted and bargained premises with all the privileges and appurtenances thereto to the said Abijah Powell to his heirs and assigns forever to them and their heirs and assigns forever And he covenant with the said Abijah Powell his heirs and assigns, that when lawfully seized in fee of the premises that they are free of all incumbrances that Abijah Powell hath right to sell and convey the same to the said Abijah Powell and that I will warrant and defend the same to the said Abijah Powell to him and his heirs and assigns forever against the lawful claims and demands of all persons in witness whereof I the said Abijah Powell with Sophia wife of said Abijah who hereby relinquishes all her right to be done in the premises aforesaid have hereunto set our hands and seals this third day of April in the year of our Lord one thousand eight hundred and forty five.

Signed sealed and delivered  
in presence of Abijah Powell (Seal)  
Alaron F. Barton Sophia Powell (Seal)  
State of Maine.

Witness of April 3rd 1845, when the above named Abijah Powell acknowledged the above instrument, by him subscribed

Alaron F. Barton Justice of the Peace  
Witness of Neal, Aug. 7th 8. A. M. 1845, entered & compared with the original by  
Hudson County Register

It is now all Men by these presents that we Bernard Edmund and Samuel Edmund both of Gardiner in the County of Kennebec in consideration of five hundred and fifty dollars & forty four cents paid by the Gardiner Cemetery Association the receipt whereof we do hereby acknowledge, do hereby give, grant, sell and convey unto the said Association, their associates & successors a certain tract of land in said Gardiner & described as follows viz. commencing at a stake and stone standing 15/2 rods North Eastly from the South Westly corner of lot 17-36-P, thence running



