JOIN THE DUDLEY P.R.I.D.E. CAMPAIGN TO

STOP
THE ASPHALT PLANT

WHO: ROXBURY AND NORTH DORCHESTER RESIDENTS
WHAT: ATTEND THE ZONING BOARD OF APPEAL MEETING !!!
SPEAK OUT AGAINST:

* INCREASED HEALTH RISKS DUE TO HAZARDOUS MATERIALS
* SIGNIFICANTLY INCREASED TRUCK TRAFFIC
* UNSAFE LOCATION IN RELATION TO RESIDENTS, BOSTON CITY HOSPITAL, NEWMARKET SQUARE, PROPOSED MEGAPLEX SPORTS STADIUM, SOUTH BAY SHOPPING MALL AND SUFFOLK COUNTY CORRECTION FACILITY
* NO EMPLOYMENT OPPORTUNITIES FOR ROXBURY/DORCHESTER RESIDENTS

WHERE: BOSTON CITY HALL, ZONING BOARD OF APPEAL, ROOM 801
WHEN: TUESDAY IN JULY 27 10AM
WHY: DON'T LET TODECSA COMPANY BRING AN ASPHALT PLANT TO OUR COMMUNITY!!!

CALL DSNI FOR MORE INFO: 442-9670
PROPOSED BITUMINOUS ASPHALT PLANT
139 Cummings Street
Boston, Massachusetts
Proponent: Todesca Equipment Company

The proposed Asphalt Plant at 139 Cummings Street, Boston, MA raises serious questions as to its effects on the environment and surrounding population. We believe that MEPA should undertake a review of this project.

The proposed plant would be erected in a densely populated urban area less than one half mile from the downtown core of the City of Boston. It is also located in the Newmarke: Business Area at the juncture of four ethnically and racially diverse neighborhoods: Roxbury, South Boston, Boston's South End and Dorchester. It is estimated 75,000 people reside within a mile of the plant. Currently, more than 12,000 people work within a third of a mile of the site. There are 1000 businesses constituting a mix of people oriented businesses, City Agencies, meat packing plants, produce processing, a soon to be opened shopping mall (located 2 blocks away), Boston Food Bank, the Boston Flower Exchange, as well as several hospitals. In a recent Boston Globe article (January 24, 1993) it was stated, "City planners think that within 10 years, the medical area will come to rival downtown as an economic center, home to many of the 50,000 jobs that are projected to be created in medical-related industries."

At one time, this area was used for heavy industry, such as the old Boston incinerator and railroad freight yards. The last such activity (the incinerator) ceased operation approximately 20 years ago. Even the meat packing and food processing industries have shown a decrease, as high tech, small businesses and an increased mix of retail blends in with the wholesale base. The reintroduction of heavy industry in such a highly populated area necessitates a thorough environmental review.

This project has the potential to cause significant impacts on the environment.

- **EPA Standards** - Massachusetts has been designated by the Environmental Protection Agency as being in serious non-attainment of air quality standards mandated by the Clean Air Act. Substantial efforts are either in effect or in the latter stages of planning statewide to redress this problem, but the answers are long term and will demand cohesive action to be effective. According to the American Lung Association of Massachusetts, "The bituminous concrete plant [proposed by the developer] and its attendant increase in truck traffic, would have the opposite effect on the aforementioned endeavor to improve our air quality."
• **Plant Operating Statistics** - All environmental statistics presented by the proponents are based on less than full operating production capacity, perhaps as little as one sixth. The possibility of increased production is feasible.

• **Emissions** - Dust emission statistics from the proponent show that the plant may generate over 15 tons of particulates into the air each year.
  - What impact will that have on residents' health in an area which currently has one of the highest cancer rates in the Northeast?
  - How will these emissions add to the atmospheric summer inversions?
  - What impact will this have on businesses, particularly the H.V.A.C. systems which are located in the immediate area?
  - What impact will this have on the foods, i.e., meat, fish and produce processed by these plants?
  - What will be the additional dust generated from loading of the trucks?
  - How much particulate emissions will be the result of transporting the asphalt materials, in addition to increased traffic in the surrounding neighborhoods?
  - Given the increasing cost of water, and that the proponent will need to use continuous spraying to keep particulate emissions down to the level of between 25 and 150 lbs. daily, how will this effect the cost of the finished product, compared to asphalt produced in a more rural setting with less need for dust control?
  - How much water will be consumed by this spraying?
  - What is the added cost of fuel needed for increased drying of aggregate as a result of the above mentioned spraying? Have these increased emissions been calculated in their emissions representations?

