

REM01600  
03 WRAP SR

Chad Dacus

6/29/2022, 1:54 PM

Quality Review

Approved Public

Remediation Site No: REM01600

Address1: MAIN ST, WADSWORTH ST, SHIP ST

Town/City1: THOMASTON

Site Name1: MAINE STATE PRISON

REM Program1: VOLUNTARY RESPONSE ACTION PROGRAM (WRAP)

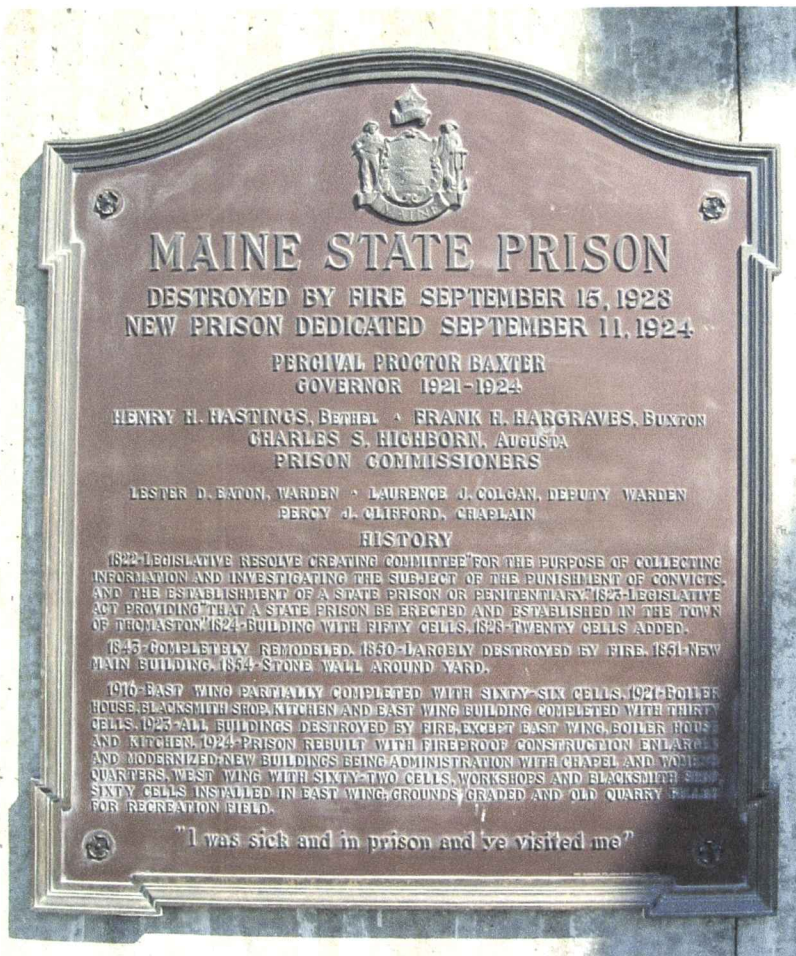
Doc Type: 03 Reports

Doc Date: 10/3/2005

# Phase I Environmental Site Assessment

## Former Maine State Prison Site

Thomaston, Maine



prepared for:

**Town of Thomaston**

**October 3, 2005**

prepared by:

**Emery and Garrett Groundwater, Inc.**

**24 Common St., 3<sup>rd</sup> Floor**

**Waterville, ME 04901**

FILE COPY

# ***Emery & Garrett Groundwater, Inc.***

***24 Common Street • 3rd Floor***

***Waterville, Maine 04901-6611***

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September 30, 2005

Valmore G. Blastow, II, Town Manager  
Town of Thomaston  
PO Box 299  
Thomaston, ME 04861-0299  
Town, State Zip

## **Phase I Environmental Site Assessment Former Maine State Prison Site, Thomaston, Maine**

Dear Mr. Blastow:

Please find attached our Phase I Environmental Site Assessment Report regarding the former State Prison Site in Thomaston. The report has been prepared for review by under the State's Voluntary Response Action Program administered by the Maine Department of Environmental Protection. It is the Town's intent to have this site certified with a concurrence letter indicating "no remedial actions" are necessary at the site. Below is a summary of our findings:

1. The site has been in almost continuous use as a prison from 1824 through 2000. About 15.6 acres of property are proposed for conveyance from the State Bureau of General Services to the Town of Thomaston.
2. All buildings on the site were demolished in 2002, with bricks and mortar buried on site, mostly in a former rock quarry. At least one foot of fill covers all demolition debris according to the demolition specifications.
3. The site is now a grassy field bounded on the north by a line of trees and Route 1, on the west by the State Police Barracks and Ship Street, on the south by a steep slope leading down to a State-owned rail right of way and the St. George River, and on the east by residential development on Wadsworth Street. Two commercial buildings abut the site at its northeast corner.

4. Activities within the prison that utilized hazardous materials included painting of wood, and medical use of mercury, and radioactive substances associated with an x-ray machine.
5. Prior to demolition of the buildings, all hazardous materials were methodically surveyed, inventoried, removed and either recycled or disposed of off-site. This abatement program was particularly thorough, including the inspection and removal of empty drums, and even used mattresses labeled as "medical waste". Only some sections of asbestos sewer pipe were left buried on-site.
6. DEP files include only one spill report for the site. It describes the discovery and complete remediation of a spill of #6 fuel oil at the boiler house on the east side of the property. The spill occurred outside the proposed property boundary.
7. All other storage of petroleum hydrocarbons, including diesel and gasoline, were also outside of the property.
8. There appear to be no portions of the site for which there is reason to suspect that hazardous materials might remain. Thus we see no reason to call for a Phase II Environmental Site Assessment.

If you have any questions about this report, please feel free to call.

Yours Sincerely,



Peter Garrett, Ph.D., Principal  
Maine Certified Geologist #169  
Certified Groundwater Professional #313  
Registered Environmental Professional #5827



PG/le

Copies to:

Paul Gibbons, Town of Thomaston Attorney  
Elaine Clark, State Bureau of General Services  
Nick Hodgkins, Voluntary Remedial Action Program, Maine Department of Environmental Protection.

One additional copy for the Town.

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2. View to northeast showing former prison showroom building on the corner of Main and Wadsworth Streets.
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### **List of Appendices**

- A. Purchase and Sale Agreement (Draft, undated and unsigned)
- B. Record Drawing of Maine State Prison Site, following demolition, by H.E. Sargent.
- C. Bates Environmental Synopsis Letter, February, 2005.
- D. DEP Tank Data for Maine State Prison site.
- E. Documentation regarding DEP spill report #A-478-99.

# Phase I Environmental Site Assessment

## Former Maine State Prison Site, Thomaston, Maine

### **I. INTRODUCTION**

#### **A. Purpose**

The purpose of this Site Assessment is to satisfy the requirements of the State of Maine's Voluntary Response Action Program (under statute 38 MRSA §343-E), which allows a party to submit environmental site assessments and related documents to the Maine Department of Environmental Protection for review. It is the Town of Thomaston's intention that this Site Assessment of the Former Maine State Prison site and specifically the property proposed for conveyance from the State of Maine to the Town of Thomaston be free of environmental liability under State law, and that the process be concluded with a concurrence letter from the State indicating that no remedial actions are necessary at the site.

#### **B. Limitations and Exceptions of Assessment**

This Phase I Site Assessment Report was prepared for the use of the Town of Thomaston, Maine. The findings provided in this report by Emery & Garrett Groundwater, Inc. (EGGI) are based solely on the information contained and referenced herein, which we believe to be a fair representation of site conditions at the time of the investigation. Additional quantitative information regarding the site, which was not available to EGGI, may result in modification of the stated findings. This Environmental Site Assessment Report has been prepared following the general guidelines of ASTM Practice E 1527-00 as it pertains to Maine's VRAP. No other warranty expressed or implied is made. EGGI's liability is strictly limited to the price paid for this Site Assessment, or \$50,000, whichever is the greater sum.

### **II. METHODS USED**

#### **A. Record Search**

Our record search began with a review of all materials kept by the Town Manager in the Thomaston Town Office. These included the following:

Town Tax Assessor Files.

Vanasse Hangen Brustlin, Inc., October 25, 1999, Maine State Prison Reuse Assessment.

Thomaston Comprehensive Plan Committee, July 31, 2000, Prison Reuse

Recommendation to Thomaston Board of Selectpersons.

Maine Valuation Company, October 11, 2001, Summary of Report of a Complete Appraisal of the Maine State Prison Site, Thomaston, Maine, for Maine Bureau of General Services.

State of Maine Bureau of General Services, December 2001, Contract Documents for Maine State Prison Demolition, Thomaston, Maine.

Bates Environmental Health & Safety, Inc., February 28, 2005, Synopsis Letter of the Hazardous Materials Abatement and Removals Project at the Maine State Prison. for the Maine Bureau of General Services.

Draft Purchase and Sale Agreement between the State of Maine and the Town of Thomaston, undated.

