



The Maine Commons

A publication of the
Maine Independent Media Center
www.mainecommons.org

Reclaiming our country, culture and consciousness from corporate rule since the year '01

Be The Media! -- www.maineindymedia.org

FREE

Issue 8 • Sept-Oct 2002

Cold War Residue in Glenburn

BY CATHERINE SCHMITT

A red August sun disappears into the haze behind a row of giant white satellite dishes that face the City of Bangor five miles down the hill. American flags flap in the weak breeze, and the sound of crickets rises from the weeds around the Glenburn Town Office. The place looks unfinished, or else hastily abandoned. Yet the Town Office has occupied this spot for more than thirty years.

In the early 1960s, the Town Office was the site of an Air Force radar facility connected to the Bomarc missile launch site in Bangor. And it's possible that the Air Force left more than their satellite dishes behind: a legacy of groundwater contamination that has seeped into the drinking water of surrounding residents, poison that has coursed their veins for over a decade.

Trichloroethylene (TCE) has been detected in drinking water wells surrounding the Town Office intermittently since the 1980s. The Town Office well itself as remained clean, and in most wells the levels of chemical are below the federal health standard for drinking water. Yet the source, extent, and movement of the contamination is still largely unknown. The Department of Environmental Protection (DEP) suspects that the TCE came from activities at the site when it was owned and operated by the U.S. military.

The U.S. government acquired ownership of George Cressy's farm in Glenburn through a Declaration of Taking in 1958. Buildings were constructed to house a computer and radar system that would communicate with the Bomarc missiles stored in Bangor near Dow Air Force Base. After closure of the Bomarc operation in 1967, the property was sold to the Town of Glenburn, and the site has since been occupied by the Town Office and a storage and maintenance shed.

It is not known how exactly TCE got into the groundwater in Glenburn. TCE, a commonly used solvent and degreaser, could have been used to clean electronic equipment in the radar facility. TCE is a sinker: it can migrate through bedrock fractures and seep into groundwater. Building plans show a line of trenches in the concrete floor that ran to a cesspool behind the Town Office. If the chemical was disposed of or dumped in or near the building, it could have infiltrated the ground and reached drinking water supplies. According

TCE : CONTINUED ON PG. 13

So Whatever Happened To Freedom Of Assembly?



photo credit: Roger Leisner

SO MUCH FOR YOUR CIVIL LIBERTIES
Local, county and state cops, some brandishing assault rifles, raid FUDafest gathering.

RAVE Act - Property Owners Beware
pg.5

Hempstock & Corkstock
pg.7

Police Do's & Dont's
pg. 14

In this issue we focus on threats to our Freedom of Assembly. With the passage of the Patriot Act in the last year, and the possibility of the RAVE Act passing this year, such freedoms are increasingly threatened. Recent raids and legal actions against non-sanctioned gatherings in Maine have brought out many questions about civil liberties, unreasonable search & seizure, property rights, victimless crimes, entrapment, surveillance, and free speech.

FUDAFest: The Bust and the Busts

BY ROGER LEISNER

Fifty armed local, county and state cops, some dressed as soldiers and brandishing assault rifles, terrorized families and children during a Saturday afternoon raid on FUDAFest in Norway, Maine on July 13, 2002.

The email said:

“FUDAFEST (Fully Unclothed Dancing Activism Festival) will be held on July 11, 12, 13 2002 in North Norway Maine. There will be lots of local music, drum circles, puppet shows, a children's

parade, free used tires and TV smashing, and petition signing. CJ Bunn of MassCann will be master of ceremonies. This is a peaceful protest against all unjust laws. Not everyone is naked but clothing is optional ... come as you are. There is no charge to participate but late comers could be subject to parking fees. FUDA”

I forwarded that email to all my friends stating “This looks like a fun time. Take your clothes off and come to Maine.”

