

Miller, Susanne

From: Miller, Susanne
Sent: Wednesday, July 30, 2014 11:04 AM
To: Lani, Andrea
Subject: FW: FOPB FOAA - a question about phone notes

Follow Up Flag: Follow up
Flag Status: Flagged

Andrea:

Just received this and wanted to forward onto you as our FOAA coordinator.

To answer Mr. Huber's questions:

- I have not created phone logs pertaining to GAC, Friends of Penobscot Bay, or Mr. Huber during the time of the inquiry.
- I did not take any notes from phone conversations pertaining to GAC, Friends of Penobscot Bay, or Mr. Huber during the time of the inquiry.
- I have not made or received any phone calls to Friends of the Penobscot Bay or Mr. Huber during the time of the inquiry.

Please let me know if you think you might need any additional information.

Thank you.

Susanne

From: Ron Huber [<mailto:coastwatch@gmail.com>]
Sent: Tuesday, July 29, 2014 12:15 PM
To: Miller, Susanne
Cc: Kielty, Brenda
Subject: FOPB FOAA - a question about phone notes

Dear Ms Miller

I have reviewed the documents supplied us in response to our Freedom of Access Act request.

Notably missing were any phone logs or notes from phone conversations. Did you neither make nor receive any phone calls relating to GAC Chemical, Friends of Penobscot Bay or myself during that time period?

Please let me know whether you did or did not. If you did, also note when you will be able to send those records to us.

Sincerely

Ron

--
Ron Huber
Friends of Penobscot Bay

POB 1871
Rockland Maine 04841

e: coastwatch@gmail.com

tel: 207-691-7485

cell 207-593-2744

web: www.penbay.net

Miller, Susanne

From: Ron Huber <coastwatch@gmail.com>
Sent: Tuesday, July 29, 2014 12:15 PM
To: Miller, Susanne
Cc: Kiely, Brenda
Subject: FOPB FOAA - a question about phone notes

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Miller, Susanne

From: Logan, Jessamine
Sent: Sunday, July 27, 2014 6:22 PM
To: Miller, Susanne
Subject: Fw: Question about Searsport Kidder Point mud study

Follow Up Flag: Follow up
Flag Status: Flagged

Did she reach out to you?

Sent from my BlackBerry - please excuse brevity and spelling errors

Original Message

From: Jordan Bailey <JBailey@villagesoup.com>

Sent: Tuesday, July 22, 2014 8:53 AM

To: Logan, Jessamine

Subject: Question about Searsport Kidder Point mud study

Hello Jessie,

Can you let me know why the DEP does not consider the study by Dr. Mark Green of samples of the mud at Kidder Point gathered by Friends of Penobscot Bay to be verifiable?

Thanks,

Jordan

Jordan Bailey
Copy Editor
The Republican Journal
161 High Street
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(207) 338-3333
(207) 610-4200 cell
(207) 338-5498 fax
jbailey@villagesoup.com
waldo.villagesoup.com

Miller, Susanne

From: Kuhns, Mick
Sent: Wednesday, July 23, 2014 4:19 PM
To: Miller, Susanne
Subject: FW: Question about Searsport Kidder Point mud study

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Susanne,

I just noticed that you are the point of contact for GAC while Jessie is on vacation, so I guess that you should have been copied on this.

Let me know if you have any questions.

Mick

-----Original Message-----

From: Kuhns, Mick
Sent: Wednesday, July 23, 2014 11:27 AM
To: 'Jordan Bailey'
Cc: Logan, Jessamine
Subject: RE: Question about Searsport Kidder Point mud study

Hi Jordan,

I apologize for missing this e-mail yesterday. I was not in my office at the time and was unable to meet your deadline.

The site work you describe below is not handled by my staff, but is my understanding that hazardous materials specialists from the Department have investigated this area and did not find anything that required further action.

Thanks,
Mick Kuhns

-----Original Message-----

From: Jordan Bailey [<mailto:JBailey@villagesoup.com>]
Sent: Tuesday, July 22, 2014 9:06 AM
To: Kuhns, Mick
Subject: Question about Searsport Kidder Point mud study

Hello,

I wrote to Jessamine Logan about the a study done by Dr. Mark Green on samples collected by Friends of Penobscot Bay of mud at Kidder Point in Searsport near the GAC Chemical property. I would like to know for an article if the DEP is considering the study in its review of the site, or if it is considered unverifiable because the samples were gathered by volunteers. My deadline is noon today.

