

29-G-1

2002-0080

99 Commercial St.

HVAC Upgrade

USA

Logged on Spreadsheet

Limiting Commercial Street license - Don't need L for underdian

**CITY OF PORTLAND, MAINE
DEVELOPMENT REVIEW APPLICATION
PLANNING DEPARTMENT PROCESSING FORM
Planning Copy**

2002-0080
Application I. D. Number

03/14/2002
Application Date

United States of America
Applicant
10 Causeway Street, Room 901, Boston, MA 02222
Applicant's Mailing Address
Oak Point Associates
Consultant/Agent
Applicant Ph: (617) 565-5731 Agent Fax:
Applicant or Agent Daytime Telephone, Fax

Upgrade HVAC and Electrical System
Project Name/Description
99 - 99 Commercial St, Portland, Maine
Address of Proposed Site
029 G001001
Assessor's Reference: Chart-Block-Lot

Proposed Development (check all that apply): New Building Building Addition Change Of Use Residential Office Retail
 Manufacturing Warehouse/Distribution Parking Lot Other (specify) **Geothermal well installation**

Proposed Building square Feet or # of Units _____ Acreage of Site _____ Zoning _____

Check Review Required:

- Site Plan (major/minor) Subdivision # of lots _____ PAD Review 14-403 Streets Review
- Flood Hazard Shoreland Historic Preservation DEP Local Certification
- Zoning Conditional Use (ZBA/PB) Zoning Variance Other _____

Fees Paid: Site Plan **\$400.00** Subdivision _____ Engineer Review _____ Date **03/25/2002**

Planning Approval Status:

Reviewer _____

- Approved** **Approved w/Conditions See Attached** **Denied**

Approval Date _____ Approval Expiration _____ Extension to _____ Additional Sheets Attached

OK to Issue Building Permit _____ signature _____ date _____

Performance Guarantee **Required*** **Not Required**

* No building permit may be issued until a performance guarantee has been submitted as indicated below

<input type="checkbox"/> Performance Guarantee Accepted	_____	_____	_____
	date	amount	expiration date
<input type="checkbox"/> Inspection Fee Paid	_____	_____	
	date	amount	
<input type="checkbox"/> Building Permit Issue	_____		
	date		
<input type="checkbox"/> Performance Guarantee Reduced	_____	_____	_____
	date	remaining balance	signature
<input type="checkbox"/> Temporary Certificate of Occupancy	_____	<input type="checkbox"/> Conditions (See Attached)	_____
	date		expiration date
<input type="checkbox"/> Final Inspection	_____	_____	
	date	signature	
<input type="checkbox"/> Certificate Of Occupancy	_____		
	date		
<input type="checkbox"/> Performance Guarantee Released	_____	_____	
	date	signature	
<input type="checkbox"/> Defect Guarantee Submitted	_____	_____	_____
	submitted date	amount	expiration date
<input type="checkbox"/> Defect Guarantee Released	_____	_____	
	date	signature	

**CITY OF PORTLAND, MAINE
DEVELOPMENT REVIEW APPLICATION
PLANNING DEPARTMENT PROCESSING FORM
DRC Copy**

2002-0080

Application I. D. Number

03/14/2002

Application Date

Upgrade HVAC and Electrical System

Project Name/Description

United States of America

Applicant

10 Causeway Street, Room 901, Boston, MA 02222

Applicant's Mailing Address

Oak Point Associates

Consultant/Agent

Applicant Ph: (617) 565-5731 Agent Fax:

Applicant or Agent Daytime Telephone, Fax

99 - 99 Commercial St, Portland, Maine

Address of Proposed Site

029 G001001

Assessor's Reference: Chart-Block-Lot

Proposed Development (check all that apply): New Building Building Addition Change Of Use Residential Office Retail
 Manufacturing Warehouse/Distribution Parking Lot Other (specify) **Geothermal well installation**

Proposed Building square Feet or # of Units

Acreage of Site

Zoning

Check Review Required:

- | | | | |
|---|--|--|--|
| <input checked="" type="checkbox"/> Site Plan (major/minor) | <input type="checkbox"/> Subdivision # of lots | <input type="checkbox"/> PAD Review | <input type="checkbox"/> 14-403 Streets Review |
| <input type="checkbox"/> Flood Hazard | <input type="checkbox"/> Shoreland | <input type="checkbox"/> Historic Preservation | <input type="checkbox"/> DEP Local Certification |
| <input type="checkbox"/> Zoning Conditional Use (ZBA/PB) | <input type="checkbox"/> Zoning Variance | <input type="checkbox"/> Other | |

Fees Paid: Site Plan **\$400.00** Subdivision _____ Engineer Review _____ Date **03/25/2002**

DRC Approval Status:

Reviewer _____

- Approved Approved w/Conditions See Attached Denied

Approval Date _____ Approval Expiration _____ Extension to _____ Additional Sheets Attached

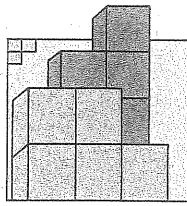
Condition Compliance _____ signature _____ date _____

Performance Guarantee Required* Not Required

* No building permit may be issued until a performance guarantee has been submitted as indicated below

