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June 19, 2009

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

PROJECT NAME : Phase 3 Sewer Extension Project/Wastewater
Optimization & Expansion for the East End
PROJECT MUNICIPALITY : Provincetown
PROJECT WATERSHED : Cape Cod
EOEA NUMBER : 10908
PROJECT PROPONENT : Town of Provincetown
DATE NOTICED IN MONITOR : May 20, 2009

Pursuant to the Massachusetts Environmental Policy Act (G. L. c. 30, ss. 61-62I) and Section 11.10 of the MEPA regulations (301 CMR 11.00), I hereby determine that this Notice of Project Change (NPC) **does not require** further MEPA review.

Original Project Description and MEPA History

The project originally consisted of the preparation of a Comprehensive Wastewater Management Plan, which provided an analysis of the alternatives for wastewater management, their environmental impacts, and the recommended plan. The Plan involved sewerage the downtown area, constructing an advanced wastewater treatment facility (WWTF), and discharging the treated effluent to discharge beds located along the Route 6 corridor. The WWTF was constructed to treat 500,000 gallons per day (gpd) of wastewater. However, the collection system and the effluent discharge system were sized to accommodate 750,000 gpd. On March 16, 2001, the Secretary determined that the Final Environmental Impact Report (FEIR) was adequate.

On December 8, 2006, the proponent submitted an NPC for the Phase 2 Sewer Extension

Project. Phase 2 extended the existing Provincetown sewer collection system to include the former Provincetown Department of Public Works (DPW) Garage site and the Shank Painter (Road) Basin areas. The DPW site had been identified as an affordable housing site by the Town. Many of the properties in the proposed Shank Painter Basin area did not comply with the Title 5 septic system requirements or would have had difficulty complying with Title 5 in the future. The project change included the installation of two below-grade submersible pump stations and one below-grade lift station in previously developed areas and approximately 22,000 feet of force main and gravity-fed sewer piping within existing paved roadways or along the shoulder of roadways. The proponent estimated that the Phase 2 would generate approximately 75,000 gpd of wastewater. The WWTF's actual capacity has been demonstrated to be 575,000 gpd and the effluent discharge system was designed to accommodate 750,000 gpd.

NPC For Phase 3

The Phase 3 NPC includes the extension of the existing sewer collection system to the east end of Commercial Street. The project includes the construction of approximately 3,200 linear feet of gravity sewers, 11,400 linear feet of sewer force mains and two submersible below grade sewer pumping stations.

Jurisdiction

In 1996, the project underwent MEPA review. The Secretary established a special review procedure for a major and complicated project and required the preparation of an EIR. The proponent will need to obtain a Sewer System Extension Permit (BRP WP 14) from the Massachusetts Department of Environmental Protection (MassDEP). An Order of Conditions will be required from the Provincetown Conservation Commission (PCC) for impacts to the buffer zone of wetland resource areas and, on appeal only, a Superseding Order of Conditions from MassDEP. The project may need to comply with the National Pollutant Discharge Elimination System (NPDES) General Permit for stormwater discharges from a construction site.

Because the proponent is requesting financial assistance for the project via MassDEP's State Revolving Fund (SRF), MEPA jurisdiction is broad and extends to all aspects of the project that may cause Damage to the Environment, as defined in the MEPA regulations.

Review of the NPC

Approximately 93 percent of the Phase I Sewer Extension Project properties and 74 percent of the Phase 2 properties are connected to the sewer system. When all of the potential properties are connected, the estimated maximum daily flow at the WWTF is estimated to be 400,000 gpd. After the 400,000 gpd is reached, the WWTF's estimated available treatment capacity is an additional 175,000 gpd. The proposed Phase 3 Sewer Extension Project will add

approximately 85 new properties to the sewer system with an estimated maximum daily flow of 50,000 gpd. The proponent's estimated flow of 400,000 gpd for Phase 1 and 2 and 50,000 gpd for Phase 3 are based upon the past six years of treatment plant operation, in which the actual maximum daily flow (MDF) has been approximately 55 percent of the Title 5 design flows of 737,000 gpd for Phase 1 and 2 and 90,000 gpd for Phase 3. Using the proponent's estimated actual flows, Phase 3 would bring the WWTF's flow to about 450,000 gpd. The remaining available capacity would be 125,000 gpd after Phase 3 is complete. MassDEP has indicated in its comments that it supports the proposed expansion of sewer service to the Phase 3 area.

All work will occur within existing paved roadways or along the maintained shoulders of roadways. No temporary or permanent impacts will occur to wetland resource areas. Although portions of the project are located within Estimated Habitat and Priority Habitat areas, the surface disturbance from project activities in these areas would occur in existing paved roadways, within ten feet of the shoulders of roadways, or other existing paved areas, or maintained lawn areas. Both of the pump stations are located outside of the mapped Estimated /Priority Habitat areas. Comments from the Natural Heritage & Endangered Species Program indicate that they have no concerns with the proposed project. A portion of the Phase 3 project activities are located within the Provincetown Historic District. However, no permanent impacts are anticipated to historic resources.

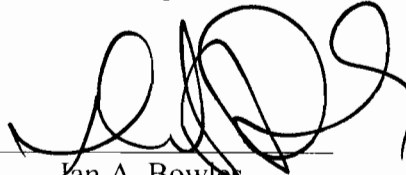
The proponent will utilize staked straw bales and silt fences and/or compost filter socks to minimize the potential for erosion and siltation impacts to down gradient wetland resource areas. Trenches will be backfilled to grade or covered with plates at the end of each workday. Waste material will be removed from the work site at the end of each day. Natural vegetation will be preserved as much as possible. Disturbed vegetation will be reseeded with an appropriate seed mix.

Conclusion

When Phase 3 is completed, the proponent should consider submitting a new Environmental Notification Form/Comprehensive Wastewater Management Plan for any future proposed sewer extensions and WWTF upgrades because the WWTF will be at about 80 percent of its available capacity.

Based on a review of the information provided by the proponent, a review of the comment letters, and after consultation with the state agencies, I find that MassDEP has sufficient permitting authority to condition this project so that no significant environmental impacts would occur. No further MEPA review is required for the Phase 3 Sewer Extension Project.

June 19, 2009
Date



Ian A. Bowles

Comments received:

Massachusetts Division of Marine Fisheries, 6/3/09

Natural Heritage & Endangered Species Program, 6/9/09

Cape Cod Commission, 6/9/09

Massachusetts Department of Environmental Protection/Southeast Regional Office, 6/10/09

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