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April 10, 2020

CERTIFICATE OF THE SECRETARY OF ENERGY AND ENVIRONMENTAL AFFAIRS
ON THE
ENVIRONMENTAL NOTIFICATION FORM

PROJECT NAME : Emergency Water System Interconnection with Pawtucket
PROJECT MUNICIPALITY : Attleboro
PROJECT WATERSHED : Blackstone River Watershed
EEA NUMBER : 16167
PROJECT PROPONENT : City of Attleboro, Water Department
DATE NOTICED IN MONITOR : March 11, 2020

Pursuant to the Massachusetts Environmental Policy Act (MEPA; M.G. L. c. 30, ss. 61-62I) and Section 11.06 of the MEPA regulations (301 CMR 11.00), I hereby determine that this project **does not require** an Environmental Impact Report (EIR).

Project Description

As described in the Environmental Notification Form (ENF), the project consists of a new emergency water interconnection with the Pawtucket Water Supply Board (PWSB) in order to supply the City of Attleboro (the City) with up to 2.0 million gallons per day (mgd) of drinking water in emergency situations such as: drought, drinking water storage tank failure, or catastrophic failure of a dam or treatment plant in the City's distribution system. The project includes the installation of 150-linear feet of 12-inch ductile iron water main and construction of a 45-foot by 14-foot prefabricated pump station with associated landscaping and fencing. The pump station will consist of three rooms: the main pump station room, an orthophosphate adjustment room, and a third room for pH adjustment utilizing sodium hydroxide (NaOH). The ENF indicated that this limited chemical addition is necessary to raise the pH and increase the orthophosphates in the water coming from the PWSB so that it matches the typical levels found in the City's finished water system.

Project Site

The project site is located at the intersection of Tuner Road and Crown Street in Attleboro, near the border of Cumberland, Rhode Island. According to the ENF, the 0.13-acre site is comprised of an abandoned 0.11-acre section of roadway that is entirely paved and a 0.02-acre vegetated traffic island, with the surrounding area characterized as largely industrial. The site is generally bounded by a warehouse to the north, a paved lot to the west, and vacant lots used for storage of trailers and trucks to the south and east. According to the ENF, the project site is not located in *Estimated and Priority Habitat of Rare Species* as delineated by the Natural Heritage and Endangered Species Program (NHESP) in the 14th Edition of the Massachusetts Natural Heritage Atlas or an Area of Critical Environmental Concern (ACEC). The site does not contain any structures listed in the State Register of Historic Places or the Massachusetts Historical Commission's (MHC) Inventory of Historic and Archaeological Assets of the Commonwealth (Inventory).

Environmental Impacts and Mitigation

Potential environmental impacts associated with the project include the alteration of 0.13 acres of land, installation of 150 linear feet (lf) of water mains, and withdrawal of up to 2 mgd of drinking water. Proposed work includes removing a portion of the existing roadway (River Street) and vegetated traffic island. The project will result in a net loss of 0.045 acres of impervious surface.

Measures to avoid, minimize, and mitigate, environmental impacts include: tree and shrub plantings; creation of 0.045 acres of landscaped greenspace; and construction period best management practices (BMPs).

Jurisdiction and Permitting

This project is subject to MEPA review and preparation of an ENF pursuant to 301 CMR 11.03(4)(b)(4) because it requires a State Agency Action and will involve the construction of a New drinking water treatment plant with a capacity of 1,000,000 or more gpd. The project requires a Distribution System Modification permit (BRP-WS-32) and Approval to Construct a Water Treatment Facility (BRP-WS-24) from the Massachusetts Department of Environmental Protection (MassDEP).

The project is not receiving Financial Assistance from the Commonwealth. Therefore, MEPA jurisdiction is limited to those aspects of the project that are within the subject matter of any required or potentially required Agency Actions and that may cause Damage to the Environment, as defined in the MEPA regulations.

Review of the ENF

The ENF provided a description of existing and proposed conditions, a discussion of project alternatives, preliminary project plans, and identified measures to avoid, minimize, and mitigate project impacts. Comments from MassDEP were supportive of the project and acknowledge the resiliency benefits it will provide to the City. Comments did not identify any significant impacts that were not reviewed in the ENF or request an EIR.

