STATE OF MAINE
DEPARTMENT OF ENVIRONMENTAL PROTECTION

PAUL R. LEPAGE
GOVERNOR

PATRICIA W. AHO
COMMISSIONER

Certified Mail
Return Receipt Requested
** Urgent Legal Matter -- Your Prompt Response Required **

March 19, 2015

Mr. John E. Crouch, Esq.
Crockett, Philbrook & Crouch, PA
178 Court Street
Auburn, ME 04210

Re: Second Request for Information to Laundry Management, Inc. formerly known as Beal's Laundry, Inc. for the Beal's Linen Site in Auburn, Maine

Dear Mr. Crouch:

Thank you for your July 29, 2014 response on behalf of your client to our initial request for information regarding Laundry Management, Inc. f/k/a Beal's Laundry, Inc.'s potential liability under the *Uncontrolled Hazardous Substance Site*s law, 38 M.R.S.A. §§ 1361–1371, at the Beal's Linen Site. We appreciate your continued cooperation in this matter. After reviewing the information that you submitted, we have additional questions that we are requiring be answered by Laundry Management, Inc. f/k/a Beal's Laundry, Inc., in accordance with 38 M.R.S.A. § 1364(3). Specifically, we are seeking further information on any insurance policies that may have covered releases of hazardous substances at the Site.

DEP has documented the presence of hazardous substances at the Beal's Linen Site located at 7 Chestnut Street in Auburn, Maine ("the Site"). The DEP has substantially completed its investigation into the source, extent and nature of the threats posed by hazardous substances at the Site and is in the process of determining appropriate remedial action. The DEP wishes to finalize the identification of Potential Responsible Parties ("PRPs") at the Site, so that the PRPs can fully participate in the decision regarding the appropriate remedial response for the Site.

The *Uncontrolled Hazardous Substance Site*s law, 38 M.R.S.A. § 1362(2)(B), defines a "Responsible Party" as, among others, "[a]ny person who owned or operated the uncontrolled site from the time any hazardous substance arrived there". Our information indicates the following sequence of events. Hazardous substances arrived at the Site during the time that Beal's Laundry, Inc. operated the Site. Beal's Laundry, Inc. owned the Site until 1985 when it sold the Site to Parkview Associates. Beal's Laundry, Inc. changed its name to Laundry Management, Inc. in 1986, and then was administratively suspended in September of 1987. On

AUGUSTA
17 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0017
(207) 287-7688 FAX: (207) 287-7826
RAY BLDG., HOSPITAL ST.

BANGOR
106 HOGAN ROAD, SUITE 6
BANGOR, MAINE 04401
(207) 941-4570 FAX: (207) 941-4584

PORTLAND
312 CANCO ROAD
PORTLAND, MAINE 04103
(207) 822-6300 FAX: (207) 822-6303

PRESQUE ISLE
1235 CENTRAL DRIVE, SKYWAY PARK
PRESQUE ISLE, MAINE 04679-2094
(207) 764-0477 FAX: (207) 760-3143

June 30, 2014, the DEP informed Laundry Management, Inc. f/k/a Beal's Laundry, Inc. that it was a PRP at the Site and requested information. Mr. Terry Badger was the last president of Laundry Management, Inc. f/k/a Beal's Laundry, Inc. In your first response to our request for information, you relayed that Mr. Badger stated that there are no corporate assets remaining from Laundry Management, Inc. f/k/a Beal's Laundry Inc., that he was unaware of any insurance policies that might cover the release of hazardous substances at the Site, but that he is willing to continue to cooperate with the Department's investigation at the Site. At this time, we are seeking more information regarding potential insurance policies for the Site, as detailed below.

Second Request for Information

The *Uncontrolled Hazardous Substance Site*s law, 38 M.R.S.A. § 1364(3), provides in relevant part that the "commissioner may require submission of information or documents that relate or may relate to the site under investigation from any person whom the commissioner has reason to believe may be a responsible party". **Pursuant to the authority of 38 M.R.S.A. § 1364(3), the DEP is requiring Beal's Laundry Inc. and Laundry Management Inc. to respond to the information request set forth herein.** Your response to this request must be submitted in writing to the following address within thirty (30) days from receipt of this notice:

Maine Department of Environmental Protection
Bureau of Remediation and Waste Management
Division of Remediation
17 State House Station
Augusta, Maine 04333
Attn: David Wright, Division Director

Any questions regarding this letter should be directed to David Wright, Director of the Division of Remediation, (207) 446-4366, or Peter LaFond, Assistant Attorney General, (207) 626-8511.

Thank you for your cooperation in this matter.

Sincerely,

Patricia W. Aho
Commissioner

CC: Melanie Loyzim, Bureau Director

Attachment

Second Request for Information
Date: March 19, 2015

Instructions

1. Answer all questions fully and respond to each request.

2. Include in your response a notarized affidavit from a responsible company official stating the following:

   "I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry with the person or persons who were directly responsible for gathering the information, the information is, to the best of my knowledge and belief, true, accurate, and complete. A diligent record search has been completed and there has been a diligent interviewing process with present and former employees who may have knowledge of operations, business relationships, contractual agreements, financial arrangements, chemical use, hazardous substance or waste transport, disposal, storage, treatment and/or other handling methods and locations of, such handling methods and any other knowledge of the Site and/or operations relating to this request. All information and documents responsive to the Department of Environmental Protection's Request for Information have been forwarded to the DEP. All questions and requests have been responded to fully. I am aware that there are significant penalties, including the possibility of fine and imprisonment, for non-compliance with this request or for knowingly submitting false information or tampering with the information submitted."

