

SUMMARY OF MDEP RESPONSE TO FOPB FOAA REQUEST
EMAILS, CONTACTS AND SUMMARY

Emails in the documents

Peter Blanchard Director of emergency services
Jessamine Logan Director of Communications
Susanne Miller EMRO Regional Director susanne.miller@maine.gov
Bergeron Mark Director Land Division
Melanie Loyzim Director Bureau of Remediation and Waste Management 287-7890
Scott Whittier, Division Director for the Bureau of Remediation and Waste Management
Karen Knuuti, Division of Solid Waste Management
Jim Beyer Enforcement BLWQ Eastern Maine Region 446-9026
Stacy Ladner Hazardous Waste Compliance 287-7853
Scott Leighton, Haz Waste Enforcement Inspector
Thomas Smith, 941-4574 Oil & Haz Materials Spill Reporting Eastern ME Region
Michael Hudson, Haz Waste Enforcement Unit Supervisor, michael.s.hudson@maine.gov
David Wright, Landfill Closure & Remediation Program 446-4366
Wilkes Harper, Brownfields/VRAP
Nick Hodgkins, DEP Voluntary Clean-up Program 287-4854
Jana Wood, Outfalls
Mick Kuhns,
Cindy Darling, Solid Waste management Eastern Maine Region - 941-4570
cyndi.w.darling@maine.gov
Marc A Cone,
George Macdonald,
Mike Hudson – Supervisor, Hazardous Waste Enforcement Unit MDEP,
michael.s.hudson@maine.gov
Andy Johnson – MDEP Air Qual. Assessment Director, Andy.Johnson@maine.gov
Donald Witherill – Director of Environ. Assessment, MDEP, donald.t.witherill@maine.gov
Jaimee Farrin – Director of Air Licensing & Compliance Division, jaimie.farrin@maine.gov
287-6900

ADDL Brian W Kavanaugh, Donald T Witherill, David W. Wright, George J. Seel, Paula Clark, John Hospeck, Harold Nilsson, Rob Peale

EPA

Michael Barry barry.michael@empa.gov Acting section chief, emergency response
Marcus Holmes. EPA Environmental Engineer (617)918-1630 holmes.marcus@epa.gov

USCG

Timothy Balunis. Chief of Incident Management, USCG N.New England.
timothy.g.balunis@uscg.mil

GAC CHEMICAL

David Colter -COO/CEO of GAC

GAC CONSULTANT

John Pond – CES Inc. Senior VP/Project Manager

TOWN OF SEARSPORT

James Gillway– searsportmanager@adelphia.net, also jgillway@yahoo.com

Summary of FOAA'd documents

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David Wright received complaint from Ron Huber – August 8, 2012

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October 18, 2013 Karen Knuuti email.

Wilkes Harper, Susanne Miller, and Karen Knuuti visited site on Oct. 11 for walk over, accompanied by John Pond from CES, party met with David Coulter before and after walkover

Karen lists her assessments of the property from this visit, a note is made about ceramic debris being from the old sulfuric acid plant. Concrete, bricks, and ceramic are considered inert. Discolouration is noted, but she did not see a “seep,” recognizes that the walkover may have been too early as tide is going out still.

Inquired about an old drain, David Colter later said that it was previously used for unloading ammonia but had “since been sealed and capped”. More statements regarding slumps in the shoreline and an area that had been stabilized with “unusual wood cribwork”

June 9, 2014, Susanne sent an email to Timothy Balunis containing attachments about the Searsport/Stockton Harbor investigation by MDEP in October. She states the following: “While it does not explicitly say so in these reports, it was determined by MDEP that no further action was necessary at the time based on our observations.” Also decided no action was further needed due to an MDEP investigation from 1998 as the conclusion was that the area would “self heal” with time, despite distress to shellfish. Also decided that no action was needed since Sears Island is open to clamming per MDMR'S guidance.

June 10, 2014, Email from Timothy Balunis to Susanne Miller and Peter states that after their discussion, and after going through provided literature, the DEP was “incredibly thorough” in their investigation.

Mentioned he spoke with Marcus Holmes of the EPA, determined that they did not plan to investigate further and would instead defer to DEP's investigation, though this was not plainly stated. Had little desire to do a thorough investigation, as he did not want to “reinvent the wheel or duplicate DEP's efforts to date,” and stated that the goal was “at the conclusion of this is to speak in a unified voice with DEP.”

In another email to Susanne, stated that Ron Huber reached out to the Coast Guard. He thinks that DEP has been very thorough in investigating the site, but per CG Policy, will still perform an assessment. He stated he would also contact the EPA for their interests/concerns. Asked Susanne to go back out for an assessment. She agreed.

June 23, 2014 Scott Leighton sends Suzanne Miller reports from 1984 on Groundwater Quality Assessment (found in folder 6)

June 24, 2014 Jessamine Logan requests dates of last GAC visit from various staff members, Susanne replies with Jana Wood having visited on Feb. 27 with an attached letter (dated March 3rd) addressed to David Colter. Letter states that the chemical production/processing is completely protected from exposure to stormwater and protected by a storm resistant shelter. Secondary containment for chemical storage containers was also noted. Properly

sealed, clean drums also noted. All in all nothing was supposedly out of order. Full report contained in folder 7.