Alternatives Analysis

The ENF included an alternatives analysis which evaluated the following three Alternatives: No-Build Alternative, Ground Water Exploration Alternative, and the Preferred Alternative (as described herein). The No-Build Alternative would not alter the site and would allow existing conditions to be maintained. The ENF indicated the No-Build Alternative was dismissed as it would not meet the project goals of ensuring the City's ability to supply adequate drinking water during emergency situations. The Ground Water Exploration Alternative consisted of the City's investigation of a local ground water supply source that could be used in emergencies. This alternative would require hydrogeological investigations, approval of a new drinking water source, water treatment, and construction of new distribution piping. According to the ENF, this Alternative was dismissed due to the extensive investigative work and environmental permitting and approvals required to find and permit a new ground water source, in addition to the time required to do so during which the City would be vulnerable in emergency situations. According to the ENF, the Preferred Alternative was selected due to its ability to meet project goals in a shorter timeframe while reducing impacts to the environment.

Land

According to the ENF, approximately 4,792 sf of the 5,663 sf project site is currently paved, with the remaining 871 sf comprised of the vegetated traffic island. Work associated with the project includes the removal of the existing pavement and vegetated traffic island. The ENF states that two small-diameter trees in the traffic island will be removed during construction. To mitigate this loss, the project proposes planting two *Acer rubrum* (Red Maple) trees. Additional landscaping includes the planting of 22 *Clethra alnifolia* (Sweet Pepperbush) on the western side of the proposed pumping station, paralleling Crown Street. The pump station will be constructed on 2,831 sf of the existing impervious area; the project will result in a net reduction of 1,960 sf of impervious surface. This area, in addition to the existing vegetated traffic island, will be replaced with a maintained lawn and aforementioned plantings.

Water Supply

The ENF states that the interconnection with PWSB would only be utilized to provide the City with up to 2 mgd during emergency conditions, and that the project is not anticipated to impact the PWSB drinking water supply or interrupt service to PWSB customers. PWSB did not provide comments on the ENF. As noted in the ENF, and confirmed in comments from MassDEP, activation of the emergency water supply interconnection will only be allowed following the issuance of a Declaration of a State of Water Supply Emergency according to M.G.L. 21G, and following procedures outlined in MassDEP's Drinking Water Policy 87-05 (Declaration of State of Water Supply Emergency). Comments from MassDEP Drinking Water Program strongly support the City's effort to increase its emergency preparedness and resiliency through the proposed project. I refer the Proponent to comments from MassDEP which indicate that a Dewatering General Permit or Remediation General Permit from the U.S. Environmental Protection Agency (EPA) National Pollutant Discharge Elimination System (NPDES) may be required prior to commencing project construction.

Construction Period

All construction activities should be managed in accordance with applicable MassDEP's regulations regarding Air Pollution Control (310 CMR 7.01, 7.09-7.10), and Solid Waste Facilities (310 CMR 16.00 and 310 CMR 19.00, including the waste ban provision at 310 CMR 19.017). The project should include measures to reduce construction period impacts (e.g., noise, dust, odor, solid waste management) and emissions of air pollutants from equipment, including anti-idling measures in accordance with the Air Quality regulations (310 CMR 7.11). I encourage the Proponent to require that its contractors use construction equipment with engines manufactured to Tier 4 federal emission standards, or select project contractors that have installed retrofit emissions control devices or vehicles that use alternative fuels to reduce emissions of volatile organic compounds (VOCs), carbon monoxide (CO) and particulate matter (PM) from diesel-powered equipment. Off-road vehicles are required to use ultra-low sulfur diesel fuel (ULSD). If oil and/or hazardous materials are found during construction, the Proponent should notify MassDEP in accordance with the Massachusetts Contingency Plan (310 CMR 40.00). All construction activities should be undertaken in compliance with the conditions of all State and local permits.

