

# On the Penobscot

Spring 2014 Vol. 8, Issue 1

## Mallinckrodt US LLC Completes Land Acquisition from Town in Preparation for Final Site Remediation

Mallinckrodt US LLC has completed its purchase of 63 acres of the former HoltraChem facility from the town of Orrington, a transaction that will allow Mallinckrodt US LLC unrestricted access to the former plant site as plans for environmental remediation get underway.

The town took possession of the 240-acre site in 2000 when HoltraChem filed for bankruptcy and failed to pay back taxes to the town. The land acquisition was part of a series of commitments made by Mallinckrodt US LLC in 2010 in an attempt to accelerate the site cleanup and turn back a fully remediated site to the town.



***“In 2010, Mallinckrodt promised the Board of Selectmen that it would purchase that parcel in order to bring it back to environmental health and financially support our redevelopment of the larger site.”***

**-Paul White,  
Orrington Town Manager**

Mallinckrodt US LLC has provided \$1.5 million in structured payments to be used for site infrastructure improvements such as building new roads, extending water from the northern boundary of the property, and/or other enhancements that will foster future redevelopment of the property. After the site has been fully remediated, the town has the right of first refusal to purchase the 63-acre portion of the site back from Mallinckrodt US LLC at the same price (\$175,000) Mallinckrodt US LLC paid for it.

“In 2010, Mallinckrodt promised the Board of Selectmen that it would purchase that parcel in order to bring it back to environmental health and financially support our redevelopment of the larger site,” said Orrington Town Manager Paul White. “They have delivered this and remain a company that keeps its word and its commitments.”

# Mallinckrodt US LLC Affirms Commitment to Final Cleanup of Orrington Site

On April 3, the Maine Supreme Judicial Court affirmed the Maine Board's compliance order for the clean up of the Orrington site requiring the removal of Landfills 1 and 2 and the capping of Landfills 3, 4 and 5. Mallinckrodt US LLC is not appealing the ruling and will work with the Maine Department of Environmental Protection (DEP) to develop an environmental remediation plan to complete the site cleanup process.

The substantive issue at the heart of the case was largely focused on whether the removal of Landfill 2 and the ordered capping of Landfills 3, 4 and 5 were warranted. The appeal process began in 2010 after the



*The cell building site before demolition (top right) and after demolition (above).*

Maine Board of Environmental Protection (BEP) substantially reduced a 2008 DEP order for removal of all five site landfills. The BEP agreed with Mallinckrodt US LLC's contention that removal of three of those landfills was unwarranted and modified the DEP order to require removal of just two of the five landfills.

Since the plant was shut down in 2000 by then-owner and operator HoltraChem, Mallinckrodt US LLC emerged as the only former owner of the plant to take responsibility for the cleanup. Previous owners, including HoltraChem, sought protection against liability by filing for bankruptcy and have not participated in the site cleanup or remediation work.

In 2003, Mallinckrodt US LLC voluntarily began an extensive dismantling and demolition program that

has removed the vast majority of site structures including the cell building where the majority of the mercury-related processes took place. In 2012, the company began operation of a state-of-the-art groundwater treatment plant to treat extracted groundwater at the site, which was also designed to handle any wastewater generated during the site remediation work.