SYTDesign Consultants, June 1, 2005, Former Maine State Prison Site's Sinkhole and Embankment Sloughing, Meeting Report

State of Maine Bureau of General Services, June 13, 2005, Letter Report Regarding recent surface and subsurface events at the Former Maine State Prison Site in Thomaston.

## **B. Interviews**

We interviewed the following persons all of whom are knowledgeable of some aspect of site conditions.

- Valmore G. Blastow, Jr., Town Manager, Town of Thomaston
- John Fancy, Superintendent of Sanitation, Town of Thomaston
- Gene Goss, Engineer at the Former Prison Site.
- Gary Bates, Bates Environmental Health and Safety, Inc.
- Elaine Clark, Maine State Bureau of General Services.

## **C. Site Reconnaissance**

We visited the site on September 19, 2005, on a sunny day with clear visibility. The site, now mostly an open field, was examined by walking, with limited photography.

# **III. SITE DESCRIPTION**

## **A. Location and Legal Description**

The site (Figure 1) is located on the south side of Main Street (Route 1) in Thomaston, between Ship Street and Wadsworth Street. The site is bounded by a steep grade on its south side, where the ground drops off to the railroad and then to the St. George River.

Buildings of the former Maine State Prison as they existed prior to demolition are shown on Figure 2, which also shows detailed site topography.

The property proposed for conveyance from the State to the Town is shown as the property marked on Figure 3 with a capital A in a circle, and noted as 15.6 acres in area. The remaining properties with other letters (B, C, D, etc) are to be retained by the State.

The property is bordered by residential lots accessible from Wadsworth Street on its southeast and eastern sides. On the northeast corner of the site, there exist two commercial

properties, an antique store and the Maine State Prison Showroom. To the north the property is bordered by Main Street. To the west it is bordered by the State Police Barracks and associated buildings on Ship Street. Access to the southern end of Ship Street will runs with the property. To the south it extends as far as the St. George River with >1000 feet of river shorefront.

To our knowledge there is no legal description for this particular property, though from the appraisal report we understand that it may contain all or parts of the following deeds registered in the Knox County Registry:

Book	Page
23	498
31	187
172	561
399	181
457	322
27	157

An approximate framework for a legal description of the property is provided in the Purchase and Sale Agreement (Appendix A).

Though the property includes the railroad right of way, that way is held by the Maine State Department of Transportation, and is not included in the estimated area.

The only structure standing on the property is a portion of a cut concrete wall located near the southeast corner of the property. The wall bears two plaques that relate to the history of the prison site (one is shown on the cover of this report).

#### **B. Site and Vicinity**

The site is located in a residential/commercial area of town. Adjacent properties include residences, shops and police offices and maintenance garage. The site and the surrounding properties are served by municipal water (Aqua America) and sewer (Thomaston Water Pollution Control). We have been assured by the latter that there are no private wells within 2,500 feet of the property. The survey they performed included matching of service connections with tax maps. One house, belonging to Mr. Basil Day and located on North Street about 1200 feet from the site had a private well up until August of this year.

#### **C. Physical Setting**

The site consists of two parts, an upper gently sloping field, and a steeper south-facing slope.

The field, accessible from Main Street, is a gently sloping area (gradient approx. 0.025), now grassed over, 15.6 acres more or less in area (Photos 1 and 2). The field has an elevation of between 125 and 141 feet, and has the highest point located about 100 feet from Main Street and



240 feet from the parcel's eastern boundary (Record Drawing by H.E. Sargent (Appendix B). This area is grassed and currently mown. There are trees along Main Street but not elsewhere.

The south-facing slope (Photo 3) has gradients of as much as 0.7 leading down to the Maine Central Railroad right of way, and slopes somewhat less steep leading from there down to the waters edge on the St. George River, with 940 feet along the shore. The total area of the entire parcel is 24.8 acres more or less. The slope itself is vegetated but unkempt.

The site is believed to be underlain by shallow ledge in a ridge trending northeast beneath the center of the upper, field, section of the site. Depth to ledge is believed to be relatively great to the northwest (west along Main Street), and southeast (south along Wadsworth Street).

There are no drainage swales on the field portion of the property. Drainage is assumed to be more or less radial from the center of the mound in the field area. The field area is surrounded on its east and south sides by a drainage ditch filled with stone riprap. This carries water towards a swale located about 200 feet east of the lower end of Ship Street.

Groundwater drainage beneath the site is probably more or less radial from the top of the hill.

#### **D. Improvements on the Site**

The site has functioned as the Maine State Prison since 1824. The original structure was wooden, but burned in 1923. The burned remnants of that prison were allegedly buried in the bottom of a 1.5 acre rock quarry that was excavated to an unknown depth in the center of what is now a field (Figure 3 and Appendix B show the location of this quarry). The disused quarry was then modified for use as a baseball field for the benefit of inmates, while a new prison was built with bricks, mortar and concrete around the quarry. The quarry was recently used for the disposal of construction and demolition debris from the dismantled prison buildings.

No sign of the quarry or the buildings remains on site now, except for the southeast corner of the prison wall that is used as a monument (see right side of Photo 2). Demolition debris was buried with fill to a depth of 1 foot or greater. (Maine BGS, Dec. 2001)

#### **E. Environmental Liens or Specialized Knowledge or Experience**

Since completion of grading and seeding of the prison site following demolition in 2002, several "sink holes" and soils slides have appeared on the south and southwest sides of the property. These are being investigated by SYTDesign Consultants, and addressed by the Bureau of General Services. There is no evidence that they are related to hazardous materials and were therefore not subjected to further investigation under this site assessment.

#### **F. Current Uses of the Property**

The property is currently vacant and undeveloped. No buildings remain on site. The railroad is presently used, though infrequently.

#### **G. Past Uses of the Property**

The use of the property for quarrying is very old and may have preceded the use of the site as a prison. Nothing is known of that period.

The prison was a residential facility, and was therefore equipped with all customary residential appurtenances including water and sewer, and heating facilities. The facility was heated from a boiler building located on the east and adjacent to the property, and accessible from Wadsworth Street. The boilers used #6 oil that was stored in two 15,000-gallon underground storage tanks (see Section IV.C below). This entire boiler building facility is off site from the proposed conveyance to the Town of Thomaston.

The only industrial use of the facility was as a woodworking shop. We understand that lumber was imported to the facility, but sometimes in a rough state. The facility was equipped with a full range of woodworking tools, including a kiln for the drying of lumber.

#### **H. Current and Past Uses of Adjoining Properties**

Residential uses of adjoining properties have been the norm for many years, at least to the east and southeast on Wadsworth Street, north of Main Street, and west of Ship Street. Adjacent properties to the northeast of the site are currently developed as an antique shop and as the prison showroom. The property to the west between the former prison property and Ship Street have been and continue to be used as a State Police Barracks, with various associated buildings.

### **IV. POTENTIALLY HAZARDOUS CONDITIONS**

All potentially hazardous materials were surveyed, inventoried, removed and disposed of according to detailed specifications prepared and executed by Bates Environmental Health and Safety, Inc. prior to the demolition of the building. Detailed reports of this process are too voluminous to attach to this report. A summary of what was done is attached as Appendix C.

#### **A. Hazardous Conditions associated with the Prison Building**

The following conditions were identified and abated:

- Asbestos. This included all known friable asbestos materials including insulation, floor tile, panels and pipe, ceiling tiles, roofing materials and drywall. These materials

were removed and disposed of off-site at DEP-approved landfills. Some Transite® sewer pipe that was buried on the prison site remains in place.

- Mercury. Mercury was identified in lights, thermostats and switches. These items were removed in fiber cartons to a recycling facility off-site.
- PCB. Light ballasts containing PCBs were removed using controlled techniques and recycled off-site.
- Refrigerants. Refrigerators and air conditioners were removed off-site for recapture of the refrigerant substances.
- Halon. Halon® gas was removed from the prison's fire suppression system
- Fuels & Oils. Hydraulic oil, heating oil, transformer oil, diesel fuel and gasoline were all removed off site and their containers cleaned and removed.

#### **B. Hazardous Substances associated with Prison Activities**

The following substances were identified and removed:

- Mercury. Elemental mercury in medical equipment from the dental exam rooms was removed for disposal off-site.
- Radioactive materials. X-ray equipment was removed for re-use at another location.
- Various chemicals. All containers with household and industrial chemicals were collected, inventoried and removed from the building for disposal off-site.

#### **C. Removal of Other Wastes**

The Bates report also documents the thoroughness of the removal operation which included the inspection and removal of:

- Empty drums, and
- Mattresses as medical waste.

#### **D. Storage Tanks**

The Maine registry of underground storage tanks records five as serving the former prison site (known as "Site Number 7676" in DEP's database of UST site locations). Tank data in DEP files is shown as Appendix D. All the tanks listed, though they were used to serve the prison and associated activities, were physically located outside of the "property" as defined in this report, and illustrated on Figure 2. Actual tank locations are as in the table below.

