MRRA Narrative Responses to EPA CWA 308 Request for Information Questions

Re: Questions I.1 through Question I.12 relate to the discharge of AFFF at the Brunswick Executive Airport located at 15 Terminal Rd. (the "Facility") on August 19, 2024.

I. Please provide a detailed description of the above-referenced discharge (the "Spill"), including:

1. The name of all water bodies into which AFFF was discharged.
    a. Describe the pathway(s) that spilled material traveled (via surface water, groundwater, sewer or stormwater infrastructure, and/or directly via wind), starting from the original spill point (i.e., the location of the AFFF release) to all water into which AFFF flowed. Include a detailed diagram illustrating the pathway(s) described; and

    The AFFF discharged from the fire suppression system in Hangar 4 into an oil/water separator and into retention pond "A", which is part of Brunswick Landing's historical stormwater management system. Maine Department of Environmental Protection ("MEDEP") August 21, 2024 Update (Exhibit 1). Ultimately, four stormwater retention ponds were impacted by foam. See MEDEP August 26, 2024 Update (Exhibit 2). The wind also blew foam to a Navy-owned field southeast of Pond B. MEDEP September 19, 2024 Update (Exhibit 9). AFFF also reached the Brunswick Sewer District public sanitary sewer system and wastewater treatment facility. MEDEP October 3, 2024 Update (Exhibit 12). The furthest distribution of foam appears to have been the stormwater drainage system above Harpswell Cove, including the outlet of Picnic Pond. MEDEP September 7, 2024 Update (Exhibit 7).

    Here is a link to the MEDEP interactive map of sampling locations: Maine DEP: AFFF Release at Brunswick Executive Airport.

    b. Describe the most distant and/or downstream water to have been impacted by the Spill.

    The most distant/downstream water that may have been impacted by the Spill was Harpswell Cove, where PFAS levels are diluting quickly. MEDEP September 19, 2024 Update (Exhibit 9). Foam was detected in the stormwater drainage system above Harpswell Cove. MEDEP September 7, 2024 Update (Exhibit 7).

2. The total quantity of AFFF spilled, and the approximate quantity discharged into each of the above-referenced waterbodies or adjoining shoreline.

On August 19, 2024 approximately 1450 gallons of AFFF mixed with approximately 50,000 gallons of water was released from the fire suppression system in Hangar 4 of Building 250. The release made its way into the oil/water separator and then into the Brunswick sanitary sewer system. Foam that made its way out of Hangar 4 under hangar doors to the area just outside the hangar that was ultimately transported into retention pond "A" traveled via stormwater catch basins. The actual proportional distribution of the 51,450 gallons of the AFFF/water mix into the sanitary sewer and stormwater collection system is unknown.

3. The cause of the release of AFFF.

MRRA has retained Poole Fire Inspection Services to conduct a detailed Root Clause Analysis. Early indications are that the fire alarm panel received a signal from the flow switch in one of the risers indicating an active flow situation causing the foam system to activate all six wall mounted foam cannons as designed. Once the detailed Root Cause Analysis Study is complete, MRRA will provide a copy of that study to EPA as a supplement to this response.

4. Any environmental damage resulting from the Spill, including, but not limited to, fish kills, dead waterfowl or animals, stained vegetation or soil. Provide any documentation in your possession related to the environmental damage resulting from the Spill, including all sampling results since the Spill.

There were no fish kills, dead waterfowl or animals resulting from the Spill. Summaries of sampling results and other environmental impacts are below. For comprehensive sampling results, please see the MEDEP interactive map of sampling locations: Maine DEP: AFFF Release at Brunswick Executive Airport .

Water Sampling

On August 19, 2024, the MEDEP took four samples to "evaluate immediate impacts to the environment and understand the potential for impacts to groundwater." MEDEP August 21, 2024 Update (Exhibit 1). These samples detected PFOS as the primary contaminant, and the specific PFOS levels were as follows: (1) Storage Tank AFFF product sample: 3230 ppm; (2) mixed product sample (AFFF + water): 7.52 ppm; (3) surface water retention pond inlet sample: 1.04 ppm; and (4) surface water retention pond outlet: 0.000701 ppm. MEDEP August 26, 2024 Update (Exhibit 2). Following the spill, MEDEP also collected water samples at Harpswell Cove and at stormwater retention ponds. Id. Pursuant to a sampling plan, MEDEP planned to collect samples as follows: (i) surface water sampling: twice weekly; (ii) retention pond sampling: daily; (iii) marine sampling: once a week. MEDEP August 28, 2024 Update (Exhibit 3).

