



The Commonwealth of Massachusetts
Executive Office of Energy and Environmental Affairs
100 Cambridge Street, Suite 900
Boston, MA 02114

DEVAL L. PATRICK
GOVERNOR

TIMOTHY P. MURRAY
LIEUTENANT GOVERNOR

IAN A. BOWLES
SECRETARY

March 21, 2008

Tel: (617) 626-1000
Fax: (617) 626-1181
<http://www.mass.gov/envir>

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

PROJECT NAME : Municipal Landfill Capping Project
PROJECT MUNICIPALITY : Old Groveland Road – Haverhill
PROJECT WATERSHED : Merrimack River
EOEA NUMBER : 12626
PROJECT PROPONENT : City of Haverhill/Aggregate Industries
DATE NOTICED IN MONITOR : February 20, 2008

Pursuant to the Massachusetts Environmental Policy Act (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) and hereby determine that it **does not require** the preparation of an Environmental Impact Report (EIR). The proponents requested a Phase I Waiver in order to allow a portion of the project to proceed prior to submitting its Draft EIR. The Certificate on this NPC is contingent upon the granting of a Phase I Waiver in the Final Record of Decision (FROD). If the Phase I Waiver is not granted in the FROD, then the Secretary will reissue the Certificate on the NPC with a denial until the EIR has been submitted. I also remind the proponent that the overall landfill capping project requires the preparation of a Draft Environmental Impact Report (DEIR) as required by the Certificate issued on November 30, 2001. The DEIR will incorporate the Phase I and Phase IA projects into the scope of work. The proponents anticipate that the DEIR will be submitted by April of 2009.

Previous MEPA Review

As described in the Environmental Notification Form in 2001, the project consisted of the final closure of the landfill in accordance with an Administrative Consent Order (ACO) that the proponents entered into with the Department of Environmental Protection (MassDEP). The landfill contained a northern mound (about 20 acres) and a southern mound (about 35 acres) that is separated by an electric utility easement and sewer line. The proponent needed to conduct significant regrading and stabilization of the landfill slope along the Merrimack River, to bring in fill, to construct a cap in accordance with MassDEP and U.S. Environmental Protection

Agency (EPA) standards, and to possibly install a gas collection and flare system. The proponents are proposing to regrade the 68-acre site to a flat plateau for the construction of recreational fields.

The project was to be divided into three phases. Phase I would include the acceptance, testing, and placing of 300,000 cubic yards of historic fill soils from either the Central Artery/Tunnel Project or other construction projects to reach interim closure grades in the southern mound area. In order to receive these soils, appropriate stormwater management provisions, including the construction of stormwater detention basins, would be completed. Phase II would relocate the power lines and sewer main that pass through the site, and it would accept additional fill (up to 600,000 cubic yards) to fill in the valley between the two mounds to allow for site grading for recreational fields. Phase III involves excavating previously deposited trash from the banks of the Merrimack River and Johnson's Creek around the northern mound area, placing the excavated material within the landfill, possibly installing a gas collection and flare system, installing the final capping liner, and constructing the recreational fields and proposed parking areas to final grades.

The project categorically required the preparation of an EIR. The proponents requested a Phase I Waiver in its Environmental Notification Form to allow the first phase of the project to proceed to the state permitting agencies prior to the completion of the EIR. On November 30, 2001, the Secretary issued a Certificate on the ENF requiring an EIR. A Phase I Waiver was also requested by the proponent to allow for an emergency investigation to evaluate the potential presence of drums at the landfill, to test for groundwater quality, to delineate the extent of waste, and to shape and grade about 15 acres of upland area at the landfill prior to completion of the Comprehensive Landfill Site Assessment (CSA). On January 31, 2002, a Final Record of Decision (FROD) was issued by the MEPA Office granting this Phase I Waiver. In another change submitted in 2005, the proponents proposed an additional truck route for soil delivery during Phase I from I-95. The proposed alternate truck route would utilize I-95 to Route 133 to Route 97 to Salem Street to Washington Street to Main Street to the landfill access road. The proponents would be allowed to utilize the truck route for up to 120 truck trips (60 round trips) per day. This NPC was approved on March 11, 2005. On January 10, 2008, the proponent was allowed by the MEPA Office to increase the amount of fill soils on the landfill's southern mound from approximately 300,000 to 329,000 cubic yards of fill material as part of the Phase I Soils Project.

