Dear Governor Baker:

The Somerset Board of Selectmen is asking for your assistance to stop the scrap metal operation on the State owned 12.5 acres at Brayton Point Commerce Center. The Massachusetts Department of Conservation and Recreation has acknowledged that this land falls under their control.

The land was leased from the State of Massachusetts Highway Department to New England Power for the storage of coal in conjunction with a coal fired power plant. There is no more coal fired power plant in operation so the lease should be void. They are not storing coal so the State should take the land back. The lease had no assignment provision that would allow New England Power to assign the lease to new owners over the years. The lease also does not provide for subletting of the lease. Brayton Point LLC has sublet the State-owned property to Eastern Metal Recycling and Patriot Stevedoring. Brayton Point, LLC has no legal right to use this land and to sublet space to other businesses. The State leased the land for one dollar in order to help the region generate electricity. The State of Massachusetts did not lease land for one dollar so that Brayton Point Commerce Center could make a profit by being a landlord.

The State of Massachusetts is a landlord and your tenant is creating negative impacts in the Towns of Somerset, Swansea, and City of Fall River. According to the Sage Environmental Report titled Evaluation of Fugitive Emissions, Brayton Point, Somerset, MA the residents are being affected by dust that contains Barium, Cadmium, Lead, Mercury, and Chromium. Please review the attached status report dated February 26, 2021, from Sage Environmental. Sage Environmental was contracted by the Town of Somerset to conduct the evaluation. The most striking part of the evaluation is that it shows that the dust in the neighborhood of Brayton Point is exceeding 150 ug which is a violation of the EPA guidelines. Since the testing was done in a residential neighborhood, the residential scale was used to determine the impacts. Your tenant is in violation of the EPA guidelines.

The children of Brayton Point, as well as their parents are the most impacted by the States tenant. They are inhaling the dust and they can’t sleep at night during the ship loading that operates 24 hours a day. Their health and quality of life is a major concern to the Somerset Board of Selectmen and as the property owner we are imploring you to take action against your tenant and their sub tenants. Please review the enclosed letters that the children of Brayton Point wrote and presented to the Board of Selectmen by School Committee member Victor Machado to the Somerset Board of Health on October 15, 2020. We have included the Board meeting minutes for your review.

A regional group called save Our Bay Brayton Point has provided the Town with hundreds of pictures and or videos of violations of the Clean Water Act and the Clean Air Act. The Town of Somerset Zoning Board of Appeals issued a cease and desist on the scape metal operation due to violations of the Town's
zoning by-laws which does not allow for dust to leave an industrial site. Your tenant continues to allow their sub lease tenants to operate despite a cease-and-desist order. Our Town is spending tens of thousands of dollars on legal fees fighting a multi-billion-dollar corporation that is operating on State owned land, our land as residents of Massachusetts. We will fight to protect the quality of life of the residents of Somerset and our neighbors in surrounding communities but we are asking the State to step in and enforce the lease agreement that was signed back in 1959.

The Town of Somerset has attempted to work with the Department of Environmental Protection though its regional representative Seth Pickering. During the March 4, 2021, conference call Mr. Pickering pushed back on Selectman Lawless and against the Sage Environmental report. While we understand that Mr. Pickering may have taken issue with some of the methodology in the data collection it is clear that the report should have elevated enough concern for DEP to step in and conduct their own testing. Now that it has been confirmed that the State of Massachusetts is the landlord we would renew our call for the State to be a good neighbor to the residents of Somerset and the surrounding communities and hold your tenant to the language of the lease agreement. Stop the illegal port operation and the illegal metal storage operation in our community.

Attached is an email from Paul Ford Deputy Director of the State of Massachusetts Division of Capital Asset Management & Maintenance. In the email he states that this property is under the care and control of DCR. They have a 99-year lease with Brayton Point LLC. If you look at this lease you will see that this information is not accurate. The Lessees is New England Power not Brayton Point LLC. According to the lease Brayton Point LLC has no rights under the terms of the agreement.

