

Citizens Concerns over Safety of Firewood

Members of the board, we are sending this informational letter to address some of the concerns of Robbins Brook residences as they have described in their letter to you from the meeting on 2/5/13.

Contaminated wood concerns

One of the concerns raised by citizens of Hartland way was the possibility of “contaminated” wood coming into Acton. The Asian Long Horn Beetle was mentioned specifically. There is a quarantine zone around Worcester including Worcester, Boylston, West Boylston, Shrewsbury and parts of Holden and Auburn, as well as Boston and part of Brookline. These maps are readily available online through the website at <http://massnrc.org/pests/alb/> (scroll down to regulation and compliance).

To even work inside these zones you need to be certified, and not all wood is in quarantine. Oak and Hickory for example can be moved since the ALB does not live in them, however the wood must be 4’ or greater in length. No cut firewood can be moved from within the quarantine zone at all. We are ALB certified (very recent certificate attached) and are aware of the areas that are under quarantine, and we usually do not work within these areas.

Noise

As has been stated, by us, that the EPA noise regulations do need to be followed for this new use in industrial zoned parcels and we are working on correcting that. We have many ideas including rubber stable mats in the truck and even the possibility of spraying sound deadening foam underneath the tubs used for the firewood. We dare not test any of these ideas until a zoning change takes effect allowing for firewood in a non residential use, and we would welcome additional advice to help reduce sound. Another possibility raised by a Robbins Mill resident after the board of Selectmen meeting was to move to a different part of the property, such as adjacent to Rex Lumber. This is a viable option, but again, we cannot do anything until firewood is legal to produce.

Truck Noise

Since Deck House had started way back when, there have always been large numbers of trucks coming and going. Both delivering supplies and picking up finished products. The amount of activity simply depends on how busy the business is. As a general rule we do not go into the firewood area more than two or three times a day, and sometimes we do not go in at all. We do not receive any wood on tractor trailers, or from anyone else. All the wood is brought in by us with our own equipment. We do not perform any work or start equipment until 7:00 am (we may arrive but we do not start making noise) and as a general rule we do not work past 6:00pm or dark. Commercial trucks are required by law to have back-up alarms and the noise level is set, they cannot under any circumstance be tampered with. This is also true for forklifts, the alarms are for safety. The area we are in was actually originally used for loading, unloading, and storing train cars. The concrete ramp is still there, as are the tracks.

Fire Safety

We have talked with the Acton Fire Chief about a pile of wood. He said that in over 20 years of fire experience he has never seen a pile of firewood or logs spontaneously catch fire. In over 30 years experience with logs piles, we have never seen a pile spontaneously catch fire. The pile would need an ignition source of over 400 degrees. There is no Ignition source (like a power supply) in the area, and since there is a security fence in place it is much harder to even get to the wood to intentionally light a fire. Extremely large piles of wood chips or wood dust can spontaneously combust (it happened in Concord at Marabello farms years ago), there are no such piles on the property.

Trudeau homes, as stated at the meeting on 2/5/13 is fully equipped with a sprinkler system and there is access to the log/ firewood piles, and both sides of the building with fire equipment. We cannot comment as to whether or not the residences at Robbins Brook are so equipped, or to what the fire code is for such developments.

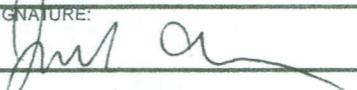
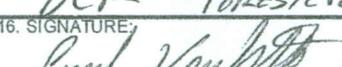
As of a visit from the Fire Chief and Deputy Fire Chief on 2/12/2013, they do not consider the area a fire hazard. It was mentioned that general code requires that piles be less than 20 feet in height, access is maintained, and general housekeeping is performed (such as removal of wood/ saw chips). We meet all of these criteria.

Screening

There is over 40 feet of natural, untouched woods between the security fence at Trudeau Homes and the previous location of the firewood processor. This does not mean it is a dense screen, but natural. There were trees removed past this 40+ foot buffer to make room for the processor. There are no trees or screening of any sort on the adjacent property, the Jones's residence.

Equipment

The processor itself is about the size of a full size pickup and runs off a single diesel motor. There is a single 30 foot long conveyor that feeds into a class B truck. The truck used to handle the logs is also a class B truck. Both vehicles are straight trucks, no trailers. We at times use a skid steer, similar to a Bobcat, for our general housekeeping and loading.