- | | | | |
|---|----------------|--|-----------------|
| <input type="checkbox"/> Performance Guarantee Accepted | _____ | _____ | _____ |
| | date | amount | expiration date |
| <input type="checkbox"/> Inspection Fee Paid | _____ | _____ | |
| | date | amount | |
| <input type="checkbox"/> Building Permit Issue | _____ | | |
| | date | | |
| <input type="checkbox"/> Performance Guarantee Reduced | _____ | _____ | _____ |
| | date | remaining balance | signature |
| <input type="checkbox"/> Temporary Certificate of Occupancy | _____ | <input type="checkbox"/> Conditions (See Attached) | _____ |
| | date | | expiration date |
| <input type="checkbox"/> Final Inspection | _____ | _____ | |
| | date | signature | |
| <input type="checkbox"/> Certificate Of Occupancy | _____ | | |
| | date | | |
| <input type="checkbox"/> Performance Guarantee Released | _____ | _____ | |
| | date | signature | |
| <input type="checkbox"/> Defect Guarantee Submitted | _____ | _____ | _____ |
| | submitted date | amount | expiration date |
| <input type="checkbox"/> Defect Guarantee Released | _____ | _____ | |
| | date | signature | |





OAK POINT

ASSOCIATES

March 15, 2002

Portland City Hall
Inspection Office (Attn: Site Plan Application)
389 Congress Street, Room 315
Portland, Maine 04101

RE: Upgrade HVAC and Electrical Systems (Geothermal Well Installation)
United States Custom House
99 Commercial Street
Portland, Maine

Dear Sir or Madam:

Enclosed please find a check for \$400.00 and nine copies of a Site Plan Application for the above-referenced project. Also enclosed are nine copies of descriptions of four proposed license areas, a Boundary Survey and Civil/Site drawings for the project. The project involves an upgrade to the interior heating, ventilating and air conditioning systems of the building. As part of this upgrade, installation of three geothermal wells with associated pumps, piping, heat exchangers, controls and appurtenances, is proposed. Groundwater drawn from the wells will run through the heat exchangers and be used to heat or cool the building.

As shown on the attached Site Plan (Drawing C1), the wells are proposed within an open (below grade) areaway, approximately eight feet wide, located between the building and a stone retaining wall adjacent to the sidewalk. The areaway surrounds the building on the Pearl Street, Fore Street and Custom House Streets sides. The geothermal well heads will terminate approximately one foot below grade and be accessed by a 24-inch diameter concrete riser. Portions of the concrete riser (and the well at one location) are likely to extend over the street lines of Pearl and Custom House Streets, necessitating acquisition of a license from the City of Portland. It is our understanding acquisition of a license for the work will be easier to obtain from the City than an easement, thus reducing the potential of delays in construction. The proposed license areas are shown on the enclosed Site Plan and the Boundary Survey. As part of the review of this application, we respectfully request representatives of the City proceed with the preparation of the licenses, based on the enclosed descriptions.

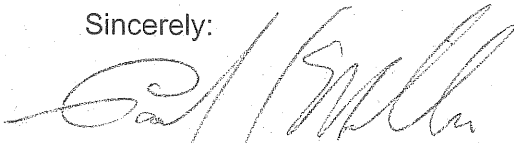
The only other site related aspect of the project is installation of a (pumped) drain line off the process return piping. The drain is proposed to connect to an existing catch basin located in the sidewalk near the intersection of Commercial and Pearl Streets. The drain

ARCHITECTS • ENGINEERS

will only run when the building heating or cooling load is very high and the return water (to the wells) has been heated or cooled beyond the design range (less than 38 or greater than 80 degrees Fahrenheit). Thus, the flow to the pumped drain will be intermittent and relatively small (approximately 25 gallons per minute or less than 0.06 cubic feet per second). This discharge has been approved through the Maine Department of Environmental Protection (see their letter to Oak Point Associates, dated February 22, 2002, copy attached). We have included a license area for this drain. The proposed license area is shown on the plans.

Please contact us as soon as possible with information regarding this project. As you may know, geothermal well installation (on U.S. Government property) is currently underway. We hope to avoid a delay in the construction, so your prompt attention to this project would be appreciated.

Sincerely:

A handwritten signature in black ink, appearing to read "Paul J. Miller". The signature is fluid and cursive, written over a light blue horizontal line.

Paul J. Miller, P. E.
Project Engineer

Cc: Manny Neves

License Area No. 1, Commercial Street
225 square feet

A certain lot or parcel of land situated within the right-of-way of Commercial Street, in the City of Portland, County of Cumberland, State of Maine, and being more particularly bounded and described as follows:

Beginning at a point being a 3/8-inch diameter drill hole in the brick sidewalk at the intersection of the northwesterly sideline of Commercial Street and the northeasterly sideline of Pearl Street;

Thence North $41^{\circ} 15' 47''$ East along the northwesterly sideline of Commercial Street, a distance of fifteen and no hundredths (15.00) feet to a point;

Thence South $48^{\circ} 44' 13''$ East a distance of fifteen and no hundredths (15.00) feet to a point;

Thence South $41^{\circ} 15' 47''$ West a distance of fifteen and no hundredths (15.00) feet to a point;

Thence North $48^{\circ} 44' 13''$ West a distance of fifteen and no hundredths (15.00) feet to the point of beginning;

Containing 225 square feet.