By August 22, PFAS concentrations were already declining in the stormwater retention pond inlet. MEDEP September 3, 2024 Update (Exhibit 5). August 22 results for this inlet as compared to August 19 results are shown in the table below:

	August 19, 2024	***August 22, 2024***
PFOS (ng/L)	*1,040,000*	*197,000*
Total PFAS (All Compounds) (ng/l)	*1,231,860*	*255,287.90*

Id.

As of September 7, MEDEP had conducted nine PFAS surface water system sampling events since the spill, including in the Harpswell Cove stormwater drainage system, in Harpswell Cove, and at Pond In and Pond Out. MEDEP September 7, 2024 Update (Exhibit 7). Results from the first ten days of sampling demonstrated decreasing concentrations of PFAS in areas of the stormwater drainage system closer to the spill and where Merriconeag Stream and Mare Brook meet. MEDEP September 12, 2024 Update (Exhibit 8). However, areas further from the spill, including both the retention pond outlet and the salt marsh above Harpswell Cove had increased PFAS levels, likely due to the slow flush rate of the pond and tidal cycling and natural flow in the marsh. Id; MEDEP September 7, 2024 Update (Exhibit 7). Additionally, results showed PFAS contamination in Harpswell Cove, but at low levels. MEDEP September 12, 2024 Update (Exhibit 8). Over time, most samples continued to show PFAS decline, with the retention pond outflow still having higher PFAS concentrations than other areas. MEDEP October 3, 2024 Update (Exhibit 12).

AFFF from the spill did reach the Brunswick Sewer District ("BSD") public sanitary sewer system and the wastewater treatment facility. Id. MEDEP took effluent samples from the BSD and found concentrations of PFAS that exceeded 34.2 ppt, the historical average in these facilities. MEDEP October 3, 2024 Update (Exhibit 12). However, these concentrations have been declining. Id. Due to concerns about PFAS entering the Androscoggin River through the Brunswick wastewater treatment plant, follow up samples were taken in four locations on the river. MEDEP September 26, 2024 Update (Exhibit 11). Results for PFOS in all four Androscoggin sites showed levels below 4 ng/L, which did not exceed the amount typically found in that type of water body in Maine (<5 ng/L). Id. Additional results from August 27 and September 5 samples of the Androscoggin River are as follows: above the Brunswick Sewer District Effluent Outfall: 5.1 and 4.6 ppt; three areas below the outfall: 3.9-6.5 ppt (measurements based on the total of six PFAS compounds found in the Maine interim drinking water standard). MEDEP September 20, 2024 Update (Exhibit 10).

Samples were also taken from Merriconeag Stream and Mare Brook. Id. A September 4 Sample from Merriconeag Stream showed 39,300 ng/L of PFOS. MEDEP September 26, 2024 Update (Exhibit 11). An August 28 sample from an upstream location of Mare Brook showed 2.84 mg/L of PFOS, but a downstream location sample from September 4 showed 6,480 ng/L of PFOS. Id.

Following ten surface water sampling rounds, late October results continue to show a significant decline in PFAS levels, but these levels are still higher than they were before the spill. MEDEP October 21, 2024 Update (Exhibit 13). No significant rebounds were observed in late October results, and the levels continue to decline. Id. Due to this trend, in November MEDEP planned to move to monthly sampling rather than weekly sampling. Id.

Private Water Source Sampling

Following the spill, MEDEP developed a sampling and analysis plan to take additional samples to determine whether nearby wells were impacted. MEDEP August 21, 2024 Update (Exhibit 1). Specifically, MEDEP sampled private water sources on Coombs Road, Hawkins Lane, and Purinton Road. MEDEP September 12, 2024 Update (Exhibit 8). Thirty-four samples were obtained, and MEDEP received results from most of them, none of which showed PFAS levels above the Maine Interim Drinking Water Guideline of 20ppt. MEDEP September 26, 2024 Update (Exhibit 11). Private water sampling will continue in three-month intervals for a year. Id.

Soil Sampling

On September 5, MEDEP planned to take soil samples from three locations to test for PFAS. MEDEP September 5, 2024 Update (Exhibit 6). The locations included "an area near Hangar 4, the grassy area west of the Recreation Center, and an onsite areas off Neptune Drive near the confluence of Ponds B and C (south of the Brunswick-Topsham Land Trust property)." Id. All PFAS concentrations in the soil samples were above urban developed soils background levels but lower than the States Remedial Action Guidelines for a park user exposure scenario. MEDEP September 19, 2024 Update (Exhibit 9). While the PFAS levels were close to background levels for the first two sites, these levels were above background for a field southeast of detention Pond B. Id. That same location had seen accumulation of foam after the spill. Id. In October, MEDEP announced that it would take more samples from the same Pond B area. MEDEP October 21, 2024 Update (Exhibit 13).

