

M. Elizabeth Ellis
 50 Pleasant Street P.O. Box 330
 Sagamore, MA 02561

BOURNE BOARD OF SELECTMEN
 ROUD 2021 JAN 28 AM 8:20

January 25, 2021

Judith Froman, Chairman, & Board of Selectmen
 Bourne Town Hall
 24 Perry Avenue
 Buzzards Bay, MA 02532

Dear Ms. Froman and Members of the Bourne Board of Selectmen:

First, I want to express my thanks to you and all Bourne town departments for their commitment to keeping our town running smoothly during this most difficult time. Although I am grateful for the stability of our life in Bourne and the competence of our employees, I am writing to apprise you of the pall that is cast over one village, Sagamore, by the presence there of a gas company on Freighthouse Road.

In the last 50 or so years, there have been three major emergencies involving this business when evacuation of South Sagamore was considered for the safety of residents. The most recent incident was on November 11, 2020. (See enclosures). Perhaps you saw aerial coverage of this potential threat on Boston's Channel 4 news coverage. Statistically, three (known) incidents over a 50 year period are not impressive but because of the magnitude of the possible danger each presented, they should be considered warnings that require action by town officials to ensure that another threat does not occur. The importance of the loss of property (and taxes) that could ensue from a catastrophic event at this facility is minuscule compared to the very real possibility of loss of lives.

I respectfully seek answers from you to the following questions and comments:

- (1) Which town entity is responsible for issuing the gas storage permit to this facility and which is responsible for approving/disapproving the lease to the gas company ?
- (2) When will the lease and storage permits expire and come before the regulatory bodies again? May concerned citizens be notified and attend these deliberations whether or not public hearings are mandated by law? **I respectfully ask that those departments, boards, or individuals who have the power to refuse permits that allow this operation to continue exercise their authority by cancelling current permits and denying future ones.**
- (3) What is the history of inspections at this gas storage facility? Why wasn't storage tank deterioration causing the leak detected and remedied at the most recent inspection ? Is there a built in system of leak notification that goes directly to the Fire Department ?

p.2 Gas company problem: January 25, 2021

It is not anyone's intention to deprive the income to the owners of the property who lease it to the gas company. I and other concerned citizens only ask that the owners rent to a less dangerous tenant.

Thank you for your kind attention to this letter. I look forward to your response to this notice – and plea – and hope that when pandemic restrictions are lifted and we can meet with officials at an in-person meeting, we can discuss this situation and resolve it.

Sincerely,



M. Elizabeth Ellis

P.S. Because of confusion over “who’s in charge”, identical copies of this letter have been sent to the Town Administrator, the Bourne Fire Chief, and the Massachusetts State Fire Marshal.

Encl: “Investigation of Nantucket Explosion Focuses on Propane Leak” (*Cape Cod Times*, Nov. 14, 2020) ; “Propane Leak in Sagamore Prompts Multiagency Response” (*Cape Cod Times*, Nov. 13, 2020)

Cape Cod Times
Nov. 14,
2020

Investigation of Nantucket explosion focuses on propane leak

Beth Treffeisen
Cape Cod Times

NANTUCKET — The focus of an investigation into an explosion and fire Thursday that destroyed a multimillion-dollar home on Nantucket is on a propane leak, according to state and local fire officials.

Three houses on Woodbury Lane were damaged by fire and at least 15 more were damaged by the explosion, according to a statement from Nantucket Fire Chief Stephen Murphy and state Fire Marshal Peter Ostroskey.

Damages are estimated at

\$15 million.

One person was injured and has been taken to a Boston hospital, where they are in stable condition, the statement says.

Investigators will work to determine the source of the leak and how it traveled. "Given the damage, the exact ignition source may not be known, as it could have been any pilot light, open flame or spark from a compressor," the statement says.

A code compliance investigation is also ongoing, according to the statement.

This was the second explosion and fire at a house on the

island in eight days. On Nov. 4, two people were seriously injured in a fire at 39 Surfside Road. The house was deemed a total loss with estimated damage of \$950,000.

The explosion on Surfside Road remains under investigation, but the focus there is also on a propane leak, according to Jennifer Mieth, spokeswoman for the state Department of Fire Services. Investigators have not been able to speak with the victims from that explosion, she said via email.

"The investigation into this incident and the investigation into the November 4 fire on

Surfside Road indicates there is no connection between the two except the focus for both is on propane leaks," Ostroskey said in the statement.

Murphy said this was not a widespread issue and "Nantucket residents should have confidence in their propane systems, especially if they use a licensed professional to service permitted systems."

"Propane has an odorant in it that smells like rotten eggs," Murphy said. "If you smell it, leave your home without touching light switches and call 911 from outside."

1/2021 M. Elizabeth Ellis re gas company problem in Sagamore

*Cape Cod Times p. 2
Nov 13, 2020*

THE LOG

Propane leak in Sagamore prompts multiagency response

SAGAMORE — Multiple agencies responded to a propane leak at a property on Freighthouse Road late Wednesday afternoon.

The Bourne Fire Department and emergency rescue crews responded to the AmeriGas property at approximately 5:30 p.m. Wednesday, Assistant Chief David Pelonzi said in a statement.

A leak was found on the property, and additional Bourne fire units responded to the scene.

The Sandwich Fire Department, Bourne Police Department and the District 1 Hazardous Materials Response Team also assisted, Pelonzi said.

The leak was contained to the property, and there was no threat to the adjoining neighborhoods, according to the statement.

A Bourne fire engine stayed on site throughout the night Wednesday.

