

**Commonwealth of Massachusetts**  
**Executive Office of Environmental**  
**Affairs ■ MEPA Office**

**ENF**

**Environmental**  
**Notification Form**

<i>For Office Use Only</i>	
<i>Executive Office of Environmental Affairs</i>	
EOEA No.:	13941
MEPA Analyst:	A. Eslington
Phone:	617-626-1024

The information requested on this form must be completed to begin MEPA Review in accordance with the provisions of the Massachusetts Environmental Policy Act, 301 CMR 11.00.

Project Name: FMC-Ayer, MA (Former FMC Facility)		
Street: 9 Bishop Road		
Municipality: Ayer	Watershed: Nashua River Basin	
Universal Transverse Mercator Coordinates: Zone 19 E 287,068.57, N 4,715,988.57	Latitude: 40°34'01" N Longitude: 71°35'39" W	
Estimated commencement date: 2007 construction season	Estimated completion date: 2007 construction season	
Approximate cost: To be determined	Status of project design: 100 %complete	
Proponent: FMC Corporation		
Street: 1735 Market Street		
Municipality: Philadelphia	State: PA	Zip Code: 19103
Name of Contact Person From Whom Copies of this ENF May Be Obtained: David Rivard-Lentz		
Firm/Agency: BBL, an ARCADIS company	Street: 160 Chapel Road, Suite 303	
Municipality: Manchester	State: CT	Zip Code: 06042
Phone: 860-645-1084	Fax: 860-645-1090	E-mail: drivardlentz@bbl-inc.com

Does this project meet or exceed a mandatory EIR threshold (see 301 CMR 11.03)?  
 Yes  No

Has this project been filed with MEPA before?  
 Yes (EOEA No. \_\_\_\_\_)  No

Has any project on this site been filed with MEPA before?  
 Yes (EOEA No. \_\_\_\_\_)  No

Is this an Expanded ENF (see 301 CMR 11.05(7)) requesting:  
 a Single EIR? (see 301 CMR 11.06(8))  Yes  No  
 a Special Review Procedure? (see 301CMR 11.09)  Yes  No  
 a Waiver of mandatory EIR? (see 301 CMR 11.11)  Yes  No  
 a Phase I Waiver? (see 301 CMR 11.11)  Yes  No

Identify any financial assistance or land transfer from an agency of the Commonwealth, including the agency name and the amount of funding or land area (in acres): N/A

Are you requesting coordinated review with any other federal, state, regional, or local agency?  
 Yes (Specify \_\_\_\_\_)  No

List Local or Federal Permits and Approvals:

Order of Conditions (Ayer Conservation Commission), 401 Water Quality Certification (MDEP),  
Programmatic General Permit (USACOE)

Which ENF or EIR review threshold(s) does the project meet or exceed (see 301 CMR 11.03):

- |                                 |                                       |  |
|---------------------------------|---------------------------------------|--|
| <input type="checkbox"/> Land   | <input type="checkbox"/> Rare Species | <input checked="" type="checkbox"/> Wetlands, Waterways, & Tidelands |
| <input type="checkbox"/> Water  | <input type="checkbox"/> Wastewater   | <input type="checkbox"/> Transportation                              |
| <input type="checkbox"/> Energy | <input type="checkbox"/> Air          | <input type="checkbox"/> Solid & Hazardous Waste                     |
| <input type="checkbox"/> ACEC   | <input type="checkbox"/> Regulations  | <input type="checkbox"/> Historical & Archaeological Resources       |