• **Toxic chemicals** - Toxic chemicals will be emitted into the neighborhood. Gaseous emission statistics of the proponents indicate that 25 tons of emissions may be discharged into the environment annually.
  - What types or levels of VOCs which will be emitted?
  - What levels of benzene, a known carcinogen, will be emitted?
  - What levels of polycyclic aromatic hydrocarbons (PAHs), another known carcinogen be emitted?
  - What percentage of recycled component, both recycled asphalt and contaminated soil, which contain higher levels of VOCs than virgin materials, will be used in the production of the asphalt?
  - In that the 1991 Intermodal Surface Transportation Efficiency Act requires states to use crumb rubber in 5% of their asphalt tonnage laid in 1994, and increasing amounts in succeeding years. Where will the rubber be ground up, stored, and added to the mix? How dramatically will the emissions change with the addition of rubber?
Considering the current changes occurring with the National Emission Standards of Hazardous Air Pollutants under the Clean Air Act, more in depth study is needed on specific chemical emissions. Given this, What impact will these emissions have on the surrounding businesses, and neighborhoods

- **Odors** - The release of VOCs will cause odors which could pose a nuisance to businesses and residents. What impact will these emissions have on the population, both residential, and daily workers?

- **Traffic** - The construction of this facility will dramatically increase traffic and resulting emissions, noise, and dust in the area.
  - Currently truck traffic on Southampton Street which fronts the property is 683 trips daily, 69 of which occur during peak morning hours.
  - According to the proponent's consultants, the plant will add 24 peak hour trips to the existing 69, a 35% increase. If the plant operates at capacity, these figures may multiply sixfold.
  - To the daily total, the proponent's plant will add 154 trips, an increase of 23%. If the plant operates at capacity, these figures may multiply sixfold.
  - The most disturbing fact about all these additional truck trips is that 60 of them and potentially 360, will be made with 5 axle, 33 ton, 18 wheeler trucks. Currently only 42 such trips occur on a daily basis in the area. This represents a staggering 143%, and potentially a 857% increase.
  - The concern we have about this type of truck comes from the proponent's own report "trucks larger than a 3-axle single unit...typically cause turning conflicts and queuing at an intersection."
  - The proponent states that Southampton Street (right next to the New South Bay Mall) will always be the route of his trucks--"roadway and ramp alternations, both temporary and permanent, will not change these circulating patterns". There has been no concrete information from the Central Artery Project as to specific rerouting in the area. We have grave concerns about the potential closing of ramps because of construction of the Central Artery Tunnel project. The result could be increased automobile and truck traffic through the aforementioned residential areas.

- **Noise** - What level of noise in decibels will be generated at the site from the operation of the asphalt batching plant and loading and unloading trucks. What level of noise in decibels is generated by the kinds of trucks associated with large asphalt jobs? How will the cumulative level of noise in the area be impacted?
  - The proponent's plant will operate normally between Monday through Friday from 6 am to 4 pm. However, many downtown paving projects controlled by city, state or federal governments, are done at night (e.g., the Central Artery Project). How will this noise impact immediate residents during their sleep, particularly the correctional facility immediately across the street, as well as the residents on Chesterton and Pompeii Streets, a scant two blocks away?
• **Environmental Aesthetics** - The construction of this type of facility will have a detrimental impact on the visual environment of the Newmarket area.
  - It will reintroduce "smokestacks" into the area. The mixing towers will be between 70 and 80 feet high, towering over nearby businesses. The introduction of 154 and perhaps as many as 900 truck trips will "paint" the area as a heavy industrial area.
  - How will these batching towers affect the sight lines and views to people entering the city from the Expressway, once the state owned abandoned incinerator is removed?
  - How will this facility affect an already highly contaminated piece of land? What measures would be taken to deal with leaching and water contamination?

**Submission of an ENF and compliance with other procedures mandated by these regulations is essential to avoid or minimize such damage.**

• All environmental statistics presented by the proponents are based on between half operating and one-sixth operating production capacity. We need further review to be assured of their claims.
• This area will go through severe dislocation because of the Central Artery project; further study is needed to understand the full impacts of this proposal in light of other construction which is and will be occurring within the area.
• Our citizen's group does not have the resources to conduct a full study and feel that an independent assessment is necessary.
• The proponents have not been timely and thorough with answers to questions posed by concerned citizens and abutters.