On Thursday, AmeriGas removed a large amount of the propane with their trucks, but there was still residual gas that needed to be cleaned up, Bourne fire Lt.

Ricnard Emberg said.

Technicians from AmeriGas used a technique called flaring, where they burn off the rest of the propane through a big pipe, Emberg said.

The flare-up, which removes any of the dangerous vapors left behind, could last up to nine hours, he said.

Flaring was ongoing as of 6:15 p.m. Thursday, Emberg said.

Cape Cod Times

Equipment trailer fire extinguished in Brewster

BREWSTER — No injuries were reported in an equipment trailer fire Thursday morning.

Fire crews were called to 663 Stony Brook Road at 8:11 a.m., Brewster Fire Chief Robert Moran said.

He said the rear trailer tires, rear axle and part of the wooden platform caught fire.

The fire was contained to the trailer, Moran said.

The cause of the fire is unknown, but Moran said it may have been caused by overheated breaks or an equipment malfunction.

Beth Treffeisen

*1/2021 M. Elizabeth Ellis re gas company
problem in Sagamore*

Sundman, Nancy

From: DONALD ELLIS <ellisesbycanal@comcast.net>
Sent: Friday, January 29, 2021 11:05 AM
To: Sundman, Nancy
Subject: Fwd: Letter Dated January 25, 2021
Attachments: Propane Facility Freighthouse Road.pdf

Nancy - I don't think that the attachment with Chief Cody's response went through so I am sending it now, separately, for you to distribute to the Board of Selectmen and Town Administrator.

Thanks again.
Beth

BOURNE BD OF SELECTMAN
ROUD 2021 JAN 29 AM 11:57

> ----- Original Message -----

> From: "Cody, David" <DCody@townofbourne.com>
> To: "ellisesbycanal@comcast.net" <ellisesbycanal@comcast.net>
> Date: 01/28/2021 1:14 PM
> Subject: Letter Dated January 25, 2021

>

>

> Good Afternoon Mrs. Ellis,

>

> Thank you for forwarding your concerns regarding the propane storage facility in Sagamore. I have attached a copy of my response to the letter I received from you. I will mail the original via the US Postal Service. Please feel free to contact me either by phone or email if you need any further information or clarification.

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> Respectfully,

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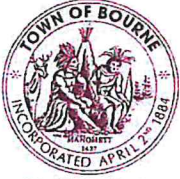
> David S. Cody
> Acting Fire Chief
> Bourne Fire Rescue and Emergency Services
> 51 Meetinghouse Lane
> Sagamore Beach, MA 02562

>

> 508-759-0600 Ext. 2221
> <http://www.bournefire.com/>

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David S. Cody
CHIEF

TOWN OF BOURNE

Fire/Rescue & Emergency Services
51 Meetinghouse Lane
Sagamore Beach MA 02562
(508) 759-4412
Fax: (508) 888-2658



January 28, 2021

M. Elizabeth Ellis
50 Pleasant St. P.O. Box 330
Sagamore, MA 02561

BOURNE BD OF SELECTMAN
RCUD 2021 JAN 29 AM 11:57

Dear Mrs. Ellis,

Thank you for forwarding your concerns regarding the gas storage facility at 8 Freighthouse Road in your letter dated January 25, 2021. Below you will find answers to your questions which have been made based on my knowledge of the facility and Bourne Fire Department records:

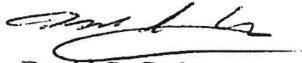
1. *Which Town entity is responsible for issuing the gas storage permit to this facility and which is responsible for approving/disapproving the lease to the gas company?*
 - a. The Chief of Department of Bourne Fire/Rescue and Emergency Services, or his or her designee, is the permit granting authority for the storage and use of LP gas under the Massachusetts Comprehensive Fire Safety Code.
 - b. Bourne Fire/Rescue and Emergency Services has no authority regarding the lease of property.

2. *When will the lease and storage permits expire and come before the regulatory bodies again? May concerned citizens be notified and attend these deliberations whether or not public hearings are mandated by law? I respectfully ask that those departments, boards, or individuals who have the power to refuse permits that allow this operation to continue exercise their authority by canceling current permits and denying future ones.*
 - a. Bourne Fire/Rescue has no authority over the lease of property.
 - b. The last permit on file was issued by Chief Norman Sylvester on October 19, 2015 and expired on October 13, 2018.
 - c. There is no public comment or open meetings involved in the permitting process under the Massachusetts Comprehensive Fire Safety Code.
 - d. The existing license was issued by the Board of Selectmen as the local licensing authority.
 - e. If the company chooses to increase capacity at the site, they would have to apply to increase the licensed quantity.

2. *What is the history of inspections at this gas storage facility? Why wasn't storage tank deterioration causing the leak detected and remedied at the most recent inspection? Is there a built in system of leak notification that goes directly to the Fire Department?*
- a. There is no state-mandated requirement for inspecting LP gas storage and use properties.
 - b. An order of notice was issued on January 15, 2003 related to an inspection. Any inspections conducted prior to 2001 would have to be conducted through a public records request.
 - c. In the property file there is a copy of a notification to the State Fire Marshal's Office indicating that Web Engineering Associates, Inc. conducted an inspection of the storage tanks on October 18, 2007. No regulation requires that third party inspection reports are forwarded to the local fire department.
 - d. The Massachusetts Comprehensive Fire Safety Code does not require leak detection in LP gas storage uses.

This Department has been working closely with the Office of the State Marshal to ensure the safety of our residents in light of the incident on November 11, 2020. Please do not hesitate to contact me if I can be of any further assistance or provide any additional information.

Sincerely,



David S. Cody
Acting Fire Chief