Jim Beyer was on site on the 15th of May for permitting questions about potential erosion control.

Michael Hudson reported a US EPA hazardous waste inspection conducted on Sept. 8, 2011, results not reported to RCRA Info database. Also mentioned an MDEP hazardous waste enforcement and compliance visit with HW licensing staff that occurred on Aug. 25, 2009 to review licensing status from 2007 inspection, no violations cited. A previous inspection from Sept. 20, 2007 also had no violations cited.

Thomas Smith reported the following: Nov. 16, 2012 – MDEP Response Services participated in plant tour, tour originally for hazmat responders from Orono. Sept. 26, 2012 – MDEP participated/provided evaluators for large scale drill at GAC. Drill included Fire Dept, GAC staff, Maine Emergency and Waldo County EMA. Nov. 5, 2013 – provided tractor trailer for statewide emergency management exercise, that did not involve GAC.

David Wright reported that Wilkes Harper investigated complaint of possible Hazardous Substance release at GAC in fall of 2013. Attached to this was a PowerPoint containing images from this visit, though the images were for internal use only.

Stacy Beyer, no longer with DEP at this time, reported being the wastewater compliance inspector for GAC. Conducted 4 inspections, one on Aug. 22, 2013, which was routine, May 31, 2012 for Data QA/QC Eval, Sept. 20, 2011: routine, June 4, 2010: routine.

July 1, 2014 Scott Leighton sends/forwards email to Suzanne containing an “updated list of Chemicals at GAC” including added chemical warehousing and “just in time delivery services” from March 17, 2014

Assessment: Timothy Balunis decided that, while he and the Coast Guard would still perform an assessment themselves, they saw no need to perform a full investigation as the MDEP's investigation was “incredibly thorough” and I suppose he was looking to avoid redundancy. EPA seems to hold a similar viewpoint.

Also, while I have little real idea what Jessamine Logan's request for previous GAC visits had to do with any of this (as this bit was quite extensive in folders five and onward), I assume it was to display that there had been no previous problems or citations for GAC, so it was serving as a bit of a history to say that “Hey, they had no problems before according to us, so why would they now?”

Overall, Suzanne agreed with Timothy regarding the thoroughness of the DEP's investigation.

June 24, 2014, Donald Witherill sends an email to multiple people (this appears to be in reply to Jessamine Logan's inquiry, mentioned below) stating the following: "I assume no one from DEA has had reason to visit GAC, but let me know if otherwise."

John Hopeck replies that he was out there ten or more years ago with people from Bangor to look at issues with their drainage system. No other visits or notes are available.

Regarding the email Jessamine Logan sent on June 24 from the first batch of folders (it asked if anyone had visited GAC recently and if so, why)... Jaimee Farrin replied stating that BAQ staff visited on August 13, 2013 for a routine compliance inspection. GAC was found to be in compliance with air emission license at the time. Also provided a link to the EPA's compliance website for GAC that is no longer valid

Per a forwarded email to Jessamine from Stacy Ladner, Harold Nilsson visited GAC on August 6, 2009 for an orientation to draft elementary license renewal; on August 25, 2009 he accompanied Scott Leighton on a Facility Inspection; on December 14, 2009, he and Rob Peale inspected the outfall and beach; On Dec. 6, 2010, he inspected the rebuilt [alum] production and storage area (I assume aluminum?); and on Dec. 13, 2010, Harold was accompanied by Rob Peale and Mike Hudson to inspect alum production/storage area Andy Johnson explains that no one from BAQ's Air Quality Assessment division have visited GAC at any time in the recent past.

Michael Hudson sent corrections to Jessamine regarding her inquiry. MDEP Hazardous Waste Enforcement and Compliance (HWEC) visited GAC with HW licensing staff on Aug. 25, 2009 to review licensing issues and compliance status, letter was issued Jan. 4, 2010. No violations cited, Harold Nilsson followed up on licensing issues. MDEP HWEC inspected on Sept. 20 2007. Original email said no violations cited, correction states that a Notice of Violation was issued on April 10, 2008. Scott Leighton was CC'd on this email, and he forwarded it on to Susanne Miller.

July 1, 2014 Susanne Miller sent an email to searsportmanager@adelphia.net regarding a meeting about DEP issues impacting Searsport (this includes a comment stating the reverse, perhaps in an attempt as a joke. "or alternatively Searsport issues impacting DEP!"). There were two attachments in the email from the DEP review of the complaint by FOPB from Karen Knuuti and Wilkes Harper. She also states some things she forgot to mention, such as how the DEP reports echo the 1998 reports by MDEP and how the DEP land staff met with GAC in the spring about erosion control on the banks below "the old acid tank." DEP is NOT requiring GAC to do erosion control, but GAC had displayed interest in doing something and wanted to know about permits for doing so. This email was also forwarded to searsportmanager@roadrunner.net

On July 2, James apparently left her a message requesting information on the reports and Susanne received it late. She attached the GAC Inspection power point that I'm assuming contained the images from the earlier folders of reports on the same day.

Noticing a pattern of how only directors/supervisors include their emails in their signatures... Probably for security purposes.

End of Summary