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August 8, 2008

CERTIFICATE OF THE SECRETARY OF ENERGY AND ENVIRONMENTAL AFFAIRS  
ON THE  
NOTICE OF PROJECT CHANGE

PROJECT NAME: Fall River South Side Vertical Landfill  
Abatement Program  
PROJECT MUNICIPALITY: Fall River  
PROJECT WATERSHED: Buzzards Bay  
EOEA NUMBER: 4895  
PROJECT PROPONENT: **Browning-Ferris Industries, Inc. (MA)**  
DATE NOTICED IN MONITOR: July 9, 2008

Pursuant to the Massachusetts Environmental Policy Act (M.G.L. c.30, ss.61-62H) and Section 11.10 of the MEPA regulations (301 CMR 11.00), I have reviewed the Notice of Project Change (NPC) submitted on this project and hereby determine that it **does not require** the preparation of a Supplemental Environmental Impact Report (EIR).

MEPA History

The project has undergone MEPA review several times since the initial filing of an Environmental Notification Form (ENF) in 1982. A Certificate on the Final Environmental Impact Report (FEIR) was issued on January 7, 1986 with a determination that the EIR adequately complied with MEPA. Several NPCs were subsequently filed, and Certificates were issued, which did not require further MEPA review. The most recent NPC Certificate was issued on December 12, 2007 following the review of a proposed change to construct a solid waste handling facility to accept an average of 1,500 tons per day of municipal solid waste and construction and demolition debris.

### Review of the Notice of Project Change

The Fall River Landfill is currently approved by MassDEP to accept an average of 1,500 tons per day with a maximum daily acceptance rate of 1,950 tons per day. Landfill operations are ongoing within the Phase III, Cell C area, which has limited remaining disposal capacity. A Phase III, Cell D expansion is currently under construction, and will provide the proponent with approximately 536,369 cubic yards of disposal capacity (equivalent to nine or ten months of operating life).

The proposed project change consists of construction of a 13-acre expansion on the southerly side of the Phase I/Phase II landfill, which is currently closed and capped. The project change includes construction of a new liner and leachate system and will create approximately 530,000 cubic yards of new solid waste disposal capacity. According to the NPC, the proposed change consists of a vertical addition and will not expand the footprint of the existing landfill. Daily landfill waste acceptance rates, traffic generation, and hours of operation will remain the same.

The portion of the proposed expansion that will overlay Phase I (5.2 acres) will consist of a double-lined composite liner with a leachate collection system and leak detection capabilities. The 7.8-acre portion of the landfill expansion that will overlay Phase II (Cells C2 and D) will consist of a single composite liner system that includes a geocomposite clay layer and a 60-millimeter high-density polyethylene (HDPE) geomembrane with a leachate collection layer of sand and piping. The NPC indicates that if leakage occurs within this primary liner, it will be fully contained and collected within the previously constructed liner systems below. According to the NPC, environmental impacts will be avoided through use of the proposed liner and leachate systems, which will be monitored closely to ensure the liners are effective and in conformance with the Massachusetts Department of Environmental Protection (MassDEP) performance thresholds. Leachate generated within the expansion area will be collected and conveyed to a leachate collection tank to be located adjacent to the landfill. The proposed tank is a double-walled fiberglass construction that includes leak detection capabilities and will be equipped with a liquid level alarm device.

Other measures proposed in the NPC to avoid and minimize impacts include the use of daily cover to minimize erosion, odor, and other nuisance conditions. The existing landfill gas collection system will be modified to allow continued collection in the expansion area. Additional extraction wells will be installed as the expansion progresses. The final cover system proposed consists of a subgrade layer, a 40 millimeter HDPE geomembrane cap, a sand drainage/protection layer and a vegetative support layer. A stormwater management system will be constructed as part of the final cover system, which will include stone-lined stormwater let-down channels, grassed stormwater diversion berms, and intermediate subdrains within the sand drainage layer. These additional controls will be integrated into the existing stormwater management system to ensure the system as a whole functions effectively.

The proponent must submit an Authorization to Construct Permit Application to MassDEP for review and approval prior to construction, and an Authorization to Operate Permit Application prior to operation, as further detailed in the MassDEP comment letter. The

Authorization to Construct application must include a copy of the landfill assignment and demonstrate that the proposed liner system and landfill gas collection system meet the requirements of 310 CMR 19.000. The application will be reviewed pursuant to 310 CMR 19.032, Procedures for Review of Applications for New Facilities or Expansions. MassDEP indicates that the project is not subject to permitting under 310 CMR 7.00 Air Pollution Control Regulation provided that an acceptable landfill gas (LFG) collection design and a schedule for operation of the LFG collection system is approved by MassDEP as part of the solid waste permitting process. I refer the proponent to MassDEP comments regarding notification requirements if oil and/or hazardous material is identified during project implementation, and National Pollutant Discharge Elimination System (NPDES) Stormwater Permit requirements for Construction Activities.

Based on a review of the NPC, comments received, and consultation with relevant public agencies, I find that the potential impacts of the project change do not warrant preparation of a Supplemental EIR. MassDEP should forward any new or revised Section 61 Findings to the MEPA Office for the project file.

August 8, 2008

DATE



Ian A. Bowles, Secretary

Comments Received:

7/29/08

**Department of Environmental Protection, Southeast Regional Office**

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