



Rosemary Bezanson <adminasst@hampdenmaine.gov>

Fwd: FW: Perc agreements

1 message

Angus Jennings <townmanager@hampdenmaine.gov>
To: Rosemary Bezanson <adminasst@hampdenmaine.gov>

Tue, May 24, 2016 at 3:43 PM

The three documents attached should be added to the Planning Board record. These were recently provided by the town attorney, who received them from Orrington. I already provided them to the applicant and to W&C. Thanks.

—

Angus Jennings
Town Manager

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3 attachments

 **PERC odor policy.doc**
33K

 **DOC052016.pdf**
56K

 **ODOR COMPLAINT FORM.doc**
49K

Odor Complaint Response & Management Procedure

The Penobscot Energy Recovery Facility (PERC) and the Town of Orrington (Town) wish to cooperate in the administration of an established Odor Complaint Response & Management Procedure (this "Procedure") The purpose of this Procedure is to determine the relationship between odor complaints and the PERC facility; and to compile information for further understanding of conditions related to any identified problems, all in efforts toward their possible mitigation.

Context

Odor is a sensation that is a conscious reaction to a stimulus of our olfactory sense organs by odorous compounds in the air. Two properties of the odor sensation pertinent to the determination of an odor occurrence are odor character and odor intensity.

Odor Character - the terms we use to describe the odor, generally as like something in our common experience, e.g., like "sewage" or "rotten eggs" or "garbage" or "nail polish" or "coffee" or "grass".

Odor intensity - the strength of the perceived odor such as "faint", "strong" or "overpowering" .

For this "Procedure" to be initiated, an odor complaint called to the PERC or the Town of Orrington must have the "garbage" odor character.

Information & Investigation

PERC

Incoming calls to PERC should be directed to 207-825-4566 extensions 24 & 25. This number is answered 24 hours per day, 7 days per week by the PERC Control Room Operator.

Town of Orrington

Incoming calls to the Town shall be received at the Town Office 207-825-3340. This number is answered between the hours of 8:00 AM and 4:30 PM, Monday - Friday.

Incoming calls to the Town after normal business hours shall be received at 207-945-4636. This number is answered by the Penobscot County Regional Communications Center (Dispatch), between the hours of 4:30 PM and 8:00 AM, Monday -Friday, and on holidays and weekends. Calls to dispatch will be forwarded to the Orrington Constable on duty or other agent designated by the Town.

If the Town of Orrington receives a complaint, that person receiving the complaint shall:

- 1.) Record the name, address, time of day and the phone number of caller in Section A of the attached form.
- 2.) Call PERC and forward the information collected (from Section A).

Complaint Procedure

PERC

All calls and/or complaints received will be investigated by either the PERC Shift Supervisors or PERC Technical Manager ("PERC Agent").

The PERC Agent on duty will telephone the person initiating the complaint and gather further information. The PERC agent will complete Sections A, B and C of the Odor Complaint Form . If the nature of the odor is not described as a "garbage" odor character in Section C, the complaint investigation is concluded.

Town of Orrington

When the Town Office receives a complaint, the person receiving the complaint shall record the name, address and telephone number of the complainant in Section A of the Odor Complaint Form, and immediately notify the designated Town agent.

When a complaint is received by Dispatch, the dispatcher shall take the caller's name, address and telephone number and forward the information to the Town Constable on duty or other designated Town agent. The Constable or other agent shall immediately contact the complainant and initiate the Odor Complaint Form, Section A.

After recording the above information, the Town agent will relay the Complaint information contact the PERC Agent at 207-825-4566, Ext. 24 or 25.

In all cases the Town shall maintain a complete list of complaints and their dispositions. The list shall include as a minimum, the names, addresses and telephone numbers of complainants; time of day; nature of complaint; and names of the PERC and Town agents responding. The Town shall also maintain a file of all Odor Complaint Forms.

Response to a Complaint

The Town Agent shall arrange a meeting with the PERC Agent at a neutral site and at a set time not to exceed ½ hour from the time PERC was notified. The two Agents shall travel together to the site of the complaint to conduct an evaluation.

The Town Agent will give the complainant an indication of how long it will be before the response team arrives at their home.

Whether or not the PERC Agent meets directly with the individual initiating the complaint and if the Town of Orrington Agent cannot be reached, the PERC Agent, upon receiving the call will immediately gather and record the information in Section D of the Odor Complaint Form. If the Town of Orrington Agent does not arrive at the neutral site within ½ hour of the set meeting time, PERC's agent shall travel to the site to conduct an odor evaluation.

Whether or not the Town Agent meets directly with the individual initiating the complaint and if the PERC Agent cannot be reached, the Town Agent, upon receiving the call will immediately gather and record the information in Section D of the Odor Complaint Form. If the PERC Agent does not arrive at the neutral site within ½ hour of the set meeting time, Town Agent shall travel to the site to conduct an odor evaluation.

