



STATE OF MAINE  
DEPARTMENT OF ENVIRONMENTAL PROTECTION

JOHN ELIAS BALDACCI  
GOVERNOR

DAVID P. LITTELL  
COMMISSIONER

RECEIVED  
NOV 18  
PLANNING OFFICE

November 16, 2010

Ms. Carol Tukey, Town Planner  
Town of Harpswell  
P.O. Box 39  
Harpswell, Maine 04079

Re: Mitchell Field, Harpswell—Process for participation in the Voluntary Response Action Program

Ms. Tukey:

Earlier this year, you had requested information regarding the Maine Department of Environmental Protection’s (the “Department”) Voluntary Response Action Program (“VRAP”), and how the Mitchell Field property in Harpswell (aka the Former Defense Fuel Farm) might benefit from participation in the VRAP. During May 2010, you accompanied Jean Firth and me on a walk of the property. This letter outlines the process moving forward for participation in VRAP, given the conceptual redevelopment plan, A Master Plan for Mitchell Field (the “Plan”), you had presented for the property.

The Plan proposes very limited redevelopment of the property, and is quite compatible with the Department’s understanding of potential and real environmental issues at the property that would need to be considered during the redevelopment.

Specifically, any entity looking to redevelop a portion of the property in any of the locations proposed in the Plan (Mixed-Income Cluster Housing, Marine Business Zone I, and Marine Business Zone II) would need to adhere to the following conditions to participate as an applicant to VRAP and receive the protections provided by VRAP:

1. The supply well on the property, which may be used as a source of potable water, may not be pumped at a rate exceeding 6.25 gallons per minute (i.e. no more than 9000 gallons per day) at any time, as outlined in a September 15, 2008 from Department Project Manager Naji Akladiss to the Town of Harpswell. Routine sampling of the well for petroleum contaminants (extractable petroleum hydrocarbons, volatile petroleum hydrocarbons and volatile organic compounds) will be necessary by the user(s) of the well, as outlined in the aforementioned letter. Should petroleum contamination be discovered during sampling, treatment

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PORTLAND  
312 CANCO ROAD  
PORTLAND, MAINE 04103  
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PRESQUE ISLE  
1235 CENTRAL DRIVE, SKYWAY PARK  
PRESQUE ISLE, MAINE 04769-2094  
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of the well will be necessary. Any sampling and treatment costs will be the responsibility of the VRAP applicants, their successors and/or assigns.

2. If a greater water extraction rate is desired, or if additional potable water wells are proposed, the VRAP applicant will need to do a hydrogeological study to demonstrate that groundwater will not be adversely affected (both on and offsite) by significantly changing the characteristics of the petroleum contamination plume that exists at the property.
3. No digging on the property will be conducted without prior written approval of the Department. The VRAP applicant is responsible to provide the Department with information regarding any proposed digging, which may include the performance of limited environmental sampling to provide data demonstrating that the proposed digging does not represent an unacceptable health risk. The costs of such limited environmental sampling will be the responsibility of the VRAP applicants, their successors and/or assigns.
4. Use of the property for residential purposes without the prior written permission of the Department is prohibited. That said, the proposed location for "Mixed-Income Cluster Housing" is the most logical location and most acceptable portion of the property for residential uses. A VRAP applicant for this portion of the property would need to do limited assessment (at their cost) on this portion of the property to confirm that residential uses would meet the residential use criteria in applicable DEP guidance. Other uses, such as those contemplated in the Plan (e.g. Marine Business Zones I & II) do not require prior written approval of the Department, provided that all other conditions listed herein are followed.
5. The VRAP applicant will adhere to local, state and federal laws relating to lead-based paint, asbestos, and polychlorinated biphenyl (PCB) containing caulking during occupancy, renovation, demolition and/or disposal of the existing structures on the property. All costs related to sampling, managing, handling, removing and/or disposing of such materials will be the responsibility of the VRAP applicants, their successors and/or assigns.
6. You should also note that all construction, alterations, or improvements on the property are subject to the formal advance approval of the Federal Aviation Administration ("FAA") for compliance with the regulations set forth in 14 CFR Part 77, "Objects Affecting Navigable Airspace".

During redevelopment of any portion of the property, both the potable water supply and wastewater disposal will need to be considered and addressed. The feasibility of a community water supply and community wastewater disposal system should be evaluated. Any redevelopment plans that may change groundwater flow will require a hydrogeological evaluation.

Moving forward, a separate VRAP can be done for each portion of the property, if the redevelopment occurs on different portions at different times. This will accommodate any redevelopment plans an entity may have, and not prohibit redevelopment in stages.

Redevelopment plans that do not include adherence to the abovementioned conditions will require the involvement of the United State Navy/ Department of Defense before a potential VRAP applicant will be accepted into the program and a proposed redevelopment could be approved.

If you have questions regarding this letter, please feel free to call me at 207-287-4854.

Sincerely,

A handwritten signature in black ink, appearing to read "Nicholas J. Hodgkins". The signature is fluid and cursive, with a long horizontal stroke at the end.

Nicholas J. Hodgkins  
Voluntary Response Action Plan  
Division of Remediation

Pc: Naji Akladiss, Maine DEP