Summary of Project Size & Environmental Impacts	Existing	Change	Total	State Permits & Approvals
<b>LAND</b>				<input checked="" type="checkbox"/> Order of Conditions <input type="checkbox"/> Superseding Order of Conditions <input type="checkbox"/> Chapter 91 License <input checked="" type="checkbox"/> 401 Water Quality Certification <input type="checkbox"/> MHD or MDC Access Permit <input type="checkbox"/> Water Management Act Permit <input type="checkbox"/> New Source Approval <input type="checkbox"/> DEP or MWRA Sewer Connection/ Extension Permit <input checked="" type="checkbox"/> Other Permits (including Legislative Approvals) – Specify:  <u>Programmatic General Permit (USACOE)</u>
Total site acreage	2 acres			
New acres of land altered				
Acres of impervious area	0.31 acres	-0.04 acres	0.27 acres	
Square feet of new bordering vegetated wetlands alteration				
Square feet of new other wetland alteration				
Acres of new non-water dependent use of tidelands or waterways				
<b>STRUCTURES</b>				
Gross square footage				
Number of housing units				
Maximum height (in feet)				
<b>TRANSPORTATION</b>				
Vehicle trips per day				
Parking spaces				
<b>WATER/WASTEWATER</b>				
Gallons/day (GPD) of water use				
GPD water withdrawal				
GPD wastewater generation/ treatment				
Length of water/sewer mains (in miles)				

**CONSERVATION LAND:** Will the project involve the conversion of public parkland or other Article 97 public natural resources to any purpose not in accordance with Article 97?

Yes (Specify \_\_\_\_\_)  No

Will it involve the release of any conservation restriction, preservation restriction, agricultural preservation restriction, or watershed preservation restriction?

Yes (Specify \_\_\_\_\_)  No

**RARE SPECIES:** Does the project site include Estimated Habitat of Rare Species, Vernal Pools, Priority Sites of Rare Species, or Exemplary Natural Communities?

Yes (Specify \_\_\_\_\_)  No

**HISTORICAL /ARCHAEOLOGICAL RESOURCES:** Does the project site include any structure, site or district listed in the State Register of Historic Place or the inventory of Historic and Archaeological Assets of the Commonwealth?

Yes (Specify \_\_\_\_\_)  No

If yes, does the project involve any demolition or destruction of any listed or inventoried historic or archaeological resources?

Yes (Specify \_\_\_\_\_)  No

**AREAS OF CRITICAL ENVIRONMENTAL CONCERN:** Is the project in or adjacent to an Area of Critical Environmental Concern?

Yes (Specify: Adjacent to Squannassit ACEC and Petapawag ACEC)  No

**PROJECT DESCRIPTION:** The project description should include (a) a description of the project site, (b) a description of both on-site and off-site alternatives and the impacts associated with each alternative, and (c) potential on-site and off-site mitigation measures for each alternative (*You may attach one additional page, if necessary.*)

### ***(A) Project Site***

Site investigations performed to date at the Former FMC Facility at 9 Bishop Road in Ayer, MA have identified Massachusetts Contingency Plan – defined (MCP-defined) (310 CMR 40.0000) Oil and/or Hazardous Materials (OHM) in soil and groundwater as a result of historic pesticide formulation operations. The overall remedial action objectives are to reduce OHM concentrations, potential migration and exposure pathways, and potential risks, and achieve a MCP Response Action Outcome (RAO). The proposed remedial actions to be performed at 9 Bishop Road primarily include limited wetland and upland soil excavations, in-situ stabilization/solidification (S/S) of soils restored with a vegetated surface cover and asphalt (i.e., engineered barriers), and deed restrictions (i.e., Activity and Use Limitation [AUL]).

### ***(B) Alternatives and Impacts***

#### **1. Alternatives**

The MCP requires a comprehensive assessment of feasible remedial action alternatives. This assessment is documented in the *Phase III Remedial Action Plan* (Phase III) (submitted to the Massachusetts Department of Environmental Protection [MDEP] in February 1999) and the *Massachusetts Contingency Plan Phase III Remedial Action Plan Addendum* (Phase III Addendum) (submitted to the MDEP in September 2005). Based on the evaluation of conditions documented in the Phase III and Phase III

Addendum, the proposed remedial actions were chosen as the most practical/effective alternative to address OHM in soil.