Shellfish Sampling

In September, MEDEP took fish tissue samples from the Androscoggin River, Merriconeag Stream, and Mare Brook. MEDEP September 3, 2024 Update (Exhibit 5); MEDEP September 26, 2024 Update (Exhibit 11). Additionally, MEDEP sampled shellfish in Harpswell Cove and planned to take follow-up samples in October and November. MEDEP October 21, 2024 Update (Exhibit 13). Specifically, MEDEP sampled blue mussel and softshell clam in September, and planned to sample blue mussel, softshell clam, and quahog in October and November. Id. September results will not be available until December. Id.

Public Advisories

Following the spill, the Maine CDC issued several warnings to the public. They recommended that the public not come in contact with the foam or engage in activities

that could lead to such contact, including boating, swimming, and wading. MEDEP August 26, 2024 Update (Exhibit 2). Additionally, the CDC advised the public to not eat or limit consumption of fish from the bodies of water near the Naval Air Station, including Merriconeag Stream, Mere Book, and Picnic Pond. Id.; MEDEP August 21, 2024 Update (Exhibit 1). However these recommendations were based on PFAS detected in fish before the spill--the spill was not the reason that CDC issued this advisory. MEDEP August 26, 2024 Update (Exhibit 2).

Drinking Water

The spill did not impact the public drinking water supply, and such water is safe to drink. MEDEP August 26, 2024 Update (Exhibit 2). However, the Brunswick Topsham Water District discontinued use of the closest wellfield in order to avoid impacts from the release. MEDEP August 21, 2024 Update (Exhibit 1).

Wildlife

No wildlife impacts were reported following the spill. MEDEP August 26, 2024 Update (Exhibit 2).

5. Any actions taken to control and/or remove the spilled material from the environment and/or to mitigate the Spill's effects on the environment, including a summary of the costs of such actions incurred through the date of this letter.

Within hours of the spill, a Unified Command was established, consisting of MEDEP, Maine Department of Health and Human Services' Maine Center for Disease Control and Prevention ("Maine CDC"), MRRA, U.S. EPA, Town of Brunswick, and U.S. Coast Guard. MEDEP August 21, 2024 Update (Exhibit 1). The Unified Command reviewed possible mitigation strategies and determined that it would use foam removal as the primary recovery method. MEDEP August 28, 2024 Update (Exhibit 3). Additionally, MRRA and MEDEP worked with Clean Harbors and Republic Services to respond to the spill. MEDEP August 26, 2024 Update (Exhibit 2). As of August 30, 2024, discharge in Hangar 4 had been fully mitigated and planes cleaned. MEDEP August 30, 2024 Update (Exhibit 4). Four vacuum trucks were also sent to remove foam from the surface water detention ponds affected by the spill, and any water collected during the response that was affected by PFAS was planned to be sent off site for proper disposal. MEDEP August 26, 2024 Update (Exhibit 2). As of August 30, 2024, 18,574 gallons of water and foam had been collected. MEDEP August 30, 2024 Update (Exhibit 4). Additionally, the catch basins and stormwater piping that lead to the retention ponds were flushed. Id.

To identify the location of foam on surface waters, the Unified Command used a University of Maine Augusta drone program to survey surface water pathways, including more remote areas downstream. Id; MEDEP August 28, 2024 Update (Exhibit 3).

MRRA hired Sevee & Maher Engineers (SME) as an environmental contractor to assist with transitioning to long-term remediation from an emergency response. MEDEP September 5, 2025 Update (Exhibit 6). As part of this transition, the Unified Commend stopped its operations, leaving oversight of the remediation efforts to MEDEP and MRRA. Id. As of September 5, 2024, foam collection was no longer necessary at most sites and MRRA, in consultation with MEDEP, reduced foam removal to every other day rather than daily. Id. Since September 6, foam has not been seen. MEDEP September 19, 2024 Update (Exhibit 9).

As of September 5, plans had been made to dispose of contaminated water contained in frac tanks by removal from the site in increments of 5,000 gallons. MEDEP September 5, 2024 Update (Exhibit 6). By September 26, 2024, all water stored in frac tanks was removed and sent off for proper disposal, about 30,000 gallons. MEDEP September 26, 2024 Update (Exhibit 11).

a. With respect to the costs described immediately above, a breakdown of the costs incurred by MRRA, the Navy, state entities, municipal entities, and any other entities; and

On the morning of August 19, MRRA Executive Director, Kristine Logan signed an agreement with Clean Harbors establishing the terms and conditions under which Clean Harbors would contain, recover and remove waste caused by the AFFF spill from Hangar 4, provide a site evaluation and decontamination services, the transportation, storage, treatment or disposal of waste materials, technical services including sampling, laboratory analysis the personnel and equipment to provide such services. (Exhibit 20) As of December 10, 2024, MRRA had received invoices from Clean Harbor totaling $551,149.35. (Exhibit 20)

