

October 20, 2021

By email

Town of Carver
Board of Selectmen, Mark Townsend, Chair
Conservation Commission, Savery Moore, Chair
Planning Board, Bruce Maki, Chair
Earth Removal Committee, Robert Ieronimo, Chair

Re: Solar Projects Using CCA Treated Poles:
NextSun/Pine Gate Renewables, 340 Tremont Street, 0 Rochester Road, 0 Rear
Rochester Road, 60 Rochester Road

Renewable Energy Development Partners (REDP) and AD Makepeace Co., off Wenham
Street (Swan Holt bogs)

Dear Selectboard, Conservation Commission, Planning Board and Earth Removal Committee:

We are writing to demand that you immediately order:

- the owners and operators of the solar projects at 340 Tremont Street, Rochester Road and Wenham Street to immediately remove all timber poles treated with Copper Chromated Arsenic (CCA);
- a full investigation and study of the environmental and health impacts of the installation of these poles to be done under the auspices of the US EPA and Massachusetts Department of Environmental Protection (DEP);
- compliance with Massachusetts Hazardous Material Release and Prevention Response Act, Chapter 21E, the state's Superfund Law, under which the owners and operators of these sites have a legal obligation to notify DEP under G.L. Chapter 21E, Section 7 of the release or threat of release of hazardous materials and a legal duty to remediate the sites;
- complete restoration of the wetlands, remediation of soil contamination and assessment of threats to water quality, private drinking water wells, the Plymouth Carver Sole Source Aquifer; and
- an immediate halt to the ongoing unlawful earth removal being conducted at some or all of these sites which is compounding the environmental damage from the toxic CCA poles.

There are many troubling questions about how wood poles treated with a pesticide formulation (CCA) that is toxic to humans, aquatic species and has the potential to contaminate our groundwater was allowed to occur under the auspices of the Planning Board, Conservation Commission, and Earth Removal Committee. Ultimately, the responsibility for the Carver Wetlands Protection Act and bylaw, administered by the Conservation Commission and the illegal earth removal rests with the Town of Carver Board of Selectmen because the Board appoints the Conservation Commission and approves the Earth Removal Committee. We request that the Board fully investigate and report to the public how this was allowed to occur.

Information about the sites and documentation about the use of CCA is at:

- Save the Pine Barrens website: <https://savethepinebarrens.org/solar-2/>
- You Tube: Community Land & Water Coalition/Save the Pine Barrens: go to Playlist/Carver MA Sept 20 Drone Footage

We look forward to your prompt action.

Sincerely,

Meg Sheehan, for Save the Pine Barrens, Inc., Plymouth MA
Nicole Geoff Thomas, 28 Rochester Road, Carver MA
Laura McNamara, Tremont Street, Carver MA

Copies:

Katherine Theoharides, Massachusetts Secretary of Energy and Environmental Affairs
Eric Seltzer, Massachusetts Department of Energy Resources, SMART Solar Program
Commissioner Martin Suuberg, Massachusetts Department of Environmental Protection
Senator Marc Pacheco
Senator Susan Moran
Rep. Susan Gifford