We the member of the Somerset Board of Selectmen are asking the State of Massachusetts and more specifically, you Governor Baker to enforce the terms of the lease agreement dated February 11, 1959. As the Chief Executive of the State of Massachusetts we the taxpayers are asking you to act on our behalf to reign in this operation that violates numerous covenants of the lease agreement and provide relief to the families in the region by restoring their right to quite enjoyment of their properties and the basic right to breath air not contaminated by harmful dust. This is an obligation of the State and the negative impacts of the tenant operating on your land should not extend to a financial impact on the taxpayers in addition to the noise impact, and harmful dust impacts that violate Federal laws.

The Board of Selectmen ask that you take action to shut down the operations that violate the lease agreement. Please respond to this correspondence by Thursday July 22, 2021, so we may be assured that the State is looking out for the interest of the taxpayers of the region and enforcing the lease agreement on land owned by the taxpayers of the State of Massachusetts.

Respectfully Submitted
Somerset Board of Selectmen

Lorne Lawless
Chairman

Allen Smith
Chairman, Board of Health

Kathleen O'Souza
Clerk
February 26, 2021

Mr. Tim Turner  
Board of Health  
Town of Somerset, MA  

RE: Status Report  
Evaluation of Fugitive Emissions  
Brayton Point, Somerset, MA  
SAGE Project No. C074  

Dear Mr. Turner:  

Enclosed please find a status report detailing a summary of activities associated with the evaluation of possible fugitive emissions of metal containing dusts from operations at 1 Brayton Point, Somerset, MA (hereinafter, the “Site”).

Activities discussed in this report include:

➢ Site history;  
➢ Summary of actions conducted; and  
➢ Analysis of data collected.

Should you have any questions regarding the contents of the report, please contact me.

Sincerely,  
SAGE Environmental, Inc.

John Clark  
Project Manager

JC:car  
Enclosure  

c: Lorne Lawless: Board of Selectmen, Town of Somerset, MA
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ATTACHMENTS:

ATTACHMENT 1 FIGURES
ATTACHMENT 2 PLOTTED DUST MONITORING DATA
ATTACHMENT 3 PLOTTED DUST MONITORING DATA (RE-SCALED)
ATTACHMENT 4 EPA SURFACE SAMPLING REFERENCE
1.0 INTRODUCTION

SAGE Environmental, Inc. (SAGE) has prepared this status report regarding efforts toward the evaluation of potential fugitive metal dust emissions from building materials dismantling and scrapping operations at 1 Brayton Point in Somerset, Massachusetts (hereinafter, the “Site”). A plan depicting the location of the Site is included in Attachment 1.

2.0 SITE HISTORY

The Site was formerly a coal-fired power station which operated from the 1960’s through to May 31st, 2017.

In July of 2019, scrap metal operations began at the Site including deliveries, stockpiling and barge loading. Neighbor complaints soon followed including sound and dust generation complaints.

3.0 ASSESSMENT AND RESPONSE ACTIVITIES

3.1 FUGITIVE DUST MONITORING

On December 10th, 2020, SAGE Environmental deployed a TSI DustTrak Model 8530 Serial # 8530121507.

Fugitive dust emissions monitoring continued from December 10th, 2020 through January 8th, 2021 and is plotted in Attachments 2 and 3.

Note: The DustTrak for this study utilized a Particulate Matter (PM) PM$_{2.5}$ impactor to provide data corresponding to respirable particles equal to or less than 2.5 microns.

Note: The annual average EPA National Ambient Air Quality Standard for PM$_{2.5}$ is 12 µg/m$^3$.
The 24 hour average EPA National Ambient Air Quality Standard for PM$_{2.5}$ is 35 µg/m$^3$.