MEDEP determined that additional clean-up help was required and entered into an Agreement with Republic Services with instructions to bill MRRA. MRRA was billed a total of $75,546.76 from Republic Services for clean-up services. (Exhibit 20)

MRRA has also been invoiced $7,076.48 from Sunbelt Rent to rent a scissor lift to clean the walls in hangar 4, $4,345.66 to replace flooring in Building 250 and Hangar 4, $22,188.19 in legal fees to advise the MRRA Board of Trustees, and $495.00 on replacing foam release modules by Eastern Fire. (Exhibit 20) Invoices received as of December 10 total $660,801.44. (Exhibit 20)

There are also three preliminary estimates (no invoices received) of additional costs. Those include an estimated cost of providing a replacement boom to Clean Harbors of $16,714.79, $38,406 to the United States Coast Guard for its staff support during the initial cleanup phase (August 20 through September 3) and

staff support from MEDEP as of September 3 of $58,254.38. With these preliminary cost estimates included the total estimated cleanup cost to date is $774,176.62 (Exhibit 20). In addition to these costs, MRRA lost revenue due to early termination of the Precision Air lease. (Exhibits 19 and 20)

On August 21, 2024 MRRA filed insurance claims under three policies. As a quasi-state agency, MRRA purchases building insurance and an airport policy is through the Maine Bureau of Risk Management, a bureau of the State of Maine. The building insurance policy (a self-insured plan with an excess policy through Travelers Insurance) has a pollution cap of $250,000. On December 9, the Bureau noted that it would pay the claim up to the cap.

MRRA purchases an airport insurance policy through the Bureau of Risk Management but is underwritten by Chubb Insurance. On September 25, Chubb Insurance denied coverage of this event under the PFAS exclusion portion of the policy. MRRA also purchases a commercial liability policy through the Cross Insurance Agency which has higher limits on commercial liability than the $400,000 tort claims limit of $400,000 allowed for our agency under Maine law. On September 3, we received notice from Acadia Insurance that it would not cover any claim related to this spill because of PFAS exclusion under the policy.

On September 30, 2024, Senators Angus King and Susan Collins and Representative Chellie Pingree sent a letter to Navy Secretary Carlos Del Toro asking for assistance in the cleanup at Brunswick Executive Airport. The Navy responded on October 24, 2024 indicating that it had deployed a contractor to remove PFAS from the Hangar 4 fire suppression system. (Exhibit 20) On November 1, 2024 the Navy notified MRRA that removal of AFFF from the Fire Protection Room and from the Hangar AFFF system along with draining and rinsing of the system was complete and that the water only system was back on-line with all Navy activities at Hangar 4 expected to be complete by November 6. (Exhibit 26) MRRA is not aware of any Navy testing of the water used to rinse the Hangar 4 AFFF system to confirm removal of PFAS.

In verbal communication with the Navy BRAC Office, they have taken the position that because the Navy/MRRA LIFOC states that the lease premises was delivered "as-is, where is" condition and that "the Lessee shall, at its own expense, furnish all labor, supervision, materials, supplies and equipment necessary for the operation, maintenance and repair of the following building systems and appurtenances: structural (including roof); fencing; plumbing; electrical; heating and cooling systems; exterior utility systems (including fire hydrants and mains); pavement and grounds maintenance (including grass cutting, shrub trimming, snow removal, street cleaning and tree removal); pest and weed control; security and fire protection within Leased Premises; refuse collection, removal and disposal; and utilities maintenance necessary for the protection of Leased

Premises. Government shall not be required to furnish any services or facilities to Lessee or to make any repair or alteration in or to Leased Premises. Lessee hereby assumes the full and sole responsibility for the protection, maintenance and repair of Leased Premises as set forth in this section." This verbal response is consistent with the Navy's October 24, 2024 letter indicating that, with regard to the other hangars at Brunswick Landing, MRRA is responsible for addressing all issues and Navy discussion of limits on MRRA use in its June 24, 2024 letter to MRRA regarding removal of the AFFF system no later than March 31, 2025. (Exhibits 20 and 26. This position is inconsistent with the Navy's letter to MRRA dated June 24, 2024 which states that the Navy is required by Section 322 of the National Defense Act of 2020 to "effect complete removal of AFFF by October, 2024." (Exhibit 26)

On November 6, MRRA sent a letter to Ms. Thuane Fielding, Director of the Navy BRAC Program Management Office in Philadelphia, PA requesting financial assistance by a deferral of MRRA Economic Development Conveyance Covenant Payment of 25% of any sale or lease revenue for the next five years. The payment scheduled for FY 2024, which would normally be made in December totaled $140,819.70. No response has been received as of the date of this submission.

