



STATE OF MAINE
DEPARTMENT OF ENVIRONMENTAL PROTECTION

PAUL R. LEPAGE

Via Email and First Class Mail

PATRICIA W. AHO

GOVERNOR

July 24, 2014

COMMISSIONER

John E. Crouch, Esq.
Crockett, Philbrook & Crouch, P.A.
178 Court Street
Auburn, ME 04210

Dear Mr. Crouch:

Thank you for your letter dated July 17, 2014 sent on behalf of your client, Terry Badger, to Becky Blais of my staff. Your letter concerned the Notice of Potential Liability issued by the Department to Beal's Laundry, Inc. for the site located at 7 Chestnut Street in Auburn. As you are aware, Mr. Badger was the president of Beal's Laundry, Inc. when the subject site operated as a dry cleaner.

In your letter, you specifically inquire as to the Department's position on whether Mr. Badger has personal liability as a Potentially Responsible Party (PRP). In addition, you requested that the Department affirmatively indicate that Mr. Badger is not personally responsible by signing a statement to that effect.

At this point the Department has noticed Beal's Laundry, Inc. of its potential liability, and not Mr. Badger personally. However, the Department has not made an assessment either way as to whether there are facts that indicate that Mr. Badger is personally a PRP under the Uncontrolled Sites Law. Therefore the Department is not willing to sign the statement. Further, the Department will address liability releases with the PRP group as a whole, rather than with individual PRPs.

I anticipate receiving written notice by **August 4, 2014** of your client's intention to negotiate in good faith a liability settlement with the Department and the other settling PRPs as a group with respect to this matter. In the meantime, if you have additional questions, please do not hesitate to contact me on my direct line at 207-446-4366 or via email at david.w.wright@maine.gov.

Sincerely,

David Wright, Director
Division of Remediation
Bureau of Remediation and Waste Management

CC: Blais, Becky, PM
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