As both the CEO and chief bottlewasher of Radio Free Maine, plus a shady character known as the Maine Paparazzi, I travel throughout Maine during the summer

Articles inside this issue of
The Maine Commons

Letters to the Editors	pg.2
Maine Commons FAQ	pg.3
A Modern Tragedy	pg.4
BY PAUL MADORE	
Laptop Program	pg.4
BY NICK NASSAR	
No Room At The Day's Inn	pg.8
BY NORM MELDRUM	
Westbrook Equal Rights.....	pg.8
Stop The War Now	pg.8
BY TONY AMAN	
Blueberry Spraying	pg.9
BY CATHY MELIO	
Diversity Networking	pg.9
BY WELLS STALEY-MAYS	
Solidarity Calendar	pg.10
Paid Insert Section:	
<i>The Liberty Dollar Times</i>	
Maine Zine Reviews	pg.12
Something In The Water	pg.13
BY CATHERINE SCHMITT	
Streets Belong To The People ..	pg.14
BY PHIL WORDEN	
Acrostic #284	pg.16
BY HERSCHEL STERNLIEB	
Nomadic Healing Brigade	pg.16
BY BEEHIVE DESIGN COLLECTIVE	
Biddeford Public Access	pg.17
Oneida Update	pg.17
News Blurbs	pg.18
Dear Revolutionary Abby	pg.20

Please help keep this paper alive -- pass it on when you're done with it.

If you are a business owner in possession of a large stack you no longer want, please do not dispose of them, but be in touch with us by mail or email so we can arrange retrieval.

attending anarchist, alternative, lefty, pro-marijuana events. I usually report on the Maine Vocals sponsored Hempstock during the summer, but with Hempstock in disarray I decided to go to FUDAFest on Saturday morning.

With Fully Unclothed Dancing Activism (FUDA) as his motto, Aaron Fuda has staged a three day event known as FUDAFest for over a decade in the western mountains of Maine to protest unjust and victimless crime laws. Being the only clothing optional festival in Maine, FUDAFest is a backwoods libertarian-socialist based combination of Nevada's Burning Man Art Festival, Vermont's Bread and Puppet Theatre, the continental

FUDA : CONTINUED ON PG. 6



TCE : CONTINUED FROM PG. 1

to DEP project geologist Rob Hoey, the levels of TCE that have been found had to have come from some kind of industrial activity. It is unlikely that the Town would have used TCE in large enough quantities for it to reach groundwater

Mike Cornett of the Maine Aviation Historical Society says that he used TCE while stationed at a Nike missile facility in Germany in the early 1970s. Cornett said the TCE, which was stored in 55-gallon drums, was applied with a paintbrush to clean the back of electrical contacts in the communications unit. "We used it liberally," says Cornett. TCE could have been used in a similar way at the Glenburn facility. TCE has been found in the groundwater beneath other Air Force facilities, including another radar tracking site in Bucks Harbor near Machiasport.

DEP has been trying to involve the Army Corps of Engineers, who manages cleanup on "formerly used defense sites," since they first began investigating the contamination in the mid-1990s. The Corps has yet to issue a formal response or take action. Meanwhile, drinking water wells continue to be tested by the Bureau of Health.

The Glenburn Town Office property is but one of hundreds of formerly used defense sites in Maine, land once owned by the Department of Defense but now in private hands. The Army Corps' Formerly Used Defense Sites Program lists over 9,000 sites across the United States; there are close to 200 sites in Maine. Roughly one-quarter of these are listed on the State's Uncontrolled Hazardous Substance Sites Program List of contaminated properties. Three Defense sites in Maine are on the Superfund National Priorities list of sites that need clean up: Brunswick Naval Air Station, Loring Air Force Base, and Portsmouth Naval Shipyard. At Brunswick, leaking landfills, pesticides, and various chemicals have leaked into soils, and contaminated groundwater threatens Harpswell Cove. At Loring, hazardous wastes generated and buried on the base include waste oils, fuels cleaned from aircraft and vehicles, spent solvents, PCBs, and pesticides. Wastes from shipyard activity at the Portsmouth site on Dennet's, Seavey's, Jamaica, and Clark's Islands, including battery acid, lead sludge, wastewater and spent baths from an electroplating operation, were discharged into the Piscataqua River. From 1945 until approximately 1978, 25 acres of tidal flats between two of the islands were filled with wastes including chromium-, lead-, and cadmium-plating sludge; asbestos insulation; volatile organic compounds (VOCs); waste paint and solvents; and mercury-contaminated materials.