Since MRRA acquisition of the airport in 2011 and the emergence of PFAS containing chemicals as an "emerging containment" MRRA has, on multiple occasions, sought guidance from the EPA, MEDEP, FAA and US Navy on how best to address the AFFF systems in the hangars. Section 5.3 of the MRRA SWPPP (Exhibit 18); see also letters from MRRA to Navy, MEDEP and the Town of Brunswick seeking to address PFAS issues (Exhibit 18). Unfortunately, MRRA has not received any such guidance. What guidance can EPA provide now on helping MRRA address the issue, and are there any financial resources available at EPA to assist with its removal from the hangars and/or installation of alternative technologies?"

Despite this lack of guidance, MRRA engaged Sevee & Mahar (see below) to assist MRRA in updating its Stormwater Pollution Prevention Plan (SWPPP) and developing a "first of its kind" PFAS specific Spill Prevention Control and Countermeasure (SPCC) Plan for the hangar AFFF systems.

b. Where different from the previous response, a breakdown of the responsibility for the costs described above, as divided among MRRA, the Navy, state agencies, municipal entities, and/or other entities.

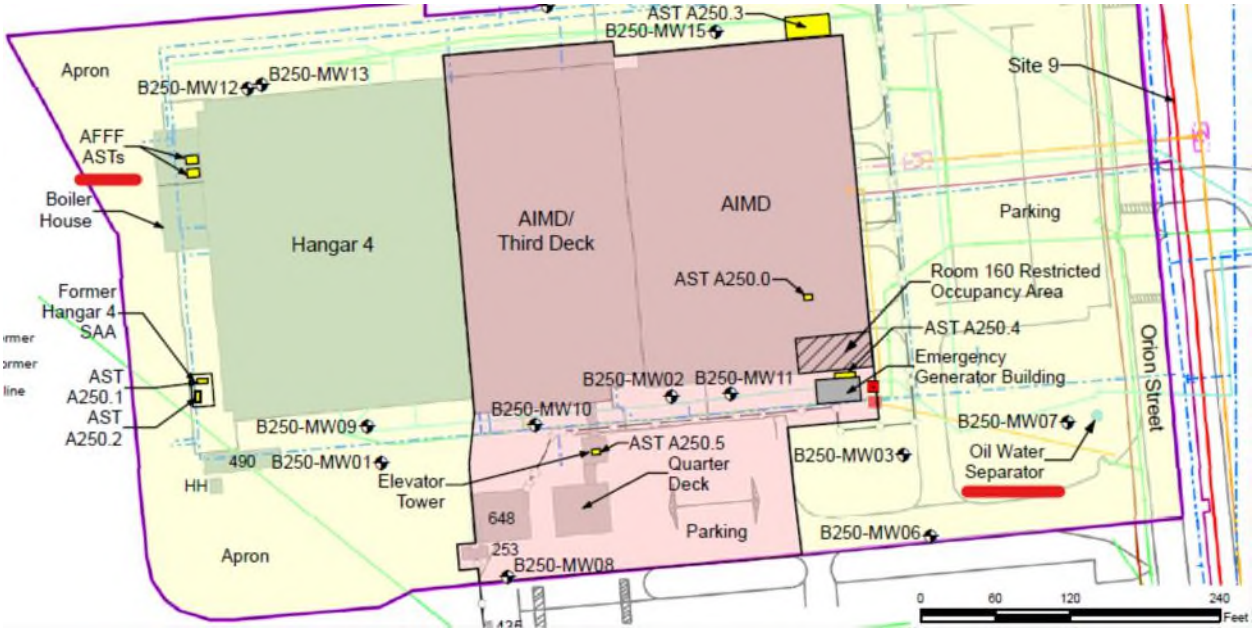
6. All actions and measures taken following the Spill to prevent a recurrence.

