



DEPARTMENT OF ENVIRONMENTAL PROTECTION
Monthly Enforcement Report
for actions during September 2018

DISTRIBUTED: October 3, 2018

This report has been prepared to satisfy a statutory obligation under 38 M.R.S. § 349(7) that the Maine Department of Environmental Protection inform the public of certain enforcement resolutions. Please contact Ronald Mongeon at (207) 287-7740 or ronald.mongeon@maine.gov for additional information regarding the activities listed in this report.

The following case was resolved to: achieve compliance with the law; remediate environmental damage; restore natural resources to appropriate conditions; and/or impose penalties to deter similar actions in the future.

Consent Agreements Approved by the Commissioner and Office of the Attorney General (party followed by location):

Land:

Crooker Construction, LLC and Wright-Ryan Construction, Inc., Boothbay, Maine.

Crooker Construction, LLC (“Crooker”) is a Maine Limited Liability Corporation which operates a construction company. Wright-Ryan Construction, Inc. (“Wright-Ryan”) is a Maine Corporation which operates a construction management company. The Coastal Maine Botanical Gardens, Inc. (“CMBG”) is a Maine Non-Profit Corporation that owns and operates botanical gardens in Boothbay, Maine. CMBG retained the services of Wright-Ryan as the manager and Crooker as the site contractor for an expansion project at the Botanical Gardens. During the expansion project, a third-party inspector observed multiple violations, including: sediment-laden water being discharged to multiple freshwater wetlands; inadequate erosion and control measures; and sediment-laden water being discharged to a significant vernal pool. Once the above listed violations were identified, the contractor addressed the violations in a timely manner and to the satisfaction of the Department. The activities above represented violations of the *Erosion and Sedimentation Control Law*, 38 M.R.S. § 420-C and the *Protection and Improvement of Waters Act*, 38 M.R.S. § 413. To resolve these violations, Crooker and Wright-Ryan agreed to pay a civil monetary penalty to the *Treasurer, State of Maine*, in the amount of Seven Thousand Three Hundred and Seventy Five dollars (\$7,375.00).