3. Please provide a separate narrative response to each and every question and subpart of a question set forth in this Information Request.

4. Precede each answer with the number of the question to which it corresponds.

5. If information or documents not known or not available to you as of the date of submission of a response to this Information Request should later become known or available to you, you must supplement your response to the DEP. Moreover, should you find, at any time after the submission of its response, that any portion of the submitted information is false or misrepresents the truth, you must notify the DEP of this fact as soon as possible and provide the DEP with a corrected response.

6. For each document produced in response to this Information Request, indicate on the document or in some other reasonable manner the number of the question to which it responds.

Definitions

The following definitions shall apply to the following words as they appear in this Information Request:

1. The term "you" or "Respondent" of this Request means:

    a. Beal's Laundry, Inc., a Maine corporation, that operated a dry-cleaning operation at the Site and which changed its name to Laundry Management, Inc. in 1986. Beal's Laundry, Inc. sold the Site to Parkview Associates on, or around, October 31, 1985. Terry Badger was the company's president at the time of the sale. Laundry Management, Inc. f/k/a Beal's Laundry, Inc. was administratively suspended in 1987.

    b. the officers, managers, employees, contractors, trustees, partners, successors, assigns and agents of Laundry Management, Inc. f/k/a Beal's Laundry, Inc.

2. The term "Person" means an individual, firm, corporation, association, partnership, consortium, joint venture, or commercial entity.

3. The terms the "Site" or the "Facility" means and includes the former location of Beal's Linen and/or Malo cleaners, now an apartment building, located on an approximately 0.6 acre parcel at the southeastern corner of the intersection of Chestnut Street and Webster Street in the City of Auburn, Maine, currently denoted as 7 Chestnut Street. The location of the Site or Facility is further identified on the City of Auburn Tax Map 250, Lot 335, and described in Book 5488, Page 202, of the Androscoggin County Registry of Deeds.

4. The term "hazardous substance" has the same definition as that contained in the *Uncontrolled Hazardous Substance Sites* law, 38 M.R.S.A. § 1362(l), and includes any mixtures of such hazardous substances with any other substances including petroleum products.

5. The term "discharge" has the same definition as that contained in 38 M.R.S.A. § 1317(1) and includes without limitation the abandonment or discharging of drums, barrels, containers and other receptacles containing any hazardous substance, pollutant or contaminant.

6. The term "identify" means, with respect to a natural person, to set forth the person's name, present or last known business address and business telephone number and present or last known home address and home telephone, number and present or last known job title, position or business.

7. The term "identify" means, with respect to a corporation, partnership, business trust or other association or business entity (including a sole proprietorship) to set forth its full name, address, legal form (e.g., corporation, partnership, etc.), organization, if any, corporate officers, if any and a brief description of its business.

8. The term "identify" means, with respect to a document, to provide its customary business description, its date, its number (invoice or purchase order number), the identity of the author, addresser, and/or recipient and the substance or the subject matter.

9. The terms "document" and "documents" shall mean any object that records, stores, or presents information, either in hard copy or electronically.

10. The terms "and" and "or" shall be construed either disjunctively or conjunctively as necessary to bring within the scope of this Information Request any information that might otherwise be construed to be outside its scope.

11. The term "arrangement" means every separate contract or other agreement between two or more persons.

12. Words in the masculine shall be construed in the feminine, and vice versa, and words in the singular shall be construed in the plural, and vice versa, where appropriate in the context of a particular question or questions.

13. All terms not defined herein shall have their ordinary meaning unless such terms are defined in the *Maine Hazardous Waste, Septage and Solid Waste Management Act*, 38 M.R.S.A. §§ 1301 to 1319-Y, and Chapters 06-096 CMR 850-857 and 06-096 CMR 860 of the DEP's rules, in which case the statutory or regulatory definitions shall apply.

Questions

1. Identify the Respondent.

2. Identify the person(s) answering these questions on behalf of Respondent.

3. For each and every question contained herein, identify all persons consulted in the preparation of the answer.

4. For each and every question contained herein, identify all documents consulted, examined or referred to in the preparation of the answer or that contain information responsive to the question and provide true and accurate copies of all such documents.

5. If you have reason to believe that there may be persons able to provide a more detailed or complete response to any question contained herein or who may be able to provide additional responsive documents, identify such persons and the additional information or documents they may have.

6. For each and every question contained herein, if information or documents responsive to this Information Request are not in your possession, custody or control then identify the persons from whom such information or documents may be obtained.

7. Identify and submit copies of all insurance policies held by Respondent that may cover any costs, expenses or damages arising from or relating to the discharge or threatened discharge of hazardous substances at the Site. In addition:

    a. Identify the insured person:

    b. State the amount of coverage under each policy;

    c. State the commencement and expiration dates for each policy;

    d. Describe all efforts taken by Respondent to obtain coverage and/or defense of claims;

    e. Describe the positions taken by the insurance companies or representatives with respect to such coverage or defense.

8. Provide the name and address of all insurance agents that the Respondent had business relations with during the Respondent's dry cleaning operations at the Site.

End of 2nd Request for Information