

The committee would be responsible for appraising town government and recommending steps to meet current and future

ations and/or planning to meet the future needs — near and mid-term — of the town is scarce.”

on the board of the Natural Resources Council for eight years, with the last three as president.

Family documents harmful dust from Dragon plant

by Erin Rhoda

ROCKLAND — One Thomaston family still alleges that the Dragon cement plant is spewing dangerous dust and noise.

Stephen and Kathy Darney filed a new complaint Jan. 31 against Dragon Products Co. in Knox County Superior Court, citing new evidence from the Department of Environmental Protection.

The Darneys own a house and live near the Dragon premises on Old County Road in Thomaston. According to the court-filed complaint, they contend that Dragon's operations, specifically the company's blasting, piles of dust and foul odors, have caused them property damage and personal injury.

The family's initial complaint, which was filed Nov. 12, 2004, is still pending with the court, but the court has judged in favor of Dragon on three of the six counts, including nuisance, strict liability and negligence. Since the filing of

the 2004 complaint, the Darneys allege that Dragon has committed new acts of trespass, negligence and nuisance, and they say they have evidence from the DEP to prove it.

In the summer of 2007, the DEP installed a dust monitor on the Darneys' property. They also installed a second monitor on Route 1 and a 24-hour video camera across from the Dragon Plant. The video camera would "repeatedly fail as its lens would become coated with dust," according to the complaint.

On Jan. 28, the DEP provided the Darneys with a report of more than 40 dust samples it collected from the Darneys' property since July 2007. The chemical analysis shows that the dust on the Darneys' property is consistent with the dust from Dragon and that the dust has high levels of caustic lime. The dust also contains silicon, titanium and aluminum, according to court documents.

The Federal Agency for Toxic Substances and Disease Registry

advised the Darneys that, "although the limestone is caustic and when damp causes red eyes, inflamed nasal passages, sore throats and rashes, of greater concern for long-term health is the presence of silicon," court documents read.

Prior to this report, the Darneys did not have expert testimony about the chemical composition of the dust on their property as compared to the dust at Dragon.

Also, they did not have testimony as to what damage had been caused to their property from Dragon's dust and blasting. According to the filed complaint, the Darneys had difficulty finding a contractor to evaluate the damage to their home, since the contractors said they had "commercial or familial relationships with Dragon or its employees."

On Aug. 12, 2007, contractor Richard Hunt agreed to estimate a price range to repair the alleged damage caused by Dragon's blasts. He noted the following damages: "recent cracks splitting the cement floor of their barn in half; a shift in the foundation of the barn, causing bulging (including the retaining wall Mr. Darney built to forestall further shifting); recent cracks in the cement wall of the barn; fallen brick and mortar from the chimney in the home, despite repeated repairs by Mr. Darney; leaks around shingles into the ceiling of the second floor, causing extensive stains and mold; cracks along the stairway," according to court documents.

Hunt estimated it would cost approximately \$80,000 to repair the damages.

According to the complaint, Dragon uses raw ingredients that include limestone, sand and iron ore, which are ground into a powder and sent through a cement kiln, which yields cement kiln dust. Dragon is licensed to use

petroleum-contaminated soil and water and landfill leachate, and it is licensed to use waste oil, whole tires and tire chips as fuel for its kiln. The dust from the plant, including the dust from stockpiles and the quarry, migrates off the plant onto residential property, the complaint alleges.

"Since Nov. 12, 2004, Dragon's blasting for limestone operation has come closer to the residences and day-care facilities on Old County Road, including the Darneys' property. The blasting vibrations have caused new structural and other damage to the Darneys' home and barn, despite repeated repairs by Mr. Darney ... The earthquake-like vibrations and booming sounds shake their walls, glassware and light fixtures. The most recent blast was on Jan. 25, 2008, as to which Dragon gave the Darneys no notice," according to the complaint.

The dust covers their vehicles, patio, outdoor pool, furniture, food and drink, skin, the children's swing set and is present in the air they breathe, the complaint reads. The dust has caused various physical ailments and has damaged the finish on their vehicles and clogged their computer.

According to court documents, Dragon is aware of complaints from the Darneys and other residents and businesses, including a child-care facility where the stronger blasts have lifted "sleeping children right off their mats."

The Darneys request that Dragon be found liable for damages, punitive damages, attorneys' fees, costs and any further relief for the following five counts: common-law trespass, statutory trespass, nuisance, negligence and injunction.

The Darneys' lawyer is Peggy L. McGehee of Perkins/Thompson in Portland.

Canadian bill stolen from church

by Erin Rhoda

THOMASTON — Thomaston Baptist Church, Main Street, reported a burglary and theft of a \$10 Canadian bill Tuesday, Jan. 29.

It appears that someone broke into the Rev. Wayne Sawyer's locked office and stole the bill from his desk between 9 and 10:30 a.m., Thomaston Police Chief Kevin Haj said. The

Canadian bill was a personal thing, Haj said, and the reverend had kept it in his desk for years.

The office door appeared "heavily damaged," Haj said, and could have been broken into with a screwdriver.

Thomaston police dusted the door and surrounding area for fingerprints. Officer Tim Hoppe continues the investigation.

The outside doors to the church had been unlocked.