In the case where the Town Agent and the PERC Agent go to the Complaint site, each responding Agent will conduct an independent evaluation and each will fill out Section D of the Odor Complaint Form as appropriate.

PERC shall, on the following business day, fax a copy of the Odor Complaint Form initiated by PERC to the Town at (207-825-4138). When requested, the Town shall provide PERC with a copy of the Odor Complaint Form initiated by the Town.

Designated Town Agents

The following personnel are designated by the Board of Selectmen as Town Agents for the purpose of administration of this procedure.

During normal business hours by order of priority:

1. Paul E. White, Town Manager
2. Jon Carson, Constable
3. Brian Stoyell, Foreman, Public Works

During nights and weekends:

1. Any Town Constable on duty.
2. Paul E. White, Town Manager

Adopted by Orrington Board of Selectmen, October 14, 2013

Kevin Allcroft, Chair

James Goody

Howard F. Grover

Christine H. Lavoie

Terrance Bladen

Peter Prata, Penobscot Energy Recovery Company

Attest:

Anita Demmons, Town Clerk

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DEXTER

SECOND AMENDMENT TO AGREEMENT

The TOWN OF ORRINGTON, Maine, a municipal corporation organized and existing under Maine law and located in Penobscot County, Maine (the "Town"), and PENOBSCOT ENERGY RECOVERY COMPANY, LP, a limited partnership formed and organized to own, operate and manage a facility located in Orrington, Maine ("PERC"), being the parties to a certain Agreement dated March 24, 1986, and once amended on April 14, 1986, between them, now agree, subject to the conditions precedent set forth below being met, to amend said Agreement as follows:

1. Section I. entitled "SCHOOL BUS AGREEMENT" is repealed in its entirety and replaced as follows:

Within 30 days of the Effective date of the Second Amendment to this Agreement, PERC will pay the Town \$5,000 in consideration of its expense associated with the purchase of a police cruiser and its accessories. Within 30 days of the Effective Date of the Second Amendment to this Agreement, PERC will also pay the Town \$14,000 in consideration of its expense of providing police patrol services along Route 15 in approximation with time periods that school buses are operating on Route 15 for the purpose of transporting Orrington primary and secondary students to and from school. PERC will make annual payments of \$14,000 beginning in 2002 (or as outlined below). Payments will be remitted within 30 days of the Anniversary Date, which is the same month and day as in the Effective Date of the Second Amendment to the Agreement.

Conditions Precedent to Effecting this Second Amendment

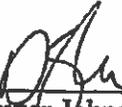
This Second Amendment shall not become effective until the Town and PERC receive written confirmation from the Department of Environmental Protection (the "Department"), that all existing conditions in any Department license or order concerning the off-premise regulation of truck traffic enroute to or leaving the PERC facility are rescinded. The Effective Date of this Second Amendment shall be the first day following the date that the last existing conditions in any Department license or order concerning the off-premise regulation of truck traffic enroute to or leaving the PERC facility is rescinded as acknowledged by the parties below.

2. The parties reaffirm and ratify the Agreement dated March 24, 1986 as amended.

IN WITNESS WHEREOF, the parties caused this Second Amendment to be executed on this First day of May, 2002 subject to the above-stated conditions precedent being fulfilled.

TOWN OF ORRINGTON

By:



Dexter Johnson
Its: Town Manager

PERC, LP

By:

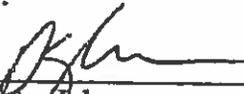


Douglas R. Walker
Its: General Partner

ACKNOWLEDGEMENT OF CONDITIONS PRECEDENT BEING MET

TOWN OF ORRINGTON

By:



Dexter Johnson
Its: Town Manager

PERC. LP

By:



Douglas R. Walker
Its: General Partner

EFFECTIVE DATE of SECOND AMENDMENT: May 15th, 2002.

Section A - Initial Complainant Interview Information (Telephone)		
Complaint received by:		Date
Name	Address	Telephone
Section B - Initial Description of Odor		
Where and when did you first smell the odor?		
Are/were you (Check one) Indoors <input type="checkbox"/> Outdoors <input type="checkbox"/> Other (specify)		
When you first smelled the odor was it (check one) Very Faint <input type="checkbox"/> Faint <input type="checkbox"/> Moderate <input type="checkbox"/> Strong <input type="checkbox"/> Very Strong <input type="checkbox"/>		
Would you say the odor is now (check one) None <input type="checkbox"/> Very Faint <input type="checkbox"/> Faint <input type="checkbox"/> Moderate <input type="checkbox"/> Strong <input type="checkbox"/> Very Strong <input type="checkbox"/>		
Would you say the odor is now (check one) Steady <input type="checkbox"/> Frequent <input type="checkbox"/> Infrequent <input type="checkbox"/>		
How would you describe the odor? (Check all that apply) Rotten eggs <input type="checkbox"/> Garbage <input type="checkbox"/> Dead animal <input type="checkbox"/> Sewage <input type="checkbox"/> Sweet <input type="checkbox"/> Asphalt <input type="checkbox"/> Damp earth <input type="checkbox"/> Gasoline <input type="checkbox"/> Household gas <input type="checkbox"/> Burnt rubber <input type="checkbox"/> Low tide <input type="checkbox"/> Fishy <input type="checkbox"/> Burnt/smokey <input type="checkbox"/> Sludge/fecal <input type="checkbox"/> Urine <input type="checkbox"/> Plastic <input type="checkbox"/> Weed killer <input type="checkbox"/> Airplane glue <input type="checkbox"/> Paint <input type="checkbox"/> RDF <input type="checkbox"/>		
Other (explain) <input type="checkbox"/>		
Can't Describe <input type="checkbox"/>		
Where do you think the odor is coming from?		
Other complainant comments:		
Interviewer's notes:		