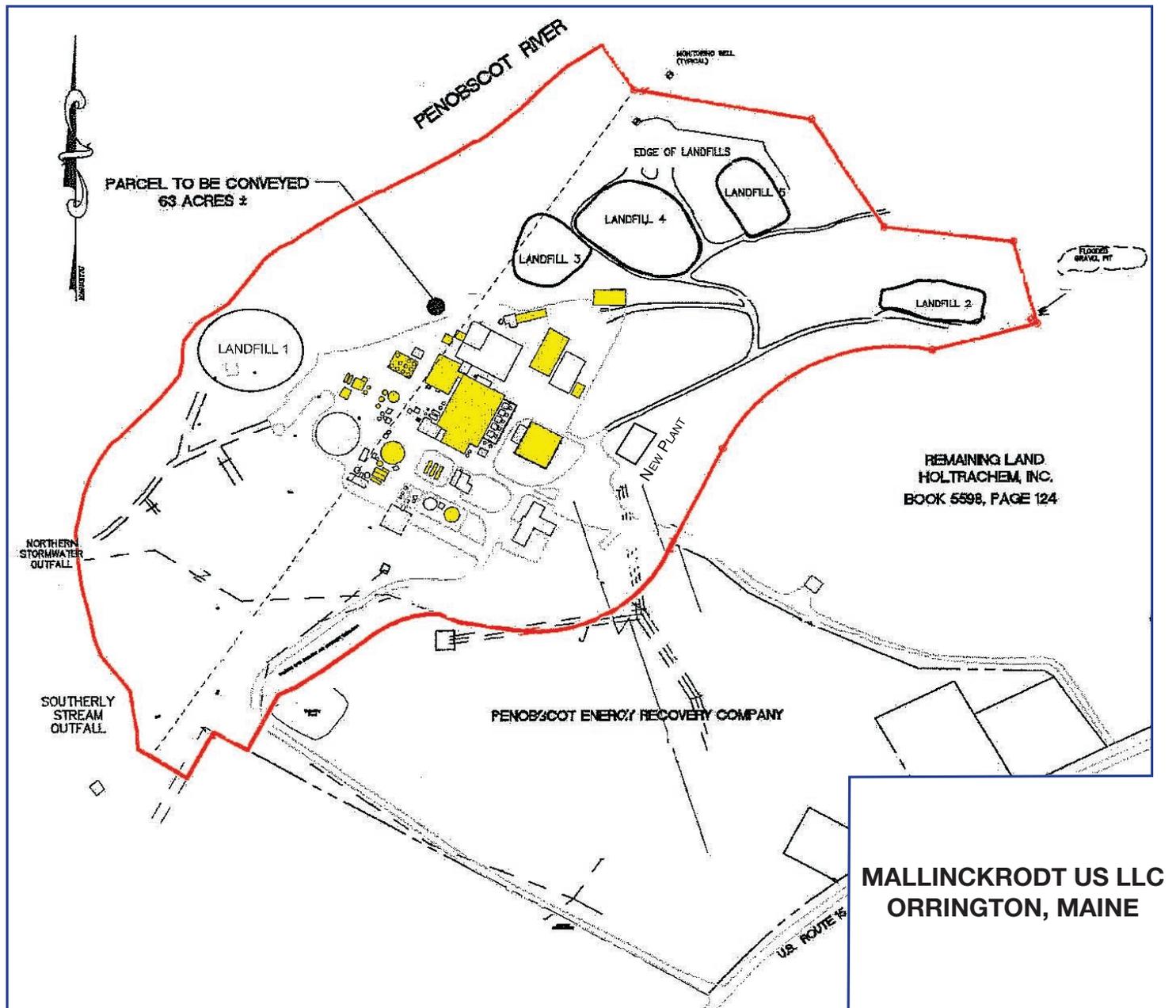
Mallinckrodt US LLC and DEP are both eager to get this work started and are confident that they can agree on a process for submittals and approvals that allows work to proceed in a timely manner.

The town of Orrington is also supportive of an expedited cleanup of the site while it considers how it will reuse the property in the future.



*View looking down onto the Penobscot River into a cove once obscured by buildings now demolished.*

# Mallinckrodt US LLC Purchases 63-Acre Parcel From Town of Orrington



*The above map shows the 63 acres (bounded in red) recently purchased by Mallinckrodt US LLC from the Town of Orrington in preparation for final site remediation. The building structures that have been removed from the site are shown in yellow. Mallinckrodt US LLC will resume demolition of remaining structures.*

# The Penobscot River Study Panel Findings to be Examined in Federal Court

In June, the Federal District Court in Bangor will review the results of an almost 10-year study of mercury in the lower Penobscot River. At the center of the court case is the Penobscot River Study Panel's report, an extensive study ordered by the Federal District Court in Portland in 2003 to determine the extent of mercury contamination in the Penobscot River, the effects of that contamination and what, if any, remediation ought to be undertaken. The study was conducted by a three-member panel appointed by the court to complete this evaluation.

The parties to the litigation, Maine People's Alliance and Natural Resources Defense Council, and Mallinckrodt US LLC, each dispute different aspects of the study panel's findings. Experts for the parties will be offering testimony to address the specific aspects of the study panel's findings that are in dispute. The court will review the evidence and then determine whether to adopt or modify the findings.



*An aerial photo of the former HoltraChem site on the Penobscot River shows what the site might look like after remediation work is completed if the town decides to develop light manufacturing on the recovered site.*

Printed on 100% recycled paper. Please recycle when done.  
Published by Mallinckrodt US LLC.  
For more information, please visit [www.beyondholtrachem.com](http://www.beyondholtrachem.com)



PRSRRT STD  
U.S. Postage  
PAID  
Permit #76  
Bangor, ME

On The Penobscot  
P.O. Box 14  
99 Industrial Way  
Orrington, ME 04474