



# *The Commonwealth of Massachusetts*

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March 22, 2007

CERTIFICATE OF THE SECRETARY OF ENVIRONMENTAL AFFAIRS  
ON THE  
SECOND NOTICE OF PROJECT CHANGE (Revised)

PROJECT NAME: Boston Water and Sewer Commission Materials Handling Facility  
PROJECT MUNICIPALITY: Boston (Charlestown)  
PROJECT WATERSHED: Boston Harbor  
EOEA NUMBER: 12776  
PROJECT PROPONENT: Boston Water and Sewer Commission  
DATE NOTICED IN MONITOR: February 6, 2007

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 second Notice of Project Change (NPC) submitted for this project and comments received during two public review and comment periods and hereby determine that it **does not require** the preparation of an Environmental Impact Report (EIR).

In January 2007, the City of Everett notified the MEPA Office that it did not receive proper notification of the Boston Water and sewer Commission's (BWSC) proposed relocation of the materials handling facility to the Charlestown section of Boston. The City of Everett asserted that the relocation of the materials handling facility to Charlestown, in proximity to the Everett city limits, represents a material change to the proposed project. As a potentially affected party, the City of Everett requested that the second NPC be made available for an additional public review and comment period to afford an opportunity to the City of Everett and other potentially affected parties to review and provide comments on the project. As a result, the second NPC underwent a second review and comment period, for which this Certificate has been issued.

I acknowledge that several commenters have requested that I require the preparation of a new Environmental Notification Form (ENF) or an EIR based on the assertion that the proposed relocation of the materials handling facility represents a material change to the project that significantly increases its environmental impacts. Based on review of the second NPC, I note that the proposed design, construction and operation of the facility remains unchanged since the initial MEPA review was completed for the second NPC in October 2006. Therefore, I find that although the proposed relocation of the materials handling facility to the 180 Alford Street site in Charlestown is a material change to the project by virtue of its proposed relocation, the potential and likely impacts of the project do not exceed MEPA review thresholds requiring the submission of a new ENF or a mandatory EIR. Therefore, no further review under MEPA is required.

Additionally, I have received many comments requesting that I require BWSC to prepare an Environmental Impact Report (EIR) based on concerns for the project's consistency with the Environmental Justice Policy of the Executive Office of Environmental Affairs (EOEA). I note that while EOEA has designated portions of the City of Everett as an environmental justice community, the proposed material handling facility does not exceed review thresholds that trigger implementation of EOEA's Environmental Justice Policy.

#### Project Description and MEPA History

The Boston Water and Sewer Commission (BWSC) is responsible for the operation and maintenance of the wastewater, drainage and water distribution systems in the City of Boston. This maintenance function includes the periodic removal of materials that accumulate in the sewer and drain systems. The Commission currently operates a facility for handling these materials at the site of its former Calf Pasture Pumping Station at Columbia Point in Dorchester.

The Calf Pasture Pumping Station has been used for over 20 years to handle catch basin, drain and sewer cleanings, and trench excavate. In 1999, the BWSC was issued a National Pollutant Discharge Elimination System (NPDES) Permit by the U.S. Environmental Protection Agency (EPA) that required more catch basin cleaning and an increase in the amount of materials that are removed. To effectively handle these materials, a new materials handling facility has been proposed. In 1999, the Commission reached an agreement with University of Massachusetts at Boston (UMass) to swap the Calf Pasture site for a nearby parcel of UMass-owned land where a new materials handling facility would be built. UMass proposed to renovate the Calf Pasture Pumping Station into a new center for environmental research. BWSC accordingly submitted an Environmental Notification Form (ENF) in April 2002 for the proposed the construction of a new materials handling facility. However, several parties opposed the proposal outlined in the ENF, and, in response, BWSC evaluated alternative sites throughout the City of Boston. The project was not subject to any MEPA review thresholds under Section 11.03 of the MEPA regulations; however BWSC's enabling legislation requires that it submit and ENF for projects costing more than \$1,000,000. On June 7, 2002, a Certificate on the ENF was issued that determined that an Environmental Impact Report (EIR) was not required for the project.

In July 2005, BWSC submitted the first Notice Project Change (NPC) describing the construction of the materials handling facility on a new site located at 200-400 Frontage Road adjacent to Interstate 93. In September 2006, the Commission filed the second Notice of Project Change (NPC) which proposed a new project site for the construction of the materials handling

facility, specifically a four-acre parcel recently purchased by BWSC located at 180 Alford Street (Route 99) in the Charlestown section of the City of Boston. The project site's western boundary borders on a tidal portion of the Mystic River. The materials handling facility building will contain approximately 34,250 sf of materials processing space and approximately 3,000 sf of office space. The proposed site drive will be located on Alford Street across from the signalized Boston Edison Gate/Alford Street intersection. An emergency access drive will be located approximately 160 feet south of the Dexter Street/Alford Street intersection. The project also includes the construction of 12 surface parking spaces, an internal roadway, and related utilities and stormwater management infrastructure. Other improvements will consist of reconstructing the proposed site drive/Boston Edison Gate intersection with a new curb cut to include wheelchair ramps, new pavement marking and signage, and installation of new traffic signal equipment. In October 2006, the Secretary issued a Certificate on the second NPC which determined that the project did not require further MEPA review.

### Project Impacts

#### *Wetlands*

Many commenters have expressed concern that portions of the project site may be located within the Mystic River floodplain. Although the site plan included in the NPC depicts the proposed facilities as outside of the 100-year floodplain, I have requested that BWSC consult with the Department of Conservation and Recreation (DCR) to ensure that any proposed construction located within the 100-year floodplain will meet applicable state building codes (Section 3107.0) and comply with applicable federal flood plain management policies (Executive Order 11988, Flood Plain Management) for the construction of buildings within the 100-year floodplain.