<b>Tank #</b>	<b>Capacity (gallons)</b>	<b>Product</b>	<b>Location</b>	<b>Comments</b>
1	1,000	Gasoline	Maintenance Garage	Buried storage tanks, installed in 1965, removed in 1980s. Above ground replacement tanks taken off site for re-uses.
2	550	Gasoline	Maintenance Garage	

3	15,000	#6 Fuel oil	Boiler House	Buried storage tank, removed in 1980s, along with some contaminated soil. Site assessment in 1999 calls for additional soil removal, which was accomplished.
4	15,000	#6 Fuel oil	Boiler House	
5	15,000	Diesel	Maintenance Garage	Underground storage tank, installed 1969, removed June 1990. Replacement tank was cleaned and cut up for scrap during prison shutdown activities.

The only record of environmental issues in Maine DEP files concerned a spill of #6 fuel oil at the former location of the two 15,000 gallon tanks immediately north of the Boiler House. When the tanks were removed in 1990, 700 cubic yards of contaminated soil were removed at the same time, and another 600 cubic yards in 2000, when additional soil contamination was discovered. Cleanup is to Baseline 1 standards. Documentation of the spill (#A-478-99) is provided in Appendix E. This spill was remediated to the satisfaction of DEP. The spill site appears to lie outside and to the east of the property that is the subject of this report.

#### **E. Indications of Solid Waste Disposal**

Operational waste of the prison facility was removed by the Town.

The former rock quarry located in the center of the upper, field portion of the site was filled with construction/demolition debris on two occasions. Once in 1923, with the burned remnants of the first prison buildings, and then in 2002 with the bricks, mortar and concrete, and other structural components of the former prison buildings. No visible sign of this filling remains at the surface. All hazardous substances were removed from the buildings prior to demolition and burial.

#### **F. Physical Setting Analysis, if migrating Hazardous Substances are an issue**

In our opinion there is no need for further physical setting analysis, for the following reasons:

- All hazardous substances were inventoried and removed prior to building demolition,
- No other activities associated with hazardous substances are known,
- No hazardous materials were buried on site.
- The only exception to the last statement is Transite asbestos sewer pipe installed to serve the prison site and left in place during demolition activities.

#### **G. Any Other Conditions of Concern**

The only issue of on-going concern is already being addressed by Bureau of General Services, namely the sinkholes and soil slides already mentioned.

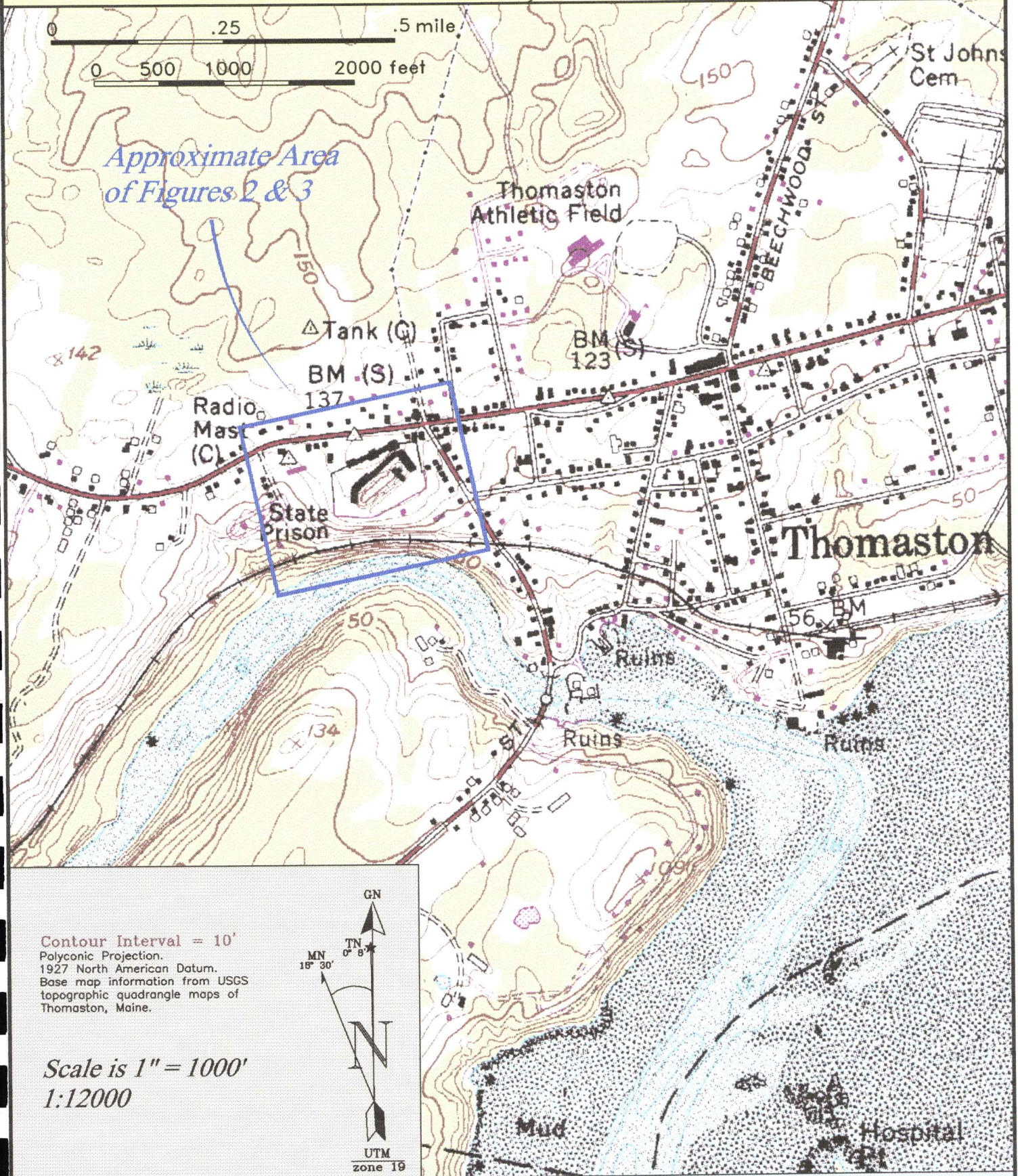
## V. FINDINGS AND CONCLUSIONS

1. The site has been in almost continuous use as a prison from 1824 through 2000, the only period of non-use being a one-year period following a disastrous fire in 1923.
2. The State Bureau of General Services is currently managing the site on behalf of the State. They were in charge of all hazardous materials abatement, demolition and surveying, and are interested in conveying a portion of the prison site about 15.6 acres in area, to the Town of Thomaston.
3. All buildings on the site were demolished under contract in 2002. Bricks and mortar were buried on site, mostly in a former rock quarry, where burned materials from the 1923 fire are also reportedly buried. The demolition specifications call for at least one foot of fill to cover all demolition debris.
4. The site is now a grassy field with no buildings or evidence of buildings apparent with the exception of a monument near the southeast corner of the property. The site is bounded on the north by a line of trees and Route 1, on the west by the State Police Barracks and Ship Street, on the south by a steep slope leading down to a State-owned rail right of way and the St. George River, and on the east by residential development on Wadsworth Street. Two commercial buildings abut the site at its northeast corner.
5. Activities within the prison that utilized hazardous materials included painting of wood, and medical use of mercury, and radioactive substances associated with an x-ray machine. Other activities that utilized hazardous materials include those that are common in any residential setting, e.g. refrigeration, switches (with mercury), heating (with fuel oil), etc.
6. Prior to demolition of the buildings, all hazardous materials were methodically surveyed, inventoried, removed and either recycled or disposed of off-site. This abatement program was particularly thorough, including the inspection and removal of empty drums, and even used mattresses labeled as "medical waste". Only some sections of asbestos sewer pipe serving the prison facility were left buried on-site.
7. DEP files include only one spill report for the site. It describes the discovery and complete remediation of a spill of #6 fuel oil at the boiler house on the east side of the property. Remediation consisted of two episodes of soil removal and its replacement with clean fill. The last of these was completed in 2000. The spill site and soil removal was just east of and outside the proposed property boundary.
8. All other storage of petroleum hydrocarbons, including diesel and gasoline, were also outside of the property.

9. There appear to be no portions of the site for which there is reason to suspect that hazardous materials might remain. Thus we see no reason to call for a Phase II Environmental Site Assessment. There is no portion of the property that requires remediation under the State's Voluntary Response Action Program.
10. On the basis of all the foregoing, we recommend that the State prepare a concurrence letter indicating that no remedial actions are necessary at the site.