Northern Avenue

HDR

CB

PR

ECR

West Hill Road

HDR

Kennebec River

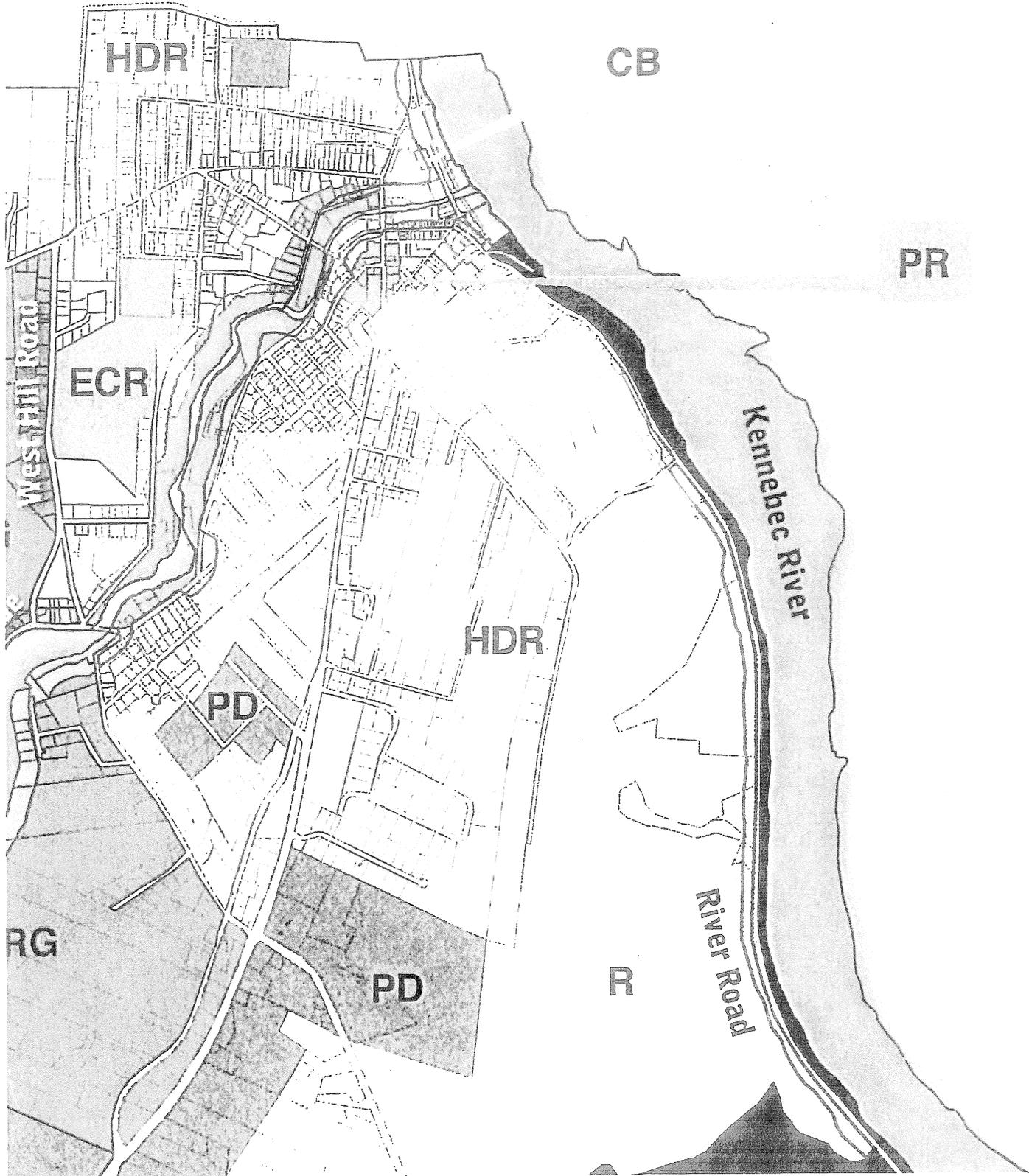