MRRA took the following immediate actions to address the Spill and eliminate any recurrence:

1. *Sought and identified Poole Fire Inspection Services to conduct a "Root Cause Analysis" of the Hangar 4 release;*
2. *Engaged Poole Associates for a hangar Risk Assessment and development of interim monitoring program for the hangar ATFF systems;*
3. *Engaged Sevee and Mahar Engineers, Inc. (SME) to assist MRRA staff in updating MRRA's current Stormwater Pollution Prevention Plan (SWPPP) and develop a specific PFAS Spill Prevention, Control & Countermeasure (SPCC) plan for the hangars at the Brunswick Executive Airport to address new management protocols for AFFF releases. MRRA operations do not trigger any SPCC requirement. Also seeking guidance recommendations from USEPA, Maine DEP, the US Coast Guard, and the US Navy on national PFAS spill management protocols and best management procedures;*
4. *Working with Safespill representatives on refining project proposal and exploring funding solutions for new fire suppression technology that do not require AFFF; and*
5. *Actively seeking funding opportunities for AFFF replacement technologies from federal and state entities, to include, but is not limited to: Requested funding from FAA- Military Airports Program and Governor (FY25 budget). See MRRA Environmental Update 11/24 (Exhibit 14).*

7. All correspondence and communication received or sent by the Facility to or from local and or state agencies regarding the introduction of AFFF into the Publicly Owned Treatment Works ("POTW"), e.g., immediate reporting of all discharges that could cause problems to the POTW including any slug loadings, and relating to applicable local sewer use rules and regulations.

   MRRA immediately notified the Brunswick Sewer District as well as MEDEP, USEPA, the National Response Center, Brunswick Fire Department, and the US Navy. These contacts were made by telephone and completed by around 5:33 am. MRRA activated an Incident Command Center at 8 am to address the 5:15 am spill. MRRA August 19, 2024 Update (Exhibit 1).



8. For the diagram above, please answer the following questions:

   a. Describe and show the location of all floor drains and means by which drains connect to the oil-water separator/s and POTW;

   There are two trench styled floors in Hangar 4; one on the northside and second on the southside. The north drain exits on northside of the building and drains into the oil water separator noted on the southeast corner of the diagram. The south drain exits from the building and extends to the oil water separator. There is also a utility chase of approximately 8" in diameter on center of the east wall that provides access to a utility tunnel. There are floor drains in the tunnel that go to sump pits that ultimately tie to the sanitary sewer system (does not follow through the oil/water separator). See MRRA SWPPP (Exhibit 18).

   b. Provide a description detailing the flow path for AFFF into drains that discharge to surface waters and or introduced into the POTW;

   Sanitary Sewer. Following the spill, the foam began to dissipate withing the hanger to the floor drains and utility chase. A pipe leads from the oil/water separator to a sanitary line in Orion Street that follows in an easterly direction to the Theater Lift Station about 900 feet away. The lift station has a force main that then flows in a northerly direction to a point and Admiral Fitch Avenue where it enters a gravity line that flows to Bath Road. that ultimately made its way to the sanitary sewer system and the Brunswick Sewer District Treatment Plant. Clean Harbors also used water in its cleanup effort that followed the same path.

   AFFF made its way under the north and south hangar doors. On the northside the foam moved in a northerly direction for about 100' and then proceeded about 420 feet to a catch basin on the northeasterly side of the property approximately 300' from Orion Street.

On the southerly the foam proceeded underneath the doors to catch basin located about 180 feet to the southeast side of the property. Both of those catch basins drain into a stormwater line in Orion Street that discharges into Pond A approximately 500 feet away. Following the vacuuming up of AFFF outside of hangar 4, water was also used as part of the clean-up effort.

c. Provide the detention time (in minutes) and length of pipe for wastewaters to travel from the facility through the sanitary sewer system and into the POTW; and

The Brunswick Sewer District informed MRRA that detention time is approximately 240 minutes. It varies depending on flow conditions and when pump stations cycle on and off. The BSD reported that it received notification from MRRA about the spill at about 5:15 a.m. The first alarm for foam at the treatment plant was at 10:15 a.m. That's 300 minutes, from notification to alarm, but foam was probably present before the alarm went off and typically it's 240 minutes. (Correspondence from BSD at Exhibit 23).

d. Provide a description of the AFFF discharge path from Hanger 4 to the POTW.

The discharge path is through approximately 694' of MRRA owned gravity sewer service lines. Then it enters the BSD's sewer system on Orion Street and travels through 1458 feet gravity sewers to the Theater Pump Station. From there the flow travels 4996 feet through a pressurized forcemain to a manhole at the corner of Admiral Fitch Avenue and Landing Drive, where it once again flows by gravity approximately 10,184 feet to the Cooks Corner pump station which is located at the Brunswick Sewer District's Treatment plant. From the Cook's Corner pump station the discharge travels approximately 321 feet to the headworks of the BSD POTW. (Correspondence from BSD at Exhibit 23).

9. If floor drains from Hangar 4 were connected to the stormwater infrastructure, provide documentation of regulatory authority approval for that connection.

Floor drains in Hangar 4 are not tied to the stormwater collection system. See MRRA SWPPP (Exhibit 18).

10. Any actions taken, or plans to control or remove the spilled material from the POTW or to mitigate the effects of the Spill, including a summary of the costs of such actions incurred through the date of this letter, or projected costs based on future plans.