According to Denise Messier, who oversees Department of Defense sites for the DEP, the Corps does not have the funds to clean up every single contaminated military site. Instead, money is directed to the highest priority (severely polluted) sites across the country. Only a certain portion of the budget is allocated for all of the sites in Maine. Messier said that the budgets for military site cleanup have not increased in



photo credit: Catherine Schmitt

CONSPICUOUS REMNANTS

The massive (presumably derelict) military communications array behind the Glenburn town office has been pinpointed as a possible source of the TCE in the groundwater.

the six years she has been with DEP's Defense program. The DEP only takes action where there is a public health risk, where pollutant levels exceed the standards. For drinking water, the action level is half of the drinking water standard. Messier acknowledged that there is some uncertainty in using half of the standard as an action level, but said, "It is not our mandate to clean up all the groundwater in the state." Messier also said that an investigation of clean-up options is warranted in Glenburn,

and the DEP considers the site a priority.

Still, with the Army Corps focusing on only the dirtiest sites, places like Glenburn will continue to sit unexplored, as residents continue to drink the water and wait for action. And formerly used defense sites throughout the state, some converted to other uses and some remaining untouched, continue to stand testament to a dangerous environmental legacy of the Cold War mentality.

Bomarc's Heyday

BANGOR -- In a scratchy black and white video from 1960, after a young girl cuts a ceremonial ribbon, military personnel and well-dressed civilians march between rows of rectangular concrete buildings. The crowd watches in awe as a giant rocket-shaped missile rises up from inside one of the buildings, in demonstration of the U.S. military's ability to protect the nation from evil Russian threats.

The scene was filmed in Bangor, and the missiles are Bomarcs. Walking the Bomarc Industrial Park today, off Burleigh Road, it is hard to imagine that it has such history. Vinyl siding and roof shingles disguise the otherwise unchanged buildings, and a chain link fence surrounds the now-quiet industrial area. Nuclear missiles capable of intercepting attacking aircraft over 250 miles away at speeds up to 2000 miles an hour could have been launched from the structures now occupied by small private businesses, storage, and the Silo Seven Bookstore.

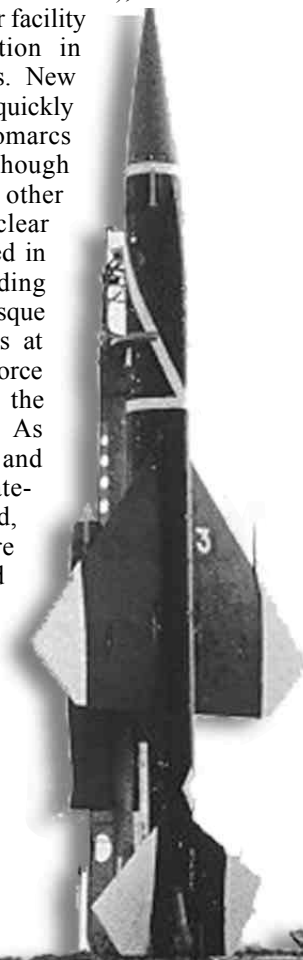
Bomarc missiles, named for their creators Boeing and the University of Michigan, were the first long-range anti-aircraft missiles. Bangor was one of ten Bomarc sites in the United States and Canada. The missiles, which were armed with nuclear warheads, were stored horizontally in four rows of seven silos. Within seconds of receiving a radar signal, the roof panels would slide open and missiles would be raised and launched into the skies.