Bearings above refer to Grid North of the Maine State Coordinate System, West Zone, based on information shown on the State of Maine Department of Transportation Right of Way Map for Federal Aid Project No. M-0685(1), dated August, 1985, D.O.T. File No. 3-339, sheet numbers 5 and 6.

Meaning and intending to convey a license area for installation and maintenance of underground utilities within the Commercial Street right-of-way.

Reference is made to a Plan Showing a Survey of the U. S. Custom House Lot and Proposed Easements to be Granted by the City of Portland, Maine, to the United States of America, dated March 12, 2002, by Wayne A. Desper, PLS No. 1279.

The drill hole mentioned above is to be set.

License Area No. 2, Pearl Street
40 square feet

A certain lot or parcel of land situated within the right-of-way of Pearl Street, in the City of Portland, County of Cumberland, State of Maine, and being more particularly bounded and described as follows:

Beginning at a point on the northeasterly sideline of Pearl Street, said point being North 49° 37' 38" West a distance of 15.00 feet from a 3/8-inch diameter drill hole in the brick sidewalk at the intersection of the northwesterly sideline of Commercial Street and the northeasterly sideline of Pearl Street;

Thence North 49° 37' 38" West along the northeasterly sideline of Pearl Street, a distance of ten and no hundredths (10.00) feet to a point;

Thence South 40° 22' 22" West a distance of four and no hundredths (4.00) feet to a point;

Thence South 49° 37' 38" East a distance of ten and no hundredths (10.00) feet to a point;

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Containing 40 square feet.

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The drill hole mentioned above is to be set.

License Area No. 3, Custom House Street
40 square feet

A certain lot or parcel of land situated within the right-of-way of Custom House Street, in the City of Portland, County of Cumberland, State of Maine, and being more particularly bounded and described as follows:

Beginning at a point on the southwesterly sideline of Custom House Street, said point being South 49° 35' 13" East a distance of 16.00 feet from a 5/8-inch diameter drill hole in the stone sidewalk at the intersection of the southwesterly sideline of Custom House Street and the southeasterly sideline of Fore Street;

Thence South 49° 35' 13" East along the southwesterly sideline of Custom House Street, a distance of ten and no hundredths (10.00) feet to a point;

Thence North 40° 24' 47" East a distance of four and no hundredths (4.00) feet to a point;

Thence North 49° 35' 13" West a distance of ten and no hundredths (10.00) feet to a point;

Thence South 40° 24' 47" West a distance of four and no hundredths (4.00) feet to the point of beginning:

Containing 40 square feet.

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License Area No. 4, Custom House Street
40 square feet

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Thence North 49° 35' 13" West along the southwesterly sideline of Custom House Street, a distance of ten and no hundredths (10.00) feet to a point;

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Thence South 49° 35' 13" East a distance of ten and no hundredths (10.00) feet to a point;

Thence South 40° 24' 47" West a distance of four and no hundredths (4.00) feet to the point of beginning:

Containing 40 square feet.

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The drill hole mentioned above is to be set.



STATE OF MAINE
DEPARTMENT OF ENVIRONMENTAL PROTECTION

February 22, 2002

ANGUS S. KING, JR.
GOVERNOR

MARTHA KIRKPATRICK
COMMISSIONER

Paul J. Miller, P.E.
Oak Point Associates
231 Main Street
Biddeford, ME 04005

Dear Mr. Miller:

I have reviewed your site plan for the proposed construction project at the U.S. Custom House in Portland. As I have mentioned in a previous telephone conversation, wells which re-inject fluids associated with geothermal heating and cooling are considered Class V wells under the state's and EPA's Underground Injection Control Program. No licensing or permitting is needed for these wells, however, these wells are required to be registered with the state program. I have enclosed a copy of the current Class V well registration form for your use. Please file it prior to operation of the system.

As for the discharge of return water outside your temperature limits, our Licensing Unit Director, Gregg Wood, has reviewed your potential discharge and worse case scenario. In notes to me, he indicates that no waste discharge license or MEPDES permit is needed, as the discharge is considered de minimus in nature.

I will offer one additional piece of advice. It has been many decades since ground water was used in downtown Portland for any purpose and a wide variety of potentially contaminating activities have occurred in that area. In both the interest of protecting the integrity of the heating/cooling system and well as preventing an inadvertent discharge of pollutants to the storm sewer system, I would recommend that a sample from each geothermal well is collected and analyzed. If nothing else, this analysis will provide baseline water quality data for your client should there be any dispute in the future.

Again, please return the Class V registration form prior to commencement of activities and feel free to contact me should there be any questions. I may be reached at (207)287-7814 or by e-mail at tammy.gould@state.me.us.

Sincerely,

Tammy L. Gould, Underground Injection Control Program
Division of Water Resource Regulation
Bureau of Land and Water Quality

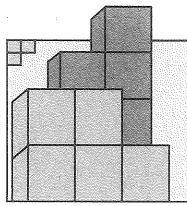
Cc: Gregg Wood, Director, Licensing Unit

AUGUSTA
17 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0017
(207) 287-7688
RAY BLDG., HOSPITAL ST.