# FIGURES

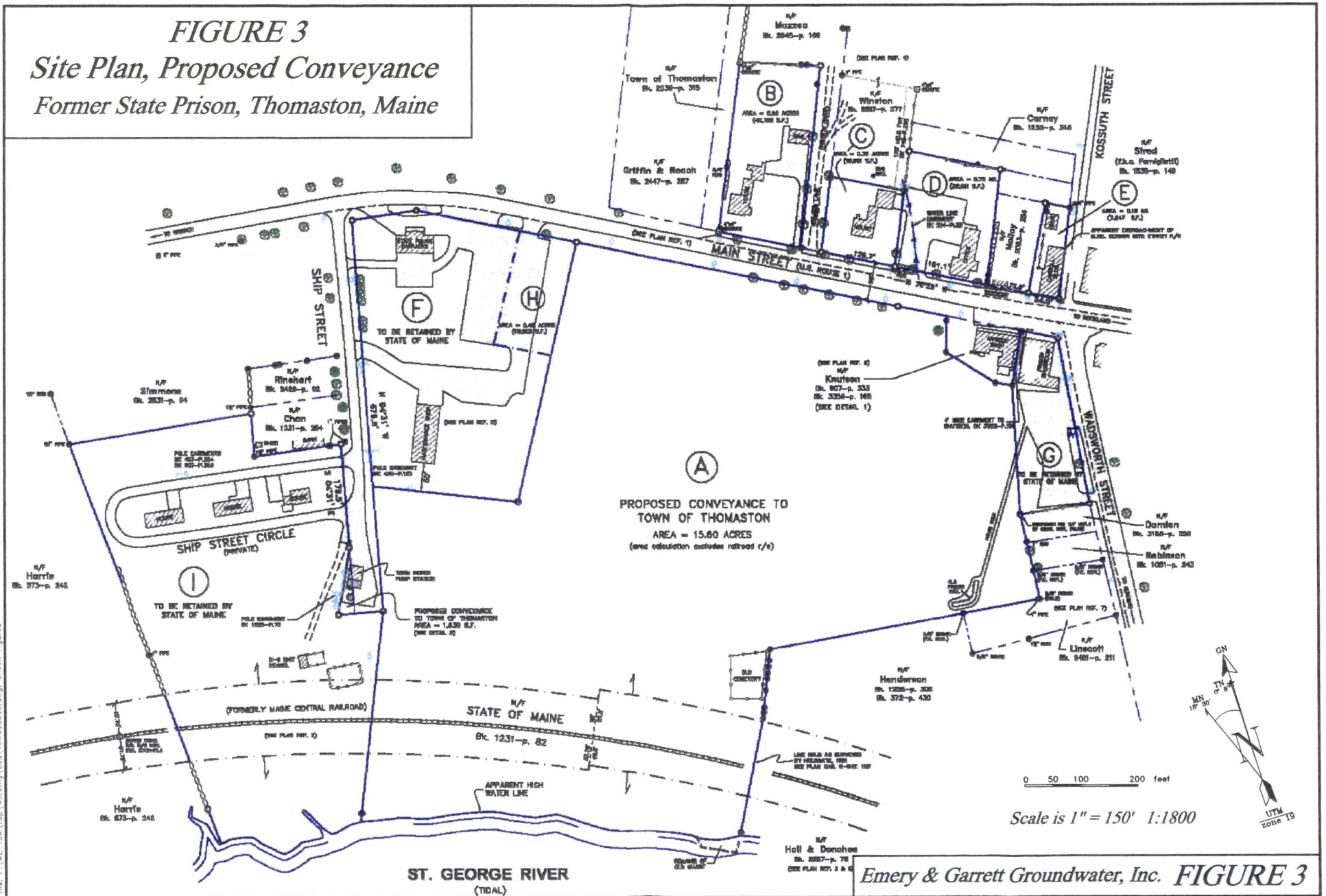
# Topographic Setting of former State Prison, Thomaston, Maine







**FIGURE 3**  
*Site Plan, Proposed Conveyance*  
*Former State Prison, Thomaston, Maine*



file: F:\ME\TOM\working\cad\TOM23005.dwg, sheet: Figure3

Emery & Garrett Groundwater, Inc. **FIGURE 3**



# PHOTOS

**Photos of Former Maine State Prison Site.**



1. View to north across field from top of slope. Trees and buildings are on Main Street.



2. View to northeast across field. Brick building to left is former Prison Showroom. Concrete wall to east is memorial with plaques



3. View southwest down slope from cemetery to railroad and river.

**APPENDIX A**  
**Purchase & Sale Agreement**  
**(Draft, undated and unsigned)**

## PURCHASE AND SALE AGREEMENT

THIS PURCHASE AND SALE AGREEMENT is entered into by and between the STATE OF MAINE, acting through the Commissioner of Administrative and Financial Services, mailing address 78 State House Station, Augusta, ME 04333-0078 ("Seller"), under authority conferred by Resolves of 1999, Chapter 114 (second regular session of the 119th legislature), and as amended and extended by Resolves of 2005, Chapter 98 and the Town of Thomaston, \_\_\_\_, mailing address \_\_\_\_, ("Buyer").

In consideration of the mutual covenants and agreements herein set forth, Seller and Buyer hereby agree as follows:

### ARTICLE I AGREEMENT TO PURCHASE; DESCRIPTION OF PROPERTY

- 1.1 Agreement to Sell and Purchase. Seller hereby agrees to sell to Buyer and Buyer hereby agrees to purchase from Seller, subject to and in accordance with the provisions of this Agreement, the property described in Section 1.2 of this Agreement.
- 1.2 Property Description. The property that is the subject of the Agreement is as follows:
- (a) that certain parcel of unimproved real estate situated in the Town of Thomaston, being 15.6 acres, more or less, a sketch of which is attached as Exhibit A, and being a portion of property comprising the former "Maine State Prison" site, consisting of all or a portion of the premises described in Resolves of 1999, Chapter 114, Section 3 (1);
  - (b) all right, title and interest of Seller in and to all easements, rights, and other appurtenances belonging or appertaining to the above-described parcels of real estate, to be held in common with grantor pursuant to paragraph 1.2 (e) below;
  - (c) all fixtures now located on the above-described parcels of real estate; and
  - (d) the equipment, machinery, tools, supplies, furniture and furnishings now located on the above-described parcels of real estate;
  - (e) easements over remaining land of Seller for access by Buyer and its successors and assigns for passage by persons, vehicles and utilities, to Wadsworth Street and Ship Street, the location to be mutually acceptable to Seller and Buyer, and being for the purpose of providing access to the 15.6 acre parcel to facilitate redevelopment;

- (f) reserving, however, all easements, rights, and other appurtenances belonging or appertaining to the above-described parcels for the benefit of all adjacent land held by the State of Maine;
- (g) and further reserving the cemetery and access thereto for maintenance, improvements, and public access;
- (h) and excepting and reserving the railroad right of way held by the State of Maine Department of Transportation.

(All of the foregoing being hereinafter collectively referred to as the "Property").

ARTICLE II  
TERMS OF PURCHASE AND SALE

2.1 Title Deed; Other instruments of Conveyance.

- (a) All portions of the property that constitute real estate shall be conveyed by a quitclaim deed without covenant running to Buyer, said deed to convey the real estate "as is" with no representations or warranties
- (b) All portions of the Property that constitute tangible personal property shall be conveyed by a bill of sale running to Buyer, and said bill of sale shall effectively transfer to Buyer or its nominee title to the said tangible personal property.

2.2 Purchase Price. The purchase price for the Property is Two Hundred Eighty Five Thousand and 00/100 Dollars (\$285,000 .00) in current dollars (the "Purchase Price"). The "Purchase Price" is to be paid by Buyer's forgiving Seller for payments due on account of capital improvements to the Town of Thomaston's wastewater treatment plant. The first payment to be forgiven is due in Fiscal Year 2010-11, and the final payment to be forgiven is due in Fiscal Year 2011-12. The amount forgiven shall reflect accrued interest due by the Buyer to Seller at the rate set forth below. The Buyer has the right to prepay at any time. Additional provisions of the payment terms are set forth in Article 3 of the Town of Thomaston's Annual Town Meeting Warrant, dated June 22, 2004, and approved on June 22, 2004, as follows:

*"June 22, 2004 – 7:00 P.M. – WATTS HALL AUDITORIUM*

***ARTICLE 3:*** *To see if the Town will vote to authorize the Selectmen to accept title to the former prison property from the State of Maine, the parcel containing 15 acres, more or less, and to authorize the Selectmen to execute any and all agreements and documents to effectuate the title transfer. In exchange for transferring the property to the Town, the*

**Selectmen are authorized to forgive the last two payments from the State to the Town for improvements to the wastewater treatment plant. The amount to be forgiven is computed by assessing an interest rate of 2.59% per year on \$285,000 for the time period beginning on the date of transfer of title through the date that the payment is due."**