Bomarcs were one stage in the post-World War II frenzy of military expansion. The concept of missile defense evolved as a result of the Cold War with the Soviet Union. The fear that the Russians were developing nuclear weapons

set off a technological race to develop and activate an international defense system unprecedented in military history.

The lines of missile and radar facilities that stretched across North America were intended to intercept Russian planes attacking from over the North Pole. Missile sites were constructed around major metropolitan areas, borders, and coastal extremities. In the thirty years after World War II, many of these complex defense systems would begin and end. The Bomarc missiles were only active for twelve years (1960-1972),

and the Bangor facility ceased operation in the mid-1960s. New technologies quickly made the Bomarcs obsolete, although there were other types of nuclear missiles housed in Maine, including Snarks in Presque Isle and Nikes at Loring Air Force Base in the Caribou area. As technology and defense strategies changed, facilities were closed and sold, or else were converted to other uses.



Something In The Water

BY CATHERINE SCHMITT

All Tammy Collins wanted to know was whether her kids were being poisoned. She had no idea how difficult it would be to find the answer.

A chemical called trichloroethylene, or TCE for short, had been found in the groundwater near Tammy's home in Glenburn, where she has lived for ten years. Fear spread through her thoughts, echoing the question, "What is coming out of my tap?"

Anxious to find out what she and her two children have been drinking all these years, Tammy called the Department of Environmental Protection for information on TCE, but received little help. Tammy then called the Glenburn Town Office, hoping to get her water sampled, and was told in what she thought was a condescending manner, "Don't worry about it."

The town said it would not pay for a water test. "I think they're all messed up and they don't have the people's interest as their priority. I think they're worried about how much money it's going to cost them," says a frustrated Tammy about the town officials.

Tammy lives in Homestead Estates, a mobile home park located just south of the Glenburn Town Office. The Town Office is the site of a former Air Force radar tracking facility and is believed to be the source of the TCE. Tammy's water comes from one of two drilled wells that serve the entire park. Because the wells at Homestead Estates are considered a public water supply, the state is required to sample the wells every year. DEP has detected TCE intermittently in these wells since the mid-1980s, although never at levels higher than the drinking water standard of five parts per billion (ppb) set by the EPA.

The Bureau of Health takes action when the levels reach above half of the standard (2.5 ppb for TCE). The last testing was in July of 2001, when the level of TCE was 1.2 ppb. According to Jeff Folger of the Drinking Water Program, the state has until December of 2002 to take another sample. But for Tammy, that is too long to wait. She wants a sample from her tap inside her home. "I would just feel so much better if my water was tested from my tap," she says. "I want to know what's coming out of my house and into our bodies."

According to the Center for Disease Control's Agency for Toxic Substances and Disease Registry, drinking small amounts of TCE-contaminated water for long periods of time may cause liver and kidney damage, and impaired immune system function. The International Agency for Cancer Research, part of the World Health Organization, classifies TCE as "probably carcinogenic to humans." But the extent of TCE's effects on humans is not well understood.

Naji Akladiss, the DEP project manager, has said that he wouldn't drink the water


TAMMY : CONTINUED FROM PG. 13

with even low levels of TCE. Yet residents are expected to continue drinking the water or make other arrangements at their own expense, as long as levels remain below half of the drinking water standard. "As far as I'm concerned," says Tammy, "I don't care if it's .5. I don't want to drink it. I've been buying spring water. We go through a lot of water. I'm not cooking with it, I'm not making coffee with it, I'm even concerned about washing with it."

As a single working mother, Tammy's financial resources are strained. She does not have the \$80 it will cost to get her drinking water sampled, and thinks it's unfair that she should have to pay for it. The state testing laboratory will grant a fee waiver in some cases, but documentation of Medicaid, food stamps, or other public assistance is required.