Please see above responses in Section I.

a. With respect to the costs described immediately above, a breakdown of the costs incurred by MRRA, the Navy, state entities, municipal entities, and any other entities; and

The Brunswick Sewer District has not sought any costs related to the August 19, 2024 spill from MRRA.

b. Where different from the previous response, a breakdown of the responsibility for the costs described above, as divided among MRRA, the Navy, state agencies, municipal entities, and other entities.

11. A description of any other waste streams or process wastewater generated at the hangar and where they are discharged or disposed of.

Hangar 4 / Building 250 shares a common sanitary waste line. This system has 12 bathrooms, (6 men's, 6 women's) which discharge to the POTW.

12. Any additional information that you wish to bring to the attention of EPA.

None.

II. Please provide a detailed description of the ownership and management of the above-referenced discharged material and Facility, including:

1. The legal owner of Hangar 4, located at the Facility. If there are any lessees or operators that are not the legal owner of Hangar 4, please provide this information. Describe the specific legal relationships between the owner and the operator(s) of Hangar 4.

The Navy owns Hangar 4, also known as Building 250, and the associated real property. In 2013, MRRA leased Hangar 4/Building 250 from the Navy (Exhibits 16 and 17) In advance of executing this lease, the Navy completed a Finding of Suitability to Lease Building 250 which concluded that the "United States will ensure that all remedial action necessary is taken with respect to any hazardous substance attributed to Navy activity remaining on the property, where such remedial action has not been taken on the date of the lease. The property is therefore suitable for lease." Exhibit 16 at § 4. EPA reviewed and approved the FOSL for Building 250 (Exhibit 16) as did the MEDEP (Exhibit 16). The Navy's remediation action regarding hazardous substances includes PFAS and Hangar 4 and the Navy is required by the National Defense Act of 2020, Section 322 to "effect complete removal of AFFF by October, 2024." MRRA SWPPP at § 5.3 (Exhibit 18) and Navy Lte. to MRRA dated June 24, 2024 (Exhibit 26).

2. The purpose and use of the Facility and the client/customer base served.

As described in the FOSL, the "Quarterdeck will provide an entrance to the elevator tower which will be used by the MRRA sublessee to access the Third Deck" all "other areas of Building 250 may be used for cold storage only and occupied only when periodic maintenance is required." Exhibit 16 at § 2.2. MRRA uses Building 250 for cold storage of airplanes.

3. For all AFFF fire suppression systems at the Facility, provide the following.

a. Year of design and installation;

The Navy designed and installed the fire suppression system. Hangar 4 was not part of the original airport conveyance from the Navy to MRRA in 2011. MRRA leased Hangar 4 via a Lease in Furtherance of Conveyance (LIFOC) from the Navy in December 2013. (Exhibit 17). In 2019, MRRA expended over $300,000 to bring the original Navy installed AFFF system up to current fire codes. This work was part of an over $4.5 million Hangar 4 renovation project in partnership with EPA, FAA and USDOT. (See scope of work and invoices at Exhibit 21) Hangar 4 was unoccupied until September, 2019, when it was leased to Precision Air for cold aircraft storage. (Precision Air Leases at Exhibit 19).

b. Installation company;

The Navy installed the fire suppression system-- likely in the 1970s. As part of the 2019 renovation of Hangar 4, MRRA engaged Penobscot Company to recommission the fire suppression system and bring it up to NFPA code requirements. (See Penobscot Company documents at Exhibit 21).

c. Purchaser;

MRRA understands that the Navy purchased the fire suppression system. MRRA updated the system to NFPA code requirements in 2019 to support use of Hangar 4 for cold storage of Precision Air craft. (Exhibit21)

d. Maintenance standard operating procedures; and

MRRA contracted with Eastern Fire to inspect the system annually and correct deficiencies identified in those inspections as discussed above and as documented in Exhibit 25.

e. Description of alarms and other notification systems if an accidental release occurs. Explain how this system functions and how it functioned during the Spill.

The fire suppression system in Hangar 4 goes into alarm when water flow is sensed in one of the sprinkler risers. This system is monitored by a central station, Centralarm. When a system goes into an alarm status, Centralarm notifies the Brunswick Fire Dept. first, next they call the Property Manager of MRRA, Eric Perkins.