BANGOR
106 HOGAN ROAD
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 04769-2094
(207) 764-0477 FAX: (207) 764-1507



OAK POINT

ASSOCIATES

March 22, 2002

Portland City Hall
Planning Office
389 Congress Street
Portland, Maine 04101
Attn: Bill Needelman

RE: Upgrade HVAC and Electrical Systems (Geothermal Well Installation)
United States Custom House
99 Commercial Street
Portland, Maine

Dear Mr. Needelman:

Enclosed please one copy of a revised Boundary Survey, a revised Site Plan, one revised license area description, and three corrected license area descriptions (four descriptions in all) for the above-referenced project. The revised plans and description are submitted in lieu of the documents included with the March 15, 2002 submission. The revisions are necessary due to the General Services Administration (at the Contractor's request) desire to relocate well WP-2 approximately 44-feet southeasterly along Custom House Street. Thus, the revised documents indicate License Area No. 3 beginning sixty feet (as opposed to sixteen feet as first submitted) from the intersection of the southeasterly sideline of Fore Street and the southwesterly sideline of Custom House Street.

The corrected descriptions are submitted because the proposed descriptions included with the March 15th submission refer to the word "Easement" in the survey plan reference, as opposed to "License Area".

After we discussed the necessity of a resubmission, it was determined that one copy of the revised documents would be sent to yourself, one copy to Ms. Penny Littell, and one to Ms. Hopkins, as we have done. As part of the review of this application, we respectfully request representatives of the City proceed with the preparation of the licenses, based on the enclosed descriptions. Representatives of the GSA have requested the opportunity to review the language of the license prior to their execution. Thank you in advance for your cooperation in this matter.

Sincerely:

Paul J. Miller, P. E.
Project Engineer

Cc: Manny Neves

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License Area No. 1, Commercial Street
225 square feet
Corrected 3/20/02

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Meaning and intending to convey a license area for installation and maintenance of underground utilities within the Commercial Street right-of-way.

Reference is made to a Plan Showing a Survey of the U. S. Custom House Lot and Proposed License Areas to be Granted by the City of Portland, Maine, to the United States of America, dated March 12, 2002, by Wayne A. Desper, PLS No. 1279.

The drill hole mentioned above is to be set.

License Area No. 2, Pearl Street
40 square feet
Corrected 3/20/02

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Revised 3/20/02

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License Area No. 4, Custom House Street
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Corrected 3/20/02

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The drill hole mentioned above is to be set.

Corporation Counsel
Gary C. Wood



CITY OF PORTLAND

Associate Counsel
Charles A. Lane
Elizabeth L. Boynton
Donna M. Katsiaficas
Penny Littell

April 2, 2002

Paul J. Miller, P.E.
Oak Point Associates
231 Main Street
Biddeford, ME 04005

Dear Mr. Miller:

Enclosed please find a DRAFT license for the installation of geothermal wells within the City of Portland right-of-way adjacent to 99 Commercial Street. Please have your clients review the same and contact me with any questions or concerns. Also, be advised that this license will need to be approved by the Portland City Council prior to execution.

Thank you for your attention to this matter.

Sincerely,

Penny Littell
Associate Corporation Counsel

Enclosure
PL:hs
Cc: William Needleman, Senior Planner ✓

O:\OFFICE\PENNY\LTRS\2002\Miller040202.doc

DRAFT

LICENSE FOR INSTALLATION OF GEOTHERMAL WELLS
RE: 99 COMMERCIAL STREET

This irrevocable license is granted by the City of Portland to _____ of

_____ hereinafter "OWNER" for the installation of geothermal well(s) and related pipe system (hereinafter "well(s)") installation on property owned by the City. The installation of the well(s) shall be governed by the terms of this License Agreement.

1. The well(s) shall be installed in the public rights of way on _____, _____ and _____ street as shown on Attachment A, the approved site plan, attached hereto.
2. OWNER is hereby permitted to occupy the land beneath the surface of said public rights-of-way for the placement of its well(s).
3. OWNER shall be responsible for the property installation and proper maintenance of said well(s). In the event of damage to the same, OWNER shall notify the City and OWNER shall promptly repair/restore the well(s).
4. OWNER shall also procure liability insurance protecting against bodily injury, death or property damage in the minimum amount of Four Hundred Thousand Dollars (\$400,000) combined single limit naming the City of Portland as additional insured thereon. A certificate of insurance evidencing such coverage shall be provided to City prior to installation of the well(s) and related pipe system and annual thereafter.
5. OWNER shall defend, indemnify and hold harmless the City, its officers and employees from and against all claims including claims for damages to the well(s), personal property or bodily injury, losses or expenses, including but not limited to, the costs of defense and attorney's fees arising out of the performance of this License.
6. This license is assignable to any subsequent owners of the buildings known as the United States Customs House, 99 Commercial Street, Portland, Maine.
7. This License is irrevocable, provided, however that it shall automatically terminate in the event that the building located at 99 Commercial Street is destroyed, removed or otherwise ceases to exist on the site.

CITY OF PORTLAND

Date _____

Joseph E. Gray, Jr.,
City Manager

OWNER

Print Name:

STATE OF MAINE)
) ss
County of Cumberland)

Dated: _____

Personally appeared the above-named Joseph E. Gray, Jr. and gave oath that the foregoing statements made by him are true to the best of his knowledge, information and belief, and where based upon information and belief, he believes the same to be true.