Tammy, who works hard to be self-sufficient, now finds herself unable to pay for a water test yet not qualified for a waiver. "I make a minimum amount of pay, I have a mortgage, I have lot rent, I have bills just like everybody else. I do not get food stamps, I do not get Medicaid, I don't get any help from the state whatsoever, I pay all my bills on my own and they come in here, they do this stuff, and I have to pay for the water test? It's not right."

Tammy is not alone in her anger. People who suddenly find out that their drinking water may be contaminated often have a difficult time getting answers. City and town officials don't want their town to be known as a dirty or unhealthy place to live, so they keep things quiet. Health departments are primarily concerned with how much of chemical is in the water and its associated health risk, because their resources must be spread across the state. Those responsible for the pollution may or may not be known, or may no longer own the property.

In the Glenburn case, the U.S. government sold the property in 1967. Contamination was not discovered until twenty years later. The DEP is meeting with the US Army Corps of Engineers to get them to takeover remediation activities. Until that happens, residents like Tammy must wait for new rounds of sampling. Or pay for their own test.

And what if TCE is found in her water? Tammy has considered moving. "I'm not going to live in a place where I can't drink the water," she says. Tammy doesn't know if the other residents of Homestead know about the contamination, because as she says, "Glenburn really hasn't made that much of a big deal about it, and I don't think that they've warned people enough."

Tammy is determined. "I will just feel better once I know what is actually coming out of my tap," she says strong but calm, unfettered by anyone who may think she is hysterical or paranoid. "If they find TCE, what else is there? What else is in the water?"

She'll just have to wait and see.

10 Things To Remember When Dealing With The Police

Maine lawyer Phil Worden offers some advice that could help you if you're at an event where the authorities show up.

Don't's

1. Don't be surprised if the police don't read you your rights. Under the Miranda decision, police only have to read you your rights if you are being subjected to "custodial interrogation." Thus if you are held in custody but are not being interrogated, they do not have to read you the Miranda rights. Similarly, if you are being interrogated but are not being held in custody - even if the interrogation is at the police station - they do not have to read you your rights. But your rights still apply even though Miranda does not require the police to inform you of those rights.

2. Don't consent to searches and seizures. The police do not need to establish probable cause or have a warrant if the suspect "consents" to a search or seizure. There is no equivalent to the Miranda decision under the Fourth Amendment prohibition against "unreasonable searches and seizures" so there is never a time when the police must inform you of your rights under the Fourth Amendment. Your body is being "seized" any time the police interfere with your freedom of movement in a significant way. A brief "investigatory detention" - such as the typical traffic "stop" or a "pat and frisk" - only requires the officer to have an "objectively reasonable, articulable suspicion." A full arrest or custodial detention for prolonged interrogation requires "probable cause." In most cases, officers must have a warrant to arrest for a misdemeanor unless it was committed in the officer's presence.

3. Don't talk about your arrest, even with fellow prisoners. Some arrestees tend to "brag" about their arrests to fellow prisoners. These conversations are not privileged and can be used against you. The police can (and do) monitor conversations among prisoners and sometimes plant undercover agents among the prisoners.

4. Don't argue the law with the police. It's good to assert your rights and to let the police know that you know your rights. But it's not a good idea to argue the law with the police. For example, if presented with a search warrant you believe is invalid, it is good to assert that you do not consent to the search and will yield only because they have a search warrant. It is not a good idea to start arguing with them about why you think the affidavit fails to establish probable cause, etc. If the police do something you think is illegal, it is good to try to document what happened but if you try to intervene to prevent the illegality, the police are likely to arrest you on charges varying from interfering with governmental administration to resisting arrest ... or even assault.

5. Don't threaten or resist the police. You have a First Amendment right to protest what the police are doing. This can include using colorful language and profanity. But you have no right to threaten the police, challenge them with "fighting words" or to physically resist their actions.