- 2.3 Closing. The duly executed and acknowledged Quitclaim Release deed, other instruments of conveyance, and other closing documents reasonably necessary to consummate the transaction contemplated by this Agreement are to be delivered and the consideration paid at Room 300, Burton Cross Office Building, within seven (7) days of the satisfaction of the Conditions set forth in paragraph 2.10 but in no event later than September 15, 2005 (the "Closing").
- 2.4 Possession; Condition. Full possession of the Property free of all tenants and occupants, is to be delivered at the Closing. Except as otherwise provided herein, at the Closing the Property shall be in the same condition as it now is, reasonable use and wear thereof excepted and free of all personal property not included within the Property. The Buyer may, but shall not be obligated to, inspect the Property prior to Closing in order to determine whether the condition thereof complies with the terms of this Agreement.
- 2.5 Extension to Make Property Conform. If Seller shall be unable to give title or to make conveyance, or to deliver possession of the Property all as herein stipulated, or if, at the time of Closing the Property does not conform with the provisions hereof, the Buyer shall have the right to require the Seller to use reasonable efforts to deliver possession as provided herein, or to make the Property conform to the provisions hereof, as the case may be, in which event the time for performance hereof shall be extended for a period of sixty (60) days.
- 2.6 Failure to Make Property Conform. If at the expiration of any extended time for performance Seller shall have failed after the exercise of diligent efforts to so deliver possession, or make the Property conform, as the case may be, all as herein agreed, then Buyer may elect to terminate this Agreement by delivering written notice to Seller. In the event Buyer gives such notice, all sums paid by Buyer hereunder shall be refunded to Buyer, this Agreement shall terminate, neither party shall be in default under this Agreement, and neither Buyer nor Seller shall have any further obligations under this Agreement except those that expressly survive the termination of this Agreement.
- 2.7 Buyer's Election to Accept Title and Condition. Buyer shall have the election, at either the original or any extended time for performance, to



accept such title to the Property in such condition as Seller can deliver, and to pay therefore the Purchase Price without deduction, in which case Seller shall convey such title or deliver the Property in such condition, except that in the event the Property shall have been damaged by fire or other insured casualty and Buyer elects to accept such conveyance in accordance with the provisions of this clause rather than terminate this Agreement, then Seller shall, unless Seller has previously restored the Property to its former condition, pay over assign to Buyer, at the Closing, all amounts recovered or recoverable on account of such insurance, less any amounts reasonably expended by Seller for any partial restoration of the Property.

- 2.8 Risk of Loss. Until completion of the Closing, risk of loss or damage to the Property by fire or otherwise shall be on Seller.
- 2.9 Adjustments. Water and sewer use charges, fuel oil, and all other charges with respect to the Property have been prorated.
- 2.10 Conditions. If any of the conditions set forth in this Section 2.10 are not met to the satisfaction of Buyer, in Buyer's sole discretion, at any time between the Effective Date of this Agreement and the Closing, Buyer shall have the right to terminate this Agreement by delivering written notice of termination to Seller and thereupon all sums paid hereunder by Buyer shall be refunded to Buyer, and neither party shall be under any further obligation hereunder:
- (a) Hazardous Materials Assessment. Seller reserves the right at its own cost and expense to conduct a hazardous materials assessment within 14 days of the date of this contract. Seller agrees to furnish to Buyer all information in its files pertaining to hazardous materials.
  - (b) General Due Diligence. Buyer shall be satisfied with the condition and status of the Property and with the results of all inspections, tests, surveys, studies, searches, and evaluations deemed necessary or advisable by Buyer in connection with its proposed purchase, use, development and/or ownership of the Property
  - (c) Title. The Property shall be conveyed subject only to such encumbrances, easements, restrictions, conditions, and other matters as are satisfactory to Buyer.
  - (d) VRAP. The obligations of the Buyer to purchase the Property are subject to execution by the Maine Department of Environmental Protection (DEP), on or before September 15, 2005, of a No Further Action Assurance Letter under the Maine Voluntary Response Action Program ("VRAP") and, upon completion of any actions prescribed in Buyer's VRAP action plan, issuance of a

Certificate of Completion and release of State environmental liability as to the Property.

For any conditions set forth above that involve the agreement or undertaking of Seller, Seller hereby agrees to negotiate and address the subject matter of such conditions with reasonable diligence and in good faith from and after the date of this Agreement.

ARTICLE III  
MISCELLANEOUS

3.1 Brokerage. Seller and Buyer each represent and warrant to the other that no brokers have been employed with respect to this transaction by either of them, and Seller and Buyer agree to indemnify and hold the other harmless from any claim by any broker or agent claiming compensation in respect of this transaction, alleging an agreement with Seller or Buyer, as the case may be.

3.2 Buyer's Default. If Buyer defaults under this Agreement, the deposit paid by Buyer shall be retained by Seller as liquidated damages, and this shall be Seller's sole and exclusive remedy at law or in equity for any default by Buyer under this Agreement.

3.3 Representation of Title. Seller hereby agrees that, from and after the date hereof, Seller will not allow any change in the condition of the Property to occur, other than those contemplated hereby, and will not, without in each instance first obtaining the written consent of the Buyer, (i) grant, create, assume or permit to exist any lien, lease, encumbrance, easement, covenant, condition, right of way or restriction on the Property; or (ii) take any action adversely affecting the title to the Property as it exists on the date of this Agreement.

3.4 Inspections. Seller hereby agrees that Buyer may enter the Property at any and all times from and after the date hereof and continuing through the Closing for purposes of conducting any and all inspections, tests, surveys, studies, searches, and evaluations deemed necessary or advisable by Buyer in connection with its proposed purchase, use, development and ownership of the Property, including, without limitation, general building inspections, inspections, tests, audits, and studies of mechanical systems, environmental tests, audits, and studies, soils tests, audits and studies, land surveys, and land use studies. Buyer agrees that in entering upon the Property, for the aforesaid purposes, it will permit no waste nor make any changes or alterations thereto, except those reasonably necessary and incidental to the accomplishment of the aforesaid purposes, and that in the event the Closing does not occur for reasons other than Seller's breach of this Agreement, Buyer will restore the Property to the extent reasonably possible if so requested by Seller.

### 3.5 Additional Terms.

- (a) This Agreement shall be binding upon and inure to the benefit of Seller and Buyer and their respective successors and assigns.
- (b) All notices pursuant to this Agreement, to be effective, shall be in writing and shall be (i) hand delivered; or (ii) mailed by certified mail, postage prepaid, return receipt requested; or (iii) sent by overnight courier, in any of such cases to the address set forth herein as the address of the party who is to receive such notice. Either party may, by such manner of notice, substitute persons or addresses for notice other than those listed above. Any notice given in accordance with this paragraph shall be deemed given when delivered to such address if hand delivered, or when deposited with the postal service or courier service if sent by mail or by overnight courier.
- (c) This Agreement shall be governed by and construed in accordance with the laws of the State of Maine without regard or reference to its conflicts of law provisions.
- (d) This Agreement may not be modified, waived or amended, except in a writing signed by the parties hereto. No waiver or any breach of term hereof shall be effective unless made in writing signed by the party having the right to enforce such a breach, and no such waiver shall be construed as a waiver of any subsequent breach. No course of dealing or delay or omission on the part of any party in exercising any right or remedy shall operate as a waiver thereof or otherwise be prejudicial thereto.
- (e) Any and all prior and contemporaneous discussions, undertakings, agreements and understandings of the parties with respect to the subject matter hereof are merged in this Agreement, which alone fully and completely expresses their entire agreement.
- (f) The "Effective Date" of this Agreement shall be the date on which the following is completed: Both parties hereto have executed this Agreement and each party has received a fully executed copy hereof.
- (g) The time within which any act required or permitted by this Agreement is to be performed shall be determined by excluding the day upon which the event occurs from whence the time commences. If the last day upon which performance would otherwise be required or permitted is a Saturday, Sunday, or legal holiday, then the time for performance shall be extended to the next day which is not a Saturday, Sunday or legal holiday. The term "legal holiday" shall mean any day during which deliveries by the United States Postal Services are suspended in the State of Maine in observance of that day.

- (h) Buyer shall have the right to sell any portion of the Property and to compensate the Seller all or any portion of the purchase price at any time. This section (h) shall survive the closing.
- (i) Seller's report of hazardous materials remediation is attached. To the best of Seller's knowledge, hazardous materials have been remediated from the Property. Seller's obligations for environmental hazards are set forth in State and Federal law. This section (i) shall survive the closing.
- (j) Seller shall remain responsible for sinkholes and other erosion of the site, this section (j) shall survive the closing.

IN WITNESS WHEREOF, the parties hereto have executed or caused this instrument to be executed by their duly authorized representatives as of the date set forth below their respective signatures.