Conclusion

The ENF has adequately described and analyzed the project and its alternatives, and assessed its potential environmental impacts and mitigation measures. Based on review of the ENF and comments received on it, and in consultation with MassDEP, I have determined that an EIR is not required.

April 10, 2020

Date



Kathleen A. Theoharides

Comments received:

03/24/2020 Massachusetts Department of Environmental Protection (MassDEP), Southeast Regional Office (SERO)

KAT/ELM/elm



Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

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Commissioner

March 24, 2020

Kathleen A. Theoharides
Secretary of Environment and Energy
Executive Office of Energy and
Environmental Affairs
100 Cambridge Street, Suite 900
ATTN: MEPA Office
Boston, MA 02114

RE: ENF Review. EOEEA 16167.
ATTLEBORO. Emergency Water System
Interconnection with Pawtucket at River
Street

Dear Secretary Theoharides,

The Southeast Regional Office of the Department of Environmental Protection (MassDEP) has reviewed the Environmental Notification Form (EENF) for the Emergency Water System Interconnection with Pawtucket at River Street, Attleboro, Massachusetts (EOEEA #16167). The Project Proponent provides the following information for the Project:

The City of Attleboro (City) is seeking an emergency drinking water interconnection with the Pawtucket Water Supply Board (PWSB) for supply to the City of up to 2.0 million gallons per day (mgd). The physical location of the emergency interconnection would be within the southwest area of the City off Turner Street, near the border with Cumberland, Rhode Island. This interconnection would be used to provide finished drinking water to the City's distribution system in emergency situations, including, but not limited to, drought, catastrophic failure of a dam or treatment plant, or loss of finished water storage due to storage tank failure.

The intent of connecting with PWSB is to ensure that the City maintains appropriate finished water supply during emergencies to maintain public health and safety standards. In the area to be served by the interconnection with PWSB, the City has an average orthophosphate residual of approximately 1.0 mg/L as phosphate (PO₄). PWSB's finished water has an orthophosphate residual of approximately 0.6 mg/L as PO₄. The interconnection is located near the PWSB Water Treatment Plant (WTP), where the pH of the water entering the City from the interconnection would be expected to be in the 7.2 to 7.6 range. The City targets a pH of 7.5 to 8.0, with an average pH of approximately 7.8 in the finished water. To ensure that City maintains appropriate finished water supply during emergencies to maintain public health and safety standards, limited chemical addition has been requested by the Massachusetts Department of Environmental Protection (MADEP) to raise the pH and add limited orthophosphate as required to match the City's typical levels.

Bureau of Water Resources Comments:

Wetlands and Waterways. The Project does not appear to have any impacts to wetlands or waterways. However, the Proponent is reminded that if a portion of the Project will likely impact a wetland buffer zone or resource area, either a Determination of Applicability or a Notice of Intent should be filed with the Attleboro Conservation Commission. Also, portions of the Project may require licensing under M.G.L. Chapter 91. An example of a potential need for a c. 91 license would be a water line on a bridge over a navigable waterway. MassDEP is available for consultation if there are any questions of the applicability of c. 91.

Drinking Water. The MassDEP Drinking Water Program strongly supports the City of Attleboro's proposal to increase its emergency preparedness and resiliency by constructing an interconnection with the Pawtucket Water Supply Board (PWSB). As noted in the ENF, activation will only be allowed following the issuance of a Declaration of a State of Water Supply Emergency, according to M.G.L. 21G and following procedures outlined in MassDEP's Policy 87-05. MassDEP has done a preliminary review of Attleboro's permit applications to construct the interconnection and water treatment facility, BRP WS32 and BRP WS24, respectively, and offers the following description and background.

Attleboro obtains its drinking water from two surface water filtration plants using sodium hypochlorite as the primary disinfectant, sodium hydroxide for pH adjustment, orthophosphate for corrosion control, and hydrofluosilicic acid for dental health. The PWSB utilizes both surface water and groundwater for its drinking water supply. The PWSB activated a new surface water treatment plant in 2008. All the PWSB sources are routed to the surface water treatment plant intake for treatment. The PWSB surface water filtration treatment plant uses sodium hypochlorite for disinfection, orthophosphate for corrosion control and fluoride, similar to Attleboro, and lime for pH adjustment. The PWSB maintains a slightly lower pH and orthophosphate residual in its finished water than does Attleboro. Through the permit review, MassDEP required Attleboro to include chemical addition to adjust the incoming water quality to more closely match the water quality in Attleboro's system.