Do's

1. Assert your right to remain silent. If you are being interrogated, there are two acceptable ways to cut off questioning: 1) simply say that you do not wish to answer any questions and want to assert your Fifth Amendment right to remain silent; or 2) say you wish to consult with an attorney before answering any questions.

2. Ask if you are free to leave. There are lots of cases in which the police have "asked" a suspect to come to the station where they are subjected to an intense interrogation in a back room. The police claim that these are not custodial interrogations because the suspect "consented" to come to the station and was always free to leave. So ask if you are free to leave - or better yet, whether you have to go to the police station in the first place - and make it clear that you want to leave if you are free to do so. If they say you are free to leave - even if they discourage you from leaving by saying they will get a warrant - get up and leave.

3. Ask to call your attorney. This is almost always a good idea. It should stop an interrogation. However, you have no right to consult with an attorney before submitting to a lawful seizure under the Fourth Amendment. For example, in a drunk driving case, a suspect who insists on calling an attorney before deciding whether to submit to a blood alcohol test will be logged as a "refusal" since there is no right to consult with an attorney before submitting to the test. Blood, hair, and voice samples, like fingerprints, are "seizures" under the Fourth Amendment, not "testimonial evidence" under the Fifth Amendment.

4. Write down what happened and who the potential witnesses are as soon as you get home. It is amazing how quickly the human memory fades.

5. Stay calm and confident. Police read body language and look for a "consciousness of guilt." So stay calm and confident. Make it clear that although you have nothing to hide, as a matter of principle you are going to exercise all your legal rights.

Advertisement ... Advertisement ... Advertisement ... Advertisement

Maine's Online News Magazine and Resource Guide for People With disabilities.

www.abilitymaine.org

**News -Travel - Humor - Guides
It's all here.**

The Streets Belong to the People!

BY PHIL WORDEN

I want to explain some of the legal and political issues that are beginning to emerge in the Rt. 1 civil disobedience cases. I will first explain what happened, then what the First Amendment issue looks like, and finally how the legal issues raise profound political concerns.

Will The Truth Set Them Free?

Any good legal defense must be based solidly on the truth. By "truth," I mean what the evidence will show at the trial, including the state's evidence. Here then is some of what I believe the evidence when viewed in the *light most favorable to the police* will show:

Several years ago, the Maine Department of Transportation (MDOT) developed a plan to incrementally widen parts of Route 1 to bring it into conformance with federal highway law. After holding public hearings on the various phases of the project, MDOT became aware that there was considerable opposition to the planned widening, especially in Warren. People were angry both at the undemocratic way MDOT ran the public hearings and how it ignored the public's concern that the Warren widening involved cutting trees, including the famous "Elephant Tree." They organized protests against the widening and planned to resist the tree cutting.

During the work week of June 10-14, protestors nonviolently interfered with MDOT's attempt to widen the Warren section of Rt 1. Unsure how to proceed, MDOT stopped work, and, on June 13th, MDOT officials met with District Attorney Rushlau along with representatives from the Sheriff's Office as well as the State Police, to develop a plan on how to deal with the protestors. They decided that if any protestor interfered with MDOT's work, an officer would warn the protestor to leave and, if the protestor refused, they would arrest the protestor for "criminal trespass." To protect the protestors' First Amendment rights, they decided not to ban the protests altogether but to establish clear lines where those who wished to protest the cuttings could do so without interfering with MDOT's crews.

On Friday, June 14th, Timothy Sullivan and Susan Higgins were arrested pursuant to the plan developed the day before. They allegedly refused to follow police orders to move to the areas approved for protest. On the next work day, Monday June 17th, even more protestors appeared at the site. Some chained themselves around trees or climbed into them in an attempt to save the trees by "laying their bodies on the line." Others only wanted to protest the cuttings without getting arrested.

Knox County Deputy Sheriff Lt. Lawrence Hesseltine was the officer in charge. As MDOT crews would approach a tree for cutting, he would create bubble zones around the tree in which the protes-