WITNESS:

\_\_\_\_\_

\_\_\_\_\_

SELLER:  
STATE OF MAINE

By: \_\_\_\_\_  
Rebecca M. Wyke, Commissioner  
Administrative & Financial Services

Date: \_\_\_\_\_

BUYER:

By: \_\_\_\_\_

Its: \_\_\_\_\_  
Date: \_\_\_\_\_

H:\00190\TOWNS\THOMASTO\PRISON\Prison land to Town 2005\PURCHASE AND SALE AGREEMENT\Purchase and Sale Agreement, final.doc

**APPENDIX B**  
**Record Drawing of**  
**Maine State Prison Site,**  
**Following demolition**  
**By H.E. Sargent**

**APPENDIX C**  
**Bates Environmental**  
**Synopsis Letter**  
**February 2005**

# Bates Environmental Health & Safety, Inc.

143 Green True Road  
Wayne, Maine 04284  
Voice: (207) 685-9030  
Cell (207) 242-0754  
Email behs@earthlink.net

February 28, 2005

Mr. Gene Kaler, Director  
Safety and Environmental Services  
Maine Bureau of General Services  
77 State House Station  
Augusta, Maine 04333-0077

Re: Synopsis Letter of the Hazardous Materials Abatement and Removals Project at the Maine State Prison

Dear Mr. Kaler:

This letter presents a synopsis of the findings of a renovation impact survey and associated abatement/clean-up performed prior to demolition at the Maine State Prison complex in Thomaston, Maine. This letter should also serve as written certification of the following:

- All hazardous and special materials identified in the buildings selected for demolition were abated and/or remediated prior to demolition
- The wastes were either disposed of in a DEP/EPA-approved landfill or recycled offsite at a recycling center.
- The work was completed in accordance with the project bid specifications developed for the Bureau of General Services and in compliance with the Maine Department of Environmental Protection rules and regulations.

The scope of the project consisted of survey, inventory, abatement design, asbestos abatement, non hazardous removal and disposal of select materials. The portion of the property assessed included the original prison buildings and contiguous additions, the garage, residential-type office building adjacent to the garage and the storage sheds.

The survey and inventory included the identification of asbestos and other materials not considered a building component, and included the following:

- Asbestos Abatement of Friable Asbestos-Containing Materials

The asbestos abatement portion of the project consisted of the abatement of all known friable asbestos materials in the Maine State Prison Complex selected for demolition. The materials abated included thermal system insulation, vinyl asbestos floor tile, Transite® panels and pipe, ceiling tile, roofing material and drywall. The materials were disposed of at a DEP-approved landfill. Transite® pipe buried on the campus was left in place.

- Mercury-Containing Lights, Thermostats and Medical Equipment

All known mercury-containing fluorescent lights and thermostats were removed using controlled removal techniques and placed in fiber transportation cartons for handling and transport to the recycling facility. Documentation consists of quantities and recycling/disposal manifests.

Elemental mercury originating from medical equipment was identified in the dental exam rooms during routine abatement of other materials. The mercury was isolated, removed using special capture techniques and the surfaces cleaned in accordance with current cleanup guidelines. Air and surface clearances were performed using a Jerome mercury meter. The waste was disposed of as hazardous materials.

- X-Ray Medical Equipment

The radiation source in the x-ray equipment required special handling, transport and disposal. A contractor specializing in this type of work was utilized for the procedure. The unit was removed as a whole component with plans to re-use at another location.

- PCB and nonPCB Fluorescent Light Ballasts

All known ballasts from fluorescent lights were removed using controlled removal techniques and placed in fiber cartons for handling and transport to a recycling facility. The ballasts were separated as PCB and nonPCB-containing. Documentation consists of quantities and recycling/disposal manifests.

- Appliances with Refrigerants

Refrigerators and air conditioners were removed offsite for recapture of the refrigerant in accordance with current EPA guidelines. Documentation consists of quantities and recycling/disposal manifests.

- Halon® Fire Suppression Equipment

The painting shop contained a fire suppression system that utilized Halon® gas. The fire protection contractor utilized by the Prison removed the gas cylinders offsite for gas capture and/or reuse.

- Chemicals and Chemical Barrels (including empties)

Containers with various household and industrial chemical were identified throughout the facility. The chemicals were collected, inventoried and removed using an environmental contractor specializing in this type of work (e.g., LAB-PACK). Empty barrels were also inspected, cleaned if needed, and disposed of offsite. Documentation consists of quantities and recycling/disposal manifests.

- Fuels and Oils

Several types of fuel and oil were identified throughout the facility that required removal and vessel cleaning. The oils included hydraulic oil in several elevators and compressors, heating oil in the boiler room, transformer oil in the transformer vault, diesel fuel in the boiler room and vehicle fuel (gas and diesel) near the maintenance shop. Documentation consists of quantities and recycling/disposal manifests.



• Occupant Items.

Occupant items consisting mostly of mattresses, paper products and office equipment were removed from the complex in accordance with Maine DEP recommendations. These materials were collected in central locations and removed/disposed of as household waste.

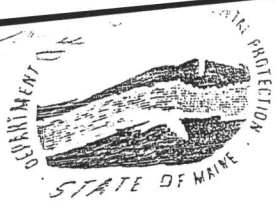
Thank you for requesting Bates Environmental Health & Safety to assist you and the Bureau of General Services with this project.

Sincerely,

Gary M Bates  
Bates Environmental Health & Safety, Inc.

cc Larry Mare, BGS

**APPENDIX D**  
**DEP Tank Data for**  
**Maine State Prison site.**



INDIVIDUAL TANK DATA  
FOR  
SITE NUMBER:

7676

TANK NUMBER	TANK TYPE	PIPING TYPE	TANK SIZE	ADDITIONAL MONITORING	PRODUCT STORED	DATE INSTALLED	TANK STATUS
1	STEEL/BARE ASPHALT	GALVANIZED STEEL	1,000	NONE	NO-LEAD	6/65	REMOVEI
2	STEEL/BARE ASPHALT	GALVANIZED STEEL	550	NONE	REGULAR	6/65	REMOVED
3	STEEL/BARE ASPHALT	GALVANIZED STEEL	15,104	NONE	FUEL OIL #6	5/69	REMOVED
4	STEEL/BARE ASPHALT	GALVANIZED STEEL	15,104	NONE	FUEL OIL #6	5/69	REMOVED
5	STEEL/BARE ASPHALT	GALVANIZED STEEL	15,104	NONE	DIESEL	5/69	<del>ACTIVE</del>

*Removed  
Jan 22, 1990*

**APPENDIX E**  
**Documentation regarding**  
**DEP spill report #A-478-99.**



STATE OF MAINE  
DEPARTMENT OF ENVIRONMENTAL PROTECTION

COPY

ANGUS S. KING, JR.  
GOVERNOR

MARTHA KIRKPATRICK  
COMMISSIONER

March 7, 2001

Mr. Clair Chesley  
Bureau of General Services  
State House Station # 77  
Augusta, Maine 04330

RE: Site Closure letter  
DEP Spill No. A-478-99  
Maine State Prison  
Thomaston, Maine

Dear Mr. Chesley:

This site is classified as requiring a Baseline 1 clean up. This clean up was completed to the department's satisfaction with the oversight of Mary James from Response Services. Therefore I am officially closing the site and will not require further soil removal, hydrogeologic investigation, and/or remediation at this time.

Policy precludes the Department from granting a general release with regard to any site. The Department always reserves the right to require further investigation at a site, even if the site conditions and recommended actions are to the Department's satisfaction at the present time. This is because it is never possible to reach a perfect understanding of the hydrology and geology of any given site and, therefore, to assess the effectiveness of a remedial action or the risk which a release on this site may pose to public health and adjacent properties. Nevertheless, based upon the current site conditions and land uses at this site, the Department does not plan to require further action.

If you have any questions regarding the contents of this letter please feel free to call me at 287-2651. If I am not at my desk please leave a voice mail message and I will get back to you promptly. I may also be reached by E mail Cheryl.W.Fontaine@State.ME.US.

Sincerely,

Cheryl W. Fontaine  
Sr. Geologist  
Division of Technical Services  
Bureau of Remediation and Waste Management

cc: Peter Blanchard - DEP Response Services

STATE HOUSE STATION  
1000 STATE HOUSE ST  
AUGUSTA, ME 04330  
TEL: (207) 624-5000 FAX: (207) 624-5000

BANGOR  
NEWBOLD BLDG  
WALPOLE, MAINE 04491  
(207) 948-1570 FAX: (207) 948-4760

PORTLAND  
81 GUNTCOCK ROAD  
PORTLAND, MAINE 04107  
(207) 833-6300 FAX: (207) 873-0330

FREQUENTLY  
1001 GARDNER DRIVE, BOSTON, MA 02128  
FREETOWN, MA 01865  
(207) 866-6477 FAX: (207) 866-6477

# LUST Spill Closure

BR&WM, Technical Services

Spill # -478-99

Site Name **Maine State Prison**

Town **Thomaston**

Final Priority Score **0**

Final State Rank

Date 3/5/01

Closer **C. Fontaine**

D-Tree Status (S, I, 1B, 2B) **1B**

Insurance Fund Status **n/a**

NA - not applicable D - denied A - approved

## Reasons for closure:

- Cleanup Goals met
- Limits of Technology met
- Limits of Cost Effectiveness met
- Elimination of Risk to Groundwater
- Elimination of Vapor Risk
- Closure Letter written
- Quarterly Monitoring Discontinued
- Final Invoices Processed

Manager

Geologist **cwf**

Engineer

OIHMS

## Remedial Actions:

- Soil Excavation yardage **600** disposal
- SVE system removed
- Sparge system removed
- Biopile yardage disposal system removed
- Multiphase Extraction system removed
- Pump & Treat system removed
- Other system removed

# of replacement wells drilled

# of people using wells replaced

# of contam or threatened wells remaining

Monitoring Wells filled

Landscaping Completed

Paving completed

Electrical removed

Filters removed

Comments:

Fontaine, Cheryl W.