Before me,

Notary Public/Attorney-at-Law

STATE OF MAINE)
) ss
County of Cumberland)

Dated: _____

Personally appeared the above-named _____ and gave oath that the foregoing statements made by him/her are true to the best of his/her knowledge, information and belief, and where based upon information and belief, he/she believes the same to be true.

Before me,

Notary Public/Attorney-at-Law



CITY OF PORTLAND

February 28, 2002

Frank Johnson
Oak Point Associates
231 Main Street
Biddeford, Maine 04005

Re: Custom House Geothermal Wells
CBL 29-G-001

Dear Mr. Johnson:

This letter is in response to your request regarding approvals to drill wells in the Custom House property at Commercial Street. The Planning Authority will not require site plan review for drilling on the property as long as the activity:

- Is limited to the Custom House property
- Does not involve any underground utility work
- Does not require permanent or temporary disturbance of any material in the City rights of way
- Does not require the installation of any site features beyond the bounds of the Custom House property

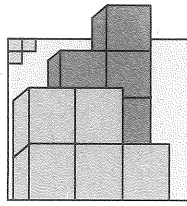
Please be aware that this determination does not provide permission for drilling equipment to occupy City sidewalks, streets, or property. Temporary occupation of the City right of way with construction equipment will need approval and permission from the Public Works Department.

The Planning Office is aware that your office is preparing a minor site plan application for additional drilling and utility work. Some of this work will require occupation of City property and connections to the City utility system. We look forward to processing this application and the associated request for revocable licenses that will be needed. If you have any questions, please call at any time.

Sincerely:

A handwritten signature in black ink, appearing to read 'William B. Needelman'.

✓ William B. Needelman, Senior Planner



OAK POINT

ASSOCIATES

March 15, 2002

Portland City Hall
Inspection Office (Attn: Site Plan Application)
389 Congress Street, Room 315
Portland, Maine 04101

RE: Upgrade HVAC and Electrical Systems (Geothermal Well Installation)
United States Custom House
99 Commercial Street
Portland, Maine

Dear Sir or Madam:

Enclosed please find a check for \$400.00 and nine copies of a Site Plan Application for the above-referenced project. Also enclosed are nine copies of descriptions of four proposed license areas, a Boundary Survey and Civil/Site drawings for the project. The project involves an upgrade to the interior heating, ventilating and air conditioning systems of the building. As part of this upgrade, installation of three geothermal wells with associated pumps, piping, heat exchangers, controls and appurtenances, is proposed. Groundwater drawn from the wells will run through the heat exchangers and be used to heat or cool the building.

As shown on the attached Site Plan (Drawing C1), the wells are proposed within an open (below grade) areaway, approximately eight feet wide, located between the building and a stone retaining wall adjacent to the sidewalk. The areaway surrounds the building on the Pearl Street, Fore Street and Custom House Streets sides. The geothermal well heads will terminate approximately one foot below grade and be accessed by a 24-inch diameter concrete riser. Portions of the concrete riser (and the well at one location) are likely to extend over the street lines of Pearl and Custom House Streets, necessitating acquisition of a license from the City of Portland. It is our understanding acquisition of a license for the work will be easier to obtain from the City than an easement, thus reducing the potential of delays in construction. The proposed license areas are shown on the enclosed Site Plan and the Boundary Survey. As part of the review of this application, we respectfully request representatives of the City proceed with the preparation of the licenses, based on the enclosed descriptions.

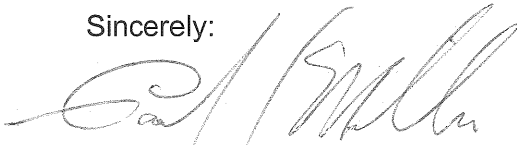
The only other site related aspect of the project is installation of a (pumped) drain line off the process return piping. The drain is proposed to connect to an existing catch basin located in the sidewalk near the intersection of Commercial and Pearl Streets. The drain

ARCHITECTS • ENGINEERS

will only run when the building heating or cooling load is very high and the return water (to the wells) has been heated or cooled beyond the design range (less than 38 or greater than 80 degrees Fahrenheit). Thus, the flow to the pumped drain will be intermittent and relatively small (approximately 25 gallons per minute or less than 0.06 cubic feet per second). This discharge has been approved through the Maine Department of Environmental Protection (see their letter to Oak Point Associates, dated February 22, 2002, copy attached). We have included a license area for this drain. The proposed license area is shown on the plans.

Please contact us as soon as possible with information regarding this project. As you may know, geothermal well installation (on U.S. Government property) is currently underway. We hope to avoid a delay in the construction, so your prompt attention to this project would be appreciated.

Sincerely:

A handwritten signature in black ink, appearing to read "Paul J. Miller". The signature is fluid and cursive, with a large initial "P" and "M".

