



PAUL R. LEPAGE
GOVERNOR

STATE OF MAINE
DEPARTMENT OF ENVIRONMENTAL PROTECTION



MELANIE LOYZIM
ACTING COMMISSIONER

November 27, 2018

Ms. Kathryn Zeigler
Director, Environmental Remediation
Mallinckrodt US LLC
7777 Bonhomme Ave., Suite 1800
St. Louis, MO 63105

RE: Mallinckrodt's Petition # 2

Dear Kathy:

I am writing regarding the status of Mallinckrodt's September 13, 2018, petition for modification of the Board of Environmental Protection's April 14, 2014, order governing remediation of the former HoltraChem site in Orrington. As you are aware, Mallinckrodt's and DEP's project teams met on November 20th to discuss the petition and the concerns of DEP staff regarding the relief requested. At that meeting, Mallinckrodt's representatives clarified that the pending petition does not, in all respects, reflect Mallinckrodt's current position on how the Board's order should be modified. For example, we now understand that Mallinckrodt does not intend to pursue modifications to the order that: (1) would allow unsaturated soils (fill or native) with contamination above the Media Protection Standard (MPS) to remain in place, or (2) leave soils above the MPS underneath the former Cell, Retort, and Old Retort Buildings.

Please submit a revised petition that fully reflects Mallinckrodt's current position on the modifications that Mallinckrodt seeks to the order. The revised petition should address the two issues identified above, as well as any other amendments to the current petition - whether discussed at our recent meeting or not - that Mallinckrodt may wish to make. We ask that the revised petition be as clear and specific as possible as to the requested modifications.

After consulting with the Maine Office of Attorneys General, the Department will provide the revised petition to the Interveners in the court proceedings (The Maine Peoples Alliance and the Town of Orrington), for a 30 day comment period prior to the Department making a recommendation on the revised petition.

AUGUSTA
17 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0017
(207) 287-7688 FAX: (207) 287-7826

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 04769
(207) 764-0477 FAX: (207) 760-3143

November 27 letter to K. Zeigler

Thank you for your attention to this matter and, as always, please feel free to be in touch if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Chris Swain". The signature is fluid and cursive, with a large initial "C" and "S".

Chris Swain
Federal Facilities Program Manager
Maine Department of Environmental Protection
Chris.Swain@Maine.Gov

Pc: Jerry Reid