3.2 SURFACE SAMPLING FOR HEAVY METALS

Qualitative surface swab sampling for heavy metals was performed to assess whether fugitive dust emissions from the metal dismantling/scrapping operations contained heavy metals. Swab sampling was performed in general accord with EPA’s methodologies outlined in referenced EPA/600/R-11/079 January 2007. The sampling technique includes swabbing a 10 cm x 10 cm surface area totaling 100 cm$^2$ using a clean cotton swab pre-wetted with deionized water. Samples were then placed in a 4-ounce glass sample jar and transported to a lab using a secure Chain of Custody.
On October 2nd, 2020, three (3) horizontal test surfaces located at 112 Carey Street, in Somerset, Massachusetts were swabbed and samples collected for submission to an independent laboratory for 8 RCRA metals and Mercury analysis. These test sample locations were selected as representative surfaces in the surrounding community and based on the prevailing winds and proximity to the metal dismantling/sampling operations being performed at Brayton Point. The sample results are detailed below in Table 1. This location is depicted on the figures included in Attachment 1.

On January 13th, 2021, 6 surface swab samples were collected from surfaces located at 285 Carey Street. The samples are identified as SE-SW T1, SE-SW T2, SE-SW T3, SE-SW C1, SE-SW C2 and SE-SW C3.

Samples SE-SW T1, SE-SW T2 and SE-SW T3 were taken from a surface that was prepared on 1/6/2021 by being wiped down using a clean cotton swab pre-wetted with deionized water. Samples

Samples SE-SW C1, SE-SW C2 and SE-SW C3 were taken from a surface that was not previously prepared, wiped down or cleaned in advance.

The sample results are detailed in Table 2.
### Table 1: Surface Swab Sample Results

<table>
<thead>
<tr>
<th>Sample ID/Date</th>
<th>SE-SW-1</th>
<th>SE-SW-2</th>
<th>SE-SW-3</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Sample Result</td>
<td>Reporting Limit</td>
<td>Sample Result</td>
</tr>
<tr>
<td><strong>Analyte</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total Metals (µg/100cm²)</td>
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<td></td>
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</tr>
<tr>
<td>Lead</td>
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<tr>
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</tr>
<tr>
<td>Silver</td>
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<tr>
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<td>0.064</td>
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</tbody>
</table>

**Cells with this color indicate:** Cases where the metal analyte was detected.

**ND:** Cases where the metal analyte was not detected.

**NA:** Not analyzed.
### Table 2
Surface Swab Sample Results

<table>
<thead>
<tr>
<th>Sample ID/Date</th>
<th>SE-SW T1</th>
<th>SE-SW T2</th>
<th>SE-SW T3</th>
<th>SE-SW C1</th>
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<td>Reporting Limit</td>
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<td>Reporting Limit</td>
<td>Reporting Limit</td>
</tr>
<tr>
<td>Total Metals (ug/100cm²)</td>
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<td></td>
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<tr>
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<td>ND</td>
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<td>ND</td>
<td>0.25</td>
<td>NA</td>
</tr>
<tr>
<td>Mercury</td>
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<td>0.08</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
<td>ND</td>
</tr>
</tbody>
</table>

**Cells with this color indicate:** Cases where the metal analyte was detected.
**ND:** Cases where the metal analyte was not detected.
**NA:** Not analyzed.
4.0 ANALYSIS OF DATA

a. Fugitive dust (PM$_{2.5}$) monitoring results indicate extended periods of times, during observed metal dismantling/scraping operations, when measured dust (PM$_{2.5}$) concentrations exceeded 35 $\mu$g/m$^3$. Throughout the air monitoring event, there were episodic spike dust concentrations that exceeded 100 $\mu$g/m$^3$ during observed metal dismantling/scraping operations.

b. Surface swab sampling results identified heavy metals accumulations on clean surfaces over a relatively short period of time (7 days) and significant accumulation over a prolonged time (from July 2019 to January 8$^{th}$ 2021). The metals detected during these sampling events may pose health risks to exposed individuals, particularly at-risk populations such as children.

5.0 LIMITATIONS

Any qualitative or quantitative information regarding the site, which was not available to SAGE at the time of this assessment, may result in modification(s) to the conclusions and/or representations made in this report.