Paul J. Miller, P. E.
Project Engineer

Cc: Manny Neves

License Area No. 1, Commercial Street
225 square feet

A certain lot or parcel of land situated within the right-of-way of Commercial Street, in the City of Portland, County of Cumberland, State of Maine, and being more particularly bounded and described as follows:

Beginning at a point being a 3/8-inch diameter drill hole in the brick sidewalk at the intersection of the northwesterly sideline of Commercial Street and the northeasterly sideline of Pearl Street;

Thence North $41^{\circ} 15' 47''$ East along the northwesterly sideline of Commercial Street, a distance of fifteen and no hundredths (15.00) feet to a point;

Thence South $48^{\circ} 44' 13''$ East a distance of fifteen and no hundredths (15.00) feet to a point;

Thence South $41^{\circ} 15' 47''$ West a distance of fifteen and no hundredths (15.00) feet to a point;

Thence North $48^{\circ} 44' 13''$ West a distance of fifteen and no hundredths (15.00) feet to the point of beginning:

Containing 225 square feet.

Bearings above refer to Grid North of the Maine State Coordinate System, West Zone, based on information shown on the State of Maine Department of Transportation Right of Way Map for Federal Aid Project No. M-0685(1), dated August, 1985, D.O.T. File No. 3-339, sheet numbers 5 and 6.

Meaning and intending to convey a license area for installation and maintenance of underground utilities within the Commercial Street right-of-way.

Reference is made to a Plan Showing a Survey of the U. S. Custom House Lot and Proposed Easements to be Granted by the City of Portland, Maine, to the United States of America, dated March 12, 2002, by Wayne A. Desper, PLS No. 1279.

The drill hole mentioned above is to be set.

License Area No. 2, Pearl Street
40 square feet

A certain lot or parcel of land situated within the right-of-way of Pearl Street, in the City of Portland, County of Cumberland, State of Maine, and being more particularly bounded and described as follows:

Beginning at a point on the northeasterly sideline of Pearl Street, said point being North 49° 37' 38" West a distance of 15.00 feet from a 3/8-inch diameter drill hole in the brick sidewalk at the intersection of the northwesterly sideline of Commercial Street and the northeasterly sideline of Pearl Street;

Thence North 49° 37' 38" West along the northeasterly sideline of Pearl Street, a distance of ten and no hundredths (10.00) feet to a point;

Thence South 40° 22' 22" West a distance of four and no hundredths (4.00) feet to a point;

Thence South 49° 37' 38" East a distance of ten and no hundredths (10.00) feet to a point;

Thence North 40° 22' 22" East a distance of four and no hundredths (4.00) feet to the point of beginning:

Containing 40 square feet.

Bearings above refer to Grid North of the Maine State Coordinate System, West Zone, based on information shown on the State of Maine Department of Transportation Right of Way Map for Federal Aid Project No. M-0685(1), dated August, 1985, D.O.T. File No. 3-339, sheet numbers 5 and 6.

Meaning and intending to convey a license area for installation and maintenance of a geothermal well and all appurtenances, including an access manhole and underground utilities, within the Pearl Street right-of-way.

Reference is made to a Plan Showing a Survey of the U. S. Custom House Lot and Proposed Easements to be Granted by the City of Portland, Maine, to the United States of America, dated March 12, 2002, by Wayne A. Desper, PLS No. 1279.

The drill hole mentioned above is to be set.

License Area No. 3, Custom House Street
40 square feet

A certain lot or parcel of land situated within the right-of-way of Custom House Street, in the City of Portland, County of Cumberland, State of Maine, and being more particularly bounded and described as follows:

Beginning at a point on the southwesterly sideline of Custom House Street, said point being South 49° 35' 13" East a distance of 16.00 feet from a 5/8-inch diameter drill hole in the stone sidewalk at the intersection of the southwesterly sideline of Custom House Street and the southeasterly sideline of Fore Street;

Thence South 49° 35' 13" East along the southwesterly sideline of Custom House Street, a distance of ten and no hundredths (10.00) feet to a point;

Thence North 40° 24' 47" East a distance of four and no hundredths (4.00) feet to a point;

Thence North 49° 35' 13" West a distance of ten and no hundredths (10.00) feet to a point;

Thence South 40° 24' 47" West a distance of four and no hundredths (4.00) feet to the point of beginning:

Containing 40 square feet.

Bearings above refer to Grid North of the Maine State Coordinate System, West Zone, based on information shown on the State of Maine Department of Transportation Right of Way Map for Federal Aid Project No. M-0685(1), dated August, 1985, D.O.T. File No. 3-339, sheet numbers 5 and 6.

Meaning and intending to convey a license area for installation and maintenance of a geothermal well and all appurtenances, including an access manhole and underground utilities, within the Pearl Street right-of-way.

Reference is made to a Plan Showing a Survey of the U. S. Custom House Lot and Proposed Easements to be Granted by the City of Portland, Maine, to the United States of America, dated March 12, 2002, by Wayne A. Desper, PLS No. 1279.

The drill hole mentioned above is to be set.

License Area No. 4, Custom House Street
40 square feet

A certain lot or parcel of land situated within the right-of-way of Custom House Street, in the City of Portland, County of Cumberland, State of Maine, and being more particularly bounded and described as follows:

Beginning at a point on the southwesterly sideline of Custom House Street, said point being North 49° 35' 13" West a distance of 16.00 feet from a 3/8-inch diameter drill hole in the brick sidewalk at the intersection of the southwesterly sideline of Custom House Street and the northwesterly sideline of Commercial Street;

Thence North 49° 35' 13" West along the southwesterly sideline of Custom House Street, a distance of ten and no hundredths (10.00) feet to a point;

Thence North 40° 24' 47" East a distance of four and no hundredths (4.00) feet to a point;

Thence South 49° 35' 13" East a distance of ten and no hundredths (10.00) feet to a point;

Thence South 40° 24' 47" West a distance of four and no hundredths (4.00) feet to the point of beginning;

Containing 40 square feet.