Thanks for your assistance,
Jordan

Jordan Bailey
Copy Editor
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(207) 338-5498 fax
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Miller, Susanne

From: Miller, Susanne
Sent: Monday, July 14, 2014 12:55 PM
To: Lani, Andrea
Subject: RE: Freedom of Access Request Regarding GAC

Follow Up Flag: Follow up
Flag Status: Flagged

Andrea:

Documents are finalized on my end and will make their way to Augusta through inter-office mail. I can't recall ever using my personal phone for DEP work and I don't have the ability to use the text messaging function via my work blackberry; so there is no information for me to share for either of those requests.

Please let me know if you have any questions or need any additional information from me.

Thank you!

Susanne

From: Lani, Andrea
Sent: Monday, July 14, 2014 12:13 PM
To: Miller, Susanne
Subject: FW: Freedom of Access Request Regarding GAC

Hi Susanne,

Mr. Huber sent me this email in response to a separate question (regarding air licensing), but since he specifically mentions your name, I thought I would pass it on to you.

Thanks,
Andrea

Andrea Lani
Environmental Specialist
Maine Department of Environmental Protection
SHS 17
Augusta, ME 04333
207.287.5902
andrea.lani@maine.gov

From: Ron Huber [<mailto:coastwatch@gmail.com>]
Sent: Friday, July 11, 2014 4:43 PM
To: Lani, Andrea
Cc: Kielty, Brenda
Subject: Re: Freedom of Access Request Regarding GAC

Thank you for responding regarding Friends of Penobscot Bay's FOAA request and for your clarifying inquiry concerning request item number 4.

Meeting records, letters, faxes, emails, attachments, phone logs, photographs and other written and electronic records written, received or recorded by you from any source, dating from June 10, 2014 to July 8, 2014, that pertain to GAC Chemical Corp.

This includes records pertaining (1) to Friends of Penobscot Bay's concerns with GAC Chemical's wastes ; (2) to Ron Huber of Rockland Maine, (FOPB's executive director) and his concerns with GAC Chemical, (3) to any GAC Chemical plan to remediate or otherwise modify their shorelines for erosion control or any other purposes, and (4) to GAC Chemical-related permitting and licensing.

FOPB's requested records include those relevant:

"(4) to GAC Chemical-related permitting and licensing." that are "written, received or recorded by you from any source, dating from June 10, 2014 to July 8, 2014".

This encompasses permitting and licensing records in the custody of the Eastern Maine Regional Director relating to GAC Chemical that were written, received or recorded by the EMRO director during that time period to or from any bureau or office of Maine DEP.

Please note that records requested include GAC-relevant emails and texts sent to or from the private email, phone and and texting accounts of Ms. Miller during the prescribed time period, in addition to those of agency accounts.

Thank you for seeking clarification!

Best wishes

Ron

cc Brenda Kielty, AAG for Public Access

On Fri, Jul 11, 2014 at 2:40 PM, Lani, Andrea <Andrea.Lani@maine.gov> wrote:

Hi Ron,

We're in the process of assessing what files we have that may be responsive to your request and I just wanted to ask you to clarify whether you only want licensing information related GAC's waste licenses or if you also want air licensing information.

Thanks,

Andrea

Andrea Lani

Environmental Specialist

Maine Department of Environmental Protection

SHS 17

Augusta, ME 04333

207.287.5902

andrea.lani@maine.gov

--

Ron Huber
Friends of Penobscot Bay
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web: www.penbay.net

Miller, Susanne

From: Miller, Susanne
Sent: Monday, July 14, 2014 10:42 AM
To: Lani, Andrea
Subject: RE: Freedom of Access Request Regarding GAC Chemical Corp

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Andrea:

I anticipate 2.5 hours of my time on this. I don't anticipate any difficulty getting these to you by July 30.

Thank you!

Susanne

From: Lani, Andrea
Sent: Friday, July 11, 2014 10:12 AM
To: Aho, Patricia; Archer, Nick D; Bergeron, Mark; Bertocci, Cynthia S; Blanchard, Peter J; Boutilier, Lynn A; Breton, Mary B; Burke, Ruth A; Carney, Peter J; Clark, Paula M; Cone, Marc A; Crawford, Jeff S; Dusch, Jim E; Edwards, Sherrie M; Farrin, Jaimee; Gould, Tammy; Hudson, Michael S; Johnson, Andy; Karagiannes, Mike; Kavanah, Brian W; Kennedy, Eric; Kuhns, Mick; Ladner, Stacy A; Lani, Andrea; Logan, Jessamine; Loyzim, Melanie; MacDonald, George; Margerum, Mark T; McLaughlin, Diana M; McLean, Carlisle; Miller, Susanne; Mullen, Mike; Parent, Heather; Rucker, Leslie A; Seel, George J; Steele, Peter A; Stultz, Catherine; Welles, Laura; Whittier, Scott; Witherill, Donald T; Wright, David W
Subject: Freedom of Access Request Regarding GAC Chemical Corp

