Commonwealth of Massachusetts
Executive Office of Environmental Affairs ■ MEPA Office

ENF Environmental Notification Form

For Office Use Only
Executive Office of Environmental Affairs
EOEA No.: 14420
MEPA Analyst: Bill Gage
Phone: 617-626-1030

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: **Former Hat Factory/East Brookfield River Remediation**		
Street: **126 Mechanic Street**		
Municipality: **East Brookfield**	Watershed: **Chicopee**	
Universal Tranverse Mercator Coordinates: **74392 East, 4678978 North**	Latitude: **42°13' 30.14" N** Longitude: **72° 02' 58.6" W**	
Estimated commencement date: **Fall 2010**	Estimated completion date: **Fall 2010**	
Approximate cost: **$3 million to $4 million**	Status of project design: **80% complete**	
Proponents: **Saucony, Inc. and Town of East Brookfield**		
Street: **126 Mechanic Street**		
Municipality: **East Brookfield**	State: **MA**	Zip Code: **01515**
Name of Contact Person From Whom Copies of this ENF May Be Obtained: **David P. Derrig, Jr., AICP**		
Firm/Agency: **AECOM**	Street: **300 Baker Avenue, Suite 290**	
Municipality: **Concord**	State: **MA**	Zip Code: **01742**
Phone: **978-371-4000**	Fax: **978-371--2468**	E-mail: **david.derrig@aecom.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): None at this time

Are you requesting coordinated review with any other federal, state, regional, or local agency? ☐Yes(Specify_____) ☒No

List Local or Federal Permits and Approvals:
East Brookfield Conservation Commission/Order of Conditions, DEP/401 Water Quality Cert., DEP/Chapter 91 License, ACOE – Programmatic General Permit, Category 2 or Individual Permit.

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

☐ Land
☐ Water
☐ Energy
☐ ACEC
☐ Rare Species
☐ Wastewater
☐ Air
☐ Regulations
☒ Wetlands, Waterways, & Tidelands
☐ Transportation
☐ Solid & Hazardous Waste
☐ Historical & Archaeological Resources

Summary of Project Size & Environmental Impacts	Existing	Change	Total
LAND			
Total site acreage	5.96		
New acres of land altered		0	
Acres of impervious area	± 1	0	± 1
Square feet of new bordering vegetated wetlands alteration		39,099	
Square feet of new other wetland alteration **(Bank, Land Under Water, and Bordering Land Subject to Flooding)**		133,821 (combined total)	
Acres of new non-water dependent use of tidelands or waterways		0	
STRUCTURES			
Gross square footage **(buildings footprint)**	±80,000	±80,000	±80,000
Number of housing units	n/a	n/a	n/a
Maximum height (in feet)	n/a	n/a	n/a
TRANSPORTATION			
Vehicle trips per day (construction)	< 5 per day (personal)	<30 truck trips per day (construction)	< 5 per day (personal). <30 truck trips per day (construction)
Parking spaces	~20 spaces (~6000 sq.ft. existing lot)	0	~20 spaces (~6000 sq.ft. existing lot)
WATER/WASTEWATER			
Gallons/day (GPD) of water use	n/a	n/a	n/a
GPD water withdrawal	n/a	n/a	n/a
GPD wastewater generation/ treatment	n/a	n/a	n/a
Length of water/sewer mains (in miles)	n/a	n/a	n/a

State Permits & Approvals

☒ Order of Conditions
☐ Superseding Order of Conditions
☒ Chapter 91License
☒ 401 Water Quality Certification
☐ MHD or MDC Access Permit
☐ Water Management Act Permit
☐ New Source Approval
☐ DEP or MWRA Sewer Connection/ Extension Permit
☐ Other Permits (*including Legislative Approvals*) – Specify:

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: In a letter from NHESP dated April 27, 2005, the following species were listed: King Rail, American Bittern, Pied-Billed Grebe, Triangle Floater, Wood Turtle, Spotted Turtle, Four Toed Salamander, Blue Spotted Salamander. An updated NHESP response dated November 10, 2008 from the recently submitted MESA Project Review Checklist indicates that the Wood Turtle, King Rail, American Bittern and Pied-Billed Grebe are still listed as state-listed rare species. ☐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*

*** A letter was originally sent to MHC on June 2, 2008 to determine if there are any historical/archaeological resources near the project site with follow-up on April 23, 2009 per MHC request for further information. This information was forwarded to East Brookfield Historical Commission.**

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_____) ☒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.*)

Historic contaminant releases at the Former Hat Factory and Floodwall properties in East Brookfield, MA have resulted in residual soil and sediment contamination that is being addressed under the Massachusetts Contingency Plan (MCP: 310 CMR 40.0000, et seq.). The "Site", as referred to herein, includes portions of the Former Hat Factory and Floodwall properties, as well as a segment of the East Brookfield River and adjacent wetlands. Saucony Inc. (Saucony) owns the Former Hat Factory property and the Town of East Brookfield, MA (Town) owns the Floodwall property. Saucony and the Town are both identified as responsible parties under the MCP and, with the Town's agreement, Saucony has assumed the role of Primary Representative for all MCP submittals.

Saucony and the Town have implemented an integrated remedial program to resolve environmental issues associated with the Site's identified historic releases. Except for the eastern riverbank soil along the River, all historic releases to soil have been addressed at the Site. The MCP compliance program is currently in the Phase IV (Remedy Implementation Plan) process, which includes the following principal elements: (1) Temporary Lake Lashaway drawdown and/or discharge controls coupled with temporary surface water diversion around the project area; (2) Removal of contaminated sediments and eastern riverbank soils along the River; (3) Replacement of impacted river sediments and riverbank soils with "clean" materials of similar kind; (4) Restoration of the project area.