Bearings above refer to Grid North of the Maine State Coordinate System, West Zone, based on information shown on the State of Maine Department of Transportation Right of Way Map for Federal Aid Project No. M-0685(1), dated August, 1985, D.O.T. File No. 3-339, sheet numbers 5 and 6.

Meaning and intending to convey a license area for installation and maintenance of a geothermal well and all appurtenances, including an access manhole and underground utilities, within the Pearl Street right-of-way.

Reference is made to a Plan Showing a Survey of the U. S. Custom House Lot and Proposed Easements to be Granted by the City of Portland, Maine, to the United States of America, dated March 12, 2002, by Wayne A. Desper, PLS No. 1279.

The drill hole mentioned above is to be set.



STATE OF MAINE
DEPARTMENT OF ENVIRONMENTAL PROTECTION

February 22, 2002

ANGUS S. KING, JR.
GOVERNOR

MARTHA KIRKPATRICK
COMMISSIONER

Paul J. Miller, P.E.
Oak Point Associates
231 Main Street
Biddeford, ME 04005

Dear Mr. Miller:

I have reviewed your site plan for the proposed construction project at the U.S. Custom House in Portland. As I have mentioned in a previous telephone conversation, wells which re-inject fluids associated with geothermal heating and cooling are considered Class V wells under the state's and EPA's Underground Injection Control Program. No licensing or permitting is needed for these wells, however, these wells are required to be registered with the state program. I have enclosed a copy of the current Class V well registration form for your use. Please file it prior to operation of the system.

As for the discharge of return water outside your temperature limits, our Licensing Unit Director, Gregg Wood, has reviewed your potential discharge and worse case scenario. In notes to me, he indicates that no waste discharge license or MEPDES permit is needed, as the discharge is considered de minimus in nature.

I will offer one additional piece of advice. It has been many decades since ground water was used in downtown Portland for any purpose and a wide variety of potentially contaminating activities have occurred in that area. In both the interest of protecting the integrity of the heating/cooling system and well as preventing an inadvertent discharge of pollutants to the storm sewer system, I would recommend that a sample from each geothermal well is collected and analyzed. If nothing else, this analysis will provide baseline water quality data for your client should there be any dispute in the future.

Again, please return the Class V registration form prior to commencement of activities and feel free to contact me should there be any questions. I may be reached at (207)287-7814 or by e-mail at tammy.gould@state.me.us.

Sincerely,

Tammy L. Gould, Underground Injection Control Program
Division of Water Resource Regulation
Bureau of Land and Water Quality

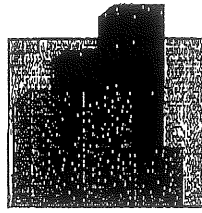
Cc: Gregg Wood, Director, Licensing Unit

AUGUSTA
17 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0017
(207) 287-7688
RAY BLDG., HOSPITAL ST.

BANGOR
106 HOGAN ROAD
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 04769-2094
(207) 764-0477 FAX: (207) 764-1507



OAK POINT
Associates

FACSIMILE TRANSMITTAL COVER SHEET

DATE: 10/17/01

DELIVER TO: Bill Needleman

PHONE NUMBER: FAX NUMBER: 756 8258

SENT BY: Frank Johnson

OPA PHONE NUMBER (207) 283-0193 OPA FAX NUMBER (207) 283-4283

SUBJECT: Custom House - Portland, ME

NUMBER OF PAGES INCLUDING COVER LETTER: 2

Please call me with comments.

Thanks,

Frank Johnson

5 (TYP)

REFER TO MECHANICAL SHEET
M4 FOR CONTINUATION

EXIST U.S.

EXIST BLDG (TYP)

EXIST OPEN AREAWAY,
BELOW (TYP)

