

MEMORANDUM

To: The File  
From: John F. Kronopolus  
Date: June 15, 2011  
Re: Grafton Upton Railroad Company  
25 Maple Avenue  
Upton, MA

On May 11, 2011, the following people held a meeting and site visit at the railroad:

Jon Delli Priscoli, Chief Executive Officer, Grafton Upton Railroad  
Eric Moffett, President Grafton Upton Railroad  
Patrick Moynihan, The McCormack Firm, LLC – representing the railroad's government affairs  
Mike Polselli, The Dana Companies, Grafton Upton Railcare Terminal Manager  
Gene Patten, The Dana Companies, Terminal Operator Safety And Compliance Coordinator  
Doug Pizzi, Pizzi Communications Company, representing the railroad  
Blythe Robinson, Town Manager, Upton  
Chief Goodhile, Upton Fire Department  
Diane Tiernan, Upton Board of Health  
Richard Desjardin, Upton Board of Health  
Barbara Kickham, DEP-BRP  
Kevin Daoust, DEP-BWSC  
Giles Steele-Perkins, DEP-BWP  
John F. Kronopolus, DEP-BWP

A reporter and a photographer from the Milford Daily News did not participate in the meeting portion at the request of the railroad, but did accompany us on the site walk.

The meeting started with introductions. Then this writer explained the reason for the meeting/visit. Since the railroad has been reactivated, concerns have been raised by citizens and other parties about the operations conducted on the railroad property. Those concerns are often relayed to the Upton Board of Health and the Department. Understanding what operations occur on railroad property is critical in responding to citizens concerns in an efficient manner.

This writer then went over a partial listing of MassDEP regulations each bureau is responsible for. Current operations observed do not appear to be subject to MassDEP permitting regulations.

The site visit included looking at their fairly new wood pellet bagging operation and the transloading area. Wood pellets are brought in by railcar and vacuumed into large silos. The pellets are then bagged. Any dust is collected, made into pellets, and bagged. This operation is being conducted by Grafton Upton Railcare who is contracted by the railroad to operate the facility. I informed the group that if greater than 1 ton of particulate matter is emitted to the ambient air, the operation could require an AQ Limited Plan Approval. Based on the description of the operation, it appeared that a permit is not needed at this time.

The transloading operation is also operated by Grafton Upton Railcare as a contracted operation for the railroad. Hazardous and non-hazardous liquids are pumped from rail cars to truck trailers. The pumping

system is set up to minimize the potential for any spillage (liquid is pumped from the top of the rail car to the top of the trailers) and is designed to collect any vapors and return them to the rail car. Future plans, already in construction, are for a more extensive system to collect and manage any potential spills. The railroad is in the process of sloping their new transloading area so that any/all potential spills can be managed in a retention basin. No violations of Massachusetts Hazardous Waste Regulations were observed. Materials being managed are not subject to Massachusetts Hazardous Waste regulations at this time.

During the meeting, site visit and discussions the owner stated he consults with experts in various fields to ensure any new additions to railroad activities meet or exceed current regulatory standards. It was evident that the railroad and the Upton Board of Health (and other local officials) have a good working relationship.

As discussed, it would be helpful to all to have a consolidated and consistent way to address complaints made about railroad activities. At this time, John Kronopolus will serve as the single point of contact for MassDEP. As the Upton Board of Health and Fire Department have been very involved overseeing railroad activities, MassDEP will consult with them to discuss complaints received by MassDEP to determine what follow-up actions are necessary.

This writer's opinion of the meeting/site visit is that it was a very productive. Railroad officials have taken protective measures in areas of potential environmental concerns. Future meetings may be beneficial should different operations, potentially subject to Department regulations, such as transloading of hazardous waste, occur on railroad property.

Original report edited on 6/21/11 by John F. Kronopolus after speaking with Jon Delli Priscoli.