Fly-Ash Oversight Request

Email:

Ed Burt <eburt.hd@gmail.com>

Fri, Oct 15,
7:32 AM

to Diana, Tim, James, Donald

The unmonitored Fly-Ash transloading processing within the Zone II Water Protected area is a red flag with the W&S Commission's responsibility to protect the water supply.

Because the IRAP process includes a component of Town support for the railroad's grant request, we've raised this issue as part of the IRAP discussion. Although, the issue can and should be addressed in a standalone, independent fashion.

We'd like the Select Board's help by requesting the following of GURR:

1.   Provide a copy of the structural engineering report which was the only condition made when the Board of Selectman made the unilateral decision to approve the Fly-Ash request. (see attached letter.) If no protective barrier has been established as part of foundation's construction, one should be established.
2.   Establish an ongoing reporting procedure to communicate the schedule and volume of fly ash being transported to the Board of Health.
3.   Establish test wells between the fly-ash silos and the Mill River
4.   Establish an emergency response plan which includes an engineered solution with the appropriate redundancies to address emergencies and excess, accumulated seepage. (Similar to the Grafton propane plan.)

5.   Perform periodic ground testing to identify fly-ash to monitor the accumulation of ground level fly-ash. (Per new techniques identified by the EPA - Link to the report: https://www.nsf.gov/discoveries/disc_summ.jsp?cntn_id=303257&org=NSF&from=news

Diana, the request made during last night's meeting was to ask GURR for a copy of the "sign-off from the geotechnical engineer" and the research, advice that lead the BOS to conclude that "the Town agrees with the Preemption authority for this project". (See attached).

With that information we will revisit the details of the overall request accordingly.

Any questions, let me know.

Thanks,

Ed

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Board of Selectmen
Louis J. Arcudi Chair
Thomas A. Wesley
Brian R. Keyes

Town Administrator
Steven A. Sette

October 25, 2018

Michael Milanoski
President
Grafton-Upton Railroad
42 Westboro Road
N. Grafton, MA 01536
P.O. Box 952
Carver, MA 02330

Dear Michael,

I want to thank you and the owner of the Grafton and Upton Railroad Jon Delli Priscoli for meeting with Fire Chief Tom Daige, Building Commissioner Bob Speroni and I, regarding the project in the Hopedale rail yard. Specifically, we discussed the Railroad's Preemption Authority and that the portable silos and scales to be installed and that they fall under that Preemption and does not require a building permit.

The Town agrees with the Preemption Authority for this project; in addition, work done under the railroad's Preemption shall conform with state building codes and associated safety standards under controlled construction and will need sign- off from a geotechnical engineer once foundation is built. *Since no building permit application will be secured, the Town will not have any responsibility for the inspection of the project nor any approvals of the construction. The Town also asks that any insurance policy for this project reflects that fact that the Town had no role in the permitting or approval of the construction of this project and be indemnified should any issue arise as a result. Please provide a copy of this to the Town Administrators office prior to the construction beginning.*

You have suggested that you would still pay a fee equal to what a permit fee would have been as if we were required to assure a building permit, since the Town will have no role with this construction we ask that any fee in lieu of permit not be made directly to the Town of Hopedale or it's Building Department; instead please feel free to donate to another organization in Town.

Good Luck with your project and continued success with your business.

Sincerely,

Steven A. Sette
Town Administrator