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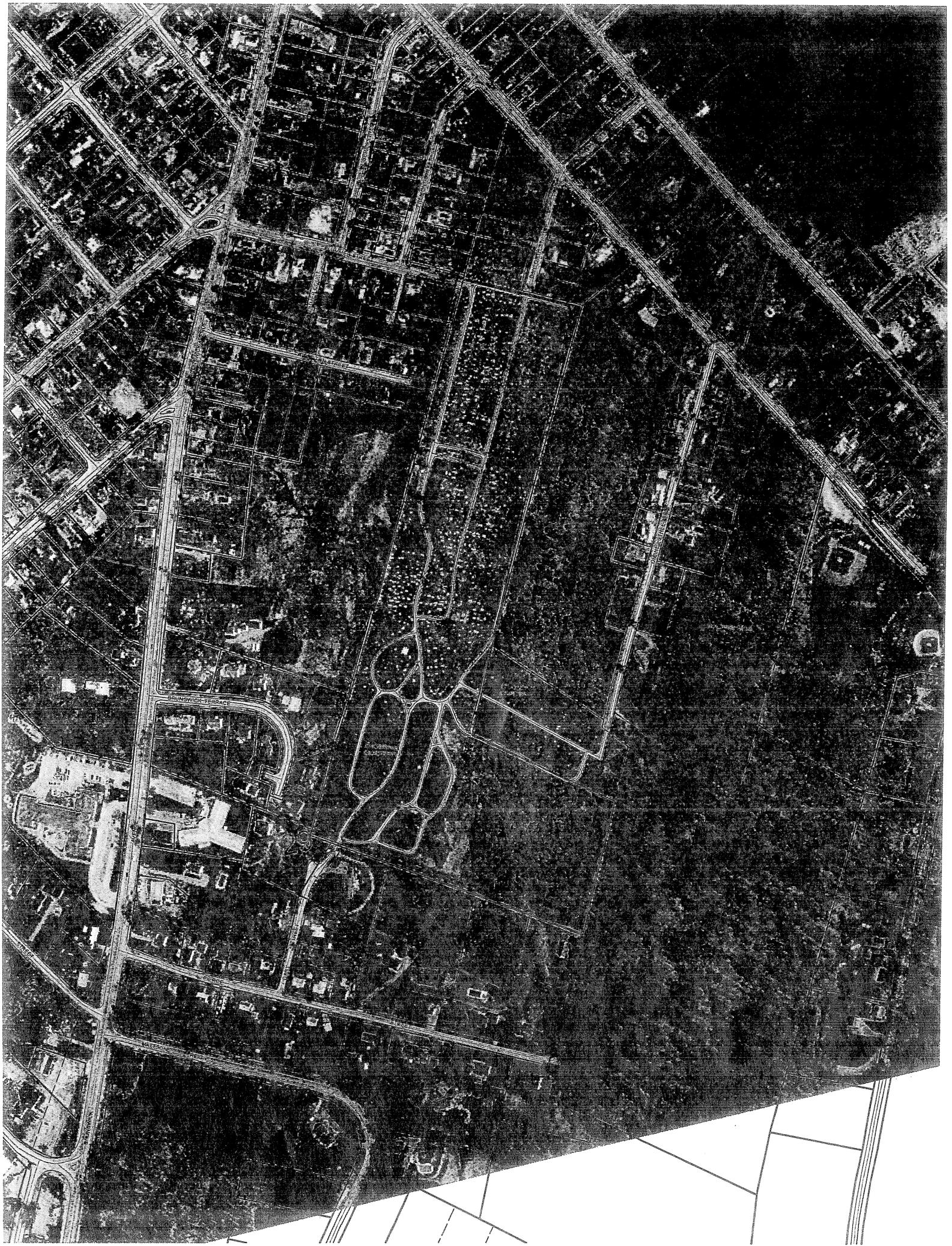
River Road