Attleboro proposes to construct a pump station and water treatment facility to create an emergency interconnection with PWSB at Turner Street and River Street in the southwest area of Attleboro. The emergency interconnection is meant to provide Attleboro with additional protection from system vulnerability. The interconnection design capacity is two (2) million gallons per day (MGD). The pump station will provide additional corrosion control using Calciquest orthophosphate, which is currently used by Attleboro. The pump station will include space and equipment to add sodium hypochlorite for additional disinfection if necessary.

The Department issued an approval to Attleboro on January 24, 2018, for BRPWS21D, To Conduct a Pilot Study Equal To or Greater Than One Million Gallons Per Day (MGD), Transmittal Number X276876. The approved pilot study proposal was to be conducted in two phases. The first phase investigated the water quality in the Attleboro and PWSB systems separately, and those results are included in the BRP WS24/32 applications. The second phase will be a demonstration study conducted after construction and temporary activation of the interconnection and treatment facility. The second phase pilot study results will be presented to the Department in a BRPWS22D Pilot Study Report permit application. The water quality investigations are meant to insure the compatibility of water introduced into the Attleboro distribution system with the existing piping and plumbing.

Construction Stormwater Permit. The Project construction activities have the potential to exceed an acre of land and therefore, may require a NPDES Stormwater Permit for Construction Activities. This permit is issued by the U.S. Environmental Protection Agency where the Proponent can access information regarding the NPDES Stormwater requirements and an application for the Construction General Permit at the EPA website: https://www.epa.gov/sites/production/files/2017-07/documents/cgp_flow_chart_do_i_need_a_permit2.pdf

The Proponent should also determine if any of the following U.S. EPA NPDES permits are necessary prior to commencing Project construction:

Dewatering General Permit - <https://www.epa.gov/npdes-permits/dewatering-general-permit-dgp-massachusetts-new-hampshire>.

Remediation General Permit - <https://www.epa.gov/npdes-permits/remediation-general-permit-rgp-massachusetts-new-hampshire>.

Additional information regarding these permits may be found at:

<http://www.epa.gov/region1/npdes/stormwater/assets/pdfs/CGP-DGP-RGP-Flow-Chart.pdf>

Bureau of Waste Site Cleanup Comments:

ENF #16158– Based upon the information provided, the Bureau of Waste Site Cleanup (BWSC) searched its databases for disposal sites and release notifications that have occurred at or might impact the proposed Project area. A disposal site is a location where there has been a release to the environment of oil and/or hazardous material that is regulated under M.G.L. c. 21E, and the Massachusetts Contingency Plan [MCP – 310 CMR 40.0000].

There are no listed MCP disposal sites located at or in the vicinity of the site that would appear to impact the proposed Project area. Interested parties may view a map showing the location of BWSC disposal sites using the MassGIS data viewer (Oliver) at:

http://maps.massgis.state.ma.us/map_ol/oliver.php Under “Available Data Layers” select Regulated Areas”, and then “DEP Tier Classified 21E Sites”. MCP reports and the compliance status of specific disposal sites may be viewed using the BWSC Waste Sites/Reportable Release Lookup at: <https://eeaonline.eea.state.ma.us/portal#!/search/wastesite>

The Project Proponent is advised that if oil and/or hazardous material (OHM) are identified during the implementation of this Project, notification pursuant to the Massachusetts Contingency Plan (MCP) (310 CMR 40.0000) must be made to MassDEP, if necessary. A Licensed Site Professional (LSP) should be retained to determine if notification is required and, if need be, to render appropriate opinions. The LSP may evaluate whether risk reduction measures are necessary if contamination is present. The BWSC may be contacted for guidance if questions arise regarding cleanup.