**Requiring an ENF and compliance with other procedures mandated by the regulations will not constitute severe hardship to the proponent.**

• Prior to any community-review process, the proponent had already signed a purchase and sale agreement for the property which is only zoned Conditionally for asphalt.
• Prior to acquiring any government approvals or permits, the proponent had already signed a purchase and sale agreement for the property.
• Subsequent to denial by the Boston Zoning Board of Appeal for a conditional use variance for the property, the proponent purchased the property.
• The proponent has operated in the geographic area for over 80 years and appears to be in favorable financial shape. The proponent has already one asphalt plant under construction for a remote location in Rhode Island, and a second one has already received approval in the same state.
The likely damage would be caused by a unique conjunction of circumstances which, taken separately, would not ordinarily cause such damage.

- The cumulative effect of air emissions from the plant, and from increased traffic, which added to existing conditions needs to be addressed.
- This area will go through severe dislocation because of the Central Artery project; further study is needed to understand the full impacts of this proposal in light of other construction which is and will be occurring within the area.
- Because of this area's past industrial history, including the designation of the land as a "Suspected Hazardous Waste Site, this project needs to be evaluated at in more detail.
- Various studies show that poor, ethnically, and racially diverse bear the brunt of our nations toxic waste sites and undesirable industrial facilities. The leaders of this community want to break this cycle of environmental racism.
May 10, 1993

Mr. Lloyd Fillion
Chester Park Neighborhood Association
563 Massachusetts Avenue
Boston, MA 02118

Dear Mr. Fillion:

This is to restate my position that 34 Moore Street is not a suitable location for an asphalt batching plant. As an abutter to that site, I would oppose the use of 34 Moore Street for that purpose.

As you are aware, I previously submitted to the City of Boston Zoning Board of Appeals (ZBA) a conditional letter of support for this project. In that the conditions I outlined have not been met, and further, that such conditions are likely not to be met in the future, I have withdrawn my support.

It is my sincere hope that in the near future a business development more suited for the 34 Moore Street site will express interest in that location. In the meantime, please keep me apprised of your progress on this matter.

Very truly yours,

Robert C. Rufo
Sheriff

RCR: mn
May 19, 1993

Mr. Lloyd Fillion
Co-Chair, Chester Park Neighborhood Association
563 Massachusetts Avenue
Boston, MA 02118

Dear Lloyd:

Thank you for your letter of May 3 in which you outlined your Association's concern for the potential adverse environmental impact of a bituminous concrete plant to be located at 34 Moore Street in the South Bay area.

Massachusetts has been designated by the Environmental Protection Agency as being in serious non-attainment of air quality standards mandated by the Clean Air Act. Substantial efforts are either in effect or in the latter stages of planning statewide to redress this problem, but the answers are long term and will demand cohesive action to be effective. The bituminous concrete plant described in your letter, and its attendant increase in truck traffic, would have the opposite effect on the aforementioned endeavor to improve our air quality.

The American Lung Association of Massachusetts stands ready to assist your Association in its efforts to stop the building of this plant. Please keep me advised on further developments concerning this issue.

Sincerely,

[Signature]

John P. Brickley
Executive Director

JPB/iae
June, 1993

Trudy Coxe, Secretary
Executive Office of Environmental Affairs
100 Cambridge Street, 20th floor.
Boston, MA 02202

Dear Secretary Coxe:

I am joining others in the belief that the asphalt batching plant proposed for 139 Cummings Street in Boston "has the potential to have significant impact on the environment" and must undergo a detailed study to provide a comprehensive review of the affects on the environment, health, safety and welfare of the abutting neighborhoods in Boston.

We have concerns about the chemical, particulate, odor, and noise emissions of both the plant and the trucks servicing the plant and its product, the impact of increased traffic on the area, and the visual impact of the plant on the developing face of the Newmarket area. Our concerns are for the impact on the residents, workers, and property in the surrounding neighborhoods. We are particularly interested in the cumulative effect given the existing conditions of the commercial enterprises within the Newmarket area of Boston.

There are perhaps 70,000 Bostonians living within a one mile radius of 139 Cummings Street. On any given day over 12,000 people work within one third of a mile of the site. The area includes housing development sites at Old Colony, D. Street, Orchard Park, Camden-Lenox, Villa Victoria and Castle Square, all of which are very dense in population. Medical studies have identified this area of Boston as having twice the State rate of mortality due to respiratory illnesses.

Pursuant to Massachusetts General Laws Chapter 30 and Massachusetts Regulations 301 CMR 11:03, Section (6), the "Fail Safe Provision," we request that for the proposed asphalt batching plant, you require the submission of an environmental notification form and compliance with other procedures mandated by the Massachusetts Environmental Protection Act Regulations.

