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October 10, 2007

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

PROJECT NAME :Rochester Environmental Park
PROJECT MUNICIPALITY :Rochester
PROJECT WATERSHED :Buzzards Bay
EOEA NUMBER :12793/9994
PROJECT PROPONENT :Casella Waste Management of Massachusetts, Inc.
DATE NOTICED IN MONITOR :September 10, 2007

Pursuant to the Massachusetts Environmental Policy Act (M.G.L. c.30, ss.61-62H) and Section 11.17 of the MEPA regulations (301 CMR 11.00), I have reviewed the Notice of Project Change (NPC) submitted for this project and hereby determine that it **does not require** the preparation of an Environmental Impact Report (EIR).

Project History

The proponent originally filed an Environmental Notification Form (ENF) in June 1994 (EOEA# 9994) to develop a construction and demolition (C&D) waste processing facility with an authorized daily tonnage capacity of 590 tons per day (tpd) of C&D waste material and 300 tpd of tires (890 tpd total) located on a 60-acre parcel of industrially-zoned property on Route 28 (Cranberry Highway) in Rochester. The project was subject to a three-tiered review process including: 1) MEPA review; 2) the site assignment process administered jointly by the Rochester Board of Health, the Department of Environmental Protection (MassDEP) and the Massachusetts Department of Public Health (DPH); and 3) the solid waste management facility permit review process administered by MassDEP. The Secretary's Certificate on the ENF was issued in July 1994 and determined that no further MEPA review was required.

The project required the preparation of the June 1994 ENF and the May 2002 ENF, described below, pursuant to sections 11.03 (9)(a) and 11.03 (9)(b)(1) of the MEPA regulations because it involved the new capacity of 150 or more tons per day for storage and processing of solid waste, and the expansion in capacity of an existing solid waste processing facility by 50 or more tpd (310 tpd expansion) for the storage and processing of solid waste, respectively. The solid waste processing project received an Order of Conditions from the Rochester Conservation Commission. The project required and received a new curb cut permit from the Massachusetts Highway Department (MHD) for access to Route 28.

In August 1994, the proponent filed a NPC with the MEPA Office to revise the mix of solid waste material to be processed by the facility to include 490 tpd of C&D material, 100 tpd of compost materials, and 300 tpd of tires. The October 1994 Secretary's Certificate on the NPC determined that no further MEPA review was required for the proposed project changes. In December 1995, the proponent submitted a second NPC (NPC2) to the MEPA Office to further revise the mix of solid waste material to be processed by the facility within its permitted capacity of 890 tpd to include an average daily tonnage of 590 tpd for C&D materials and 300 tpd of tires. In December 1995, the Secretary issued a Certificate on the NPC2 submittal and determined that no further MEPA review was required.

As described in a subsequent ENF filed with the MEPA Office in May 2002 (EOEA #12793), the proponent proposed to increase the daily tonnage of solid waste material to be processed at the C&D waste processing facility from 890 tons per day to 1,200 tpd, along with proposed modifications to the existing facility pursuant to an Administrative Consent Order (ACO) entered into with MassDEP to address several operational issues with the processing facility. The Secretary's Certificate on the May 2002 ENF found that the proponent's completion of the required remedial actions and modifications called for in the ACO would enable the facility to accommodate the proposed expansion (1,200 tpd) of solid waste material to be processed at the facility. No further MEPA review was required for the proposed expansion to 1,200 tpd. I note that according to the information provided by the proponent, the proponent elected to forgo the proposed facility expansion activities. The facility continues to accept up to 890 tpd of solid waste material for storage, treatment and processing.

Reserve Capacity Approval

In April 2007, MassDEP granted the proponent Reserve Capacity Approval to temporarily accept municipal solid waste (MSW) redirected from the SEMASS Resource Recovery Facility in Rochester that was extensively damaged and temporarily incapacitated by fire. Under MassDEP's the Reserve Capacity Approval, the proponent was authorized to accept an average daily combined maximum of 1,200 tpd of C&D and MSW, with C&D material content not to exceed 890 tpd, for a 3-month period unless extended by MassDEP.

Third Notice of Project Change

As described in this third NPC (NPC3), the proponent is proposing to expand the list of acceptable materials that may be processed within the proponent's facility to include the processing of municipal solid waste (MSW). The combined waste (C&D, MSW) to be accepted, for storage, treatment and processing will not to exceed the facility's current permit capacity of 890 tpd.

According to the comments received from MassDEP, the proposed addition of MSW processing will require modifications to the facility's Site Assignment Permit, Authorization to Construct Permit and Authorization to Operate (ATO) permit previously issued to the proponent for the acceptance and processing of C&D material. The project change may also require modifications to the facility's Authorization to Construct Permit and a new Air Quality Permit. The proponent should consult with the Town of Rochester officials, and local residents located within the project area, to develop a MSW materials hauler education/notification plan to include: haul route restrictions, haul route road signage, hauler truck speed and weight restrictions, and truck queuing and idling. As described by the proponent, the proposed project change will not result in an increase of waste permitted by MassDEP to be accepted at the facility for processing and transfer.

Odor/Vectors/Litter

The proposed MSW processing activities will be conducted within an enclosed 25,650 sf processing building. According to the proponent, C&D and MSW waste materials will be stored on the project site. The processing building is equipped with a spray-mist dust prevention system, and an air filtration system designed to minimize impacts to air quality. I continue to encourage the proponent to consider the use of additional available technologies, including but not limited to the installation of a negative air pressure system with appropriate air pollution controls, to control dust and odor emissions from the proposed facility. According to MassDEP, the acceptance and processing MSW at the facility will require the proponent to modify the facility's existing maintenance and operation plan to address the Solid Waste Management requirements specified for Cover Material, Vector, Dust and Odor Control, and Litter Control pursuant to 310 CMR 19.130, 15-17. MassDEP may require the proponent to install and operate additional odor control equipment within the processing building. I anticipate that MassDEP's Site Suitability permit modification review process will include a review of the proponent's waste storage plan and stormwater management plan.

I am satisfied that the project has avoided and mitigated environmental impacts to the greatest feasible extent, and that the state permitting agencies have adequate information to base their permit decisions, and sufficient permitting authority to ensure that any remaining issues are adequately addressed.

October 10, 2007
DATE



Ian A. Bowles, Secretary

Comments received:

10/01/07 **Massachusetts Department of Environmental Protection – SERO**

NPC3 #12793/9994
IAB/NCZ/ncz