The Proponent is reminded that if OHM is encountered during the construction of this Project, addressing OHM encountered could likely be accomplished using the Utility-related Abatement Measures provisions at 310 CMR 40.0461 through 40.0469.

Bureau of Air and Waste Comments:

Air Quality. Construction and operation activities shall not cause or contribute to a condition of air pollution due to dust, odor or noise. To determine the appropriate requirements please refer to: 310 CMR 7.09 Dust, Odor, Construction, and Demolition

310 CMR 7.10 Noise

Construction-Related Measures. MassDEP requests that all non-road diesel equipment rated 50 horsepower or greater meet EPA's Tier 4 emission limits, which are the most stringent emission standards currently available for off-road engines. If a piece of equipment is not available in the Tier 4 configuration, then the Proponent should use construction equipment that has been retrofitted with appropriate emissions reduction equipment. Emission reduction equipment includes EPA-verified, CARB-verified, or MassDEP-approved diesel oxidation catalysts (DOCs) or Diesel Particulate Filters (DPFs). The Proponent should maintain a list of the engines, their emission tiers, and, if applicable, the best available control technology installed on each piece of equipment on file for Departmental review.

Spills Prevention. A spills contingency plan addressing prevention and management of potential releases of oil and/or hazardous materials from pre- and post-construction activities should be presented to workers at the site and enforced. The plan should include but not be limited

Massachusetts Idling Regulation. MassDEP reminds the Proponent that unnecessary idling (i.e., in excess of five minutes), with limited exception, is not permitted during the construction and operations phase of the Project (310 CMR 7.11). With regard to construction period activity, typical methods of reducing idling include driver training, periodic inspections by site supervisors, and posting signage. In addition, to ensure compliance with this regulation once the Project is occupied, MassDEP requests that the Proponent install permanent signs limiting idling to five minutes or less on-site, refueling of machinery, storage of fuels, and potential on-site activity releases.

Hazardous Waste Management. If any occupant of the Project generates hazardous waste and/or waste oil, that entity must register with the MassDEP or EPA to obtain a permanent identification number, as applicable, in accordance with 310 CMR 30.000 for legally generating and managing regulated waste. The Proponent is advised to consult at this MassDEP website <https://www.mass.gov/guides/hazardous-waste-generation-generators> to determine if the Proponent qualifies as a generator of hazardous waste and/or waste oil.

Solid Waste Management. MassDEP Solid Waste staff have reviewed the Expanded Environmental Notification Form ("EENF") for the Attleboro Emergency Water System Interconnection with Pawtucket ("Project" or "Site"), EEA No. 16167, and offers the following comments regarding solid waste permitting pursuant to Massachusetts Solid Waste Regulations 310 CMR 16.00: *Site Assignment Regulations For Solid Waste Facilities* and 310 CMR 19.000: *Solid Waste Management*.

Solid Waste/Asbestos Comments:

1. Waste Ban Regulations: MassDEP enforces solid waste regulations that restrict certain recyclable materials from disposal. Known as "waste bans", these regulations (310 CMR 19.017) prohibit the disposal of recyclable materials as solid waste. Waste materials that are determined to be solid waste (e.g., construction and demolition waste) and/or recyclable material (e.g., metal, asphalt, brick, and concrete) shall be disposed, recycled, and/or otherwise handled in accordance with the Solid Waste Regulations including 310 CMR 19.017: *Waste Bans*.

Asphalt, brick and concrete (ABC) rubble, such as the rubble generated by the demolition of buildings or other structures must be handled in accordance with the Solid Waste regulations. These regulations allow, and MassDEP encourages, the recycling/reuse of ABC

rubble. The Proponent should refer to MassDEP's Information Sheet, entitled "Using or Processing Asphalt Pavement, Brick and Concrete Rubble, Updated February 27, 2017", that answers commonly asked questions about ABC rubble and identifies the provisions of the solid waste regulations that pertain to recycling/reusing ABC rubble. This policy can be found on-line at the MassDEP website: <https://www.mass.gov/files/documents/2018/03/19/abc-rubble.pdf>

For more information on how to prevent banned materials from entering the waste stream the Proponent should contact the RecyclingWorks in Massachusetts program at (888) 254-5525 or via email at info@recyclingworksma.com. RecyclingWorks in Massachusetts also provides a website that includes a searchable database of recycling service providers, available at <https://recyclingworksma.com/>.