#### *Water and Wastewater*

According to BWSC's estimates, the facility will handle a total of approximately 137 tons per day (tpd) of material (100 tpd of catch basin cleanings, two tpd of sewer cleanings, and 35 tpd of trench excavate). As described in the NPC, the facility will generate approximately 5,035 gpd of wastewater for wash-down of the facility's floor and drains as well as for restroom facilities (285 gpd), and approximately 4,750 gpd from the dewatering of catch basin cleanings, which will be discharged to the existing Massachusetts Water Resources Authority (MWRA) sewer system. These quantities are the same for all iterations of the project, as presented in the ENF, the first NPC, and the second NPC. The discharge of wastewater from the project to MWRA's sewer system will require a Sewer Use Discharge Permit from the Massachusetts Water Resources Authority (MWRA). BWSC will work with the MWRA to ensure that the facility complies with MWRA regulations.

#### *Transportation*

The proposed materials handling facility is expected to generate approximately 60 vehicle trips per day. The second NPC included a traffic impact and access study for the Alford Street site that concluded that the proposed materials handling facility will have no significant impact on traffic operations at the Dexter Street/Alford Street and at the site drive/Alford Street intersections. BWSC has consulted with the Massachusetts Highway Department (MassHighway), which has determined that a State Highway Access Permit is not required.

*Noise and Air Quality*

The materials handling facility will generate noise from truck traffic accessing the site. The operations of loading, unloading and handling of materials will take place entirely within the enclosed building space, which will significantly reduce potential noise and odor impacts. BWSC should note the comments submitted by MassDEP, the City of Boston, the City of Everett and others related to construction period air quality impacts.

*Solid Waste*

The MassDEP has determined that the proposed facility is exempt from site assignment and permitting as a solid waste facility under 310 CMR 16.00 and 310 CMR 19.00, provided that it incorporates good management practices for the handling and storage of material; that the operation is carried out in a manner that prevents the discharge of pollutants; and that the facility involves only the temporary storage and handling of materials at the site and does not include processing or treatment of the materials. I strongly encourage BWSC to consult with MassDEP to identify feasible state-of-the-art controls for minimizing off-site nuisance odors generated by the project.

*Hazardous Waste*

In its comments, MassDEP has identified at least two locations, one within and one adjacent to the project site where a release of hazardous waste material or fuel oil to soil or groundwater has been reported (RTN 3-0025988, RTN 3-0022499). I recommend that BWSC consult with MassDEP's Bureau of Waste Site Cleanup (BWSC) in the final design of this project to explore what impacts, if any, the proposed project might have on these hazardous waste release sites, and to evaluate the need for retaining a Licensed Site Professional (LSP) to assist in the project's construction. BWSC should ensure that the project contractors and sub-contractors develop and maintain an emergency response plan for performing appropriate response actions if contamination is encountered during project construction.

*Construction Period*

BWSC should evaluate and mitigate construction period impacts, including impacts from earth moving/blasting, impacts to vegetation, potential impacts from erosion and sedimentation, traffic impacts on adjacent roadways, and impacts to adjacent land uses. MassDEP has recommended that the proponent implement a construction period diesel emission mitigation plan and should require its contractors to retrofit diesel-powered equipment with emissions controls, such as particulate filters or traps, and use low-sulfur diesel fuel.

BWSC should also commit to specific TDM measures that can be implemented during construction. The proponent should consult with MassDEP during final project design.

Conclusion

Based on a review of the information provided in the second NPC, comments received during the extended review and comment period, and after consultation with the relevant public agencies, I find that the potential impacts of the project do not warrant the preparation of an EIR. Therefore, no further MEPA review is required.


March 22, 2007

Date

Ian. A. Bowles, Secretary

## Comments Received:

10/16/2006 Department of Environmental Protection (MassDEP) – NERO  
 10/16/2006 Massachusetts Division of Marine Fisheries  
 10/16/2006 Division of Marine Fisheries  
 10/18/2006 Charlestown Waterfront Coalition (2 letters)  
 01/23/2007 ADORNO, YOSS, FITZHUGH, PARKER & ALVARO (5 letters)  
 01/24/2007 Rosemary Kverek (2 letters)  
 01/25/2007 Boston Water and Sewer Commission (3 letters)  
 02/13/2007 Judith Lawler  
 02/15/2007 Magda Aliberti  
 02/23/2007 Patricia Gaglione  
 02/24/2007 Clay Larsen  
 02/26/2007 David Huse  
 02/26/2007 East Somerville Main Streets  
 02/26/2007 Chris Keohan  
 02/28/2007 John Pagnoletti  
 02/28/2007 Margaret Burke  
 02/28/2007 Helen Gillen  
 02/28/2007 Kyle Keenan  
 02/28/2007 Peter Aliberti (2 letters)  
 03/02/2007 Cynthia Sarnie  
 03/05/2007 Charles Boy  
 03/05/2007 Dorie Clark  
 03/07/2007 Mrs. Frank Cappello  
 03/09/2007 Steffen and Nancy Koury  
 03/12/2007 Ms. Olympia Stratis  
 03/12/2007 City of Everett Conservation Commission  
 03/12/2007 City of Everett Mayor John F. Hanlon  
 03/12/2007 State Senator Jarrett Barrios  
 03/12/2007 Congressman Michael Capuano  
 03/13/2007 Robert Van Campen  
 03/14/2007 Mystic River Watershed Association  
 03/14/2007 Representative Stephen Stat Smith

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2nd NPC - Revised #12776