

Public Interest Comments Regarding Natural Resource Damage Compensation at  
the Hows Corner George West Superfund Site, Plymouth, ME

Background

The Hows Corner Group has provided the DEP, as lead NRT, with an offer to settle the State's asserted claim for Natural Resource Damages (NRD) stemming from the Hows Corner Superfund Site in Plymouth, Maine. This site was formerly operated by George West Jr, doing business as Portland-Bangor Waste Oil.

The compensation is proposed to address NRD to groundwater stemming from activities at the Hows Corner Superfund Site, and for future damage to groundwater until completion of the groundwater cleanup remedy. The Hows Corner Superfund Site is located on an upland recharge area in a rural residential area, and because of its location within the watershed, water quality was very good prior to site activities. A portion of the Superfund Site is a mapped Sand and Gravel Aquifer, a highly desirable resource.

This compensation offer consists of purchasing and placing into conservation one approximately 650-acre property on Ridge Road identified as Map8, Lot 1 and one approximately 50-acre tract of land on Sawyer Road Map 3 Lot 27 , on the Town of Plymouth tax maps.

Description of the Two Compensation Parcels

The 650+/- acre parcel of land will have some public road frontage on Ridge Road, and a deeded easement to Ridge Road to the west, and is bordered by Martin Stream to the east. Based on a review by DEP of information pertaining to the site, the groundwater at the compensation site is not likely to be of as high value as the aquifer impacted by the Hows Corner site, but would likely yield more water. However, the compensation parcel is a large, undeveloped, intact parcel of land containing high-value waterfowl wading habitat, and other moderate value wildlife habitat. The parcel may also contain, and abuts, deer wintering areas. Further, the site contains a recreational trail for snowmobiles and other motorized off-road vehicles.

A second 50+/- acre parcel of land located on Sawyer Road abuts the parcel containing the production well for the Plymouth Water District. This 50+/- acre parcel lies down gradient of the existing well, and, therefore, would not provide significant well-head protection. However, should the existing well fail, the new parcel would provide for a potential area to locate a replacement water supply well.

Public Meeting 3/31/09

On March 31, 2009, a public meeting was held at the Plymouth Grange Hall on Route 7 in Plymouth. Approximately 35 members of the public were in attendance. Following a presentation by DEP and EPA staff, the public was invited to comment on the proposed NRD settlement. The following represent the topics of interest expressed by the citizens:

- 1.) Does the Ridge Road property (650 acre property) include the bridge and river?

The river represents the boundary to the 650 acre property. IF&W would like to work out an agreement with the local snowmobile club to maintain the trail and bridge. All parties wish for hunting, fishing and trapping uses to continue.

- 2.) Does the 650 acre parcel include the Christmas tree farm?

The tree farm that borders Ridge Road is not included in the land parcel. The plan is to have a parking area next to Ridge Road with an access corridor through or along the edge of the tree farm to gain access to the 650 acre property.

- 3.) If the state settles on the natural resource damages, will the PRPs be released from responsibility for the George West Superfund Site?

The NRD plan only addresses natural resource compensation. The Potential Responsible Party (PRP) group will still be involved with other issues associated with the George West Hows Corner Superfund Site in Plymouth. PRPs are identified as the owner, operator, generator and/or transporter of the waste material. Unfortunately, some of the waste oil sent to the facility contained hazardous waste material mixed in with the waste oil. These hazardous wastes subsequently contaminated the local aquifer. A consent decree agreement is currently being negotiated to cover natural resource damages and the site remedial (clean-up) action. There are a total of five George West waste sites, Hows Corner in Plymouth is just one of the sites. PRPs have been or are being contacted regarding the other sites.

- 4.) Does the state feel that this plan is fair?

The Dept. of IF&W has no comment on the fairness issue. The DEP, who negotiated the settlement, believes the NRD settlement adequately addresses natural resource damages and compensates for damage done to the aquifer.

- 5.) Will the Hows Corner site ever be fully restored?

There will be residual contamination remaining in the bed rock on a small portion of the site that will undergo a pump and treat action designed to contain the contamination to a limited area. Impacted and at risk residences have been supplied with public water. Groundwater outside of the containment area of the George West property will gradually recover over time.

- 6.) Does the 650 parcel compensate for future problems with the public well located on Sawyer Road?

The 50 acre parcel on Sawyer Road (Map 3 Lot 27) is the land area intended to compensate for any future problems associated with the current public well source area. If necessary, a new public well could be located on Lot 27 if the need arises.

- 7.) How does the town replace tax funds lost when the 650 acre parcel is removed from the tax base?

Town selectmen can contact the Department if this is an issue. It should be noted that property development often does not totally offset, through taxes, the cost to the town for additional services provided by the community through schooling, police protection, fire protection, etc. Consequently, while future development of this land area may have provided additional tax resources to the town, these revenues may not be sufficient to cover the costs of needed services.

- 8.) Will the 50 acre parcel on Sawyer Road be open to public recreation?

It is intended that this parcel remain open for hunting, walking and other uses but it will be closed to motorized vehicles such as ATVs and snowmobiles. Motorized vehicles carry fuel and oil that could pose a risk to the underlying aquifer if spilled. The object of protecting this land parcel is to reserve a suitable area for a future public water supply if needed.