



To: Laura Paye, ME DEP
Bureau of Land Resources

From: Marc Restuccia, President, Toddy Pond Association
PO Box 645
Blue Hill, ME 04614

Date; October 25, 2024

Dear Ms. Paye,

The Toddy Pond Association respectfully requests that the Department reject the petition filed with your office, on October 11, 2024, by American Iron and Metal (AIM) dba Bucksport Mill LLC seeking release of dam ownership and water level maintenance for the dams, and their associated bodies of water at Alamoosook Lake, Toddy Pond and Silver Lake. Our objections to the petition are:

1. If AIM is allowed to abandon the dams and release the associated bodies of water it would have a devastating impact economically and environmentally to the towns of Bucksport, Blue Hill, Orland, Penobscot, Surry, and the surrounding watershed.
2. AIM has not acted in good faith. They have failed to share information about the condition of the dams, planned/scheduled maintenance, liability costs, expected costs to rehabilitate and maintain the dams or any other information which would be expected to be available to any prospective new owner. On June 11, 2024, a company, "Commercial Divers, Inc, conducted extensive inspections on all of the dams, including underwater examinations. To date, AIM has refused to share the results of these inspections. The Toddy Pond Association believes that these are NOT the actions of a responsible organization seeking new owners. for a property that the company currently owns.
3. American Iron and Metal has been negligent in their maintenance of these dams, particularly on Toddy Pond. Attached are photographs taken on Oct.11, 2024 of the dam on Toddy Pond. It clearly shows major structural defects. The TPA notified Dave Bryant, representative for AIM by phone and emailed these photos to him.< Mr Bryant promised to look into it. However, to date no actions have been taken. This callous disregard for the health and safety of those populations living on and around these dams is to be condemned

It is the Toddy Pond Association's position that these dams and their associated bodies of water are essential for the recreational pursuits, wildlife habitat and economic well being for the towns surrounding Alamoosook Lake and Toddy Pond, namely Blue Hill, Orland, Penobscot and Surry. Additionally, Silver Lake in Bucksport is a drinking supply for the town, and provides water for the power plant located on the site of the old paper mill in that town . Therefore we urge the DEP to require AIM/Bucksport Mill LLC to fulfill their responsibilities as required and to make a good faith effort in the following:

1. Bring all three dams up to full repair. If not willing/able to do so, engage an engineering firm to examine all three dam structures and develop a plan, with associated costs, to bring all three dams up to full repair.
2. Provide all operating costs incurred by the dams on an annual basis.
3. Provide all liability data on each of the dams, including insurance costs and any pending legal action(s).

It is only through such actions can any entity determine the viability of assuming ownership and responsibility for these dams and their associated bodies of water.

Thank you for your time and consideration of our position on this. We are more than willing to discuss this further with the Department if that would be helpful.

Respectfully,

Marc C. Restuccia
President, Toddy Pond Association
For the Entire Board of TPA