

TESTIMONY OF PAUL WHITE

I AM PAUL WHITE. I AM THE TOWN MANAGER IN ORRINGTON. I APPEAR HERE TODAY AS A REPRESENTATIVE OF THE ORRINGTON BOARD OF SELECTMEN.

AS YOU HAVE HEARD, THE HOLTRA-CHEM SITE WAS DEVELOPED IN THE LATE 60'S. UNTIL IT FINALLY SHUT DOWN IN ABOUT 2000, HOLTRA-CHEM HAD PROVIDED ABOUT 35 TO 40 GOOD PAYING JOBS AND PAID APPROXIMATELY \$200,000 ANNUALLY IN TAXES. OBVIOUSLY THOSE JOBS ARE NOT COMING BACK, BUT PERHAPS A TAX REVENUE STREAM WILL SOMEDAY BE REESTABLISHED ON THE REMAINING UNCONTAMINATED PORTION OF THE PARCEL.

WE ARE MINDFUL OF THE NEED, THROUGH REMEDIATION EFFORTS, TO AGREE UPON A REMEDY THAT WILL PROTECT THE HEALTH OF OUR CITIZENS AND THE SURROUNDING ENVIRONMENT, INCLUDING THE PENOBSCOT RIVER.

WITH THIS IN MIND, AFTER CONSIDERING THE ALTERNATIVES THAT HAVE BEEN PRESENTED TO THE BOARD OF ENVIRONMENTAL PROTECTION, THE TOWN OF ORRINGTON, THROUGH ITS BOARD OF SELECTMEN, FIND BOTH THE WOODARD & CURRAN PROPOSAL AND THE DEP'S REMEDY MEET THE GOAL OF PROTECTING THE HEALTH OF OUR CITIZENS AND THE ENVIRONMENT. OF THOSE TWO OPTIONS, THE TOWN FINDS THE WOODARD & CURRAN PROPOSAL THE MOST REASONABLE REMEDY.

OUR POSITION IN THIS REGARD, THAT IS THE ENDORSEMENT OF THE WOODARD & CURRAN OPTION, IS CONDITIONED ON THE FOLLOWING WHICH WE ASK THE BOARD TO TAKE INTO CONSIDERATION WHEN RENDERING ITS DECISION:

1. THE TOWN PRESENTLY OWNS THE PROPERTY: MALLINCKRODT SHOULD BE ORDERED TO PURCHASE THE CONTAMINATED PORTION OF THE PROPERTY FROM THE TOWN ON TERMS ACCEPTABLE TO THE TOWN. THIS SEEMS LIKE A NECESSARY STEP, SINCE, AS I UNDERSTAND IT, ONE PARTY CANNOT LEAVE HAZARDOUS WASTE ON ANOTHER'S PROPERTY WITHOUT THE CONSENT OF THE OWNER. MALLINCKRODT HAS INDICATED A WILLINGNESS TO DO THIS SO WE DON'T EXPECT THIS TO BE MUCH OF AN ISSUE.

2. IMPLEMENTATION OF REMEDIATION ACTIVITIES MUST BEGIN IMMEDIATELY UPON RECEIPT OF THE BOARD'S ORDER. ONE OF OUR KEY CONCERNS IS THAT THE CLEAN UP OF THIS SITE HAS YET TO BEGIN IN EARNEST AND IT'S BEEN 10 YEARS SINCE THE PLANT SHUT DOWN. IT SEEMS TO BE PLAINLY UNDERSTOOD BY EVERYONE INVOLVED IN THIS MATTER THAT IF THE COMMISSIONER'S ORDER IS IMPOSED ON MALLINCKRODT THERE WILL BE FURTHER LITIGATION. WHILE NO ONE HAS A CRYSTAL BALL TO KNOW IF FURTHER APPEALS WOULD BE SUCCESSFUL WE DO KNOW THAT IT WOULD RESULT IN A FURTHER DELAY OF 3-5 YEARS WITH NOTHING BEING DONE. WITH RESPECT TO THE REMEDIATION ACTIVITIES WE UNDERSTAND NOW, BASED ON THE TESTIMONY THESE PAST TWO WEEKS, THAT THE SCOPE OF TRUCK TRAFFIC

WILL NOT BE AS GREAT BECAUSE RAILROAD SEEMS TO BE A LIKELY ALTERNATIVE NOW.

3. THE BOARD IS URGED TO IMPOSE IN THE STRONGEST TERMS POSSIBLE A MEANS TO ASSURE THAT FINANCIAL GUARANTEES ARE PUT IN PLACE TO INSURE THAT THIS SITE IS CLEANED UP AND MAINTAINED AND MONITORED FOR A PERIOD OF TIME FOUND ACCEPTABLE TO THE DEP. WE WERE NOT COMFORTED BY MALLINCKRODT'S ANSWERS TO QUESTIONS CONCERNING ITS FINANCIAL RESOURCES, YET WE RECOGNIZE THAT IT HAS HAD THE ABILITY TO PAY FOR THE 40 MILLION OR MORE IN INTERIM MEASURES AND LIKELY CAN CARRY OUT THE REMEDIATION, MAINTENANCE AND MONITORING ACTIVITIES. NONETHELESS, ASSURANCE OF MALLINCKRODT'S FINANCIAL CAPACITY NEEDS TO BE DEALT WITH BY THE BOARD.

4. WE CONDITION OUR SUPPORT OF THE WOODARD & CURRAN PROPOSAL, WHICH LEAVE LANDFILLS ON SITE, WITH A REQUIREMENT THAT A PUBLIC WATER SUPPLY BE EXTENDED THROUGH THE REMAINING LAND TO THE NORTH OWNED BY THE TOWN AND THAT IT BE RUN THROUGH THAT PROPERTY AS PART OF DEVELOPMENT PROPOSAL DISPLAYED BY CORDIJA AND THAT DEVELOPMENT OF THAT PORTION OF THE PROPERTY BE FUNDED BY MALLINCKRODT AND UNDERTAKEN SIMULTANEOUSLY WITH THE REMEDIATION OF THE CONTAMINATED PORTION OF THE PROPERTY SO THAT WE CAN HIT THE GROUND RUNNING SO TO SPEAK.

IN AN ODD WAY, IT SEEMS THAT THE PROCESS HAS WORKED INASMUCH AS THE WOODARD & CURRAN PROPOSAL HAS ONLY SURFACED AFTER THE

COMMISSION ORDERED THE DIG AND HAUL REMEDY. WE THINK THE WOODARD & CURRAN OPTION IS SUPERIOR TO THE OTHER LESS EXPENSIVE OPTIONS IN PROTECTING PUBLIC HEALTH AND THE ENVIRONMENT. WE NEED TO BE CLEAR, WE DO NOT FIND THESE OTHER OPTIONS ACCEPTABLE.