RG

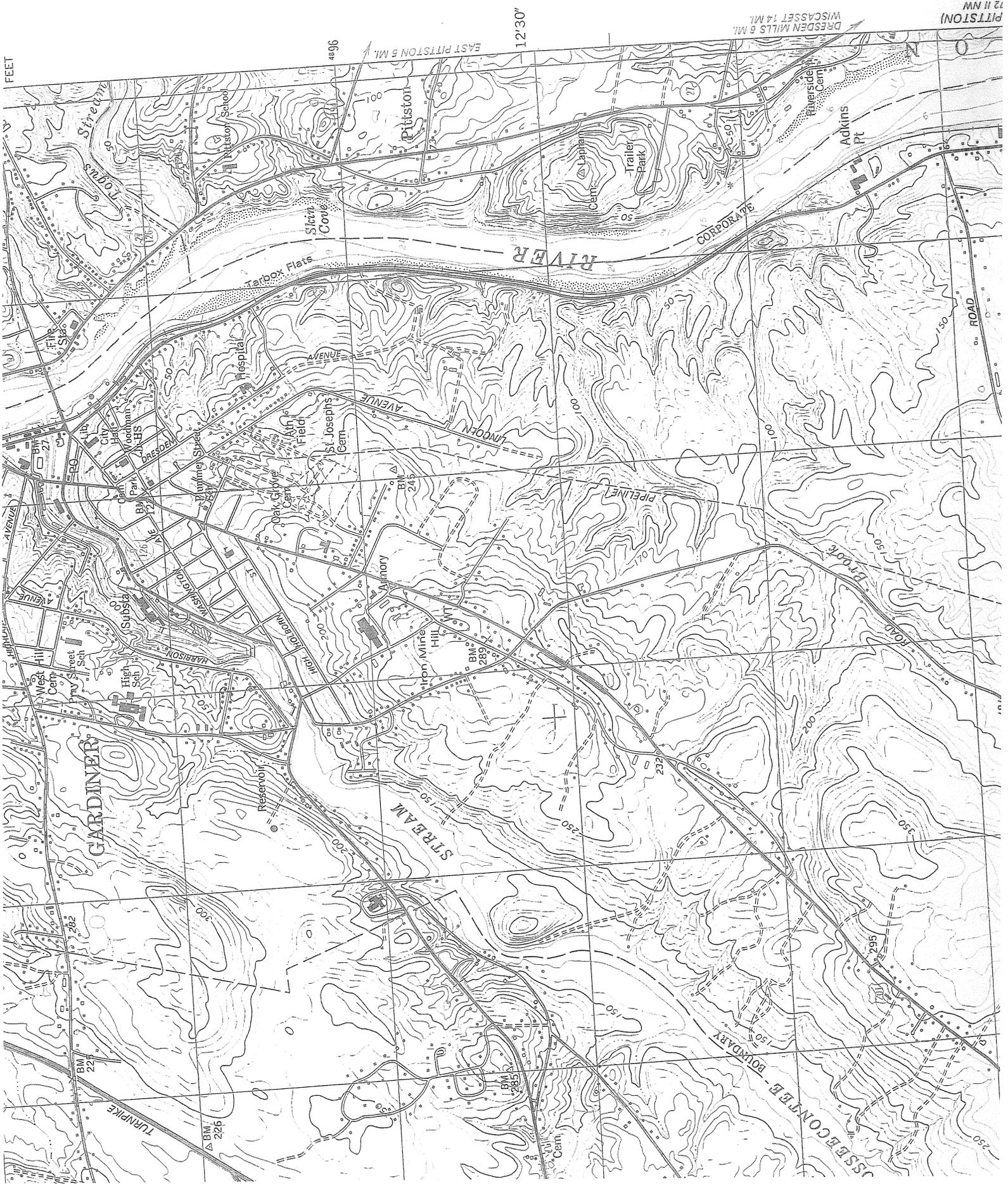
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R