Signature

Position/Title

Address

Printed Name

Organization/Affiliation

Date
July 1, 1993

Time To Act:

The Boston Zoning Board of Appeals (ZBA) is scheduled to meet at 10 AM on Tuesday, July 27, 1993 to decide zoning issues on Todesca Equipment Co.’s (TEC) proposed asphalt batching plant for 139 Cummings Street (formerly 34 Moore Street) off Southampton Street. In August 1992 TEC went before the ZBA with a similar application and were rejected. However, since then TEC has purchased the property which is a hazardous waste site.

Residents, workers and business-owners in the surrounding communities of Roxbury, Dorchester, South Boston, Dorchester and the Newmarket Square have joined together in opposition to the siting of this facility. The reasons cited are:

1. Environmental and health hazards,
2. Lack of job opportunities,
3. Truck traffic related problems, and
4. Negative effect on future economic development.

We are asking you to show your opposition to the asphalt batching plant by sending a letter on your letterhead, see sample enclosed, to the ZBA. Please send us a copy so that we can estimate the volume of opposition. Enclosed is a leaflet to post and let people know about the hearing. Finally, we hope to show our strength in numbers - please attend the ZBA meeting on Tuesday, July 27th at 10 AM in Room 801 in City Hall. For more information, call Trish Settles at DSNI at 442-9670.
July 2, 1993

Mr. Richard Dennis, Sr.
Board of Appeals - Chairman
Boston City Hall - Room 204
Boston, MA 02201

RE: 139 Cummings Street, Ward 8 - BZC File No. 16523

Dear Mr. Dennis and Members of the Board,

We are writing this letter in opposition to the construction of the asphalt batching plant proposed at 139 Cummings Street (previously 34 Moore St.) by Todesca Equipment Company. The Todesca Equipment Company presented its proposal at a community-wide meeting held at University Hospital on March 9, 1993. It was during this meeting, in addition to last August, in which numerous questions were raised about the proposed plant including environmental, jobs, traffic and economic development concerns. We oppose the building of the plant for a number of reasons; increased truck traffic, noise, odor and fumes, proximity to medical institutions and residences in the area, as well as no jobs for neighborhood residents.

The area where the plant is proposed is in close proximity to residential areas, hospitals as well as wholesale food companies. The potential for health dangers is enough reason for concern, but additionally the noise and odors that will be generated by the influx of traffic around these facilities is also of grave concern.

We know that the site is presently a hazardous waste site in need of clean-up, but we feel that there are other uses for the land which will be more of a catalyst to future development in the area. The 'South Bay Shopping Mall' is an example of where things are going in this area, and the proposed 'Megaplex' is another. We wish to encourage development and light manufacturing which brings people and jobs to the area.

On April 27, 1982, the Board denied a similar appeal to the Essex Bituminous Corporation for some of the very same reasons stated in our letter. We urge you, once again, not to allow the Todesca Equipment Company to locate at this site. The promise of a bright future for the area is just starting to be realized; please don't stop it with the approval of this proposed plant. We will make every effort to attend and voice our concerns at the July 27, 1993 10 am Boston Zoning Commission Board of Appeals hearing.

Sincerely,
July 2, 1993

To:

From: Ron Blanchard, Worcester Square Area Neighborhood Assoc.
Joyce Burwell, Roxbury Neighborhood Council
Lloyd Fillion, Chester Park Neighborhood Assoc.
Jim Webster, Newmarket Business Assoc.
Rogelio Whittington, Dudley Street Neighborhood Assoc.
Russ Waterman, Andrews Square Civic Assoc.

Re: Petition to State for Environmental Impact Review, letter in opposition to siting of asphalt batching plant.

We are enclosing a petition to the state requesting heightened scrutiny of the proposed asphalt plant for the Newmarket area of Boston, and a sample letter to the Zoning Board of Appeals. The Commonwealth has a procedure to scrutinize any development within the state that could cause harm to the environment. An EIR is a planning tool to enable environmental damages and benefits to be disclosed and considered by public agencies and project proponents before they make decisions. The signatures of 10 citizens can trigger this review. The asphalt plant will probably not automatically qualify for such review, but given sufficient pressure by all, the state is likely to require the review, particularly given the nature of asphalt.

We urge you to sign the petition cover letter. We expect to have in excess of thirty signatures from community leaders. Your signature as an elected representative will add much weight to this request. Attached to the cover letter is the several page submission to the Department of the Environment for your files.

We presume to send you a sample letter to Mr. Dennis only knowing of the demands on your time. We would like to receive a copy of any letter sent to the ZBA. This will help us with our presentation and in reaching out to the media.

