

Northern Maine Brownfield Steering Committee Meeting
April 10, 2008
Caribou Inn and Convention center
10 a.m. – 12 p.m.

Attendees

Skip Babineau, Denis Berube, Jeff Packard, Craig Staples, Connie Bondeson, Barbara Pitcairn, Jerry MacAvaddy, Frank Wezner, Brian Beneski, Nate Hersey, Norman Cyr, C.P. Harris, Jay Kamm

I. Welcome and Introductions

This month's meeting was held at the Caribou Inn and Convention Center. Attendees introduced themselves and the meeting started at 11:00.

II. Review of Minutes of the March 13, 2008 meeting

The minutes of the March 13, 2008 meeting were reviewed. A motion was made to accept the minutes by Jerry MacAvaddy and seconded by Jeff Packard. The minutes were accepted unanimously.

III. Outcomes from the March 26th EPA Brownfield meeting in Freeport

Jay and Connie gave the committee a brief overview of the EPA's Brownfield Grant recipients meeting that was held in Freeport on March 26, 2008. In addition, our consultant Cheryl St. Peter from County Environmental Engineering was in attendance. All recipients of the Brownfield grant program and their consultants were invited to attend. Topics covered included the new guidelines for the Brownfield grant program, a presentation regarding the former Eastern Fine Paper facility in Brewer, MDEP Site Data in Google Earth, Petroleum Issues, and VRAP Update and Public Participation Policy.

IV. Site Review

Two sites were no longer interested in participating in the program, the two sites that were nominated by Mary Walton, and located in Caribou.

We have received four additional sites this month to review and the four new sites are listed on the most recent spreadsheet, for a total of 14 properties to review.

The committee then began a review of the sites:

Site #1- Needs a purchase and sale agreement in place, but what they want to do is an allowed use under a special exception.

Site #2 and 2a- Property owner owns several lots along here... Lot #11 - #17.

Lots #15, #16, and #17, which is not listed, is developed as his shop. We are not including those. Lots #12-14 would be eligible because the previous owner is not a responsible party. Lot # 11, which is on the petroleum priorities list and is adjacent to river to was previously owned by Dead River, who the current owner purchased it from. So they (Dead River) would be the viable responsible party, and they are the immediate previous owner. Once again, you would need purchase and sale agreement in place before that site could become eligible. This information was relayed to the property owner. And if the owner ever decides to sell it, and get a purchase and sale agreement in place, we can re-visit it.

Site #3- Contacted property owner of site #3 and they are interested in participating in the project.

Site #4- Property owner was not at the town meeting last week, but did gather information about the property from a former selectman, who thought in the in the late 60's or early 70's, the DEP removed the gas tanks form the ground from that site. (the DEP said that would have been a little early for them...they were not doing tank removals until the early 80's.) The property owner was not contacted.

Site #5- This property was discussed at the March 13, 2008, meeting.

Site #6- This property was discussed at the March 13, 2008, meeting and have a bit more to report. The town is interested in doing something here. They are two steps away. Dead River owned it years ago, but at least three owners since then. We know that it is contaminated. There is an aerial photograph that shows six above ground tanks. Another map showed two underground storage tanks. There is question to whether or not the tanks were removed.

Site #7- Contacted property owner of site #7 and they are interested in participating in the project.

Site #8- Spoke with property owner. No interest at this time in participating in the program.

Site #9- Believe that the property owner would be considered viable, but not responsible, but will do more follow-up with the DEP. Clean-up was done at this property. This might take a while to get to the bottom of this.

Site #10- They were contacted and interested in participating in the program. They are twice removed. A Phase I was done already, and if they want to participate in a Phase II that is where we would probably be at. If he is not going to sell it, and wants operate it as is, he can do that without involvement of this program. There are no outstanding violations from the DEP.

The biggest benefit for doing a Phase II, the pro, would potentially clear up any RECs. If we did a Phase II and did not find any contamination, we could say we have clean site. If we did a Phase II and found contamination and he owns it... would he be able to address the issue?

If it is not causing any problems now that the State [the petroleum program] would need to fix, then he is o.k., but if it that contamination impacts something and State needs to spend money to fix, then he could be liable for that money.

