

GAC Chemical CEO David Colter's emails to Friends of Penobscot Bay 2012 plus 2014

The below emails are Mr Colter f GAC CHemical engaging with FOPB on fixing up the company's eroding slopes - until he suddenly stopped communicating in late November 2012. This was followed by more than a year of silence until his rather defiant May 21, 2014 email. Our emails that Colter is responding to are also available as needed.

2012

6/4/12

6/6/12

6/27/12

7/9/12

8/3/12

8/9/12

9/17/12

10/23/12

11/15/12

11/16/12

5/21/14 Reply to FOPB voicemail following 5/16/14 FOPB meeting with
Susanne Miller, Director DEP EMRO

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5/21/14

David Colter <dcolter@gacchemical.com>

6/4/12

to me

Mr. Huber,

I received your email today containing the letter regarding Penobscot Bay and your concerns about erosion of the shore near our facility. I also received your voicemail. I regret I missed your call. I am intrigued by your letter and your interest to reach out to GAC.

I am open to your offer to meet with you to understand your concerns and ideas for the harbor. If you prefer we meet up with Harlan as your voicemail suggests, we can pursue that course while you are away for a few weeks.

How would you like to move forward?

Sincerely,

David Colter

David Colter <dcolter@gacchemical.com>
6/6/12

to me
Ron,

I spoke with Harlan this morning. While he appreciated the confidence you have in his abilities and knowledge, he explained that he prefers to wait until your return to Maine to have a meeting.

I suggested an introductory meeting upon your return at a venue such as Dunkin Donuts for a cup of coffee and sharing of thoughts and ideas.

Upon your return, please contact me to set up a time to meet.

Sincerely,

David M. Colter
President / COO

David Colter <dcolter@gacchemical.com>
6/27/12

to me
Ron,

Thank you for the note upon your return to Maine. I tried unsuccessfully to reach you at the two phone numbers provided below. I left you messages on both that I am leaving the office shortly and not returning to the office until Monday, July 9.

What day or days are you available during the week of July 9? I am open 7/10,

7/11 and 7/13. (I will be away 7/12). As it relates to taking a stroll to the areas you would like to review, I am open to this idea. I will disclaim that I am not a geologist and not an expert in erosion matters. I would recommend that I bring along one of our environmental consultants we use to assist in my understanding of the issues.

Sincerely,

David M. Colter
President / COO
GAC Chemical Corporation

David Colter <dcolter@gacchemical.com>
7/9/12

to me, Harlan
Ron,

I appreciated being able to connect with you via phone today. As we discussed, we will meet Wednesday around 11 a.m. on Sears Island Road just before the causeway.

Sincerely,

David M. Colter
President / COO
GAC Chemical Corporation
P.O. Box 436
Kidder Point Road
Searsport, ME 04974
ph. 207.548.2525
fax 207.548.2891

David Colter <dcolter@gacchemical.com>
8/3/12

to me, Harlan
Ron,

I wanted to send you a short note acknowledging that next week brings the 30 day period I set during our meeting together to get back to you and Harlan.

I am working on a few things and plan to contact you later in the week next week as I am traveling thru mid day on Thursday.

Sincerely,

David M. Colter
President / COO
GAC Chemical Corporation
P.O. Box 436
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fax 207.548.2891

David Colter <dcolter@gacchemical.com>

8/9/12

to me, Harlan
Ron, Harlan,

I appreciated the time you spent with me and John Pond from CES last month exploring the shoreline along the GAC property.

We concluded our meeting with agreeing that I would get back to you in 30 days to share with you my thoughts, ideas and potential action plans on the items we discussed.

Ceramic debris

I agree that the scattered ceramic debris along the shoreline is not visually appealing. My understanding is this was put there years before GAC acquired the property. While inert and not an environmental threat to the bay, it would be better if these items could be removed. We have made good progress to date removing these items from the cove. I am hopeful this project will conclude by the end of August.

Erosion

I think there may be a workable solution to stabilize the open area we viewed along the bank near our rail car unloading station. We have asked CES to help us review our options and assess the cost of each. Our plan is to attempt a section of the area this fall and evaluate how it fares over the winter and early spring months. If successful, we would plan to complete the remaining open area in 2013. If not successful, consider one of the other options offered by CES.