2. Demolition and Asbestos Containing Waste Material: The proposed Project includes the demolition of structures, piping, pumps, and/or other materials which may contain asbestos. The Project Proponent is advised that demolition activity must comply with both Solid Waste and Air Quality Control regulations. Please note that MassDEP promulgated revised Asbestos Regulations (310 CMR 7.15) that became effective on June 20, 2014. The new regulations contain requirements to conduct a pre-demolition/renovation asbestos survey by a licensed asbestos inspector and post abatement visual inspections by a licensed asbestos Project monitor. The Massachusetts Department of Labor and Work Force Development, Division of Labor Standards (DLS) is the agency responsible for licensing and regulating all asbestos abatement contractors, designers, Project monitors, inspectors and analytical laboratories in the state of Massachusetts.

In accordance with the revised Asbestos Regulations at **310 CMR 7.15(4)**, any owner or operator of a facility or facility component that contains suspect asbestos containing material (ACM) shall, prior to conducting any demolition or renovation, employ a DLS licensed asbestos inspector to thoroughly inspect the facility or facility component, to identify the presence, location and quantity of any ACM or suspect ACM and to prepare a written asbestos survey report. As part of the asbestos survey, samples must be taken of all suspect asbestos containing building materials and sent to a DLS certified laboratory for analysis, using USEPA approved analytical methods.

If ACM is identified in the asbestos survey, the Proponent must hire a DLS licensed asbestos abatement contractor to remove and dispose of any asbestos containing material(s) from the facility or facility component in accordance with **310 CMR 7.15**, prior to conducting any demolition or renovation activities. The removal and handling of asbestos from the facility or facility components must adhere to the Specific Asbestos Abatement Work Practice Standards required at **310 CMR 7.15(7)**. The Proponent and asbestos contractor will be responsible for submitting an *Asbestos Notification Form ANF-001* to MassDEP at least ten (10) working days prior to beginning any removal of the asbestos containing materials as specified at **310 CMR 7.15(6)**.

The Proponent shall ensure that all asbestos containing waste material from any asbestos abatement activity is properly stored and disposed of at a landfill approved to accept such material in accordance with **310 CMR 7.15 (17)**. The Solid Waste Regulations at **310 CMR 19.061(3)** list the requirements for any solid waste facility handling or disposing of asbestos waste. Pursuant to **310 CMR 19.061(3) (b) 1**, no asbestos containing material; including VAT, asphaltic-asbestos felts or shingles; may be disposed at a solid waste combustion facility.

If you have any questions regarding the Solid Waste Management Program comments above, please contact Mark Dakers at (508) 946-2847.

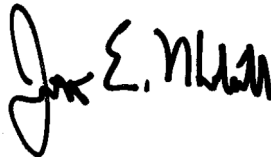
Proposed s.61 Findings

The "Certificate of the Secretary of Energy and Environmental Affairs on the Environmental Notification Form" may indicate that this Project requires further MEPA review and the preparation of an Environmental Impact Report. Pursuant to MEPA Regulations 301 CMR 11.12(5)(d), the Proponent will prepare Proposed Section 61 Findings to be included in the EIR in a separate chapter updating and summarizing proposed mitigation measures. In accordance with 301 CMR 11.07(6)(k), this chapter should also include separate updated draft Section 61 Findings for each State agency that will issue permits for the Project. The draft Section 61 Findings should contain clear commitments to implement mitigation measures, estimate the individual costs of each proposed measure, identify the parties responsible for implementation, and contain a schedule for implementation.

Other Comments/Guidance

The MassDEP Southeast Regional Office appreciates the opportunity to comment on this ENF. If you have any questions regarding these comments, please contact George Zoto at (508) 946-2820.

Very truly yours,



Jonathan E. Hobill,
Regional Engineer,
Bureau of Water Resources

JH/GZ

Cc: DEP/SERO

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