Section C - Plant Status at Time of Complaint

Equipment Status

“A” Boiler

“B” Boiler

“A” Process Line

“B” Process Line

“C” Process Line

Doors

Deodorizer System

North

South

Process Fans

Trucks Waiting: No Yes If yes number of trucks waiting _____

Moving: Ash G&G Ferrous Materials

Other Plant observations:

Weather Conditions at Plant

Weather conditions at Plant: Wind Speed _____ Direction _____ Temperature _____

Atmospheric (and sky) conditions (i.e. cloudy, fog, rain, cold, hot):

Section D - Site Odor Investigator's Observations (To be completed by Town agent)	
PERC Agent (sign):	
Town Agent (sign):	
Odor Character:	
Frequency of detectable odor at site: Steady <input type="checkbox"/> Frequent <input type="checkbox"/> Infrequent <input type="checkbox"/> Interval _____	
<p>How would you describe the odor? Show this list to the complainant, check all descriptors selected)</p> <p>Rotten eggs <input type="checkbox"/> Garbage <input type="checkbox"/> Dead animal <input type="checkbox"/> Sewage <input type="checkbox"/></p> <p>Sweet <input type="checkbox"/> Asphalt <input type="checkbox"/> Damp earth <input type="checkbox"/> Gasoline <input type="checkbox"/></p> <p>Household gas <input type="checkbox"/> Burnt rubber <input type="checkbox"/> Low tide <input type="checkbox"/> Fishy <input type="checkbox"/></p> <p>Burnt/smokey <input type="checkbox"/> Sludge/fecal <input type="checkbox"/> Urine <input type="checkbox"/> Plastic <input type="checkbox"/></p> <p>Weed killer <input type="checkbox"/> Airplane glue <input type="checkbox"/> Paint <input type="checkbox"/> RDF <input type="checkbox"/></p> <p>Other (explain) <input type="checkbox"/></p> <p>Can't Describe <input type="checkbox"/></p>	
Weather Conditions at Complaint Site	
Weather conditions at Plant: Wind Speed _____ Direction _____ Temperature _____	
Atmospheric (and sky) conditions (i.e. cloudy, fog, rain, cold, hot):	
Other complaint site observations:	
<p>Area and Map Investigative Procedure:</p> <p>When responding to an odor complaint site, note the location of the site relative to the wind direction and location of PERC on the attached map.</p> <p>At the complaint site look for local odor sources such as a dumpster, sewer vent, debris pile, burn pile, etc. If no obvious local source, proceed upwind (into wind). If the odor source is PERC, the odor should get stronger as you get closer to the plant. If you follow the odor to the PERC plant, be sure to go upwind of the plant to determine if the odor is coming from another source beyond the plant. Use this procedure to follow any odor to it's source.</p>	

Section D - Site Odor Investigator's Observations (To be completed by PERC agent)
PERC Agent (sign):
Town Agent (sign):
Odor Character:
Frequency of detectable odor at site: Steady <input type="checkbox"/> Frequent <input type="checkbox"/> Infrequent <input type="checkbox"/> Interval _____
How would you describe the odor? Show this list to the complainant, check all descriptors selected) Rotten eggs <input type="checkbox"/> Garbage <input type="checkbox"/> Dead animal <input type="checkbox"/> Sewage <input type="checkbox"/> Sweet <input type="checkbox"/> Asphalt <input type="checkbox"/> Damp earth <input type="checkbox"/> Gasoline <input type="checkbox"/> Household gas <input type="checkbox"/> Burnt rubber <input type="checkbox"/> Low tide <input type="checkbox"/> Fishy <input type="checkbox"/> Burnt/smokey <input type="checkbox"/> Sludge/fecal <input type="checkbox"/> Urine <input type="checkbox"/> Plastic <input type="checkbox"/> Weed killer <input type="checkbox"/> Airplane glue <input type="checkbox"/> Paint <input type="checkbox"/> RDF <input type="checkbox"/>
Other (explain) <input type="checkbox"/>
Can't Describe <input type="checkbox"/>
Weather Conditions at Complaint Site
Weather conditions at Plant: Wind Speed _____ Direction _____ Temperature _____
Atmospheric (and sky) conditions (i.e. cloudy, fog, rain, cold, hot):
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