SAGE has retained a copy of this report. No deletions or additions are permitted without the written consent of SAGE. This report, including the data, maps, opinions, and figures contained herein, are not suitable for use in its present form, for any ongoing or pending litigation. Use of this report in whole or in part by parties other than those authorized by SAGE is prohibited.
ATTACHMENT 2
ATTACHMENT 3
Attachment 3
Dust Monitoring Data (PM 2.5)
Rescaled to maximum scale of 200 µg/m³

Aerosol µg/m³

2020-09-08 CEPA Summary Status Report, Brayton Point, Somerset, MA, Final
Hi Victor, my name is Alex Madeiros and I am a Freshman at SBRHS. The Steel Operation at Brayton Point is extremely loud. When the ship is in port, I get intermittent sleep because the crashing of steel at all times of night and early morning. I am extremely tired in all of my classes and it is difficult to focus when all I hear is metal crashing. I often take Tylenol to help the headaches I get from lack of sleep. I am enrolled in all Honors Classes this year and it is very challenging for me to maintain my high level of achievement with that operation going on. Thank you, hopefully something can be done to improve the current situation.
To the Town of Somerset,

Hi my name is [Name].

I am in 10th grade and go to Somerset Berkeley Regional Highschool.

I am writing this letter to you today to express my concerns when the scrap metal boats come in to our neighborhood. I am unable to keep my window open at night due to the constant crashing, scraping and let alone the metal smells. As a student who has to get up earlier it makes it difficult when I'm not getting a full nights of rest, it's hard to concentrate when your tired you keep me up from the crashing with everything with could happening me being home to do remote learning.

It makes it very hard to focus when I'm tired from not getting much sleep and hearing it during the day while I'm trying to get my work done.

Thank you for taking to read my concerns.

Sincerely,
Dear Sir or Madam

My name is [Redacted]

I live on Ripley Street. It has been very noisy at night when the big boat are here. I am up at 2 am and have a hard time sleeping.

I am tired doing my school work.

It is dusty and gives me a headache.

I cough up red stuff in the morning.

Please help fix this problem.

Thank you
Dear Sir,

My name is [Redacted].

I live on Ripley St. I love the beach and the water. I caught fish and blue crabs this summer. I even swam. Can you please help us down here? The dust from the old power plant makes it hard to breathe and I need my inhaler more now. I don't usually have headaches, now I do. I don't see any crabs and the water is funky and I have dust.
In my house everywhere, my mom makes me clean the dust in my room all the time. Please make it stop. It is very loud sometimes too. Thanks a lot.
Dear Town Of Somerset,

The noise that comes from Brayton Point is terrible. I live on Barrows street, off of Angus street. Sometimes the noise from the ships they bring in is like thunder. On multiple occasions I've been kept up until close to 2 A.M. School for me starts at 7:30 am. The ship is usually docked from Sunday to Sunday so it makes getting up for school very hard after being up so late.

Sincerely,
Minutes of the meeting Wednesday October 15, 2020 6:00 pm
Somerset Public Library, 1464 County St., Somerset, MA Captain’s Community Room,

A meeting of the Board of Health was held on October 15, 2020
This meeting can be seen on Channel 15 on Comcast and at the following links:
Video on Demand – [http://www.somersetaccess.tv/satv/?page_id=531](http://www.somersetaccess.tv/satv/?page_id=531)
You tube – [https://youtube.com/user/somersetaccess](https://youtube.com/user/somersetaccess)
Facebook page – [https://facebook.com/somersetaccess](https://facebook.com/somersetaccess)
The meeting was closed to the Public.

Present: Town Administrator – Richard Brown, Selectman Holly McNamara, Selectman Steven Moniz, Selectman Lorne Lawless.

The meeting was called to order in open session at 6:00 pm by Board of Health Chair Lorne Lawless and it was reported the meeting is being recorded. This meeting is invitation only and not open to the public.

