



STATE OF MAINE

# DEPARTMENT OF ENVIRONMENTAL PROTECTION

ANGUS S. KING, JR.  
GOVERNOR

EDWARD O. SULLIVAN  
COMMISSIONER

September 16, 1996

Mr. Norman Heitman  
City of Bangor  
73 Harlow Street  
Bangor, Maine 04401

Re: Maine Central Railroad Yard, Bangor, Maine--No action assurance

Dear Norm,

The Maine Department of Environmental Protection (DEP) has reviewed the "Voluntary Response Action Plan (VRAP), Maine Central Railroad Yard, Bangor, Maine", submitted to us by ERM-New England, Inc., Maine Central Railroad's consultant. The DEP has been working with Maine Central Railroad and the City of Bangor to coordinate the investigation and remediation/mitigation of public health and environmental threats in preparation for the future redevelopment of the property.

Based on the information in the Environmental Engineering & Geotechnics, Inc. Phase I site assessment report, and the information provided as part of the VRAP, the DEP agrees in concept with the recommended remedial tasks described in the VRAP. This approval is contingent upon the DEP review of the detailed cap/cover specifications as each portion of the property is redeveloped. It is the DEP's understanding that whenever site redevelopment is planned, efforts will be made to consolidate any contaminated soils under foundations (if soils encountered represent only a contact threat) or paved areas to further minimize potential of contact. It is also the DEP's understanding that the entire site will have at least six (6) inches of clean cover (topsoil) over all unpaved areas of the site, and that this clean cover will be seeded to prevent erosion and contact with the underlying soils. Details of the appropriate remedial/mitigation efforts will be developed as each portion of the site is redeveloped. Pursuant to 38 MRSA § 343-E(9), this letter constitutes a no-action assurance and, provided the proposed remedial/mitigation actions are completed to the DEP's satisfaction, the City of Bangor, and its successors and assigns will receive the protection from liability provided in 38 MRSA § 343-E(1).

The DEP is committed to working with you throughout this project to meet our common goals: to mitigate the risks to public health and the environment; to redevelop the property

*Serving Maine People & Protecting Their Environment*

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in a manner beneficial to the community; and , to limit the liability of the City of Bangor.  
If you have any questions, please feel free to call me at 207-287-4854.

Sincerely,



Nicholas J. Hodgkins  
Voluntary Remedial Action Program  
Division of Remediation

cc: Phillip Jean, MCR  
Ben Frothingham, ERM  
Dave Dunning, S.W. Cole



STATE OF MAINE

# DEPARTMENT OF ENVIRONMENTAL PROTECTION

ANGUS S. KING, JR.  
GOVERNOR

EDWARD O. SULLIVAN  
COMMISSIONER

September 25, 1996

Mr. Norman Heitman  
City of Bangor  
73 Harlow Street  
Bangor, Maine 04401

RECEIVED

SEP 30 1996

S. W. COLE

Re: Maine Central Railroad Yard, Bangor, Maine

Dear Norm,

I am writing this letter to clarify a few issues from in my September 16, 1996, "no action assurance" letter.

The "clean cover" soils will be placed over the soils where analytical data indicates that the soils are contaminated to the degree that they pose a risk. In unpaved areas of the site where analytical data indicates that there is no risk (i.e. non-detect) or no significant risk (low levels below health thresholds), no cover will be required.

The "clean cover" shall consist of six inches of cover. This cover will consist, at a minimum, of 4 inches of clean cover with 2 inches of topsoil to sustain vegetation and prevent erosion.

I hope this letter clarifies the confusion surrounding the definition of "clean cover". Please call me should you have any questions.

Sincerely,

Nicholas J. Hodgkins  
Voluntary Remedial Action Program  
Division of Remediation

cc: Phillip Jean, MCR  
Ben Frothingham, ERM  
Dave Dunning, S.W. Cole

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