---

From: Fontaine, Cheryl W.  
Sent: Friday, March 24, 2000 10:27 AM  
To: James, Mary R.  
Subject: Maine State Prison Report

I have reviewed the site assessment and am satisfied with the technical quality of the report. I agree with the soil removal recommendation and the approximate outline of where the soil will need to be removed.

However note that not all the soil in this area will need to go. From reviewing the drill logs it looks like they should expect to run into contaminated soil requiring removal at about from 8 ft below ground surface to top of bedrock. Depth to rock over the area varies from 8.2 to 13 feet.

This will mean that they should be prepared to separate out the top "clean" soils and either put the soil back in the hole or otherwise dispose of. Also because of the mixed nature of the contamination in the soil wherever you decide to send the contaminated soil may require a TCLP testing prior to receiving the soils.

Any questions please let me know.

FILING FORM

TOWN: *Thomaston*  
PROJECT NAME: *Maine State Prison A-418-97*  
SOLID WASTE NUMBER:  
COLOR CODE: *Orange*  
CATEGORY: *11- Clean Plans*  
DATE: *3/7/01*  
NAME OF PERSON FILING: *Sandi Jones*  
TELEPHONE NUMBER: *7-7664*

12/17/99  
Fontaine, Cheryl W.

---

To: James, Mary R.  
Subject: Thomaston Prison

Bob Severence of Woodard & Curren called me today regarding the Prison and asking for more detailed instructions on what is required at this site. He also stated that there is yet another tank to be removed from the site. I informed him that he has to give you notice of the tank removal. In essence what I have asked them to do is to complete a site assessment as required by appendix P of Chapter 691. With in the site assessment/report I have used for a summary detailing the sites contaminant history, when previous tanks were removed, etc and also to define the extent of contamination focusing on soil contamination and presence of free product, (assuming that the site will require baseline 1 or baseline 2 clean up standards).

I further recommended that they consider using completing a push probe survey *prior* to the tank removal because that would help them estimate logistical needs, as well as answering their questions.

I think Bob is clear on what is needed. I also instructed him to call me if there were any questions as the job proceeds.



**Fontaine, Cheryl W.**

---

**From:** James, Mary R.  
**Sent:** Wednesday, November 10, 1999 3:10 PM  
**To:** Chesley, Clair; Stoddard, William  
**Cc:** Fontaine, Cheryl W.  
**Subject:** Maine State Prison, Thomaston

**Importance:** High

This is to confirm my telephone conversation with Bill and my voice mail message to Clair last week concerning the #6 oil contamination discovered by Vanasse, Hangen & Brustlin at the Maine State Prison in Thomaston.

As I explained last week, and stated previously in an e-mail to Bill and a letter to VHB, because contamination of 5200 ppm DRO was found at a depth of 12', further investigation of the site is required. The investigation must determine whether or not there is any recoverable free product or saturated soil. If any is found, it must be removed and disposed of at a licensed facility. DEP staff would be happy to review the work plan, and meet on site to offer guidance during soil screening.

The site investigation is beyond the scope of what DEP can do in house. We are restricted from performing tasks of this nature pursuant to an agreement with the Environmental Business Council of Maine. Therefore, you will need to hire a consultant for this work.

If the site assessment reveals the presence of free product or saturated soils, DEP will manage the cleanup for you.

Please give me a call if you have any questions. Thanks.



STATE OF MAINE  
DEPARTMENT OF ENVIRONMENTAL PROTECTION

2-428-99

ANGUS S. KING, JR.  
GOVERNOR

MARTHA KIRKPATRICK  
COMMISSIONER

*Cheryl -  
Greg asked for a  
letter spelling out  
what we wanted.  
I hope this covers  
it!  
Mary*

August 12, 1999

Greg Simpson  
Vanasse, Hangen & Brustlin  
101 Walnut Street  
Watertown, MA 02471

Re: Site Assessment at Maine State Prison, Thomaston

Dear Greg:

You reported finding 5,200 ppm DRO at a depth of twelve feet in the area where underground tanks were removed in 1990. This is to confirm our telephone conversations about the work DEP is requesting at this site. Your investigation must determine whether or not there is any recoverable free product or saturated soil. In addition, all free product and saturated soil must be removed and disposed of at a licensed facility.

Cheryl Fontaine and I would be happy to review your work plan, although this is not required. We also are available to meet with you on site to offer guidance during soil screening.

Please give me a call at 207/287-7951 if you have any questions.

Sincerely,

*Mary Rudd James*

Mary Rudd James  
Division of Response Services  
Bureau of Remediation and Waste Management

cc: Cheryl Fontaine, DEP Technical Services

*after pressure  
test failure*

AUGUSTA  
17 STATE HOUSE STATION  
AUGUSTA, MAINE 04455-0017  
(207) 287-6000  
RAY BLDG., HOSPITAL ST.

BANGOR  
100 HOGAN ROAD  
BANGOR, MAINE 04401  
(207) 941-4370 FAX: (207) 941-4374

PORTLAND  
512 CANCO ROAD  
PORTLAND, MAINE 04101  
(207) 822-6300 FAX: (207) 822-6301

FRESQUE ISLE  
1235 CENTRAL DRIVE, SKYWAY, FALLS  
FRESQUE ISLE, MAINE 04749-2104  
(207) 764-0477 FAX: (207) 764-1507

## EXECUTIVE SUMMARY

This report presents the findings of the site assessment conducted at the Maine State Prison in Thomaston, Maine to evaluate the potential for any residual contamination from two 15,000 gallon #6 fuel oil underground storage tanks removed from the site in 1990. This assessment was completed for the State of Maine Bureau of General Services (BGS). The assessment and the preparation of this report have been completed in accordance with the Maine Department of Environmental Protection's (MEDEP) guidelines from "Appendix P: Requirements for a Site Assessment at Facility Closure or Tank Abandonment" in Chapter 691 Rules for Underground Oil Storage Facilities (underground storage tank regulations).

During an assessment of potential environmental concerns that could affect the future redevelopment of the prison, oil-like material was discovered near the location of the former USTs adjacent to the Boiler Room at the prison. Woodard & Curran (W&C) was retained by the Bureau of General Services to provide engineering oversight during a focused subsurface investigation of the area of the former fuel oil USTs removed from the site in 1990. The tanks were registered as tanks #3 and #4 under MEDEP #7676. At the time of the tank removal approximately 700 cubic yards of oil-contaminated soil were removed from the site under the guidance of MEDEP personnel. No documentation regarding the status of the site was found at the MEDEP public file review room.

The focused subsurface investigation consisted of the exploration of the site by hollow-stem auger drilling with split spoon sampling of subsurface soils. Soils were screened with a photo-ionization detector as well as visual and olfactory observations. Soils were selected for analyses by Maine Health and Environmental Testing Laboratory (HETL) Method 4.1.25 for diesel range organics (DRO) on the basis of positive indications of oil contamination (i.e. staining, olfactory evidence, or elevated PID readings). Soil borings were positioned in an effort to delineate the vertical and horizontal extent of observed contamination.

The results of the soil analyses indicated that oil contaminated soils are present at the site. The concentration of oil in the soils at the site exceeded the MEDEP recommended removal action criteria of 1,000 mg/kg. The characteristics of the fuel oil spilled at the site combined with the relatively impermeable nature of the soils at the site have limited the horizontal migration of the contamination at the site. Based on the results of analyses and the delineation of the horizontal and vertical extent of contamination, approximately 400 cubic yards of materials will likely need to be removed from the site. Oil-contaminated soils were found on the bedrock surface indicating that the bedrock surface may need to be vacuumed clean during soil removal activities.

## 1.0 INTRODUCTION

### 1.1 Purpose

The purpose of this site assessment was to evaluate soils for the potential presence of petroleum fuel related hydrocarbons in the area of two 15,000 gallon #6 fuel oil underground storage tanks formerly located in the vicinity of the Maine State Prison's Boiler Room located in Thomaston, Maine.

### 1.2 Facility and Site Location

The Maine State Prison site is located at 352 Main Street in Thomaston, Maine as depicted in Figure 1. The location of the former underground storage tank facility was adjacent to the current Boiler Room and is most readily accessed from the parking lot behind the Prison Wood Products Store and its associated parking lot located south of Main Street and west of Wadsworth Street. A site plan is provided as Figure 2 that depicts the approximate former location of two 15,000 gallon #6 fuel oil tanks.