4. An inventory of the AFFF storage capacity at the Facility including tanks, drums, and other filled systems. For each item of the inventory, provide the following information for the period from January 1, 2019 until the present date;

a. Owner(s) and/or lessee(s);

US Navy (owner)/ MRRA (lessee).

b. Responsible party for inspections and maintenance;

Section 12 of the lease between MRRA and the US Navy requires that MRRA provide sufficient maintenance of the fire suppression system to ensure protection from fire hazards arising during the term of the lease and to maintain the leased premises "in the condition in which they existed at the commencement of the Lease as documented in the Joint Inspection." The Joint Inspection reports attached to the lease make no mention of the fire protection system. MRRA is required to provide "reasonable and necessary fire protection of the Leased Premises" including "maintenance of any sprinkler system that exists on the effective date of this Lease and/or providing portable fire extinguishers for fire protection of the Leased Premises."

In 2019, Hangar 4 was renovated at a cost exceeding 4.5 million which renovation cost included more than $300,000 to bring the foam delivery system up to NFPA code requirements. The Penobscot Company of Rockport, Maine was the contractor for the renovation of Hangar 4. Eastern Fire Protection of Auburn, Maine was a sub to the Penobscot Company on this project and in 2020 provided piping from the foam storage room to the six new wall cannons within the hangar bay. (Scope and Renovation Invoices at Exhibit 21).

c. Management structure and those individuals, including names and contact information within the structure, of every entity who has had maintenance responsibility for the hangar and its equipment, including the fire suppression system;

A copy of MRRA's personnel and functional organizational chart and a report of the MRRA management of Hangar 4 since 2014 is attached as Exhibit 22.

In September 2019, Precision Air subleased Hangar 4 and 38,977 square feet of tarmac nearby via a land lease and a Hangar 4 sublease (Precision Air leases attached as Exhibit 19). Precision Air terminated the land lease effective December 1, 2024. (See Exhibit 19).

d. The age of material, manufacturer of material, and product name of material for each individual container and system; and

The AFFF System dates to Navy construction of Hangar 4 and was renovated to current NFPA Code in 2019 to support subleasing to Precision Air as discussed herein and as documented in Exhibits 19 and 21.

e. Existing or proposed plans for removal. If plans do not have an implementation schedule, the dates of estimated completion.

On June 24, 2024, the Navy sent MRRA a letter notifying MRRA that the Navy is required by the National Defense Act of 2020, Section 322 to "effect complete removal of AFFF by October, 2024." Navy Lte. to MRRA dated June 24, 2024 (Exhibit 26). The June 2024 letter notified MRRA that the AFFF would be removed from Hangar 4 by March 31, 2024. (Exhibit 26) On November 1, 2024,

the Navy notified MRRA that AFFF was removed from the AFFF system in the Fire Protection Room and the Hangar 4 AFFF system and that all Navy activities would be complete by November 6. Navy Lte. to MRRA dated November 1, 2024 (Exhibit 26) The Navy drained and rinced the system. Id. MRRA is not aware of any testing by the Navy to confirm that the system no longer contains PFAS.

5. A site diagram showing the location of all items listed in the question above.

As built plans for Hangar 4, from the 2019 renovation, are attached as Exhibit 24.

6. Any documentation from the past 10 years (*e.g.*, maintenance/testing records, inspection reports, complaints) regarding the condition of the AFFF fire suppression system(s) prior to the Spill from Hangar 4, including all emails or correspondence in reference to inspection findings.

Inspection reports for the AFFF system in Hangar 4 are attached as Exhibit 25.

7. A list of any previous releases of AFFF from the fire suppression system(s) at the Facility, including the date of each release, its cause, and estimated volume.

When MRRA recommissioned the fire suppression system and brought it up to NFPA code requirements in 2019 to support reuse of Hangar 4 for cold storage of the Precision Air craft, there were several minor releases one of which reached an unblocked floor drain in a foam format. As noted above in our response to I(6), MRRA engaged Sevee and Mahar Engineers, Inc. (SME) to assist MRRA staff in updating MRRA's current Stormwater Pollution Prevention Plan (SWPPP) and develop a specific PFAS Spill Prevention, Control & Countermeasure (SPCC) plan for the hangars at the Brunswick Executive Airport to address new management protocols for AFFF releases. MRRA operations do not trigger any SPCC requirement.

8. Any contracts or agreements that are pertinent to the questions above.

A copy of the Lease in Furtherance of Conveyance between the United States of America and Midcoast Regional Redevelopment Authority at the former Naval Air Station Brunswick, Maine is Exhibit 17. A copy of the Precision Air subleases is Exhibit 19.

STATEMENT OF CERTIFICATION

I declare under penalty of perjury that I am authorized to respond on behalf of Midcoast Regional Redevelopment Authority. I certify that the foregoing responses and information submitted were prepared under my direction or supervision, and that I have personal knowledge of all matters set forth in the responses and the accompanying information. I certify that the responses are true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment.

Steven H. Levesque
Signature

Steven H. Levesque
Printed Name

Interim Executive Director
Title

December 17, 2024
Date