NPC Project Change Description

This NPC was submitted for MEPA review on February 15, 2008. The proponents are requesting that they be allowed to undertake its proposed Phase IA Soils Project, which includes the delivery and placement of 311,000 cubic yards of grading and shaping material on the landfill's southern mound. This project would eliminate the previously proposed Phase II project that would have involved relocation of the electrical transmission lines, the relocation of the sewer force main, and the delivery of 650,000 cubic yards of grading and shaping material. It

would provide a net reduction in the amount of grading and shaping material delivered to the project site. Phase III remains unchanged. In Phase IA, the soils will be placed in the same area as the Phase I soils. The proposed maximum height of the landfill will increase from 134 feet to 142 feet above mean sea level (MSL). Phase IA is anticipated to begin in July of 2008 and end by July of 2010.

The truck limits proposed during Phase I will remain the same for Phase IA. The daily truck limit to the site will remain at a maximum of 240 truck trips per day, to be evenly split between the I-495 and I-95 truck routes. To alleviate concerns expressed by Groveland officials and residents, the proponents will provide a secondary route through Groveland from I-95. The proposed secondary route is from I-95 along Route 133 to Route 97 (in Georgetown/ Groveland) to Main Street to the landfill. Because this portion of Main Street allows only one-way traffic, the return trip will be from the landfill to Main Street to Gardner Street to Route 97 to Route 133 to I-95. This secondary route will only be available between the hours of 9:00 am and 3:00 pm to avoid peak hour traffic at the Route 97/Main Street intersection. During these hours, truck traffic along the I-95 route will be split as evenly as possible between the I-95 Primary and the I-95 Secondary Routes, depending upon traffic. The on-site Clerk-of-the-Works at the landfill will manage the routing of truck traffic.

The landfill closure project will require compliance with MassDEP's ACO, a Section 401 Water Quality Certificate, a Major Modification Permit, and Addendums to the Stormwater Pollution Prevention Plan (SWPPP) and the Materials Management Plan (MMP) from MassDEP, a Section 404 Permit from the U.S. Army Corps of Engineers, and an order of Conditions from the Haverhill Conservation Commission. The proponents have a Community Involvement Plan (CIP). The Mayor's Office from Haverhill has also established a Landfill Advisory Committee.

The proponents have committed to provide the following mitigation measures to reduce potential impacts from the project:

- Implement a 25-foot buffer zone in which fill soils cannot be placed near the wetlands in Phase IA.
- Provide snow plowing of Groveland sidewalks along the truck routes to improve child safety, which is estimated at \$9,800 per year.
- Split truck traffic in Groveland between a Primary and Secondary truck route.
- Install a four-way beacon and four-way stop signs at the intersection of Washington/ Salem Streets (Groveland Highway Department).
- Construct drainage swales with check dams along the wetland edge to prevent sedimentation during Phase IA.
- Provide erosion control barriers to assist in controlling sediment transport.
- Ensure that all drainage and sedimentation measures will be consistent with the Stormwater Pollution Prevention Plan and approved by the Haverhill Conservation Commission.

- Provide a recommended Time Schedule for all remaining components of the closure process.

As indicated in the NPC, the proponents will submit the DEIR by April 2009 and the FEIR by November 2009. They are proposing that all construction would be completed during April 2014.

Based on a review of the information provided by the proponents in this NPC and prior to submitting the DEIR, I am allowing the proponents to proceed with the Phase IA Soils Project as described in the NPC under MassDEP's supervision. I am also requiring the proponents to work with Groveland, Georgetown, and MassHighway officials as a condition of this Certificate to implement the proponents' mitigation measures identified above. All Certificates and letters issued for this project by the MEPA Office should be included in the DEIR.

March 21, 2008
Date


Ian A. Bowles

Comments received:

MassWildlife, 3/10/08
CDM, 3/14/08
CDM, 3/19/08

12626npc
IAB/WTG/wg