{1} GEO(S), (1) GEO(R) &
{1} CONDUIT

WP-2

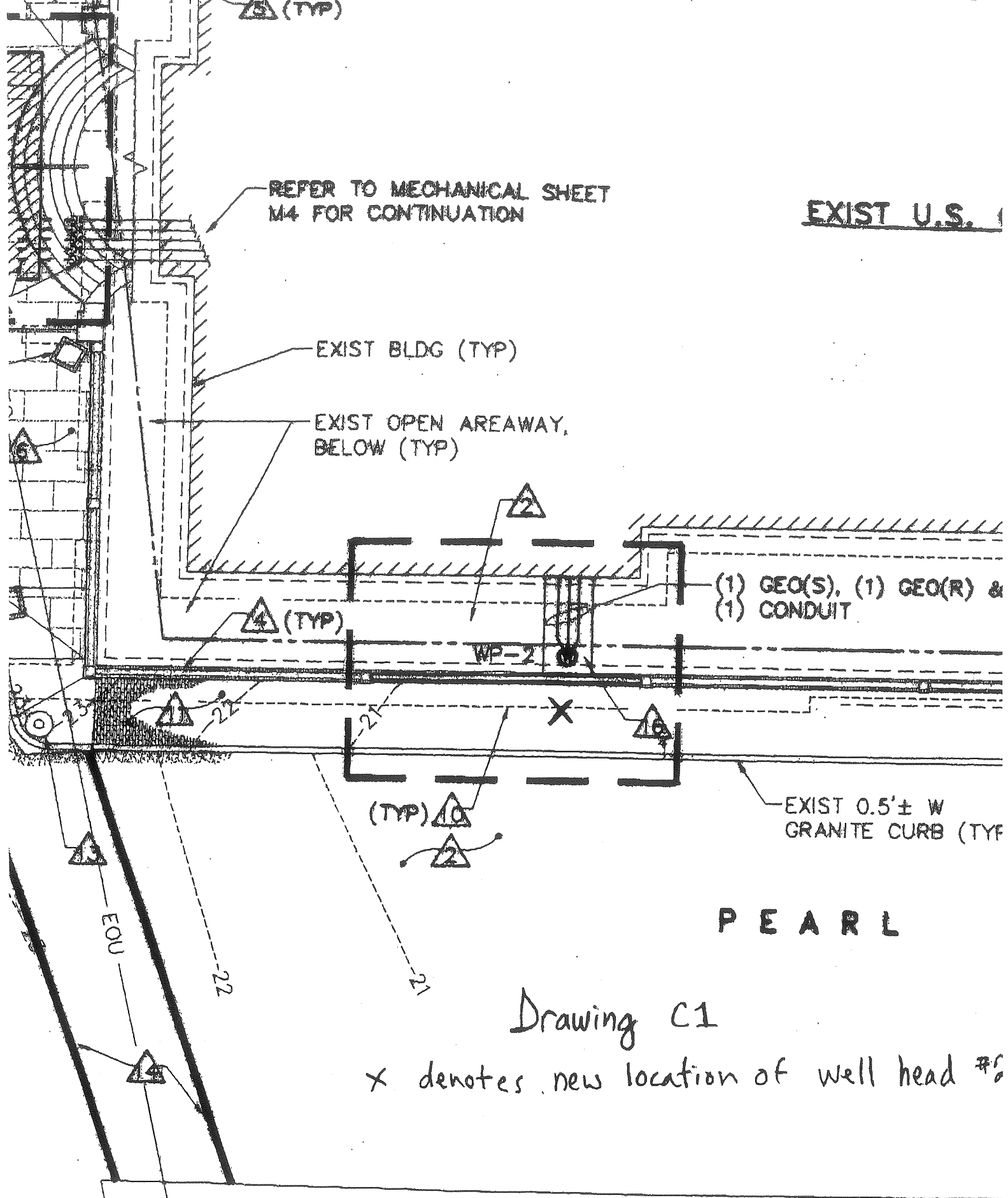
EXIST 0.5'± W
GRANITE CURB (TYP)

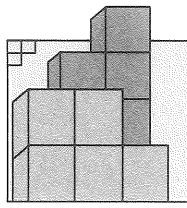
P E A R L

Drawing C1

x denotes new location of well head #6

1 SITE 1





OAK POINT

ASSOCIATES

September 7, 2001

City Planning Office
389 Congress Street
Portland, ME 04101

Attn: Mr. Bill Needleman

Re: License to Occupy City of Portland Land
HVAC and Electrical Systems Upgrades
U.S. Customs House
Portland, Maine

Dear Mr. Needleman:

On behalf of the General Services Administration, Oak Point Associates requests a license from the City of Portland to occupy city property within the moat area surrounding the Customs House. Occupancy entails the drilling, installation and service of three vertical wells. A 24-inch steel cover that is mounted flush with the existing surface will conceal each well.

Please contact me if you need any additional project information.

Sincerely,

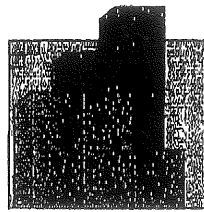
Richard P. Grondin, P.E.

RPG/bb

Enclosure

cc: Manny Neves (GSA)

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OAK POINT
Associates

FACSIMILE TRANSMITTAL COVER SHEET

DATE: 10/17/01

DELIVER TO: Bill Needleman

PHONE NUMBER: FAX NUMBER: 756 8258

SENT BY: Frank Johnson

OPA PHONE NUMBER (207) 283-0193 OPA FAX NUMBER (207) 283-4283

SUBJECT: Custom House - Portland, ME

NUMBER OF PAGES INCLUDING COVER LETTER: 2

Please call me with comments.

Thanks,

Frank Johnson

△ (TYP)

REFER TO MECHANICAL SHEET
M4 FOR CONTINUATION

EXIST U.S.

EXIST BLDG (TYP)

EXIST OPEN AREAWAY,
BELOW (TYP)

{1} GEO(S), (1) GEO(R) &
{1} CONDUIT

△ (TYP)

WP-2

EXIST 0.5'± W
GRANITE CURB (TYP)

(TYP) △

△

P E A R L

Drawing C1

x denotes new location of well head #5

EOU

22

21

△

1 SITE 1