Clam Flats

I have not completely formed an opinion on the condition of the clam flats. You have provided me with many documents to review and understand. I would like to take a few more weeks to complete my review.

These additional weeks will also allow us to make more progress on the options for the erosion matter. Let's set our calendars ahead to the week of September 10. This will get us past the busy vacation month of August and the Labor Day holiday.

Finally, you asked if GAC would be willing to participate in a "coalition" of sorts for Penobscot Bay. I remain open to this idea. We can discuss this idea further as you consider others for this group.

Please advise of your availability the week of September 10.

Sincerely,

David M. Colter
President / COO
GAC Chemical Corporation

On Mon, Sep 17, 2012 at 9:55 AM, David Colter <dcolter@gacchemical.com> wrote:

Ron,

Good morning. Sorry for the need to reschedule our meeting. It was a crazy week given the unexpected passing of one of our employees.

Wednesday would work but I would encourage us to move it to Friday if we could. The forecast for Wednesday is calling for severe weather, up to 2 inches of rain. Thursday will not work due to a number of meetings both at GAC and offsite.

Your thoughts? I looked at the tide charts and a 10 a.m. on Friday should work at low tide is at 9:55 a.m.

David

David M. Colter
President / COO
GAC Chemical Corporation
P.O. Box 436
Kidder Point Road
Searsport, ME 04974
ph. 207.548.2525
fax 207.548.2891

David Colter <dcolter@gacchemical.com>
10/23/12

to me, Harlan
Ron,

Thanks for the follow up email. John Pond from CES sent one of his employees down to review the shoreline in an effort to do a write up for review by the DEP. I will circle back with John and get a status update.

More to follow.

Thanks.

Regards,

David M. Colter
President / COO
GAC Chemical Corporation
P.O. Box 436

David Colter <dcolter@gacchemical.com>

11/15/12

to me

Ron,

I recently received options from CES for improvements to the shoreline to address erosion concerns. We are working through the cost options to decide what will be best. From a budgetary perspective, this will have to be a 2013 project. I am pleased with what CES has proposed. Once we have the cost pieces pulled together we will approach the DEP to determine the steps to move forward.

I will keep you posted. Thank you for the email.

Regards,

David M. Colter
President / COO
GAC Chemical Corporation
P.O. Box 436
Kidder Point Road
Searsport, ME 04974
ph. 207.548.2525
fax 207.548.2891

David Colter <dcolter@gacchemical.com>

11/16/12

to me

Ron,

Next week is problematic with the holiday. Let me get my arms around the costs and then we can talk about another meeting. I would also like to get some input and feedback from the DEP.

I will keep you posted. If time passes and you haven't heard from me, drop me another note. We are in the midst of our budget cycle so it is a bit busy.

Enjoy the Thanksgiving holiday.

Regards,

David M. Colter
President / COO
GAC Chemical Corporation
P.O. Box 436
Kidder Point Road
Searsport, ME 04974
ph. 207.548.2525
fax 207.548.2891

2014

Email from David Colter, CEO, GAC Chemical

David Colter
May 21, 2014
to me

Mr. Huber,
I received your voicemail message from Monday afternoon sharing your interest in GAC's shoreline. Over the past 9 months we have had our shoreline reviewed and/or inspected by seven representatives from the Maine DEP and licensed professionals from an environmental consulting firm hired by GAC. It was determined that the erosion along our shoreline is

not significant and does not require immediate attention. It is also not something that is caused by or exacerbated by GAC. Nonetheless, I committed to you and Harlan McLaughlin last year that GAC would investigate your concern with erosion and we have done so.

With the understanding that GAC is under no obligation to perform any additional inspections or alterations to this particular area, GAC is

voluntarily exploring options and alternatives with an environmental consulting firm. When dealing with shoreline matters, this is a process that takes time, effort and money. At this point I do not have a specific time table for action because we are in the early stages of our exploratory efforts. We will continue those efforts in a deliberate manner.

Sincerely,
David Colter

END