Please sign the petition cover letter and send your personal letter to the ZBA, mailing a copy along with the petition letter to us c/o Lloyd Fillion, 563 Massachusetts Avenue, Boston, MA 02118. If you feel there to be insufficient information to decide, send us the petition cover letter. They may also be faxed to us at: 424-2736, att. Jim Webster. TIME IS OF THE ESSENCE. We want the option of delivering this to the State by the end of next week. Please turn this around ASAP. Thank you for your continued support and attention.
Elected Official and Organizations
In Opposition to Asphalt Plant

Revised 7/3/93
NOTE: Discard any older date or undated lists

ELECTED OFFICIALS:

Anthony Crayton - Councillor, Roxbury
James Kelly - Councillor, So. Boston, South End, Chinatown
Albert O'Neil - Councillor-at-Large
Rosaria Salerno - Councilor-at-Large
Robert Rufo, Suffolk County Sheriff

ORGANIZATIONS:

American Lung Association of Massachusetts - John Brickley, Director
New Market Business Association - James Webster, President
Andrews Square Civic Association - Russ Waterman, President
Artist Tenants Association - David Carr, Co-chair
Blackstone/Franklin Neighborhood Association - Randi Lathrup, President
Chester Park Neighborhood Association - Lloyd Fillion, Co-chair
Claremont Neighborhood Association - Frank Jordan, Co-President
Dover Street Neighborhood Association - Tom Dimieri, President
Dudley Street Neighborhood Initiative - Rogelio Whittington, President
Ellis Neighborhood Association - Joe Park, President
Pilot Block Neighborhood Association - Judy Kennedy, President
Roxbury Neighborhood Council - Joyce Burwell, Chairwoman
Union Park Neighborhood Association, Inc. - Sheila Grove, President
Union Park Street Neighborhood Association - Theodore Tsaousidis, President
Worcester Square Area Neighborhood Association - Ronald J. Blanchard, President

NOTE: Opposition position based on either written or verbal statement expressed in a public forum.
To: CAAP Members  
From: Lloyd  
Date: 12/12/94  
Re: MEETING ON TUESDAY, 12/13/94 AT 5PM AT 532 MASS. AVE., AGENDA

At the tomorrow's meeting the major item for discussion will be the city council hearing on January 24, 1994. This special hearing, requested by CAAP, has been under negotiation between several members of CAAP and Councilors Saunders and Iannella (and Kelly).

The hearing was originally requested to examine ways in which the city could better review commercial and industrial development proposals particularly in dense urban sections of Boston (our neighborhoods) so that our health and our environment are seen as of paramount importance. The asphalt plant battle is conceived as a backdrop for this hearing.

THE HEARING SHAPE IS STILL SOMEWHAT FLUID.

Some ideas of results might be a call for the city administration to change the way it does business by internal agency decisions; state legislation mandating changes; press attention resulting in further attention to the environment/public health; other ideas?

Following is a thought piece by Matt Wilson of Mass Campaign to Clean Up Hazardous Waste which can easily function as an agenda for tomorrow's meeting (open to amending).

There will also be a small amount of time spent raising ideas of how CAAP press statements should reflect the next period's strategy. Should CAAP continue to hold the city administration accountable for this problem? Should we ease up? This issue will need further thinking and will probably be addressed at a future meeting.

Representatives from other city citizen groups have been invited to tomorrow's meeting.
TO: LLOYD  
FROM: MATT  
12/12/94  

RE: CAAP MEETING 12/X 13  

Just some thoughts about things to think about for Tuesday.  

1. We should have a clear vision of what we want to get out of the hearing. Go through of an overview of why it was set up and what we want to accomplish.  
   a. resolution?  
   b. opportunity to get our urban environmental issues out there?  
   c. good headlines/news story?  

I believe that it is important to get the general urban environmental issues out, but as I said last week, I think the press will look at this as a hearing around the asphalt plant.  

2. When we figure out what we want, we have to decide what our message is? I like to think about it by thinking what we would want the headline to be. I think you can get one issue out there, and we need to be in agreement on what that is. We should discuss the tension between the asphalt plant v. general urban enviro issue.  

3. Then how do we get that message out? How do we orchestrate this hearing? Different factors to organize:  
   a. format -- How do we ideally want this thing set up?  
   b. speakers - Who and how many?  
   c. audience -- Do we want to have a big turnout of citizens and how do we do that? Do they do anything? Speak?  

We should have someone is charge of all of these factors.  

4. We should follow up on this idea of putting out some kind of white paper on urban environmental issues. I think we need some small report to help legitimize ourselves. MLK Day is an interesting idea.  

See you tomorrow.