Dear FOA Distribution Group:

The Department has received a Freedom of Access Act Request regarding GAC Chemical Corp. Specifically, the requester is interested in records dating from June 10, 2014 to July 8, 2014 regarding Friends of Penobscot Bay's concerns with GAC Chemical's wastes, Ron Huber of Rockland Maine and his concerns with GAC Chemical, any GAC Chemical plan to remediate or otherwise modify their shorelines for erosion control or any other purpose, and GAC Chemical-related permitting and licensing. For more specific information please see the requester's [letter](#).

Please identify who among your staff may reasonably possess, maintain, manage or control records subject to this request and have those staff members notify me as soon as possible and no later than July 16, 2014, with an estimate of the amount of staff time that will be required to produce records so that I can provide the requestor with a cost estimate. If no one among your staff possesses records related to this request, please let me know that as well.

Please have staff members who possess responsive records deliver the requested records to me by July 30, 2014 and complete and forward to me a [FOA Processing form](#).

***PLEASE NOTE: If your supervisor or bureau director intends to review the records prior to them being made available to the requester, you need to provide them to him/her well in advance of the above deadline, so that I have the records in hand by the date I have informed the requester they will be available. If this date does not leave you enough time, please let me know by July 16, 2014, and we can establish a new deadline. THANK YOU. ***

Be sure to remind staff that no records responsive to the request, electronic or otherwise, may be deleted or discarded.

Please see the FOA SOP for guidance on staff members' roles and responsibilities in processing a FOAA request and let me know if you have any questions.

Thanks,

Andrea

Andrea Lani

Environmental Specialist

Maine Department of Environmental Protection

SHS 17

Augusta, ME 04333

207.287.5902

andrea.lani@maine.gov

Miller, Susanne

From: Miller, Susanne
Sent: Friday, July 11, 2014 9:57 AM
To: Lani, Andrea
Subject: FOA Request
Attachments: doc04694620140711093958.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Andrea:

This arrived yesterday hard copy via certified mail and I received it this morning. Attached is the scanned version. Please let me know if you have any questions.

Thank you.

Susanne Miller
Director, Eastern Maine Regional Office
Maine Department of Environmental Protection
Phone: (207) 941.4190 / Cell: (207) 557.2700
Susanne.miller@maine.gov

Friends of Penobscot Bay

POB 1871, Rockland ME 04841

www.penbay.net

July 8, 2014, 2014 by Certified Mail

Ms. Susanne Miller
East Maine Regional Office
Maine Department of Environmental Protection
106 Hogan Road, Bangor, Maine 04401

Subject: Maine Freedom of Access Law request

Dear Ms. Miller

Please treat this letter as a request pursuant to 1 M.R.S.A. 408, the Maine Freedom of Access statute, to inspect at your office and to copy as necessary the following records:

Meeting records, letters, faxes, emails, attachments, phone logs, photographs and other written and electronic records **written, received or recorded by you from any source**, dating from **June 10, 2014 to July 8, 2014**, that pertain to GAC Chemical Corp.

This includes records pertaining (1) to Friends of Penobscot Bay's concerns with GAC Chemical's wastes ; (2) to Ron Huber of Rockland Maine, (FOPB's executive director) and his concerns with GAC Chemical, (3) to any GAC Chemical plan to remediate or otherwise modify their shorelines for erosion control or any other purposes, and (4) to GAC Chemical-related permitting and licensing.

Friends of Penobscot Bay looks forward to receiving your response within five (5) working days of your receipt of this letter, as required by 1 M.R.S.A. 409 (1). We prefer to inspect, review and copy these requested records at your office. Please contact me to set an appointment to review these records. Contact by phone at 691-7485 or by email: coastwatch@gmail.com

If you choose to deny permission to physically inspect or copy any of the requested records, please state the reason for the denial, including the appropriate legal citation(s). If you need additional information to locate any of the documents requested, please call me at 691-7485 or email me at coastwatch@gmail.com

Sincerely

Ron Huber

Ron Huber, Executive Director
Friends of Penobscot Bay

cc Brenda L. Kielty, Assistant Attorney General, Public Access
FOPB BOD