10574



FEET

12°30'

96°

PITTSION) 12 H NW  
DRESDEN MILLS 6 MI.  
WISCASSET 14 MI.

GARDINER

STREAM

RIVER

CORPORATE

USSECONOMER BOUNDARY

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295

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232

250

280

200

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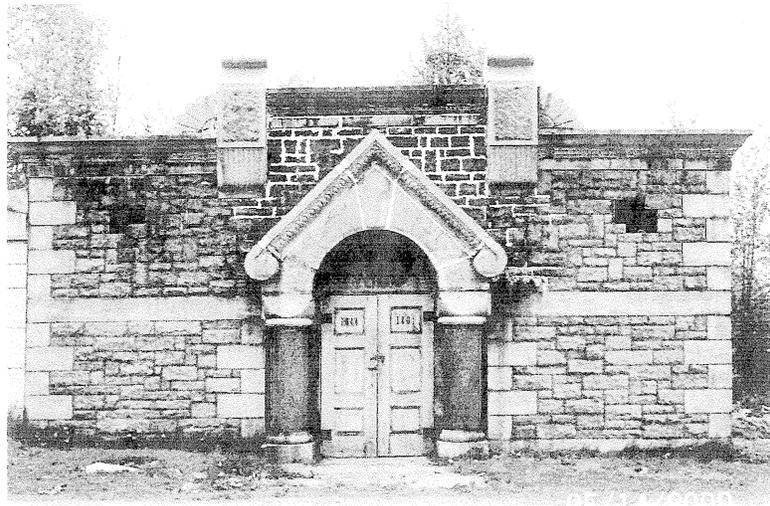
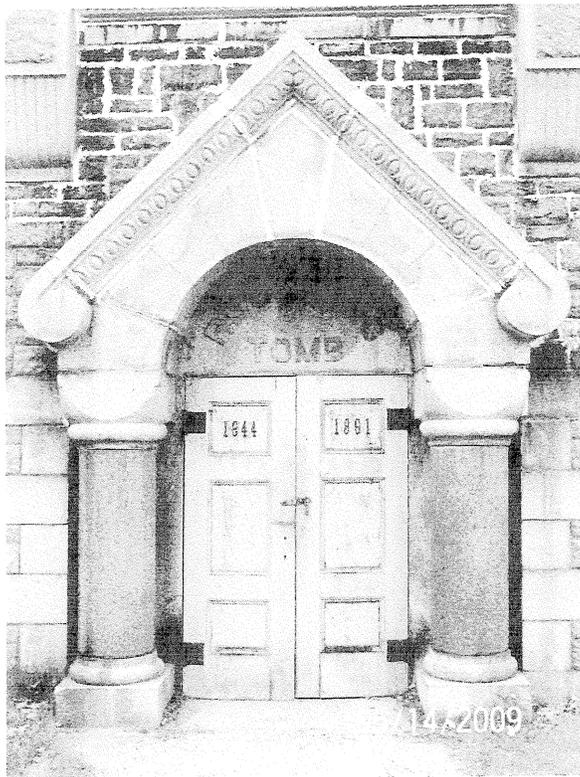
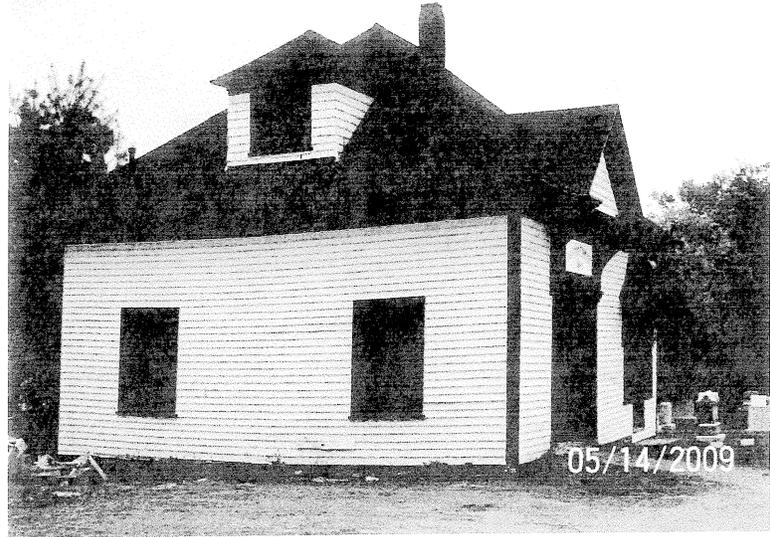
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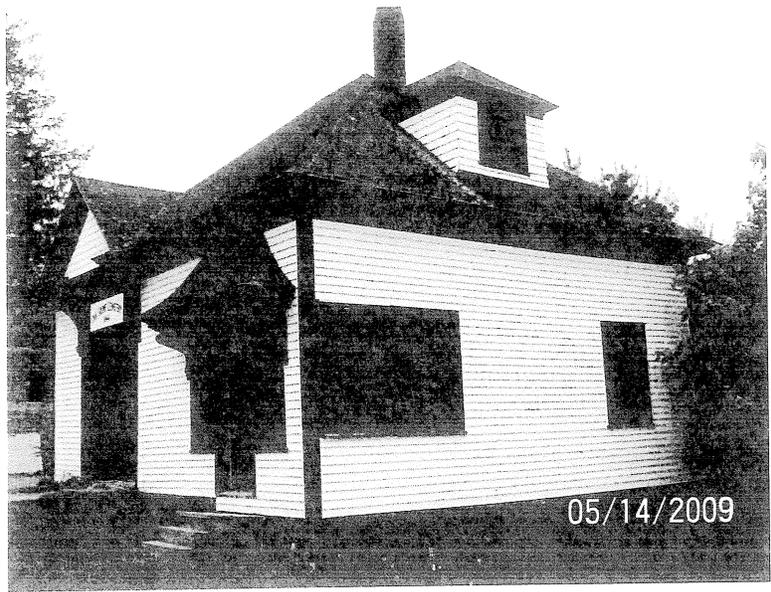
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OAK GROVE CEMETERY  
1844

05/14/2009







# Gardiner

MAINE *Where history and progress meet*

City of Gardiner  
6 Church Street  
Gardiner, Maine 04345  
207-582-4200  
Fax 207-582-6895

Sept. 21, 2009

Mr. Rusty Greenleaf  
180nW. Hill Road  
Gardiner Me 04345

RE: Oak Grove Cemetery Association Crematory - Wastewater Approval

Dear Mr. Greenleaf:

This letter is to follow up on our discussion and review for the requirements of the Planning Board under the following conditions:

The City of Gardiner authorizes Oak Grove Cemetery Association to discharge up to 240 gallons of sanitary strength wastewater per day to service the bathroom to be pumped to the Gardiner Wastewater System with the following conditions.

Meet all City Code and Planning Board requirements.

There are no proposed all vehicle wash bays/storage bays..

There will be no cooling water discharge from the refrigeration or air conditioning units to either the sanitary sewer or the storm water system.

All proposed discharges from the Buildings will be sanitary in nature 250mg/l or less for both BOD and TSS. There will be no industrial strength wastewater or process waters discharged at this location.