Pledge of Allegiance

**New Business** – Mr. Turner was asked to give a summary about COVID and Brayton Point.
Mr. Turner stated the Town is following the direction of the Governor. Each building has misters and have been stocked up on PPE’s. The Town Nurse, Emily Lachance has been working since April without a day off and now trying to do flu shots. The Town could not have done all this without her.
Yesterday the Town went from Yellow to Green having 11 active cases. Including the 11 cases Somerset has had a total 275. If the Town goes back to RED for three weeks the Town goes back a step. Mr. Turner stated how important it is to wear a mask no matter what. There are no issues with Halloween as long as people are being smart. We are well prepared for a spike if and when it comes along. Mr. Turner stated a spike is being seen by young people and is attributed to school opening. There have been several deaths in Town due to Covid-19.

Selectman Moniz asked for a clarification on inside dining. Mr. Turner explained that staff has to wear masks. When going into a restaurant, using the restroom and leaving the restaurant wearing a mask is mandatory. Tables are to be 6 ft apart and booths are to have dividers. There is to be no congregating at the bar area is closed. If you do sit at a bar it has to be 6 feet apart and have to order food from a waitress. Reservations are not required.

Town Administrator Richard Brown stated we are still in a State of Emergency. According to Dr. Fauci a resurgence is happening and it would be better for families to not gather for the Holidays. Mr. Turner stated the chances of getting COVID-19 walking by someone is very slim. The guidance may change as the science evolves.

Selectman Holly McNamara read an update on the COVID Task force sharing what the different departments have accomplished.

**An Update of Sage – Town has hired Sage Environmental. Dust was collected 2 weeks ago yesterday. Mr. Turner met with John Clark who took three samples. Received an email from him today. The Samples will be reviewed and translated. When the report is completed it will be released to The Town Administrator then distributed to the Board of Health.**
Mr. Victor Machado was asked to come to speak on the letters from students. He felt obligated to speak for them. There are issues with lack of sleep and some have medical issues. Selectman Lawless stated it is disturbing. Children who lack sleep have behavioral issues, emotional control, attention, etc. Dust even without heavy metals has an effect on children. We are going to do whatever we can to help the children there.

Selectman Moniz took the time read letters forwarded to them from 3 elementary school students and 2 sophomores concerning health issues and the lack of sleep due to noise. He commended Selectman Lawless for an outstanding job forwarding them to us. Students are hybrid mode. Two days in school and 3 days at home. Students are seeing an increase in social and emotional needs due to COVID-19 and social media.

Patrick McDonald stated he sees and hears everything that goes on. He suggested that the Board of Health come down to Brayton Point at random times of the day. He stated that the Board of Health has an obligation to protect the residents for their mental and physical health. The residents do not deserve to live like prisoners in their own homes. The noise when the ship is loading is horrible. He states that the company is destroying the residential area and residents are suffering from mental anguish. He stated that with the last ship that was in there were feces in the water and they are pumping stuff into the bay as they clean the ship. Even Swansea is starting to complain.

For the last year metal was stored on dock 2. The company went to Planning so they could move it to Dock 7 and were denied. He showed the Board photos of how the metal has been moved and when they move the metal back and forth it creates dust. They were supposed to operate on 2.5 acres but not seems like the area is much bigger. There are many cases of cancer in people from Brayton Point. Now the company wants to bring in like gypsum, slag and other substances and also want to make wood pellets which is a toxic process.

Mr. McDonald stated that the Board of Health could step in to stop some of the project. He has data sheets that show a host of irritants. He again stated the residents don’t deserve this. The sound is like a car accident every 5 minutes. Selectman Moniz asked what time of day was the noise the loudest. Mr. McDonald stated they will be loud whenever they want to be loud. Even when the ship is not there metal is being moved around we feel as retribution. He also stated that they should stop loading at 7:00 pm. It seems that they do not load during the day at times when the ship is there.

