



Charles D. Baker, Governor
Karyn E. Polito, Lieutenant Governor
Stephanie Pollack, Secretary & CEO
Thomas J. Tinlin, Administrator



October 16, 2015

John F. Kelly
Town Administrator
Town of Orleans
19 School Road
Orleans, MA 02653

Re: Request for Site Access – Route 6/6A Interchange

Dear Mr. Kelly,

MassDOT District 5 has reviewed your August 6th request for approval “to enter the MassDOT property at the southeast quadrant of the cloverleaf on Route 6 (Exit 12) in Orleans to conduct preliminary investigations related to the feasibility of that site for groundwater recharge beds for treated effluent from the Orleans Wastewater Treatment Plant” MassDOT District 5 has consulted with representatives of the Maintenance, Environmental, and Legal sections and regret to inform you that your request has been denied. MassDOT does not allow municipal, quasi-public, and/or private land uses within State Highway Layouts (SHLO) for storage, discharge, or disposal, or any other land use with the potential to interfere with MassDOT’s mission of providing a safe and reliable transportation system while minimizing negative impacts to natural resources.

MassDOT has determined that wastewater effluent discharge at the location you describe would expose the agency to significant operational problems, and is unacceptable for the following reasons:

- 1) MassDOT must keep its corridor lands, e.g., SHLOs, open and available for any future maintenance work, or for highway expansion or re-configuration.
- 2) Highway interchanges have a higher potential for accidents and truck roll-overs. A hazardous material spill within an area used for wastewater recharge could have widespread impacts to both the groundwater and to the operation of the proposed wastewater treatment plant.
- 3) MassDOT is subject to stormwater management regulations that are administered by both Federal and State agencies. To install a municipal wastewater recharge system in one of its highway interchange lobes would significantly interfere with

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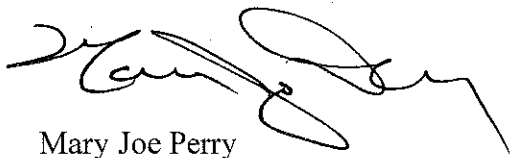
MassDOT's ability to comply with MassDEP stormwater standards, as well as the agency's MS4 permit, both of which mandate minimizing its contribution of "contaminants of concern" to impaired water bodies such as Namskaket Creek.

- 4) Allowing the discharge of municipal wastewater to a SHLO would create an unmanageable precedent and result in MassDOT being put in the untenable position of accommodating every request to use highway land for a wide range of municipal and quasi-public land uses and services.
- 5) MassDOT envisions significant liability issues arising should a problem occur with the type of activity you propose to take place on state-owned property.

MassDOT appreciates the efforts of the Town of Orleans to improve the wastewater treatment capacity for its residents and businesses, while reducing wastewater impacts to its surrounding water bodies, e.g., Namskaket Creek and Town Cove. Additionally, MassDOT would be willing to discuss the possibility of granting an easement across Route 6 and/or 6A for a utility pipe to convey treated wastewater to a more appropriate discharge location.

If you have any questions or would like to discuss the possibility of a crossing easement, please contact Matthew Broderick, District Maintenance Engineer at 508-884-4215.

Sincerely,



Mary Joe Perry
District Highway Director
MassDOT, District 5

Cc: Board of Selectmen
Representative Sarah K. Peake
Senator Daniel A. Wolf
Thomas Tinlin, MassDOT, Highway Administrator
Patricia Leavenworth, MassDOT, Chief Engineer
George Meservey, Director of Planning ✓
Andrea Coates, MassDOT, District Environmental Engineer
Mike Domenica, Water Resources Associates