Rain, storm or ground water will not be discharged to the sanitary sewer. Rain, storm and ground water will be managed as required by Maine Dept. of Environmental Protection and the City of Gardiner Ordinances and requirements.

Please contact Dave Cichowski at the Gardiner City Hall with regards to:

Sewer Connection Permit.  
Other issues related to storm water

Any other information.

If you have any questions please call at 207-582-1351.

A handwritten signature in cursive script that reads "Chal m Applebee".

Charles M. Applebee  
City of Gardiner, Waste Water Treatment Plant Superintendent

E-Cc: Dave Cichowski Gardiner CEO



# GARDINER WATER DISTRICT

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P.O. Box 536 • Gardiner, Maine 04345 • (207) 582-5500 • Fax (207) 582-3093

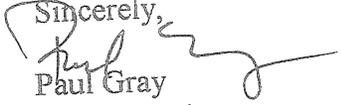
August 10, 2009

Rusty Greenleaf  
17 Cobbossee Ave  
Gardiner Me. 04345

Dear Rusty,

The Gardiner Water District has the hydraulic capacity to serve the proposed crematorium to be located at the Oak Grove Cemetery. This site is currently served by a "summer service" as the buildings on these grounds are unheated. Please call me if I can be of further assistance.

Sincerely,

  
Paul Gray  
Superintendent



## GARDINER FIRE & RESCUE DEPARTMENT

Chief Rick Cody

September 10, 2009

Mr. Rusty Greenleaf  
C/O Williams Oil  
180 West Hill Road  
Gardiner, Maine 04345

Dear Mr. Greenleaf:

After our discussion at the cemetery, I believe the intended use of the Permax Spray System RT 2045 Series Polyurethane foam is to insulate the walls of the Crematorium. This product alone on the walls is not acceptable due to the high flammability rating it carries. If you follow the manufactures recommendations and cover the foam with a ½" gypsum board and have "no" polyurethane exposed that will be an acceptable finish.

### RECOMMENDATIONS:

1. Follow manufacturer recommendations on installation of crematorium furnace, especially as it pertains to distances from walls and ventilation.
2. Follow manufacturer recommendations on covering "all" polyurethane foam of the Permax Spray System with ½" gypsum board. All seams of the gypsum board must also be sealed. Any over spray of polyurethane must be removed or covered.
3. Install at least a 5lb dry chemical multi-rated fire extinguisher near the entrance door.

As this project proceeds, I would ask to be informed of any deviation(s) from this proposed plan. Once again, thank you. If you have any further questions or concerns, please let me know.

Sincerely,

Chief Rick J. Cody  
Gardiner Fire & Rescue  
City of Gardiner



## GARDINER POLICE DEPARTMENT



Chief James M. Toman

September 16, 2009

Mr. Rusty Greenleaf  
C/O Williams Oil  
180 West Hill Road  
Gardiner, Maine 04345

Dear Mr. Greenleaf,

After speaking with you and after driving through the Oak Grove cemetery as well as the streets leading into Oak Grove cemetery, the Gardiner Police Department has no issues as they pertain to a crematorium located within the Oak Grove cemetery.

If you have any further questions or concerns, please let me know.

Sincerely,

Chief James M. Toman

Chief James M. Toman  
Gardiner Police Department  
City of Gardiner

JT:dd

# Border Trust

*"where banking and service meet"*

www.bordertrust.com

Member FDIC

September 25, 2009

Mr. Russell R. Greenleaf, President  
c/o Oak Grove Crematory  
128 Cobbossee Avenue  
Gardiner, ME 04345

Dear Mr. Greenleaf,

This letter will serve as official notification that Oak Grove Crematory has secured the necessary financing from Border Trust to complete the crematory project at Oak Grove Cemetery in Gardiner. We expect this loan to close in early to mid-October but the commitment to lend to the above-mentioned entity has been approved.

Please contact me if you have any questions or comments.