The last ship seemed to have parked further away from the dock as machine parts were being found on the beach. There is enough evidence that they are violating Zoning Board requirements. If the scrap pile was taken away the Save Our Bay Somerset would probably be taken off Facebook.

In searching the title of the land a 1997 plan from New England Power was found. It shows that Brayton Point Road is a public way and 12.5 acres of land was owned by the State. It stated it was for the purpose of the Power Plant. CDC came in it was as if they were the owners of the land and it was stated if scrap metal was not allowed it was a taking of their land. No one actually knew this until the title was searched. They should have to submit to a MEPA review.

Selectman Moniz spoke about the dust. He did research on the Zoning Regulations Section 4.2.6 states that a wooden fence or hedges be erected along a residential area and that dust and fumes stay confined to the premises. The conditions from the Zoning Board state in Dust A that no dust shall leave the site. This applies to the scrap metal and salt. Selectman Moniz would also like the Zoning Enforcement Agent to attend the next meeting for an explanation of why there have been no violations. Selectmen Moniz also discussed the issue of noise and that it is not a quality of life for anyone. He feels the Board of Health needs to be more involved.
Selectman Lawless, Board of Health Chair stated we need to have a meeting with Sage in Executive Session. He would also like the Building Inspector to attend regarding lack of violations.

Selectman McNamara stated that the Board has been and will continue to be involved. She did agree that there needs to be more data. She used an example of how the Board worked with Bristol Marine and came to an agreement for all involved.

Selectman Lawless wants to make sure legal has the expertise for environmental issues.

Town Administrator Richard Brown informed the Board that the meeting would have to start as a Board of Selectmen Meeting in Open Session and then go to Board of Health Executive Session due to the Open Meeting Laws.

Selectman Moniz thanked Selectman Lawless for inviting Patrick McDonald and Victor Machado to the meeting and thanked Mr. McDonald for the package he put together for the Board.

Topics not reasonably anticipated by Chair 48 hours in advance of the meeting. – none

Reminders –
10/17/2020-10/30/2020 – State Election (Presidential) Early Voting – In Person voting- Saturdays & Sundays 10:00 am -2:00 pm and Monday though Friday 8:30am-4:00pm – Council on Aging
11/3/2020 State Election (Presidential) Election Day In Person Voting 7:00am – 8:00 pm Somerset Berkley Regional High School Gymnasium.
12/7/2020 Special Town meeting at Somerset Berkley Regional High School Gymnasium.

A motion to adjourn at 7:25 pm was made by Selectman McNamara, seconded by Selectman Moniz and unanimously approved by a roll call vote of Selectmen 3-0.
# Account Information

**Date:** March 4, 2021 1:54:19 PM

**Dial-in number:** 🇺🇸 (425) 436-6305

**Access code:** 421718

**Account:** #s11598259

---

## Audio

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<tr>
<td>BOSTON, MA - +1 857 202 0116</td>
<td>📞</td>
<td>2:00:05 PM</td>
<td>2:38:56 PM</td>
<td>39m</td>
</tr>
<tr>
<td>VEILLEUX A - +1 508 496 1655</td>
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<td>2:00:24 PM</td>
<td>2:38:58 PM</td>
<td>39m</td>
</tr>
<tr>
<td>+1 401 527 5825 - CLARK JOHN</td>
<td>📞 🇺🇸</td>
<td>2:00:30 PM</td>
<td>2:39:01 PM</td>
<td>39m</td>
</tr>
<tr>
<td>BOSTON, MA - +1 617 894 3703</td>
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<td>2:00:45 PM</td>
<td>2:39:02 PM</td>
<td>39m</td>
</tr>
<tr>
<td>+1 617 257 0474 - SAUGUS, MA</td>
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<td>2:01:51 PM</td>
<td>2:39:01 PM</td>
<td>38m</td>
</tr>
</tbody>
</table>

**Number of attendees:** 8

**Toll minutes:** 158m

**VoIP minutes:** 162m

*Note: All times in Eastern Time*

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Fax: (562) 432-5250
Begin forwarded message:

From: Kathy Souza <kathysouza317@gmail.com>  
Subject: Fwd: 1 Brayton Point Rd., Somerset  
Date: June 15, 2021 at 10:32:24 AM EDT  
To: Thomas.larosa@mass.gov, paul.ford@state.ma.us, Joe Pereira <joepereira@aol.com>, william.horrocks@state.ma.us, "Qose, Joela (AGO)" <joela.qose@mass.gov>, "Rebello-Pradas, Alicia (AGO)" <alicia.rebello-pradas@mass.gov>

Attorney LaRosa,

Could you please provide me a copy of the lease agreement between Brayton Point LLC and the State of Massachusetts? Please let me know if this should be a formal records request.

Kathy Souza  
130 Pocasset Street  
Somerset, Ma  
02725  
401-952-4694

-----Original Message-----
From: Ford, Paul (DCP) <paul.ford@state.ma.us>  
To: Horrocks, William (REG) <william.horrocks@state.ma.us>  
Cc: Joe Pereira <joepereira@aol.com>; Ford, Paul (DCP) <paul.ford@state.ma.us>  
Sent: Mon, Jun 14, 2021 3:09 pm  
Subject: RE: 1 Brayton Point Rd., Somerset

Bill/Mr. Pereira,

I've done some digging and talking with DCAMM's Real Estate team. This property is under the Care and Control of DCR. They have a 99 year Lease with BRAYTON POINT LLC. All inquiries should be made to Tom LaRosa, General Counsel, DCR. His phone number is 617-626-4994 and email address is Thomas.larosa@mass.gov.

If there is anything more I can help with please let me know.

Thanks

PAUL FORD  
Deputy Director
Division of Capital Asset Management & Maintenance
PHONE 617-727-4050 x 31380
DIRECT 857-204-1380
CELL 857-488-0097

From: Horrocks, William (DPL) <William.Horrocks@mass.gov>
Sent: Friday, June 11, 2021 1:30 PM
To: Ford, Paul (DCP) <paul.ford@mass.gov>
Cc: Joe Pereira <joepereira@aol.com>
Subject: FW: 1 Brayton Point Rd., Somerset

Hello Sir,
Can you please follow up with this constituent to see if you can assist?
Thank You,
Billy

William H. Horrocks
MA District State Inspector
Division of Professional Licensure
Office of Public Safety and Inspections
(617) 719-5400 Mobile
william.horrocks@mass.gov

From: Joe Pereira <joepereira@aol.com>
Sent: Thursday, June 10, 2021 9:45 AM
To: Horrocks, William (DPL) <William.Horrocks@mass.gov>
Subject: 1 Brayton Point Rd., Somerset

CAUTION: This email originated from a sender outside of the Commonwealth of Massachusetts mail system. Do not click on links or open attachments unless you recognize the sender and know the content is safe.

Good Morning Mr. Horrocks,

I'm hoping you can help me. The Commonwealth owns a 12.5 acre parcel of land at 1 Brayton Point Rd. in Somerset. That parcel is assigned to the DCR. There is currently a scrap metal operation on the site, which makes little sence on a DCR property, but that isn't your purview. The metal operation involves three companies: Commercial Development Co., Inc. Patriot Stevedoring and the Carver Companies. A small shed appeared on the dock area virtually overnight. Although it it small, a building is a building and this one seems perched at the edge of the water.
Would this small structure require a State building permit?
If so, did the DCR or any of the companies operating at the site apply for a BP?
Have you issued a BP?
If not, how do I file a complaint?

I realize that this is a small matter, but honestly these guys are running rogue on that parcel and I'm not sure anyone at the Commonwealth truly cares about what is happening at their property. Over the last several months we have been in touch with the DEP, EEA, DCR the AG and IG. It seems that the AG is planning a suit against the companies for their clean water and clean air act violations, but those are just the tip of the iceberg. Can you help by addressing this building?

Sincerely,
Joe Pereira
617-877-6134