**2. Impacts**

**Remediation Areas**

<b>Location/Identification</b>	<b>Area Affected by Remediation</b>	<b>Area to be restored to near original condition</b>	<b>Net change</b>
Bordering Vegetated Wetland	9,000 sq. ft.	9,000 sq. ft.	0 sq. ft.
Bordering Land Subject to Flooding	4,500 sq.ft.	4,500 sq.ft.	0 sq. ft.
100-foot Buffer Zone	17,500 sq.ft.	17,500 sq.ft.	0 sq. ft.

**(C) Mitigation, and Restoration Measures**

The planned remediation activities require the unavoidable temporary disturbance of regulated resources. All wetland areas and adjacent areas will be restored similar to existing conditions following remediation. In addition, in-situ solidification/stabilization (S/S) occurring within the bordering vegetated wetland boundary will maintain similar to existing conditions (i.e., grading and vegetation). Further, upon completion of remediation activities, flood storage capacity will be retained in the wetland areas.

The remainder of this section describes the planned mitigation and restoration measures developed to mitigate and restore disturbances.

**1. Mitigation Measures/Operational Controls**

Although temporary disturbances to resource areas cannot be avoided because the project is intended to improve environmental conditions by removing/stabilizing OHM, the remedial design has been developed to minimize these disturbances as described below.

- Necessary permits will be obtained prior to commencement of work, including, for example, an Order of Conditions (OOC) and a 401 Water Quality Certification.
- Access to impacted material was designed to avoid resource disturbances, if possible, and minimize disturbances to resources if disturbances are unavoidable. Examples include:
  - Temporary erosion controls will be used and are anticipated to consist of properly installed silt fences and/or staked straw bales to minimize stormwater run-on and run-of, prevent erosion of exposed soils, and prevent sedimentation within existing site drainage pathways.
  - For the wetland excavations, conventional earthmoving equipment (e.g., backhoes, loaders, etc.) will be staged on upland areas to access the wetland excavation areas without disturbing the adjacent wetland areas by moving equipment within these areas. If necessary to reach the limits of the wetland excavations, equipment will need to be staged within the excavation area.
  - Excavation activities will occur only during suitable weather conditions. For example, excavation activities will not be performed during periods of significant rainfall. Further, in the event of significant rainfall, the excavation area will be covered and anchored/weighted until rain has ended and work activities can begin again.
  - To the extent possible, excavated soils will be loaded directly into transport vehicles (e.g., dump trucks) by the same mechanical equipment that is used for excavation.

- If necessary, a temporary stockpile and dewatering area may be established to facilitate soil handling and loading into the transport vehicles. Any materials staged/dewatered within the staging area will be handled properly and measures, such as lining and covering the piles, will be taken to control the release of solid or liquid materials.

## **2. Restoration Measures**

Disturbed resources will be restored to conditions that maintain or enhance their primary function in the environment. The following subsections describe restoration plans within each part of the project.

### ***a. Wetland Restoration***

All affected wetland areas will be restored similar to existing conditions. A low-permeability vegetated surface cover will be placed over the 0.15 acres of bordering vegetated wetland which will be subject to S/S. Wetland species will be used to revegetate the area. Restoration within the areas subject to excavation will include removal of any materials associated with remediation activities, placing a geotextile fabric to demarcate the bottom of excavation and then placing and grading 2 feet of suitable fill (to replace the wetland soil removed from the area), grading to eliminate ruts, seed/mulch disturbed areas, and/or other measures required by the Order of Conditions (OOC) and other permits. Locally-obtained wetland species will be used to revegetate all wetland areas (including areas subject to S/S) consistent with OOC requirements. Erosion control measures will be maintained and restored areas will be visually inspected and maintained, if necessary, until vegetative growth becomes adequately established, as discussed further below.

### ***b. Asphalt/Surface Restoration***

Restoration work activities will occur in the S/S area, excavation areas, support areas, and any other areas incidentally affected by work activities. Any facilities installed in the support area and temporary construction fencing will be removed at the completion of work. Materials used within the support area will be appropriately disposed offsite. Any ruts, depressions, or other damage to affected areas will be repaired (e.g., by grading, seeding, and mulching in vegetated areas [including the vegetated surface cover area (a portion of the S/S area)] and Upland Excavation Area #4 [Attachment 3], and by patching/repairing/installing asphalt in paved areas [including Upland Excavation Area #3 and a portion of the S/S area]) as necessary to establish improved or, at a minimum, similar to existing site conditions. The portions of the perimeter fence removed to access wetland excavations will be replaced.