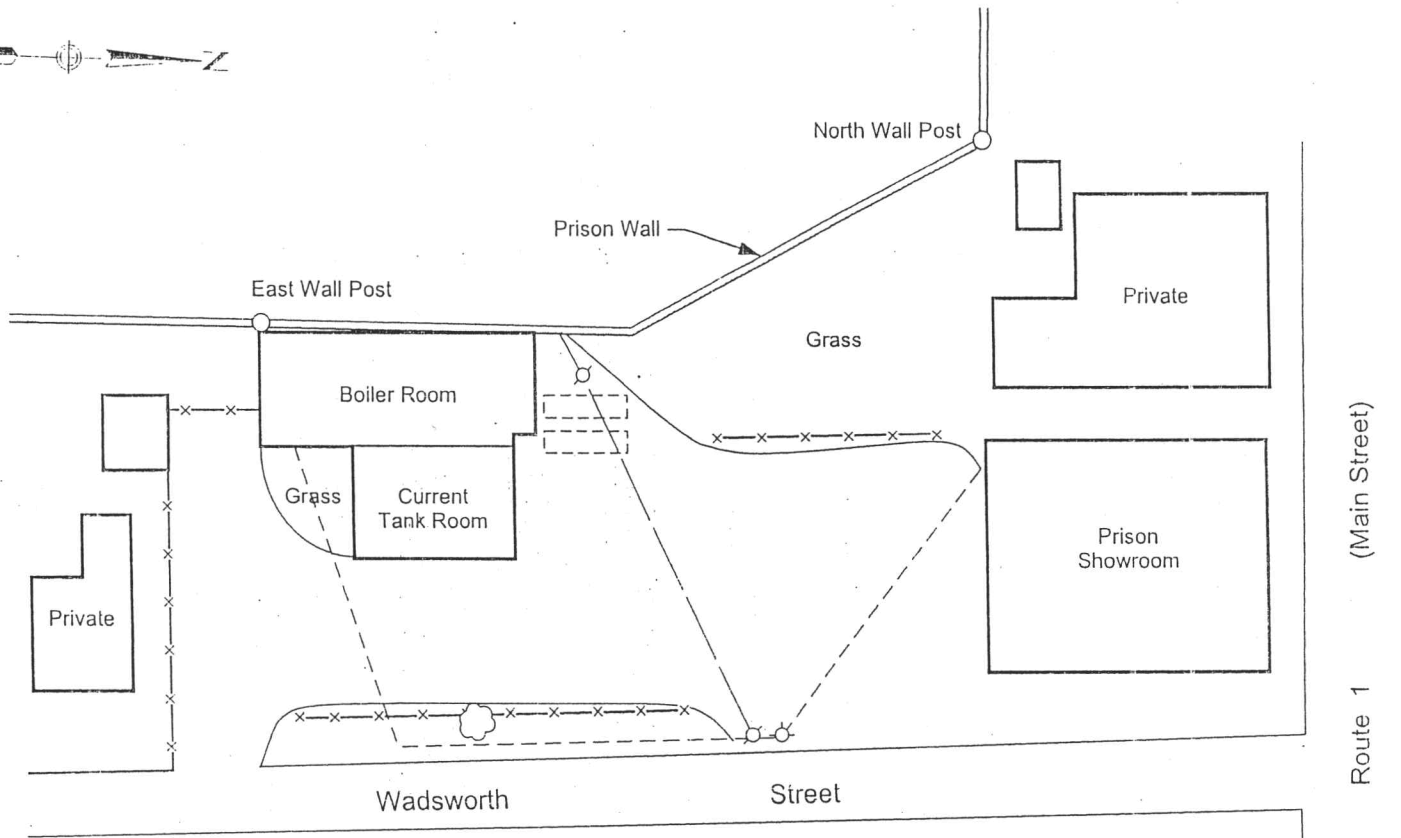
### 1.3 Facility and Site History

The site has been the location of the Maine State Prison since the early 1830s. Prior to the construction of the State Prison, the site was a privately owned limestone quarry. A fire destroyed much of the original prison in the 1920s. The debris from the destruction caused by the fire was bulldozed into the old quarry and new prison facilities were built upon and around the old quarry. The current boiler room was built in the 1960s. A site plan is depicted in Figure 2. These tanks were removed in April of 1990 under Maine Department of Environmental Protection (MEDEP) supervision after they failed a pressure integrity test. Documentation from the MEDEP suggests that the tanks, registered with MEDEP as tanks 7676-0003 and 7676-0004, were 8 years old at the time of their removal. The documentation available at the MEDEP file review room indicated that approximately 700 cubic yards of contaminated soil were removed from the site at the time of closure. The soil was apparently taken to Crooker Construction in Topsham, Maine for recycling. In addition to the soil removed from the site, approximately 275 gallons of water and #6 oil were pumped from the tank excavation.

VHB of Watertown, Massachusetts conducted a soil boring investigation of the State Prison, in July of 1999 to evaluate the property for potential reuse once the replacement prison is completed in Warren, Maine. During the course of VHB's soil boring investigation, oil-like material was observed in soils from a boring placed near the former #6 fuel oil tanks approximate former location. Based on this observation, the Maine State Bureau of General Services retained Woodard & Curran Inc. to conduct a site assessment pertaining to the two former #6 fuel oil USTs.

### 1.4 Area Review

The site is located just off Main Street running through the center of the Town of Thomaston. The area is mixed commercial/residential with most of the properties located along the eastern side of Wadsworth. Four residential properties are located across Wadsworth Street from the site. One residence is located immediately south of the parking lot on the same side of Wadsworth Street. Some of these properties are likely to have crawl spaces or basements below grade.



**LEGEND**

- x—x— Fence or Guard Rail
- ☼ Tree
- ⊙ Utility Pole
- ⊕ Fire Hydrant
- ⋯ Location of Former USTs
- Overhead Power Line
- - - Buried Water and/or Sewer Line

Not to Scale

Figure 2  
Site Plan  
Maine State Prison  
Thomaston, Maine  
WOODARD&CURRAN

Boiler Room

Doorway



LEGEND

-  B-1 Soil Boring Location
-  Approximate Horizontal Extent of Oil-Like Material in Subsurface
-  Approximate Former Location of USTs

Scale in Feet

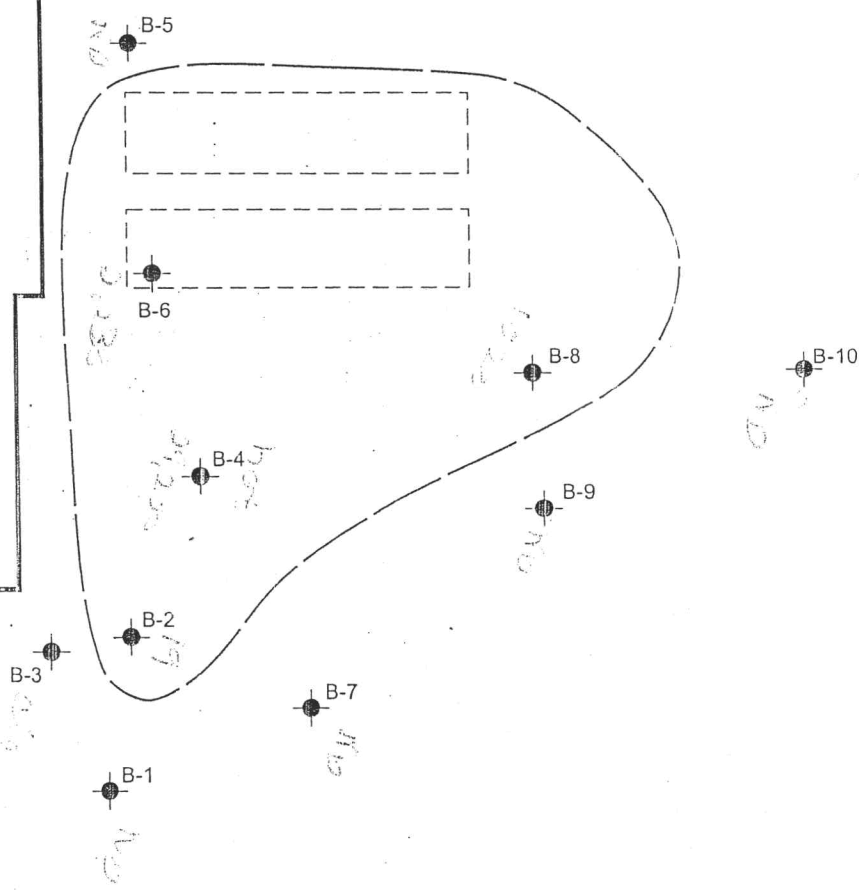
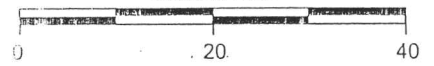


Figure 3  
 Soil Boring Location Map  
 Maine State Prison  
 Thomaston, Maine  
 WOODARD & CURRAN