UNITED STATES DEPARTMENT OF AGRICULTURE ANIMAL AND PLANT HEALTH INSPECTION SERVICE PLANT PROTECTION AND QUARANTINE		Public reporting burden for this collection of information is estimated to average 1.25 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the form. Send comments regarding this burden estimate or any other aspects of this collection of information, including suggestions for reducing the burden, to USDA OIRM, Clearance Officer, Room 404-W, Washington, DC 20250. When replying refer to the OMB number and form number in your letter.	
COMPLIANCE AGREEMENT			
1. NAME AND MAILING ADDRESS: Charles L. Abraham Axe Brothers Tree Service P.O. Box 2782 Acton, MA 01720		2. LOCATION: Axe Brothers Tree Service 39 Pope Road Acton, MA 01720	
3. REGULATED ARTICLE(S): All Asian Longhorned Beetle (ALB) regulated articles as defined below.			
4. APPLICABLE FEDERAL QUARANTINE(S) OR REGULATIONS: MA General Laws, Chapter 266, Section 119, M. G. L. c. 132, §§ 8, 11, & 12; and M. G. L. c. 128, §§ 16, 24 and 31; and the Plant Protection Act of June 20, 2000, as amended, Section 412 (a), 7 U.S.C. 7712 (a)			
5. <i>We agree to the following:</i> I (we) acknowledge the duly issued and effective State Amended Order to Suppress and Control Nuisance Conditions and Regulated Articles ("Amended Order"), as may be amended from time to time and/or Federal regulations governing ALB Regulated Areas and Regulated Articles. When undertaking any activities or working within the Regulated Areas, I (we) agree to comply with the provisions of the Amended Order and/or Federal regulations by following the measures outlined in this agreement including any attachments to this agreement and subsequent notifications of new conditions which may become required by the MA Department of Conservation and Recreation and the United States Department of Agriculture during the course of this eradication program. A true and accurate copy of the Amended Order is attached hereto and incorporated herein as Exhibit A. In consideration of being allowed to undertake activities otherwise prohibited by the Amended Order, the undersigned guarantees and covenants that these measures will be followed: 1. Employers will ensure that each employee engaged in any activity on any Regulated Article within the Regulated Area is in possession of a quarantine certificate for disposal of regulated material and/or has affixed to his/her vehicle an ALB Eradication Program decal, certifying that they or an employee has attended a training workshop provided by state/federal inspectors with respect to the management of Regulated Articles within the Regulated Area. 2. Any Regulated Article, as defined in the attached Amended Order, which is larger than 1/2 inch in diameter cannot be moved from the Regulated Area unless it has been chipped on site to less than one inch in two dimensions. 3. If the Asian Longhorned Beetle or signs of infestation are found during operations, work must be discontinued and the ALB Program Office must be notified at 508-852-8110. Work shall not continue until the ALB Program Official has authorized such. 4. Employers will inform their employees about the boundaries of the regulated area and the governing regulations and Amended Order. 5. Employers will inform their employees of any changes to the regulated area. 6. A copy of this compliance agreement will be kept at the work site. 7. The term "Regulated Area" shall have the same meaning as the term "Affected Area" as defined in the Amended Order. 8. The undersigned hereby acknowledges and agrees that a breach of this agreement shall constitute a violation of the Amended Order and the Plant Protection Act.			
6. SIGNATURE: 		7. TITLE: Jr. Forester	8. DATE SIGNED: 2/7/13
The affixing of the signatures below will validate this agreement which shall remain in effect until cancelled, but may be revised as necessary or revoked for noncompliance.			9. AGREEMENT NUMBER: MA-ALB-160
			10. DATE OF AGREEMENT: 2-7-13
11. PPQ OFFICIAL (Name and Title): Chuck Baker PPQ Officer		12. ADDRESS: MA ALB Eradication Program 151 W. Boylston Drive Worcester, MA 01606 508-852-8110	
13. SIGNATURE: 			
14. STATE AGENCY OFFICIAL (Name and Title): DCR Forester		15. ADDRESS: MA ALB Eradication Program 151 W. Boylston Drive Worcester, MA 01606 508-852-8110	
16. SIGNATURE: 			
PPQ FORM 519 AUG 77			