The purpose of the project is to achieve a Permanent Solution, as defined under the MCP, which achieves a condition of No Significant Risk to human health, safety, public welfare, and the environment.

To address the residual Site contamination, Saucony and the Town have undertaken Massachusetts Department of Environmental Protection Agency (MassDEP) approved response actions to comply with MCP requirements. In total, the following MCP reports have been filed with the (MassDEP's) Central Regional Office to date: (1) MCP Phase I Site Assessment (Phase I); (2) Phase II Comprehensive Site Assessment Report (Phase II), including a Site-specific Method 3 Human Health and Ecological Risk Characterization; (3) Phase III Remedial Action Plan (Phase III), which discussed possible remediation action alternatives (RAA) and indicated the most appropriate Site cleanup approach; (4) MCP Phase IV Remedy Implementation Plan (Phase IV), which provides the detailed engineering design, construction methods, and other required information for the implementation of the chosen RAA.

The proposed integrated remedial program is based on the RAA chosen during the Phase III, with limited modifications, and is designed to achieve the remedial objectives for the Site.

The key design and operation procedures for the remedial program include, in the approximate order of their implementation:

- Prepare initial design and obtain necessary permits and access agreements for construction.
- Install air monitoring equipment to monitor air quality during construction.
- Delineate and stakeout the limits of work; stage construction equipment; prepare and clear site; construct temporary haul road, soil stockpile areas, and decontamination facilities; and install temporary erosion and sedimentation controls.
- Install temporary water treatment system and temporary surface water diversion structures (e.g., cofferdams, pumps, and pipes).
- Drawdown of the lake level prior to sediment remediation. The gradual drawdown will be initiated earlier than the annual drawdown events in recent years, and the lake surface may be drawn down to a level lower than during recent drawdowns.
- Dewater the remediation area and bypass river flows around the remediation area. Maintain dry work area by bypassing river flow and collecting, treating, and discharging groundwater, surface water or stormwater that collects in the excavation area.
- Excavate impacted riverbank soils and river sediments – specifically, excavate approximately 400 cubic yards of impacted riverbank soils (up to 6 feet of excavation depth) and approximately 2,100 cubic yards of heavy metals-, PAH-, and petroleum-contaminated river sediments (up to approximately 1 foot of excavation depth).
- Treat on-Site impacted water collected in excavation areas and discharge this water downstream of the work area.
- Solidify/stabilize sediments and soils generated during excavation activities as needed to meet disposal facility requirements.
- Transport off-Site and dispose of all remediation-derived waste materials at permitted receiving facilities.
- Install sediment cap.

- Restore aquatic, wetland, and terrestrial habitats, including planting vegetation, where appropriate. A mitigation plan is being developed to detail the proposed restoration.

- Remove temporary surface water diversion structures, decontaminate equipment and demobilize.

Several alternatives were evaluated to determine both the chosen RAA and its implementation methodology. Based on cost, feasibility, the ability to meet the overall project purpose and MCP requirements, and the associated environmental impacts, it was determined that to excavate up to 6 feet of impacted riverbank and up to 1 foot of impacted river sediment and wetland soils and cap with a comparable amount of clean material approximating the texture excavated was the best option. As a result of this excavation, capping, dewatering and construction-related activities, wetland, riverbed and riverbank habitats will be disturbed.

Overall, it is expected that over 39,000 square feet of bordering vegetated wetlands, over 42,000 square feet of land under water, almost 9,000 square feet of bordering land subject to flooding and over 118,000 square feet of river front will be disturbed to complete the project. These alterations will primarily be temporary in nature and the result of excavation, construction staging and equipment movement, and dewatering of the work area. As proposed, the project exceeds a number of Performance Standards for Wetland Protection Act (WPA) resource areas. As a response action being performed in accordance with the MCP, the project qualifies for "limited project" status as described in 310 CMR 10.53(3)(q). The project will meet that applicable WPA Performance Standards to the extent practicable.

To mitigate any negative impacts to the environment, any disturbed riverbanks will be stabilized, riverbed bathymetry will be restored, wetland and riverbed topography will be restored, river sediment and wetland soil textures will be restored to approximately replicate pre-remediation sediments and soils, and impacted areas will be replanted with the appropriate submerged aquatic vegetation, wetland plants and riverbank vegetation.

Based on the project plans and their associated impacts to the environment, the remediation activity requires the following permits and approvals:

- MassDEP Chapter 91 Permit.
- MassDEP 401 Water Quality Certification.
- United States Army Corps of Engineers Section 404 Programmatic General Permit, Category 2 or Individual Permit.
- East Brookfield Conservation Commissions Order of Conditions.

As part of the evaluation and permitting effort for the proposed project, a letter was originally sent to Natural Heritage and Endangered Species Program (NHESP) in early 2005. The April 2005 NHESP response detailed several state-listed rare species within the project area. More recent communications in 2008 detailed a smaller list of rare species within the project area. Initial discussions with NHESP indicate that the project can be conditioned through protective measures during construction, seasonal restrictions on the project activities, and restoration of disturbed habitats to avoid a "take" of a state listed species. Saucony and the Town will continue to work with NHESP to refine the project to protect state listed species in the project area.

A letter was also sent to the US Fish and Wildlife Service (USFWS) on June 2, 2008 requesting their assessment of federally listed endangered species located within the project area. The USFWS replied by letter on July 1, 2008 that there are no federally-listed or proposed, threatened or endangered species or critical habitat under the USFWS jurisdiction that are within the project site.

Finally, a letter was sent to the Massachusetts Historical Commission (MHC) on June 2, 2008 to verify whether there are any historical or archeological resources within the project site. The June 23, 2008 response requested additional information before a determination could be provided. This information was sent to MHC, with a copy sent to the East Brookfield Historical Commission, on April 23, 2009.