## **3. Monitoring**

### ***a. Engineered Barrier Inspection***

Consistent with Section 4.5 of MDEP's guidance document for engineered barriers, *Guidance on the Use, Design, Construction, and Monitoring of Engineered Barriers* (MDEP, 2002), the low-permeability surface cover and asphalt cover will be inspected quarterly for the first year following construction, and at least once per year thereafter. Any identified damage that calls for repair will be scheduled for maintenance/repair.

### ***b. Wetland Vegetation Inspections***

Restored wetland areas will be visually inspected at regular intervals for a minimum of 2 years following remediation (as recommended by the *Massachusetts Inland Wetland Replication Guidelines* [Guidance number BRP/DWM/WetG02-2, MDEP, March 2002]) to assess whether vegetative growth has been adequately established. The timing of these inspections will vary with season and weather conditions, but at

a minimum will consist of spring and mid-summer observations. Appropriate measures will be taken if there is a drought (e.g., additional visual inspections, watering, replacement of dead vegetation, as needed).

**c. Groundwater Monitoring**

Post-remediation groundwater monitoring will be conducted. Based on an evaluation of the results, FMC will determine appropriate follow up response action activities to assess and/or address groundwater conditions, as needed.

**LAND SECTION – all proponents must fill out this section**

**I. Thresholds / Permits**

A. Does the project meet or exceed any review thresholds related to land (see 301 CMR 11.03(1))  
 Yes  No; if yes, specify each threshold:

**II. Impacts and Permits**

A. Describe, in acres, the current and proposed character of the project site, as follows:

	<u>Existing</u>	<u>Change</u>	<u>Total</u>
Footprint of buildings	<u>0.29 acres</u>	<u>0 acres</u>	<u>0.29 acres</u>
Roadways, parking, and other paved areas	<u>0.31 acres</u>	<u>-0.04 acres</u>	<u>0.27 acres</u>
Undeveloped areas	<u>0.43 acres</u>	<u>-0.07 acres</u>	<u>0.36 acres</u>
Other altered areas (crushed stone surface)	<u>0 acres</u>	<u>+0.11 acres</u>	<u>0.11 acres</u>
Wetland	<u>0.94 acres</u>	<u>0 acres</u>	<u>0.94 acres</u>

See Attachments 2 and 4.

B. Has any part of the project site been in active agricultural use in the last three years?  
 Yes  No; if yes, how many acres of land in agricultural use (with agricultural soils) will be converted to nonagricultural use?

C. Is any part of the project site currently or proposed to be in active forestry use?  
 Yes  No; if yes, please describe current and proposed forestry activities and indicate whether any part of the site is the subject of a DEM-approved forest management plan:

D. Does any part of the project involve conversion of land held for natural resources purposes in accordance with Article 97 of the Amendments to the Constitution of the Commonwealth to any purpose not in accordance with Article 97?  Yes  No; if yes, describe:

E. Is any part of the project site currently subject to a conservation restriction, preservation restriction, agricultural preservation restriction or watershed preservation restriction?  Yes  No; if yes, does the project involve the release or modification of such restriction?  Yes  No; if yes, describe:

F. Does the project require approval of a new urban redevelopment project or a fundamental change in an existing urban redevelopment project under M.G.L.c.121A?  Yes  No; if yes, describe:

G. Does the project require approval of a new urban renewal plan or a major modification of an existing urban renewal plan under M.G.L.c.121B? Yes  No  ; if yes, describe:

H. Describe the project's stormwater impacts and, if applicable, measures that the project will take to comply with the standards found in DEP's Stormwater Management Policy:

To the maximum extent practicable, the project will comply with the standards of DEP's Stormwater Management Policy, as follows:

- No new stormwater conveyances will be constructed.