Sincerely,



Earle F. Harvey  
Border Trust  
President & CEO

cc: Victor Tessari  
Gardiner Planning Board



No.	A-L-0014
Effective Date	2/3/06
Revision No.	00
Last Revision Date	N/A
Page 1 of 1	

1. For Renewals, New Minor Sources, Minor Modifications and Transfers: To be advertised once by the applicant in a newspaper of general circulation in the area of the project location, within 30 days prior to the filing of the application.
2. For New Major Source Licenses and Major Modifications: To be advertised for three consecutive weeks in the public notice section of a Sunday or weekend newspaper of general circulation in the region in which the source is located.
3. For major modifications, new major sources, new Part 70 sources, or transfers this notice must also be mailed by certified mail to all abutting landowners, within 30 days prior to the filing of the application.
4. One copy of each of the "published" notices are to be submitted with the application.

## PUBLIC NOTICE OF INTENT TO FILE

Please take notice that Oak Grove Crematory, 45 Danforth Street Gardiner  
ME. 04345 242-6481  
*(name, address, and phone number of applicant)*

intends to file an Air Emission License application with the Maine Department of Environmental Protection (DEP) pursuant to the provisions of 38 M.R.S.A., Section 590 on 09-30-09. The application is for A retort for cremation  
*(submittal date)*  
of human remains  
*(summary of project)*

at Oak Grove Cemetery Gardiner According to Department regulations, interested  
*(project location)*  
parties must be publicly notified, written comments invited, and if justified, an opportunity for public hearing given. A request for a public hearing or for the Board of Environmental Protection to assume jurisdiction must be received by the Department, in writing, no later than 20 days after the application is accepted by the Department as complete for processing.

The application and supporting documentation will be available for review at the Bureau of Air Quality (BAQ) DEP offices in Augusta, (207) 287-2437, during normal working hours. A copy of the application and supporting documentation will also be available at the municipal office in Gardiner, Maine.  
*(town)*

Written public comments may be sent to Lynn Cornfield at the Bureau of  
*(project manager)*  
Air Quality, State House Station #17, Augusta, Maine 04333.





# DEPARTMENT OF ENVIRONMENTAL PROTECTION

## LICENSING FEE SCHEDULE

Effective: November 1, 2008 to October 31, 2009

### AIR QUALITY

AIS Code	Description	Processing Fee	Licensing Fee
70	part 70 air license (c. 140)	(see I & II below)	(see I & II below)
71	major & minor source license (c.115)	(see I & II below)	(see I & II below)
72	general permit	(see I & II below)	(see I & II below)
75	property, sales & use tax exemption certification	\$352	\$29
76	Variance	(see I & II below)	(see I & II below)

I. All licensed air emission sources pay an annual license fee assessed based on the sum of all licensed allowable air pollutants, except for carbon monoxide. The annual fee is:

Annual licensed emissions, in tons	Fee per ton
from 1 to 1,000.....	\$ 7.68
from 1,001 to 4,000.....	\$15.38
additional emissions over 4,001 .....	\$23.04

II. In addition, an air quality surcharge of \$2.00 for every 1,000 air quality units is added to the annual license fee. Air quality units are determined by multiplying the toxicity score of a hazardous air pollutant by the estimated emission on that pollutant.

- The minimum annual license fee is \$352 and the maximum annual license fee is \$212,198. The minimum air quality surcharge is \$141 and the maximum is \$70,755.
- The annual license fee and surcharge (“annual fees”) are paid on the anniversary date of the license. Once that date is established, it remains the scheduled date for payment of the annual fees.
- New applications must include estimated annual fees before that application is accepted for processing.
- There are no additional fees for minor revisions, amendments, transfers or renewals.
- Failure to pay annual fees within 30 days of the license anniversary date is grounds for revocation of the license.

### REMEDIATION & WASTE MANAGEMENT - OIL

AIS Code	Description	Processing Fee	Licensing Fee **
90	vessels at anchorage	-	*
91	oil terminal - fixed facility	-	-
92	oil terminal - mobile vessel	-	-
93	underground tank removal waiver	-	-
94	underground petroleum storage tank siting variance	-	-
97	waste oil storage facility	\$2,500	\$500

\* Fee is ½¢ per deadweight ton each 30 days or part thereof at anchorage

\*\* All Licensing Fees are annual unless noted otherwise