If he decided to go into a purchase and sale agreement with the leasee, and the Phase II turns up some contamination, then for the potential buyer to get any financing, the work (Phase II) would have to be done ...would the owner be responsible for it? Until a new buyer comes in, then the bank will say we want you to do a Phase II, then the can of worm is open again, unless the Phase II shows no contamination. That is the pro and cons of this site. The potential Purchaser of that site, might want to know if it was contaminated, if the RECs in the Phase I are real. The current owner, might not want to do a Phase II unless the perspective purchaser's bank said I needed one to sell it. If I am the owner, I may not want to know if it is contaminated, I might find a buyer that doesn't care. It is eligible, not in the current owners best interest, but in the lessee best interest.

Site #11- Commercial facility. Years ago it was fertilizer plant. Huge building and located in commercial zoning. There was a pipeline easement held by a petroleum company that ran through the southwest corner of the property that was associated with an above ground storage tanks. The property is currently for sale. Have two steps and do not know where the tanks are.

Site #12-Site is undevelopable because it is so small. Looked at the Registered Underground Storage Tank Database and found that there were three tanks registered to this site, but had a different address which could have changed maybe because of E-911. Spoke with the Town's Economic Development person and he couldn't remember any other site belonging to this person. Originally this site housed a maintenance garage and gas station and the tanks may have been removed in 1986 according to the database, making it seem like there could be petroleum issue there. The town thinks they might like to make a 'welcoming kiosk' at the site.

Site #13- This property was considered for purchase by a large chain fast- food restaurant to make access to their restaurant. They did a Phase I on this nominated property and their current restaurant site in January of 2007. The Phase I for the nominate property, identified that in 1946 there was a gas station and two tanks out by the road. They also identified a floor drain in the gas station that discharged out back. The restaurant then completed a Limited Subsurface Exploration, which is very similar to a Phase II. They identified contamination in soil, in January 2007, and put in some monitoring wells. They came back in April 2007, to develop and sample those wells and found two inches of product (gasoline) in one of the monitoring wells, the well closest to the road. So we know that that there is contamination and that a Phase I and Phase II was done recently. The only problem with the Phase I, is that it is dated. The Phase II, they did not explore the floor drains out back. The roof on this nominated property has recently collapsed due to the snow. The Economic Development Director from this town was going to speak with the property owner to see what he wants to do with this property It is eligible for the program.

This is a prime piece of commercial property. If we could resolve the issues on site, perhaps the restaurant would re-visit the issue of purchasing that property.

Site #14- Property is for sale. Underground gas tank there and is out of service. Think the facility was built in the late 1970s by the one and only owner. That would make them a responsible party, but are they viable? Don't think the tanks are much older than 10 years. They are nice, double-walled tanks.

The committee then began to group the sites into the following categories. 'A' are the highest ranking site, and 'Cs' are the lowest ranking sites based on the criteria and discussions.

A= Site # 3, Site # 7 Site #11, Site # 13

B=Site # 1, Site # 4, Site #6, Site #10, Site #14

C=Site #2& 2a, Site #5 # 8, Site #9, Site #12

The property owners for the 'A' group will be contacted first to see if they would like to participate in the program. In addition, we are still soliciting sites and will be for the next year.

V. Brownfield Data in Google Earth

www.maine.gov/dep/gis/datamaps.index.htm

The following is taken directly for the MDEP website:

“The Maine DEP GIS Unit is now offering selected data, geographically referenced, from a number of the department's databases to the public via Google Earth. You will need to have Google Earth installed to view this data.”

This MDEP has mapped locations of a host of different environmental information, including maps of sites that have registered petroleum tanks and properties that have had brownfield work completed on site.

At the March 26th Brownfield meeting in Freeport, the MDEP presented this information to the Brownfield Grant recipients and we thought it was a useful mapping application.

VI. Adjournment, Next Meeting, Date and Place

The meeting was adjourned at 12:05 p.m. The next meeting will be held on June 19, 2008, from 9:00 a.m. - 11:00 a.m. at Northern Maine Development Commission.

Respectfully submitted,

Barbara Pitcairn
Secretary

BP/cb