

# Maine Department of Environmental Protection and the Jordan Junkyard

## ***-Chronology of Events-***

Background: The Jordan Junkyard is located on the bank of the Nezinscot River a tributary to the Androscoggin River. This is a mapped sand and gravel aquifer. The Maine Natural Resource Protection Act (NRPA) designated the wetland associated with the Nezinscot River as a "wetland of special significance." The Town of Turner has failed to enforce zoning laws and DEP has been receiving complaints about this site since at least 1999.

---

July 10, 2001-An internal DEP E-mail indicates that agency enforcement employees, during an attempt to inspect junkyard and accompanied by an Androscoggin County Deputy Sheriff, was ordered off the Jordan property by the owner. A DEP official complains, "I am reluctant to act on this one out of concern for my own personal safety. ...Mr. Jordan likes to wave a gun a round. I am not interested in getting in his vicinity even with law enforcement as an escort."

August 20, 2001- A DEP memo about the junkyard, located in a residential neighborhood, reports that "Cars are piled dozens deep, tires are everywhere. Shore land zoning ordinances have been violated and wetlands impacted."

July 24, 2001-A sample of the owners well tested about 100 parts per billion of methyl tertiary butyl ether (MTBE), a gasoline additive.

October 25, 2001- A DEP employee reports that, "violations of oil discharge and shoreline zoning laws have occurred here." "It is feared that any DEP action that unduly upsets him [Mr. Jordan] may cost us his cooperation. There is concern for the safety of DEP staff and contractors if his co-operation is lost."

November 2, 2001- The *Lewiston Sun Journal* reports that Jordan's unlicensed junkyard is allowed to operate as a towing business in an area not zoned for business. DEP representative Scott Whittier is quoted to say, "We are hoping for his cooperation, but he has told us he will not cooperate, and if he continues we will be forced to take formal enforcement action." In court papers filed in a civil suit, Jordan admits to keeping 100-200 vehicles on his property.

December, 2001- Approximately 1,137 tons of soil are removed from the Jordan property. Nearby wells were not tested after the repair work.

February 20, 2002-DEP official Tom Benn sends a letter to Senator John Nutting stating that the case has been closed.

May 2, 2002- In a conversation with an anonymous DEP official, PEER is told that the agency knows of new cars being brought onto the property since the case was closed, possibly bringing more contaminants in the area. PEER is told that because

the case was closed, DEP will not be revisiting the area unless another complaint is filed.

March 4, 2002- *The Lewiston Sun Journal* reports that the Jordan cleanup cost state taxpayers \$158,366. DEP project manager Tom Benn recommends that DEP not seek cost recovery.

March, 2002- The Town of Turner orders the unlicensed junkyard to be in compliance by the end of the month, but this deadline passes without change.

May 23, 2002- In a conversation with DEP officials PEER was told that the agency doesn't have the funding to do follow-up testing.

August 14, 2002- At the urging of Maine PEER, DEP officials re-visits the site to review present site condition. The visit consisted of observation only and officials do not take soil or water samples. Once again, DEP considers the case closed.

November 5, 2002- An E-mail to PEER from DEP states that "Based on the lack of financial ability, the Dept. will not be pursuing additional recover costs."

December 4, 2002- PEER petitions for a criminal investigation into the matter.

**Supporting documents are available upon request.**